

**Consultation Response from KC,
Ecology Unit**

2023/92595 Oak Leas Manor, Spring Lane, New Mill, Holmfirth, HD9 7EH

Change of use and alterations, including new car park to create events/wedding venue

Date Responded: 02/02/2024

Responding Officer: Gareth Hey

Responding Ref:

Assessment

No ecological information has been submitted along with the application; therefore, the assessment of the ecological impacts is based on the limited information available. The site is located within the bat alert zone. Therefore, as the surrounding area provides suitability for bats and the proposals include for alterations that could include significant disturbance to roosting bats, there is a reasonable likelihood of disturbance to roosting bats. In addition to the above, the proposals will include the construction of a shelter area, over an existing patio area, which will be attached to the wall and has the potential to result in structural changes to the building, potentially resulting in disturbance to roosting bats.

The government circular on Biodiversity and Geological Conservation (ODPM, 2005) and explanatory note from Natural England (Natural England, 2020) indicates that information of protected species, and in particular European protected species (including bats), should be made available prior to determination.

In addition to the above, the proposals have not demonstrated a biodiversity net gain in accordance with LP30 (ii) which requires development to “*minimise impact on biodiversity and provide net biodiversity gains through good design*”. Guidance released June 2021 by Kirklees Council within the [Biodiversity Net Gain Technical Advice Note](#) indicates that a 10% net gain should be achieved.

Advice to planning officer

The applicant should engage with a suitably qualified ecologist to undertake a daytime inspection for bats (also known as a Preliminary Roost Assessment or Bat Scoping Survey). In many cases this will be adequate to determine whether bats are likely to be affected. If the survey indicates that further activity surveys are required to determine the presence/likely absence of bats, this information should also be supplied. Bat activity surveys should be carried out between May and August and in accordance with Bat Conservation Trust guidelines (Collins, 2023).

The application should not be determined until the necessary assessments have been received and a Biodiversity Net Gain demonstrated.

References

Collins, J. (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London.

Natural England (2020). *NATURAL ENGLAND EXPLANATORY NOTE FOR LOCAL PLANNING AUTHORITIES ON CLAUSE 9.3 and ANNEX D6.1 OF BS42020:2013 PLANNING CONDITIONS AND EUROPEAN PROTECTED SPECIES LICENCES*. Natural England, York.

ODPM (2005). *ODPM Circular 06/2005: Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System*, London: Office of the Deputy Prime Minister.