

**Consultation Response from KC,
Ecology Unit**

2023/93350 former Deighton Centre, Deighton Road, Deighton, Huddersfield, HD2 1JP

Development of former Deighton Centre (previously Deighton High School) comprising Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development

Date Responded: 18/01/2024

Responding Officer: Gareth Hey

Responding Ref:

Assessment

An Ecological Impact Assessment (EclA) and Biodiversity Net Gain calculation have been submitted with the application, which is welcomed. The submitted reports provide a comprehensive assessment of the site and lay out the potential impacts on ecological receptors, brought about by the proposed development. Overall, the site is of limited ecological value, comprising of species poor modified grassland with limited opportunities for protected species. However, some deciduous woodland is present in the northern section of the site, that could provide increased opportunities, for ecological receptors in the wider area. The site does provide limited opportunities for protected species, however, standard mitigation measures will ensure that they are safeguarded throughout the development and following recommendations submitted within the EclA, it is considered that provisions for protected and notable faunal groups can be incorporated into the design.

An updated Biodiversity Net Gain calculation has been submitted with the EclA, using the Biodiversity Metric 4.0 calculator tool. The submitted metric details that there will be an overall **net gain** of 0.40 habitat units at the site (10.58%% net gain) and a **net gain** of 0.36 hedgerow units (100% net gain). The proposed enhancement measures are sufficient to ensure that the uplift in biodiversity value of the site and adjacent woodland can be achieved. In order to ensure that these are secured, post development, a habitat management and monitoring plan (HMMP), a template of which is available from Natural England.

To ensure the proposed development complies with national and local planning policies, the following conditions are recommended.

Suggested Conditions

1. No development shall commence until a habitat management and monitoring plan (HMMP) has been submitted to and approved in writing by the local authority. The plan shall demonstrate how a minimum of 10% net gain in habitat and hedgerow units are to be achieved post-development, utilising baseline information submitted in the DEFRA Metric 4.0 (dated 11th September 2023) and include details of the following:
 - a. Description and evaluation of features to be managed and enhanced;
 - b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
 - c. Ecological trends and constraints on site that might influence management;
 - d. Aims and Objectives of management;
 - e. Appropriate management Actions for achieving Aims and Objectives;
 - f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
 - g. Details of the management body or organisation responsible for implementation of the HMMP;
 - h. Ongoing monitoring programme and remedial measures; and
 - i. The HMMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years

The HMMP shall include details of the legal and funding mechanisms by which the long-term implementation of the HMMP will be secured by the developer with the management body responsible for its delivery. The HMMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved HMMP. The approved HMMP will be implemented in accordance with the approved details.

Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

2. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a. Risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information.
 - b. Identification of “biodiversity protection zones”, where appropriate.
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.
 - f. Responsible persons and lines of communication.
 - g. Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason. To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Kirklees Local Plan Policy LP30.