

Consultation Response from KC,
Ecology Unit

2023/93667 Storthes Hall Student Village, Storthes Hall Lane, Kirkburton, Huddersfield, HD8
0WA

Outline application for demolition of buildings and erection of residential development (up to
261 dwellings), redevelopment of Lodge Cottage for residential use and associated works

Date Responded: 01/03/2024

Responding Officer: Gareth Hey

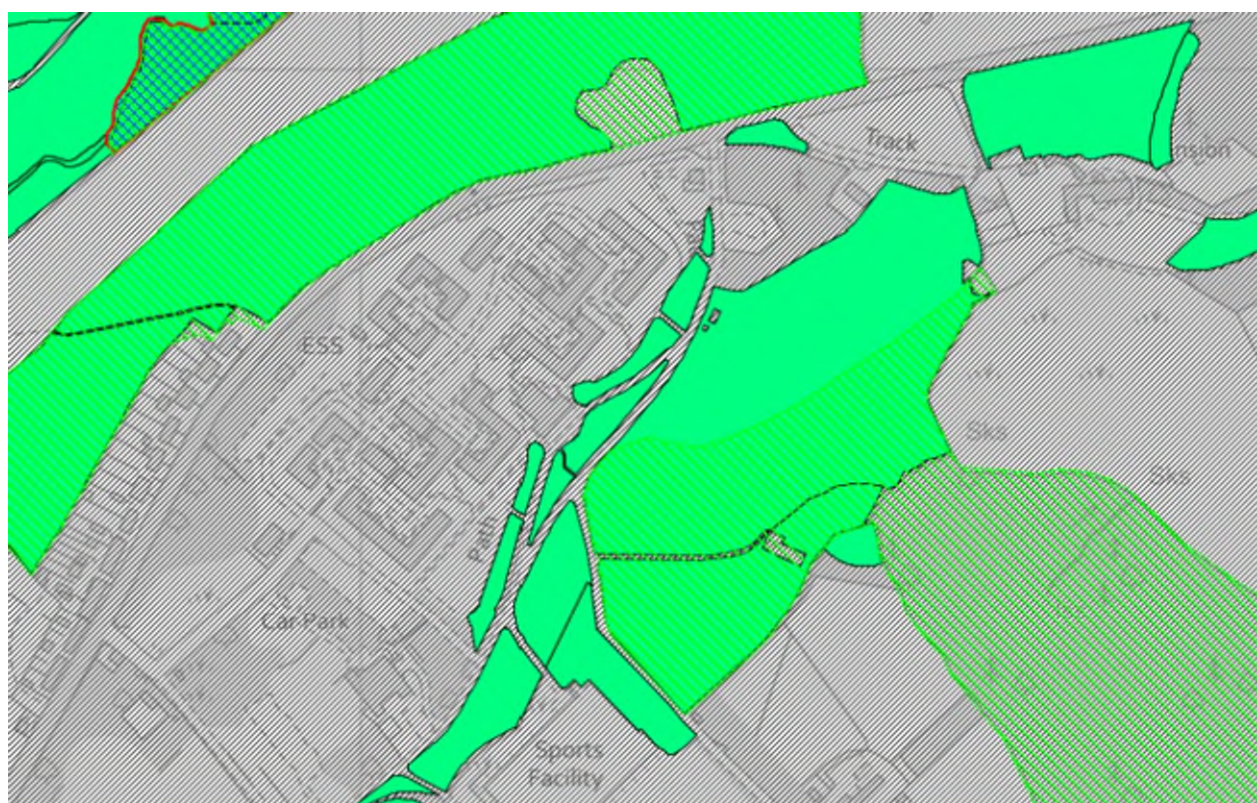
Responding Ref:

Assessment

The application is outline, with matters of access and layout for determination only. A Preliminary Ecological Appraisal (PEA, Enzygo, 27/11/23), Bat survey report (Enzygo, 24/07/23) and Biodiversity Net Gain calculation (23/11/2023) have been submitted with the application. In general, the suite of surveys undertaken appears to be suitable for the site in order to determine likely ecological impacts at outline stage.

Preliminary Ecological Appraisal (PEA)

The submitted PEA provides an excellent and comprehensive overview of the site and sets a precedence for the detail of information required to full determine the potential impacts at the site. Although the site is largely dominated by built form, there are a number of ecologically valuable habitats present within the site, including scattered trees, scrub and woodland, all of which provide excellent corridors for a variety of species to access the wider landscape, including the significant population of roosting common pipistrelle and brown long-eared bats present within the site. In particular, the areas coloured green on the map below detail the location of the Kirklees Wildlife Habitat Network. Policy LP30 (iii) of the Kirklees Local Plan details that the wildlife habitat network should be safeguarded and enhanced in order to secure its function and connectivity to the wider landscape. In line with other technical disciplines including trees and heritage, opportunities should be explored to retain all of these areas highlighted below.



Protected species

The suite of bat surveys undertaken at the site determine that Building 1, and Buildings 3 to Buildings 21 hold roosts of both common pipistrelle and brown long-eared bats and as such, an appropriate mitigation licence will need to be obtained from Natural England to permit demolition of the works to these buildings. It should be noted that Natural England will require survey information from the most recent survey season to inform any licence application. The mitigation proposals outlined in section 5.2 of the submitted bat survey report provide sufficient detail to ensure the favourable conservation

status of the species concerned. Particularly, the compensation and enhancement measures outlined within the report will allow for a significant uplift in roosting features at the site.

Overall, I am satisfied with the mitigation measures outlined within the report, that will ensure that other protected species including bird, badger and reptiles are suitably safeguarded throughout the development. In order to ensure these are secured, a condition for a construction environmental management plan: biodiversity, should be placed on any forthcoming consent.

Biodiversity Net Gain (BNG)

A biodiversity metric 4.0 calculation has been submitted with the application, along with further detail provided in the PEA. The calculation details that the development at the site will result in an on-site net loss of 12% at the site, however, through utilising off-site land within the applicants' wider land ownership, where there will be a 330% increase in habitats at the off-site location. Therefore, factoring in both sites combined, the overall proposals will allow for an uplift of 10.2% in habitat units at the site. In order to ensure appropriate measures are in place to deliver the proposed uplift in the biodiversity value of the site, a suitably worded condition to ensure that a minimum 10% net gain is achieved at the site should be placed on any forthcoming consent. It is accepted that changes in the layout following comments from other consultees may impact the overall value of the site post development, however, if there is a shortfall in units at the site, discussions with the applicant team have identified that there is a number of off-site areas available for providing a 10% gain for the development.

Overall, it is accepted that the biodiversity value of the site can be enhanced post development and that appropriate measures can be put in place to ensure that impacts to protected species can be appropriately mitigated for. The measures identified above that should aim to retain all habitats within the wildlife habitat net work should be explored, however, given the uplift in the value of the site, this should not present a significant obstacle. As such, subject to the following conditions, I have no objection to this application.

Suggested Conditions

1. Prior to the commencement of a phase of development, including demolition, site preparation or clearance, an updated ecological assessment with updated protected species surveys (undertaken 12 months prior to submission) shall be carried out and completed by an appropriately qualified ecologist and in the appropriate season. The surveys shall be of an appropriate type for the habitats and/or species identified within the Preliminary Ecological Appraisal (SHF.1337.003.EC.R.001) and Bat Survey Report (SHF.1337.003.EC.R.002), and survey methods shall follow national good practice guidelines. The information collected shall be used to update information on the species and to assess potential impacts of the development for the relevant phase of development, including the need for any additional surveys. The survey report, together with a mitigation strategy as appropriate shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of the development on the relevant phase and shall be thereafter implemented as agreed.

Reason: In the interests of preserving and enhancing the natural environment, in line with policy LP30 of the local plan and Chapter 15 of the NPPF.

2. No development shall take place within a phase (including demolition, ground works, vegetation clearance) until a Biodiversity Construction Environmental Management Plan (CEMP: Biodiversity) for that phase 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;
- b) Identification of “biodiversity protection zones”;
- 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;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details for that phase.

Reason: In the interests of preserving and enhancing the natural environment, in line with policy LP30 of the local plan and Chapter 15 of the NPPF.

3. No development within a phase (excluding demolition) shall take place until an Ecological Design Strategy (EDS) to ensure that a minimum 10% biodiversity net gain is achieved postdevelopment has been submitted to and agreed in writing by the Local Planning Authority. It shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Details on the establishment of woodland, grassland and trees, along with provisions for protected species.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.
- k) A lighting design strategy for biodiversity.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure a scheme that provides ecological enhancement and habitat creation that provides a net biodiversity gain in line with Policy LP 30. This is a pre-commencement condition to ensure ecological measures are capable of being fully integrated into the construction phase.

4. Prior to the commencement of a phase of development, a “lighting design strategy for biodiversity” shall be submitted to and approved in writing by the Local Planning Authority before operational use of the building. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or

along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: In the interests of biodiversity and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework