

Consultation Response from KC,
Ecology Unit

2024/90196 Kirklees College, Halifax Road, Dewsbury, WF13 2AS

Discharge conditions 4 (materials), 24 (BEMP) on previous permission 2022/94041 for variation conditions 22 (Landscaping), 28 (Carbon Reduction), 29 (Solar Array) on previous permission 2022/90293 for variation condition 2 (development in accordance with the approved plans) on previous permission 2021/91508 for demolition of part of former college buildings and erection of police station, including conversion of Oldroyd Building and erection of new buildings comprising police custody suite, associated support services buildings, decked and surface car parking (MSCP), vehicle access point, boundary treatments and landscaping to enclose the eastern section of the MSCP at the lower level by constructing a wall around the area to follow the line of the car park elevations above.

Date Responded: 08/03/2024

Responding Officer: Gareth Hey

Responding Ref:

Condition 24 states the following:

No external landscaping works shall commence until a Biodiversity Enhancement and Management Plan (BEMP) to ensure that a biodiversity net gain is achieved post-development is submitted and agreed in writing by the local Planning authority. The BEMP will be in accordance with the Biodiversity Metric 2.0 calculations received 16th August 2021 to provide a minimum of 1.80 habitat units and 0.40 hedgerow units post-development. The BEMP shall include 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 the aims and objectives;*
- f) An annual work programme (to cover an initial 5-year period to be reviewed and updated for a minimum period of 30 years);*
- g) Details of the management body or organisation responsible for implementation of the Plan;*
- h) Ongoing monitoring programme and remedial measures.*

The Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the management body responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the aims and objectives of the BEMP 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 Plan. The approved BEMP will be implemented in accordance with the approved details.

Reason: *To ensure the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan*

Assessment

In support of the above condition, a Biodiversity Enhancement Management Plan (report ref: 16138e/JE REV2) has been submitted with the application. Within the report, the Biodiversity Metric 2.0 has calculated that the site will provide 1.79 habitat units post-development. This is through a total net unit increase of 0.28 habitat units, equivalent to a net percentage increase of 18.25% habitat units. No net percentage change in hedgerow units has been calculated. However, there are no hedgerows of ecological value present within the site, primarily comprising non-native ornamental hedgerows. Therefore, no total net percentage change of hedgerow units has been produced under the proposed development. An increase of 0.22 hedgerow units will be produced through the proposed development.

The calculation submitted within the report does not line up with the requirements of the condition, however, it still presents an uplift in the biodiversity value of the site, and goes above and beyond through including numerous provisions for protected species and therefore, although it does not necessarily comply with the figures stated in the original condition, it is considered that it is still

sufficient to comply with the reasoning of the condition, by bringing about and ecological enhancement at the site.

Given the above, I support the discharge of this condition, and the measures outlined within the submitted BEMP should be adhered to throughout the development.