

**Consultation Response from KC,
Ecology Unit**

2024/90792 Former Whiteley Engineering Works Site, St. Peg Lane, Cleckheaton, BD19 3SH

Use of land for assembly and storage and fit-out of acoustic containers of container-based generator units with reinstatement of access, erection of security fence and siting of cabins

Date Responded: 03/05/2023

Responding Officer: Gareth Hey

Responding Ref:

An Ecological Impact Assessment (EclA) has been submitted with the application, which is welcomed. Overall, the site is dominated by areas of hardstanding and artificial unvegetated, unsealed surface, with a small pocket of grassland situated within the southern boundary of the site, which lays outside of the red line boundary.

The site itself offers minimal value for faunal groups, however in the absence of mitigation, potential construction and operational activities could negatively impact the use of the adjacent River Spen and habitat network, that offer suitability for a range of foraging and commuting protected and notable faunal groups. Given the above, the EclA makes a number of recommendations, specifically for a Construction Environmental Management Plan: Biodiversity and a lighting strategy, both of which could be secured through appropriately worded conditions.

It is not considered prudent to request enhancements to the site for biodiversity receptors, given that the site is of negligible ecological value, with the proposed development offering little opportunities to provide a net gain at the site.

As such, I have no objection tot his application, subject to the following conditions.

1. No development shall take place 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.

2. Prior to the commencement of development, a “lighting design strategy for biodiversity” shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a. Identify those areas/features on site that are particularly sensitive for faunal groups 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