Consultation Response from KC, Ecology Unit
2026/90310 land off, Sunny View, White Lee, Batley, WF17 8FP
Erection of 37 dwellings with associated access, parking, landscaping and creation of multifunctional area of public open space
Date Responded: 28/10/2026 Responding Officer: Z. Hanshaw Responding Ref: 2610/45

I have reviewed the Ecological Impact Assessment (Whitcher Wildlife, October 2026) as well as the previous revisions, the Biodiversity Net Gain Metric, and the proposed site plans.

The Ecological Impact Assessment states that the habitats onsite are Other Neutral Grassland, Bramble Scrub, Native Hedgerow (Priority Habitat), and Built Linear Feature. This equals a baseline of 9.99 Biodiversity Units.

The Ecological Impact Assessment details that there is suitable habitat onsite for nesting birds, hedgehogs, and reptiles. As detailed in the KC comments dated 25 February 2026, a Construction Environmental Management Plan: Biodiversity should be secured as a condition of any consent, which should detail precautionary working methods. The site is also identified as supporting moderate potential for foraging and commuting bats. The area of green space to the south of the site will continue to be suitable for foraging and commuting bats, and an external lighting strategy should be secured as a condition of any consent. This should show how these areas will not be illuminated, allowing nocturnal wildlife to continue to utilise this area.

The Biodiversity Net Gain Metric shows a net loss of 26.22%, which the Ecological Impact Assessment confirms will be made up through the purchase of off-site Units from a Habitat Bank. The number of units created onsite is significant, and the details will need to be secured via a S106 agreement, and a Habitat Management and Monitoring Plan. I note that the proposed individual tree planting includes a number of non-native and ornamental tree species. I would recommend that these are revised to include native tree species, and the species should be selected for longevity, especially considering the changing weather patterns. I also not that there is an area on the Open Space Typology Plan on the southwestern corner which is mapped as "Natural and Semi-Natural Greenspace", but this is shown as Modified Grassland in the Ecological Impact Assessment. It may be more appropriate to consider mixed scrub planting here, as is shown on the eastern edge, and minimising the areas of mixed scrub around the attenuation basin and areas of hard standing in the middle of the greenspace, which is shown in the Open Space Plan as "Parks and Recreation Ground" or "Provision for Children or Young People".

I note that there is a loss of Priority habitat- Native Hedgerow- as part of this proposal, but this is a short area which does not provide much connectivity to the wider landscape. Where possible, this should be retained. The National Planning Policy Framework (NPPF) Policy N2 sets out that "*to contribute positively to the natural environment, and support nature's recovery, development proposals should… Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows)".* It is acknowledged that native hedgerow will be replanted following the development, bounding the allotment, but this may not be the most sensible location for this, as the hedgerow will shade the allotment, which may make it harder to grow some species within. It may be more suitable to locate this hedgerow along the southern or western boundary. I would recommend that further consideration of this is undertaken, to demonstrate how this can align with NPPF Policy N2.

In conclusion, I am satisfied in principle with the details in the proposals, but the development would benefit from some revisions to the open space to the south, to ensure that the best outcome for people and biodiversity can be achieved.

Recommended conditions

Significant Onsite Gain + Legal Agreement + Habitat Management and Monitoring Plan

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- Details of the post development habitats on appropriate scale maps and plans
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- HMMP has been implemented; and
- habitat creation and enhancement works as set out in the HMMP have been completed.

Within 6 months of the development being in use:

- the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.
- Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Lighting strategy

No works are to commence unless a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be

installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: In the interests of biodiversity and in accordance with Policy LP30 and NPPF Policy N2

Construction Environmental Management Plan for Biodiversity

No works 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) Summary of potentially damaging activities
b) Identification of "biodiversity protection zones"
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these 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: Biodiversity 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.

The CEMP must also include the following specific plans / documents:

- Precautionary Working Method Statements for Hedgehog, Badger, Reptile and Nesting Birds

Reason: In the interests of biodiversity and in accordance with LP30 and NPPF Policy N2

Ecological Design Strategy

No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation and enhancement measures for faunal species has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

1. Purpose and nature conservation objectives for the proposed works.
2. Review of site potential and constraints.
3. Detailed design(s) and/or working method(s) to achieve stated objectives.
4. Extent and location/area of proposed works on appropriate scale maps and plans.
5. Details of faunal provisions for bats, birds and hedgehogs to be integrated into the design
6. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
7. Persons responsible for implementing the works.
8. Details of initial aftercare and long-term maintenance.
9. Details for monitoring and remedial measures.
10. Details for disposal of any wastes arising from works; and

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

Reason: In the interests of biodiversity and in accordance with Policy LP30 and NPPF Policy N2