Land Adjacent to Fern Bank, Far Lane Ends, Honley

Ecological Impact Assessment

30th January 2023

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Site Name Land Adjacent to Fern Bank	**Location** Far Lane Ends, Honley,
Local Authority Kirklees Council	**Grid Reference** SE 14192 11711
Surveyor Robert Bell MCIEEM	**Date of Survey** 17/01/23
Soilscape Freely draining slightly acid loamy soils	**Designation of Site** Site within Kirklees Wildlife Habitat Network (KWHN)

UK Habitat Classification habitats on Site Habitats: g4 – modified grassland, h3h – mixed scrub, u1b – developed land; sealed surface, u1e – built linear feature Secondary codes: 11 – scattered trees, 48 – non-native, 66 – frequently mown
Protected/Notable Species, Constraints on Site Located within KWHN, possibility of roosting bats in retaining wall at northern corner of site, Schedule 9 listed invasive non-native plant (rhododendron)
HPIs and SPIs under NERC Act 2006 Various bat species
Kirklees BAP Various bat species

1. Summary

1.1.1 This ecological impact assessment of the land adjacent to Fern Bank off Far Lane Ends, Honley was commissioned by the architect Freddie Garside of One17Design, on behalf of the client on 26th May 2022. A delay to the project then occurred with the field survey undertaken on 17th January 2023.The survey was completed to inform proposals to construct a single dwelling on the site.

1.1.2 The purpose of this report is to present the findings of an UK Habitat Classification survey and an assessment of the site's potential to support protected and notable species. The report considers the ecological value of the site, presents an assessment of the impacts of the proposed development, and provides details of the mitigation and compensation necessary to avoid or reduce these impacts.

1.1.3 The site comprised a roughly triangular 0.15 ha plot, which sloped quite steeply from the southwest to northeast and was mainly covered by mixed scrub with several scattered trees present. The scrub along the southwest boundary had been cut back. Scrub on steeper sections had not been managed and comprised mature cherry laurel mixed together with other species. A small lawn was present on the northern site boundary with several log or stone piles noted. In the northern corner of the site, a decorative and castellated retaining wall incorporated a mock-tower. The site is located within the Kirklees Wildlife Habitat Network.

1.1.4 The scrub provides ecological connectivity between woodland to the northwest and southeast, however, habitats present are considered to be of no more than site level importance. The survey area is expected to be of up to local importance to commuting bats. The assemblage of other species using the site was not considered likely to be of greater than site value. The presence/absence of roosting bat/s in the retaining wall at the northern corner of the site has not however been confirmed.

1.1.5 The new dwelling is to be built in the western corner of the site retaining existing trees and mature embankment scrub. Minor habitat enhancements are proposed.

1.1.6 British Standard 5837 (2012): Trees in relation to design, demolition and construction, should be followed. Root Protection Zones (RPZ's) should be calculated and implemented to prevent harm to trees on-site or near the boundary.

1.1.7 It is recommended that vegetation clearance take place outside the main nesting period (March to August). If works are to be undertaken during the typical nesting period, then they should be preceded by a nesting bird check.

1.1.8 The site supports stands of rhododendron, an invasive non-native plant species included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to spread this species in the wild. This species should be removed.

1.1.9 An integrated swift box and two tree mounted bat boxes will be fitted on site. It is also advised that light spill on scrub to the north and east of the dwelling is avoided.

1.1.10 If all enhancements proposed are undertaken then the scheme has the potential to result in a minor ecological net gain, of significance at no more than the site level.

1.1.11 The results of this survey are considered to be valid for a period of 24 months.

2. Introduction

2.1.1 This ecological impact assessment of the land adjacent to Fern Bank off Far Lane Ends, Honley was commissioned by the architect Freddie Garside of One17Design, on behalf of the client on 26th May 2022. A delay to the project occurred with the field survey undertaken on 17th January 2023.

2.1.2 The survey was commissioned to inform proposals to construct a single dwelling on the site.

2.1.3 The purpose of this report is to present the findings of an UK Habitat Classification survey and an assessment of the site's potential to support protected and notable species. The report considers the ecological value of the site, presents an assessment of the impacts of the proposed development, and provides details of the mitigation and compensation necessary to avoid or reduce these impacts.

2.1.4 Key legislation relating to designated sites, protected species and habitats is detailed in Appendix 3. The implications of legislation are detailed in the body of the report where necessary.

3. Site Description

3.1.1 The site comprised a roughly triangular 0.15 ha plot of land, enclosed by 18 Woodhead Road and a footpath to the northeast, Far Lane Ends to the southwest and by Fern Bank to the northwest. The site sloped quite steeply from the southwest to northeast and was mainly covered by mixed scrub with several scattered trees including two mature specimens. The scrub along the southwest boundary had been cut back and comprised mainly bramble, re-growing large leaved lime stumps and hazel re-growth. Scrub on the steeper section of the embankment, adjacent to 18 Woodhead Road, had not been cut back and comprised mature cherry laurel mixed together with a range of other species. A flagged path bordered the drystone boundary wall along Far Lane Ends, with two areas of terracing present close to the southwest boundary. A small area of lawn was present on the northern site boundary with several log or stone piles also noted. In the northern corner of the site, adjacent to 18 Woodhead Road, a decorative and castellated retaining wall incorporated a mock-tower.

3.1.2 The site appears to comprise a historic extension to the garden of Fern Bank, which would have been more wooded in character prior to clearance of the majority of the tree cover in 2019 (shown on Google Earth imagery). The site comprised one section of the fairly narrow vegetated corridor present between Woodhead Road and Far Lane Ends

3.1.3 The site falls within National Character Area (NCA) 37 - the Yorkshire Southern Pennine Fringe. The Yorkshire Southern Pennine Fringe is a transitional landscape from the upland areas of the Southern Pennines NCA in the west through to the low-lying land of the Nottinghamshire, Derbyshire and Yorkshire Coalfield NCA to the east. The most striking aspect of the landscape is the mingling of predominantly 'gritstone' industrial towns and villages with the strong valley forms and pastoral agriculture of the Pennine foothills.

3.1.4 Natural soils in the area comprise freely draining slightly acid loamy soils.

Figure 1. The site location, as indicated by red outline

4. Methodology

4.1 Data Consultation

4.1.1 West Yorkshire Ecology Service (WYES) were contacted to request the following information for locations within a 2km radius of the site:

- Protected and notable species records
- The boundaries of non-statutory designated sites of nature conservation interest

4.1.2 A search of the Multi-Agency Geographical Information for the Countryside (MAGIC) website was undertaken to determine the following:

- The boundaries of statutory designated sites of nature conservation interest
- The locations of historic European Protected Species (EPS) licences granted by Natural England
- The presence of Great Crested Newt (GCN) *Triturus cristatus* records included in either the Class Survey Licence Returns or 2017-2019 Pond Surveys datasets

4.2 Field Survey

UK Habitat Classification Survey

4.2.1 The site was surveyed on 17th January 2023 using UK Habitat Classification habitat survey methodology (Butcher *et al*., 2020) by the following personnel:

- Robert Bell (MCIEEM)

4.2.2 Notable, rare or scarce plant species were highlighted if present. Evidence of protected species or species of nature conservation importance was recorded where present at the time of survey. Species recorded are included within the report as appropriate. Information is presented on the UK Habitat Classification plan, using Target Notes (TN) to identify particular features of interest, where appropriate.

4.2.3 Ariel photographs (Google Earth) were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This is particularly useful for identifying wildlife corridors and ponds but because the latter are often not apparent on aerial photographs, OS 1:25 000 scale maps are also used.

4.2.4 Habitats of Principal Importance (HPIs) and Species of Principal Importance (SPIs) are included on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 were noted together with priority species and habitats as included on the Local Biodiversity Action Plan (LBAP).

4.3 Method of Assessment

4.3.1 The value and sensitivity of ecological features present on site were determined based on the guidance given in 'Guidelines on Ecological Impact Assessment' (CIEEM, 2018). Individual ecological receptors (habitats and species that could be affected by the development) for the scheme were assigned levels of importance for nature conservation. The highest level is international, then decreasing in order of importance through national, regional, county, local and lastly site.

4.4 Survey Limitations

4.4.1 The field survey was undertaken outside the main growing season, when many plant species do not display visible above ground growth. The habitats present on site could however be confidently identified.

5. Ecological Baseline

5.1 Designated Sites

5.1.1 Designated sites present within 2 km of the site are detailed in Table 1. Designated site locations are shown in Appendix 4.

Table 1. Designated sites

Designation	Name	Interest	Distance and direction to site
Site of Special Scientific Interest (SSSI)	Honley Station Cutting	A geological SSSI. A classic exposure for the sequence between the Soft Bed Coal and the Honley Marine Band in the Pennines area	830 m to northeast
Local Nature Reserve (LNR)	Upper Park Wood	A small woodland block, tall herb vegetation, scattered scrub and a damp glade	1.28 km to northeast
Local Wildlife Site (LWS)	Upper Park Wood		
	Cliff Wood	Area of replanted ancient woodland including species rich acid woodland with native bluebell *Hyacinthoides non-scripta* cover in places	440 m to east
	Hey Wood/ West Wood	Includes ancient and semi-natural woodland with a small shallow pond	925 m northeast
	Hagg Wood	Area of replanted ancient woodland including species rich acid woodland	835 m southeast
	Spring Wood Honley	Includes ancient and semi-natural woodland. Includes species rich acid woodland and comprises part of a wider woodland network	925 m northwest
	Park Wood	An area of species rich acid woodland	1.14 km northwest
	Honley Wood	Includes ancient and semi-natural woodland. Includes species rich acid woodland	1.41 km northwest
	Round Wood, Brockholes	Includes ancient and semi-natural woodland. Includes species rich acid woodland	1.75 km southeast
	Arthur, Molly Carr and Roaf Woods	Comprises ancient and semi-natural woodland	1.88 km northeast
	Holmroyd Wood	Comprises ancient and semi-natural woodland with high percentage cover of native bluebell	1.96 km southwest

5.1.5 The site is located within the Kirklees Wildlife Habitat Network (KWHN). The KWHN does not comprise a designated site but does meet the requirements of paragraph 179 of the 2021 National Planning Policy Framework (NPPF) for Conserving and

enhancing the natural environment. Under the NPPF, local planning authorities should: 'identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping-stones that connect them'.

5.1.6 The nearest area of ancient woodland comprises Cliff Wood (Table 1).

5.2 Habitats

5.2.1 The arrangement of site habitats is shown on the UK Habitat plan in Appendix 1, whilst a full list of plant species recorded is provided in Appendix 2.

5.2.2 Although not of high intrinsic nature conservation importance the mixed scrub on site, notably along the northeast boundary, provided ecological connectivity between woodland to the northwest and southeast. Whilst site habitats were of no more than site level importance to nature conservation, the site may be of up to local importance to resident bat populations as a commuting resource. The assemblage of other species which use the site was not considered likely to be of greater than site level importance to nature conservation. It should be noted that presence/absence of roosting bat/s in the retaining wall at the northern corner of the site has not been confirmed.

5.2.3 A detailed description of the site and adjacent habitats and the site's potential to support protected and notable species is provided below.

<u>g4 – modified grassland</u>

5.2.4 An area of regularly mown lawn is present at the western end of the site (Plate 1). This grassland was cut short at the time of survey and comprised frequent red fescue *Festuca rubra* and frequent Yorkshire fog *Holcus lanatus*, together with occasional common bent *Agrostis capillaris*, perennial rye grass *Lolium perenne* and cocksfoot *Dactylis glomerata*. Frequently occurring white clover *Trifolium repens* and hawkbit *Hypochaeris* spp. were also noted. Springy turf moss *Rhytidiadelphus squarrosus* was abundant in the lawn.

5.2.5 This habitat was assessed as being in either poor or moderate condition based upon the Condition Assessment Criteria stated in Biodiversity Metric 3.1 (Panks *et al*., 2022). It was not possible to confirm the number of species per m^2 due to the time of year which limits the assessment of condition. Whilst the sward height of the grassland was not varied, there were few signs of physical damage, no scrub cover, no bracken cover and there was an absence of invasive non-native species. There was however no bare ground. As a result, the grassland passed on at least four and perhaps five criteria, so assuming species diversity was 6-8 species per m^2 then it would class as being in moderate condition. If the species diversity were 5 or less species per m^2 then the lawn would be in poor condition. Were it necessary to confirm the habitat's condition then it would be necessary to re-survey the lawn during the main growing season.

Plate 1. Lawn at west end of site with retaining wall adjoining on northwest edge of habitat

h3h – mixed scrub

5.2.6 Historic imagery showed the clearance of a line of trees adjacent to Far Lane Ends in 2019. As a result of this clearance vegetation bordering the boundary dry-stone wall was low and comprised re-growth of cut lime *Tilia* tree stumps, together with re-growth of hazel *Corylus avellana*, wych elm *Ulmus glabra*, sycamore *Acer pseudoplatanus*, rhododendron *Rhododendron ponticum* and colonising bramble *Rubus fruticosus* agg. (Plates 2 & 3). Aside from the scrub species present, herb species noted comprised frequent broad leaved willowherb *Epilobium montanum*, hairy bittercress *Cardamine hirsuta* and herb Bennet *Geum urbanum*, with occasional herb Robert *Geranium robertianum*, ragwort *Jacobaea vulgaris*, cleavers *Galium aparine* and comfrey *Symphytum* spp.. The grass species cocksfoot *Dactylis glomerata* was also occasional in this area.

5.2.7 Further to the northeast, the embankment's slope was steeper and the scrub was mature, being up to 6 m in height (Plates 2 & 4). Within this area of the site cherry laurel was abundant, with occasional hazel, rhododendron, Norway maple *Acer platanoides*, and holly *Ilex aquifolium* (TN 5). A semi-mature goat willow *Salix caprea* tree (TN, 6, Appendix 1) was also noted near the northwest corner of the site. Bare ground predominated beneath the heavy shade of the laurel *Prunus laurocerasus* shrubs, which made up the main component species in this area of scrub.

5.2.8 At the southeast corner of the site was a small group of trees (Plate 3). These trees include a mature large leaved lime *Tilia platyphyllos* (TN 1), a mature ash *Fraxinus excelsior* (TN 3) and six semi-mature or immature trees comprising sycamore *Acer pseudoplatanus* (one tree), ash (three trees) and hawthorn *Crataegus monogyna* (two trees/shrubs).

5.2.9 A c.6 m^3 wood pile was present at TN 4, with a 9 m^3 stone pile at TN 7.

5.2.10 The scrub habitat was assessed as being in poor condition based upon the Condition Assessment Criteria stated in Biodiversity Metric 3.1 (Panks *et al*., 2022). The scrub present was not considered representative of the UK Hab description, comprising to a large extent a non-native species (cherry laurel), the scrub did not have a well-developed edge and there were no clearings rides of glades. In addition the scrub supported rhododendron, an invasive non-native species (listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)). The scrub did however have a good age range.

Plate 2. Looking northwest across the site, with short scrub (mainly bramble) and re-growing stumps on left of image and tall mixed scrub to right

Plate 3. Southeast corner of the site, with trees to rear of image and scrub in foreground. Mature tree on right of image is a large leaved lime (TN 1), with mature tree on left an ash (TN 2)

Plate 4. Looking northwest through mixed scrub to 18 Woodhead Road, with goat willow tree (TN 6) on left of image

Plate 5. Stone pile at TN 7

u1b6 – other developed land

5.2.11 A 0.5 m wide slab covered path (Plate 2) was present parallel to the boundary dry stone wall with Far Lane End. An offshoot of this path continued towards the northern corner of the site.

Plate 6. Northern offshoot of flagged path, with section of retaining wall bordering lawn to right of image

u1e – built linear features

5.2.12 Several retaining walls, or section of retaining wall were present across the site.

5.2.13 Within the scrub a dry stone retaining wall was present near TN 4, with a second U-shaped dry stone retaining wall near TN 7 (Plate 7).

5.2.14 A largely mortared and castellated retaining wall was present on the northeast boundary of the lawn (Plate 6)

5.2.15 The most substantial retaining wall on the site comprised a large decorative retaining wall adjacent to the western corner of 18 Woodhead Road (Plate 8). This wall was castellated at the top and supported mock-towers, including an ivy covered 4 m high circular tower (TN 8). The masonry of this wall was part mortared however mortar was missing from many joints.

Plate 7. U-shaped retaining wall at TN 7

Plate 8. Decorate retaining wall adjacent to 18 Woodhead Rd, at northern corner of site

5.3 Species and Species Groups

Amphibians

5.3.1 No GCN records were provided by WYES. A total of four common toad *Bufo bufo* and three common frog *Rana temporaria* records were received, however, none related to locations within 1 km of the site.

5.3.2 No GCN presence records were included for locations within 2 km of the site on either the GCN Class Licence Returns dataset, EPS mitigation licence dataset or 2017-2019 Pond Surveys datasets.

5.3.3 No ponds were present on site and no ponds were shown to be present within a 500 m radius of the site, other than an off-shoot of the River Holme c. 121 m to the east. This waterbody was however separated from the site by a major road (A6024 Woodhead Road) and the River Holme. Taken together these features were considered a substantial barrier to amphibian movement.

5.3.4 Taking into account the lack of local GCN records, and lack of nearby waterbodies with connectivity to the site; this species is not expected to be a receptor to effects resulting from the proposed scheme.

5.3.5 Given the apparent absence of local ponds, the size of the site and local barriers to movement, the site was considered unlikely to be of more than negligible value to common amphibian species, if any individuals of these species were present locally.

Badger

5.3.6 No badger *Meles meles* records were provided by WYER for locations within 200 m of the site however the site was considered to be in an area of increased probability of

badger activity.

5.3.7 No signs of badger presence were noted from the site. It was however considered possible badger may use the site as part of a wider foraging area, if present locally.

Bats

5.3.8 A total of 101 bat records were received from WYES. Species positively identified in these records included common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, Natterer's bat *Myotis nattereri*, whiskered bat *Myotis mystacinus*, Daubenton's bat *Myotis daubentonii*, noctule *Nyctalus noctula* and Leisler's bat *Nyctalus leisleri*. Other records were attributed either to an unidentified *Pipistrellus* species, an unidentified *Myotis* species or an unidentified species of bat.

5.3.9 None of the bat records provided related to the site itself. The closest records were collected in 2017 and comprise field records of common pipistrelle, soprano pipistrelle, noctule and an unidentified *Myotis* species, recorded from a location 92 m northeast of the site.

5.3.10 A single bat EPS mitigation licence has been issued for a location within 2 km of the site. This licence was issued in 2016 to permit the destruction of a common pipistrelle *Pipistrellus pipistrellus* resting place 1.8 km southeast of the site.

5.3.11 The decorative retaining wall at the northern corner of the site (TN 8) included a 4 m high ivy covered tower (Plate 8). The wall and tower had many open joints, with the ivy thick enough to offer some potential for use by roosting bats. The majority of the open joints appeared damp and exposed to the elements with no signs of bat roosting recorded. This wall was however considered to display a low level of bat roost suitability.

5.3.12 Site trees were considered to display no more than a negligible level of bat roost suitability.

5.3.13 The mature scrub vegetation along the northeast side of the site, together with the trees in the eastern corner, connect with wooded habitats to the northwest and southeast. As a result the scrub on site is likely to experience quite extensive use by bats and was considered of up to local conservation importance as a commuting route.

Birds

5.3.14 During the site survey jackdaw *Coloeus monedula*, blue tit *Cyanistes caeruleus*, great tit *Parus major*, blackbird *Turdus merula*, wood pigeon *Columba palumbus*, magpie *Pica pica*, carrion crow *Corvus corone* and robin *Erithacus rubecula* were recorded from the site. All of these species are on the green list of the Birds of Conservation Concern (Stanbury, 2021). No bird records were provided for locations within 1 km of the site by WYES.

5.3.15 Site scrub and trees displayed potential for use by nesting birds of common and widespread garden species. Similarly, these habitats displayed potential for use by feeding birds, however, no habitat was offered for more specialist species with habitats present on site also present on neighbouring land.

Invasive species

5.3.16 A single 2012 record of Japanese knotweed *Fallopia japonica*, centred on the site, was provided by WYES. No signs of Japanese knotweed presence were recorded during the field survey. Whilst the field survey was undertaken outside the growing season, dead stems of this species usually persist through the winter. As a result, signs of presence would have been expected to have been recorded, if present.

5.3.17 Small stands of rhododendron were recorded in various locations within the mixed scrub. Rhododendron is included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Invertebrates

5.3.18 The site supports a range of ubiquitous habitats of quite limited extent and consequently rarely occurring invertebrate species are unlikely to be present.

Plants

5.3.19 The habitats present do not include long-established unimproved grasslands, ancient woodlands, species rich hedgerows or other diverse botanical communities. Therefore, protected or priority plants are unlikely to be present.

Reptiles

5.3.20 No recent (within 90 years) reptile records were provided by WYES for locations within 2 km of the site.

5.3.21 The site lacks waterbodies or other habitats with much potential to support reptiles. Given the lack of local records, the habitats present and the lack of connectivity to more suitable areas of habitat elsewhere, reptiles are not considered a receptor to the proposed scheme.

Table 2. Ecological importance of each habitat, species or species group on site and adjacent

Habitat, Species or Species Group	Ecological value
g4 – modified grassland	Site
h3h – mixed scrub	Site
u1b – developed land; sealed surface	Site
u1e – built linear features	Site
Amphibians	Site (if present)
Badger	Site (if present)
Bats	Local (foraging and commuting), bat roost presence/absence in northern retaining wall not confirmed
Birds	Site
Invasive species	N/A
Invertebrates	Site
Plants	Site
Reptiles	Unlikely to be present

6. Assessment

6.1 Proposals

6.1.1 It is proposed to build a single two-storey residential dwelling, built into the slope at the western corner of the site (Appendix 5).

6.1.2 It is proposed to retain existing trees and the mature scrub along the northeast side of the site, with this vegetation to provide screening between the new dwelling and 18 Woodhead Road.

6.2 Assessment of Impacts

Designated sites

6.2.1 Given the distance from local designated sites and the nature and scale of the proposed development, no impacts upon these sites are foreseen.

6.2.2 The site is located within KWHN due to its location within a wider belt of woodland, expected to function as an ecological corridor. Were the site to be cleared of scrub and trees this would impair the functioning of this corridor of land.

Habitats

6.2.3 Habitat loss is expected to be limited to the modified grassland/lawn, much of the developed land/path, two sections of built linear feature/retaining wall and a small proportion of the low height scrub at the western corner of the site. The loss of these habitats would be of importance to nature conservation at no more than the site level.

6.2.4 The development has potential to result in damage to the root systems and possibly also the canopies of trees which border the development area.

Species

Bats

6.2.5 The decorative retaining wall at the northern corner of the site (TN 8), adjacent to 18 Woodhead Road, displays a low level of bat roost suitability. There are however no proposals to repair or modify this feature and adjacent scrub vegetation is to be retained. As a result, no impact upon this feature are anticipated.

6.2.6 The site is expected to be of up to local value to resident bat populations due to the connection it forms between adjacent woodland. Were the scrub and trees to be removed from the site and/or this area to brightly lit it would impair the site's value to commuting bats. In the worst case this could result in a negative impact of local importance to resident bat populations.

Birds

6.2.7 Were vegetation clearance to be undertaken during the main bird nesting period (March to August inclusive), this could result in the destruction of active nests. Birds are subject to a high degree of legal protection when actively nesting (Appendix 3).

Invasive species

Rhododendron, a plant species included on Schedule 9 of the Wildlife and Countryside Act (1981) (as amended), is present on site. It is an offence to spread this species in the wild (Appendix 3), with spreading of the species a possibility if it is inappropriately dealt with during construction works.

Other species

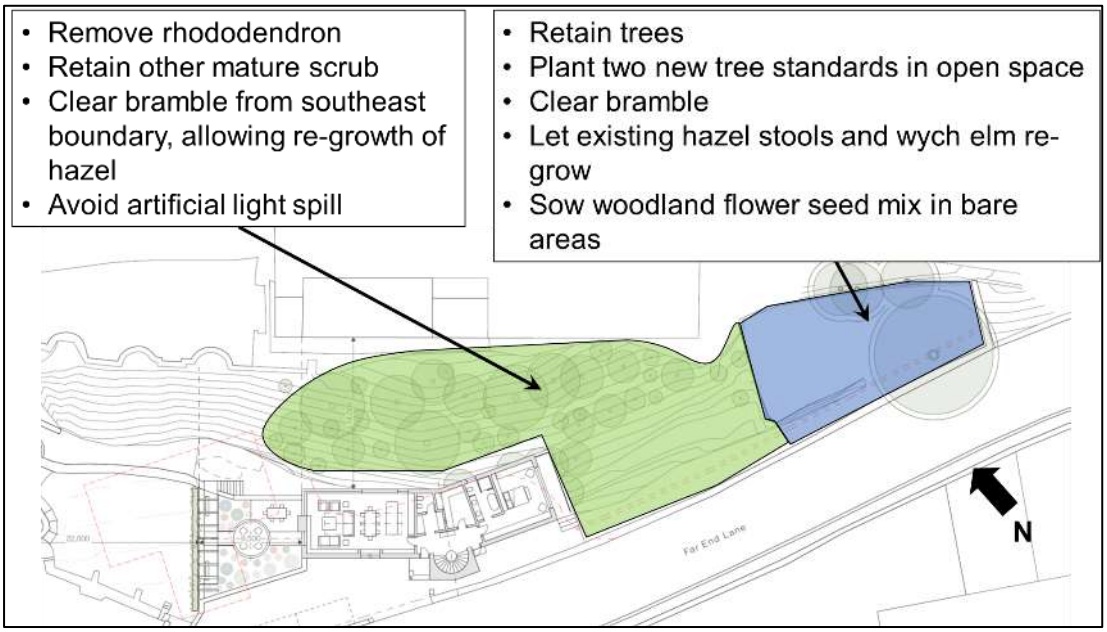
6.2.8 No impacts in relation to other species are expected to be of significance at greater than the site level.

6.3 Further Survey, Mitigation and Enhancement

Habitats

6.3.1 Retention of existing site trees and mature scrub within the scheme is encouraged. It is however recommended that works are carried out to enhance this area (Figure 2). These works should include the removal of all stands of the invasive species rhododendron. Bramble should also be cleared from the path adjacent to the southeast boundary and from the northeast corner of the site, in order to avoid this species competing with re-growing native shrubs/trees, including hazel and wych elm. One new standard tree should also be planted in the open area at the east of the site. It is recommended that this tree comprise a Duch elm disease *Ophiostoma novo-ulmi* resistant Wingham elm *Ulmus x Wingham* . This measure will help ensure future tree cover in this area should ash dieback *Hymenoscyphus pseudoalbidus* lead to the death of adjacent ash trees. A woodland flower seed mix (i.e. https://www.naturescape.co.uk/product/n10f-woodland-mix-flowers-only/) could also be sown in this area. The detail of these enhancement measures could be provided in an Ecological Design Strategy, to be secured by condition.

Figure 2. Habitat management recommendations



6.3.2 British Standard 5837 (2012): Trees in relation to design, demolition and construction, should be followed. Root Protection Zones (RPZ's) should be calculated and implemented to prevent harm to retained trees. This should also apply to any trees out-with the site, up to 5 m from the boundary.

Bats

6.3.3 In the event that works are proposed to the retaining wall at TN 8 then further bat survey work will be required to first determine bat roost presence/absence. This survey would comprise a thorough visual inspection to be followed by a single dusk emergence survey, to be undertaken during the peak bat activity season (mid-May to August)

6.3.4 Two Greenwood's Ecohabitats single crevice bat boxes are to fitted to the lime tree at the eastern corner of the site in order to provide an enhancement for roosting bats.

Plate 9. Greenwood's Ecohabitats box

6.3.5 New external lighting should be designed such that it avoids light spill across shrub vegetation to the north and east of the building (Figure 2). New lighting proposals could be presented within an Ecological Design Strategy (EDS), to be written following the approval of planning permission.

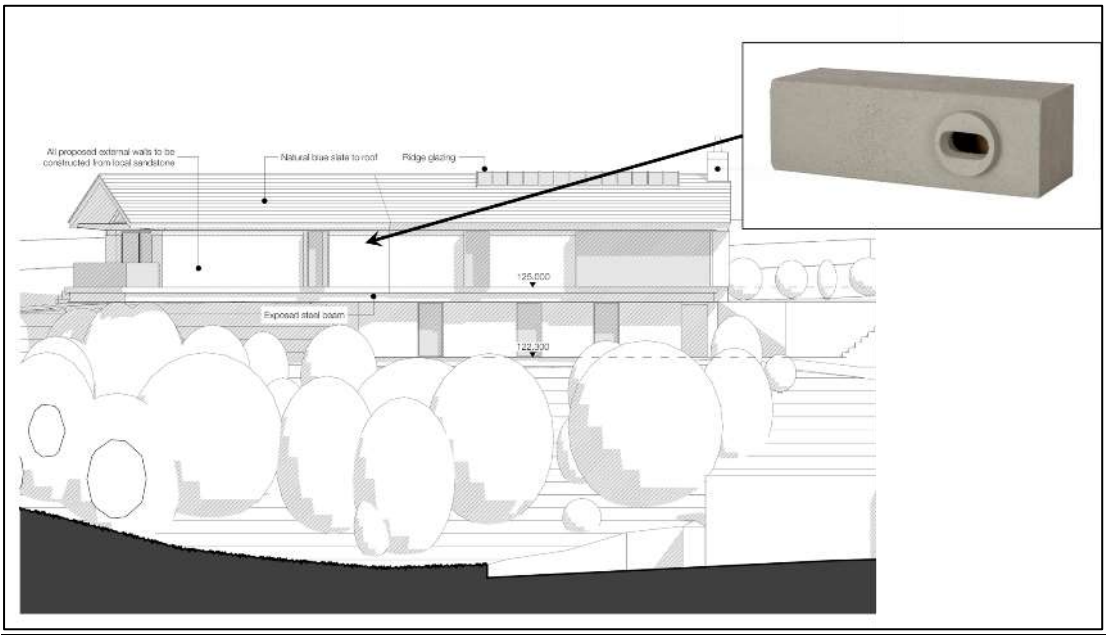
Birds

6.3.6 It is strongly recommended that vegetation clearance takes place at a time outside the main bird nesting period (outside March to August). If this is not possible then a nesting bird check of site vegetation should be undertaken by an ecologist prior to clearance works proceeding.

6.3.7 The new dwelling will incorporate an integrated swift box, such as the PRO UK Rendered Build-In Swift Box (Figure 3). This box is proposed to be fitted on the north elevation in the position shown on Figure 3, in order to afford the maximum drop from

nest locations for birds emerging from these units. These features should be installed at wall top height. Studies have shown that swift *Apus apus* boxes are used by the full range of nesting birds that utilise buildings; consequently, these boxes will also provide potential nesting space for house sparrow *Passer domesticus* and starlings *Sturnus vulgaris*.

Figure 3. Location of swift box



Invasive species

The existing specimens of rhododendron should be fully excavated following a re-survey to map these plants. The excavated material may then either be buried on site, in accordance with Regulatory Position Statement 178 (https://www.gov.uk/government/publications/treatment-and-disposal-of-invasive-non-native-plants-rps-178/treatment-and-disposal-of-invasive-non-native-plants-rps-178), or removed from site by a licensed waste disposal contractor. The contractor should be notified of the Schedule 9 species that they are transporting.

6.4 Conclusion

6.4.1 Individually the mitigation and enhancement measures detailed in Section 6.3 are considered likely to result in no more than a negligible effect on the value of the species or species groups but taken together they have the potential to result in a minor ecological net gain significant at no more than a site level.

6.4.2 The results of this survey are considered to be valid for a period of 24 months. After this time Middleton Bell Ecology should be contacted to determine the need for update survey.

7. References

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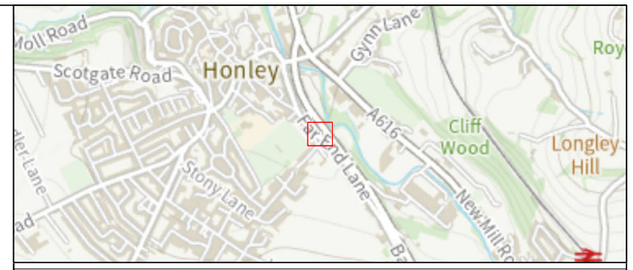
Appendix 1. UK Habitat Classification Plan



Survey Information	
	Site boundary (1,469.3m^2)
UK Habitat Survey (Primary Habitats)	
	g4 - Modified grassland (78.4m^2)
	h3h - Mixed scrub (1,279.1m^2)
	u1b - Developed land; sealed surface (111.8m^2)
	u1e - Built linear features (124.5m)
	Target note

Secondary codes:

11 - Scattered trees
48 - Non-native
66 - Frequently mown

Target notes:

1 - Mature large leaved lime tree
2 - Line of three semi-mature ash trees, 1 immature sycamore and two semi-mature hawthorn
3 - Mature ash tree
4 - c.6 m^3 wood pile
5 - Dense and mature cherry laurel and holly, with other scrub species also present, to 6 m in height
6 - Semi mature goat willow
7 - c.9 m^3 stone pile
8 - Decorative retaining wall designed to look like caste wall. Includes a c.4m high ivy covered tower at southeast end. Open joints in wall and dense ivy cover, so considered to display low bat roosting suitability

Source:
Ordnance Survey © Crown copyright 2023, All rights reserved. License Number 100049837.

N

0 2.5 5 10
Metres

PROJECT TITLE

LAND ADJACENT TO FERN BANK, FAR LANE END

DRAWING TITLE

Figure 1. UK Habitat Survey Plan

VER	DATE	REMARKS	Drawn	Checked
1.1	27/01/23	UKHab	MP	RB

DRAWING NUMBER:
MIDDLETONBELLECOLOGY/FernBank/UKHab

SCALE	1:350	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG

Middleton Bell Ecology
33 Wilthorpe Road, Barnsley, South Yorkshire, S75 1JA
www.middletonbellecology.co.uk
T: 01226 286282

Appendix 2. Plant Species Recorded on Site

D = Dominant, **A** = Abundant, **F** = Frequent, **O** = Occasional, **R** = Rare

Common name	Species	g4 - modified grassland	h3h - mixed scrub
Springy turf moss	*Rhytidiadelphus squarrosus*	A	
Red Fescue	*Festuca rubra*	F	
White Clover	*Trifolium repens*	F	
Yorkshire-fog	*Holcus lanatus*	F	
Cock's-foot	*Dactylis glomerata*	O	O
Common Bent	*Agrostis capillaris*	O	
Perennial Rye-grass	*Lolium perenne*	O	
Hawkbit	*Hypochaeris*	O	
Cherry Laurel	*Prunus laurocerasus*		A
Ash	*Fraxinus excelsior*		F
Bramble	*Rubus fruticosus agg.*		F
Hazel	*Corylus avellana*		F
Herb Bennet	*Geum urbanum*		F
Hairy Bittercress	*Cardamine hirsuta*		F
Broad Leaved willowherb	*Epilobium montanum*		F
Cleavers	*Galium aparine*		O
Garden Privet	*Ligustrum ovalifolium*		O
Goat Willow	*Salix caprea*		O
Hawthorn	*Crataegus monogyna*		O
Herb-Robert	*Geranium robertianum*		O
Holly	*Ilex aquifolium*		O
Indet. Comfrey	*Symphytum*		O
Large leaved lime	*Tilia platyphyllos*		O
Rosebay Willowherb	*Chamerion angustifolium*		O
Silver Birch	*Betula pendula*		O
Sycamore	*Acer pseudoplatanus*		O
Wych Elm	*Ulmus glabra*		O
Buddleja	*Buddleja*		O
Rhododendron	*Rhododendron ponticum*		O
Ragwort	*Jacobaea vulgaris*		O
Ivy	*Hedera helix*		O
Norway Maple	*Acer platanoides*		R
Pedunculate Oak	*Quercus robur*		R

Appendix 3. Relevant Legislation and Planning Policy

Wildlife legislation relating to statutory designated sites and species is summarised in Table A1 and A2 below. This legal information is intended for summary only, and the original legal documents should be consulted if a detailed understanding is required.

Table A1. Legislation relating to designated sites and habitats

Designated Site	Legal Status
Site of Special Scientific Interest (SSSI)	SSSIs are the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs have been re-notified under the Wildlife and Countryside Act 1981 (as amended). Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000. SSSIs are of at least national importance to nature conservation
Local Nature Reserves (LNR)	LNRs are of local, but not necessarily national, importance. An LNR can also be an SSSI (Site of Special Scientific Interest), but often is not, or may have other designations. Except where the site is an SSSI, there is no legal necessity to manage an LNR to any set standard and there is no national legal protection specifically for LNRs. An LWS has certain protection against development on and around it. This protection is usually given via the local plan, (produced by the Local Planning Authority (LPA), and often supplemented by local by-laws.
Local Wildlife Site (LWS)	While they have no direct legal status, Local Wildlife Sites are considered important enough to receive recognition within the planning system. National planning policy requires local authorities to identify Local Wildlife Sites and provide for their protection through local policy.

Table A2. Legislation relating to species

Species	Legal Status
European protection	
European Protected Species (EPS) (including bats, Great Crested Newt (GCN), otter and hazel dormouse)	These animal species and their breeding sites or resting places are protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which makes it illegal to: • Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. • Deliberately disturb such an animal. • Damage or destroy a breeding site or resting place of such an animal. European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed: • The development is for reasons of overriding public interest. • There is no satisfactory alternative; and

Species	Legal Status
	• The favourable conservation status of the species concerned will be maintained and/or enhanced. Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed. Natural England also allow sites to be registered on the Bat Low Impact Class Licence to permit activities that would otherwise be unlawful under the Conservation Regulations where the 3 tests can be passed and the bat roosts to be impacted are of low conservation status.
National protection	
European Protected Species and other species including water vole and white clawed crayfish	These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any such animal. • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and • Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Reptiles	These animals receive limited protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal to intentionally kill or injure any such animal.
Badger	The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger or attempt to do so and also make it illegal to intentionally or recklessly interfere with a Badger sett. This includes damaging or destroying a sett, obstructing access to a sett and disturbing a Badger while it is occupying a sett. Licences can be granted by Natural England to permit sett closure and/or disturbance between July and November inclusive.
Schedule 1 birds	Special penalties relate to offences concerning birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.
All bird species	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any wild bird. • Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Invasive species	The Wildlife and Countryside Act 1981 (as amended) contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of

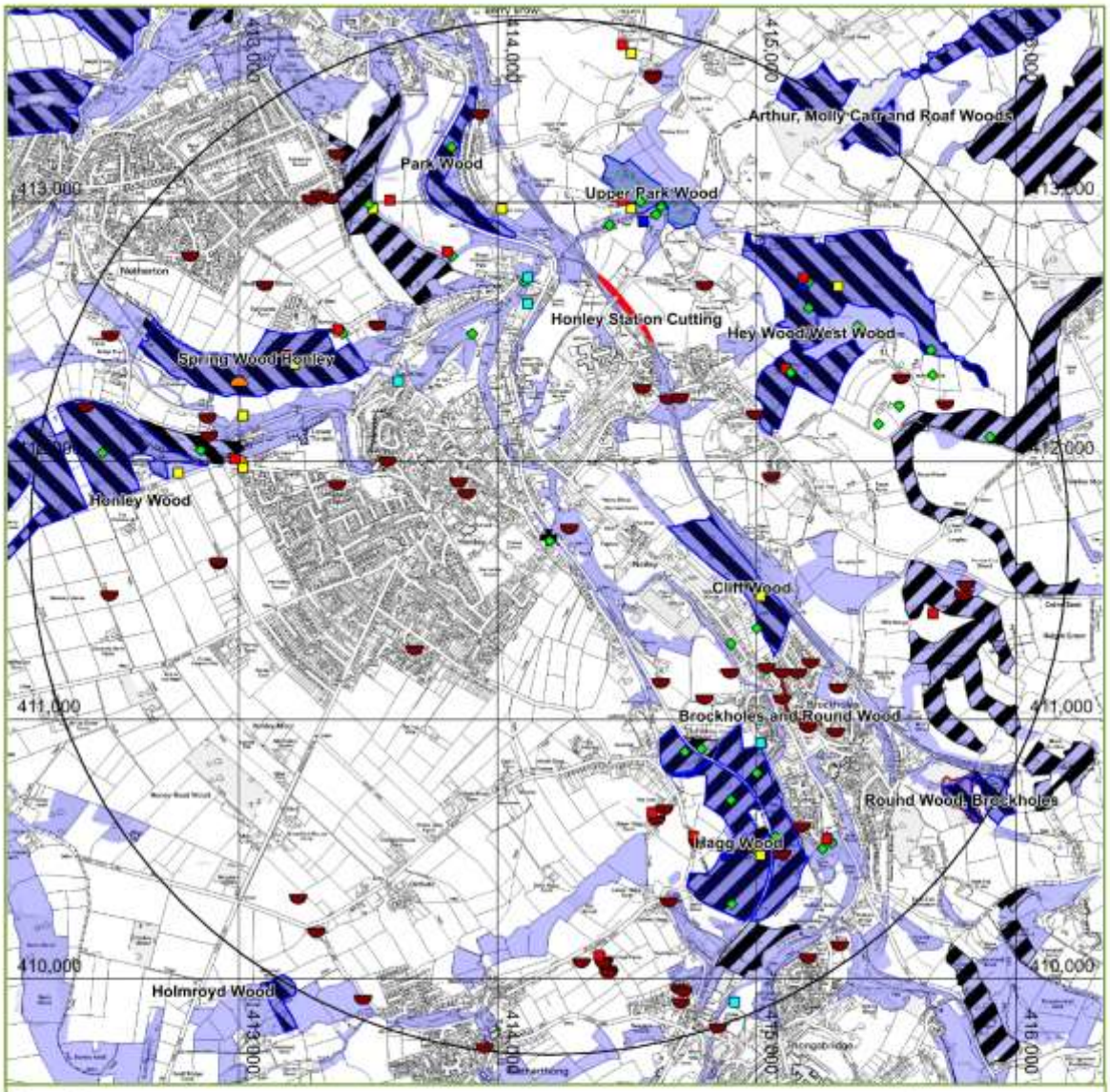
Species	Legal Status
	animals and planting of plants listed in Schedule 9 of the Act. In relation to Schedule 9 plants, it is an offence to plant or otherwise cause these plant species to grow in the wild.

Species and Habitats of Principal Importance
Planning authorities have a duty under Section 40 of the NERC Act 2006 to have regard to priority species and habitats in exercising their functions including development control and planning. In compliance with Section 41 of the NERC Act, the Secretary of State has published a list of species and habitats considered to be of principal importance for conserving biodiversity in England under the UK Post-2010 Biodiversity Framework. This is known as the list of Habitats and Species of Principal Importance (HPI/SPI). The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

National Planning Policy Framework
The National Planning Policy Framework for England was revised in 2021. This document states that plans should 'promote the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'. It also puts an emphasis on refusing development which would result in the 'loss or deterioration of irreplaceable habitats (such as ancient woodland)' unless there are 'wholly exceptional reasons and a suitable mitigation strategy exists'.

Local Biodiversity Action Plans
The HPI/SPI list included on Section 41 of the NERC Act 2006 is supported by a series of Local Biodiversity Action Plans (LBAPs), usually set up on a local authority local authority administrative boundary basis. Each LBAP identifies those habitats and species considered to be most important in that area (usually referred to as priority habitats and species). Commonly, an LBAP will identify a number of habitats and species for which "action plans" have been prepared.

Appendix 4. Designated Site Locations



Legend

- Site centroid
- 2km Search Radius
- *Site of Special Scientific Interest
- Ancient Semi Natural Woodland
- Ancient Replanted Woodland
- Local Wildlife Site
- *Local Nature Reserve
- *Local Geological Site
- Kirklees Wildlife Habitat Network

Notable Species

- Amphibian
- Bird
- Bony fish
- Plant and/or lower plant
- Invertebrate
- Reptile
- Terrestrial mammal

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0 1,000 meters

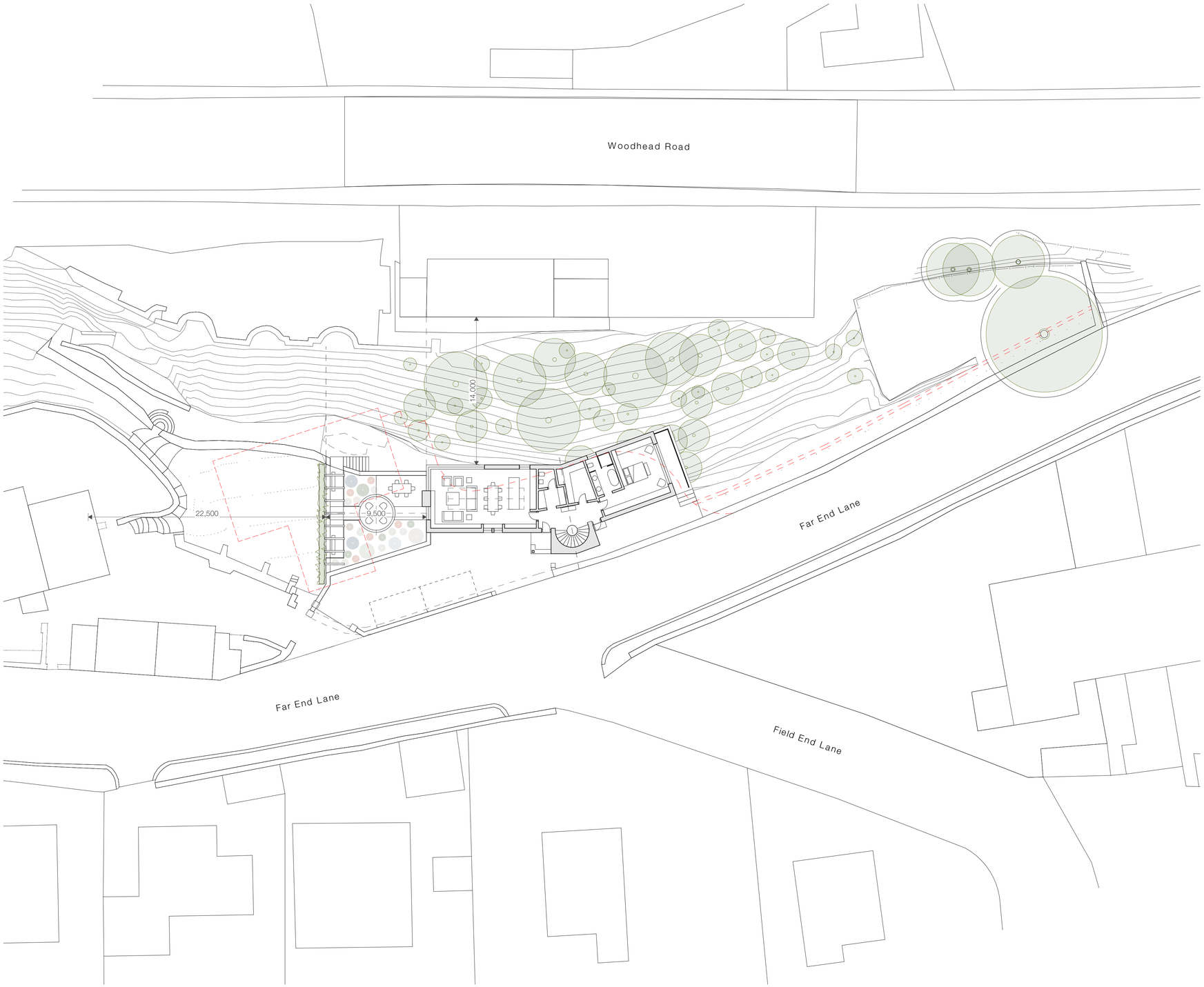
N W E S

West Yorkshire Ecology

Figure 1: Species and Designated Sites

West Yorkshire Joint Services, Nepshaw Lane South, Morley, Leeds, LS27 0QP. Ph: 0113 535 0158. Email: ecology@wyjs.org.uk. Licence No.: WMDC1000019574. © WYES

Appendix 5. Proposed Site Plan



Proposed Site Plan - 1:200

Notes

Do not scale from drawing, use figured dimensions only.

All dimensions must be checked and verified on site prior to commencement of work and Architect to be notified of any discrepancies.

This drawing is intended to permit overall scheme proposals only and cannot be used for construction purposes without further information.

Rev	Description	Drawn	Date
A	Scheme revised following feedback from planning	FWG	09.09.22

N

KEY

– – – Line of outline permssion

Project Description
New Dwelling

Site Address
Land adj. to Fern Bank, Far End Lane, Holmfirth, HD9 6NS.

Client
Mr J Murray & Miss D Forbes

Status
Planning

Company
AD

Drawing
Proposed Site Plan

Scale @ A1
1:200

Date
March 2022

Drawn
FWG

Checked
•

Drawing No.
3479 (0-) 12

Revision
A

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