Ecological Impact Assessment

Proposed LIDL Foodstore, Crosland Moor

7th December 2023

TG Report No. 15131_R01d_GB_CW

Tyler Grange

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Contents:

Appendices:

Plans:

Summary

S.1. This report has been prepared by Tyler Grange Group Ltd on behalf of LIDL GB. It sets out the findings of an Ecological Impact Assessment (EcIA) of a parcel of land at former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield (OS Grid Reference SE 12609 15401), hereinafter referred to as the 'site' to inform a planning application for the erection of a foodstore (Use Class E) with associated access, parking, servicing area and landscaping.

S.2. The site measures approximately 0.72 hectares and comprises predominantly hardstanding with modified grassland and scrub. The extent of these habitats is shown in drawing **15131/P01.**

S.3. The findings of the desk study, phase I habitat survey and preliminary roost assessment recorded the following outcomes:

- Potential effects to habitats/statutory and non-statutory conservation designations:

  a) The nature conservation sites within the Zone of Influence (ZoI) of the site are considered to be sufficiently distant as to avoid any adverse impacts from the proposed works.

  b) A biodiversity net gain assessment has been undertaken based on the current landscape plan using Defra 3.1 which concludes the site post-development habitats will come at a net loss of -79.8%. It will, therefore, be necessary for off-site contributions to be made to the Local Planning Authority or 3rd-party land owner to create the required deficit of units off-site.

- Potential effects on protected/priority species:

  a) **Bats**: Recommendation for soft felling of trees with low bat roost potential and inclusion of bat boxes in within the scheme is recommended.

  b) **Birds**: Minor loss of suitable habitat. Checks should be carried out by a suitably qualified ecologist prior to clearance works, and due diligence is expected by contractors – outlined in **section 4**;

  c) Amphibians, badger, reptiles, water vole, otter: negligible potential for these species to utilise this site – no further action required.

S.4. Provided the recommendations outlined in this report can be implemented fully and successfully, then development proposals would comply with relevant wildlife legislation and planning policy.

Section 1: Introduction and Site Context

1.1. This report has been prepared by Tyler Grange Group Ltd on behalf of LIDL GB. It sets out the findings of an Ecological Impact Assessment (EcIA) of a parcel of land at former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield (OS Grid Reference SE 12609 15401), hereinafter referred to as the 'site' to inform a planning application for the erection of a foodstore (Use Class E) with associated access, parking, servicing area and landscaping.

1.2. The site is located in a parcel of derelict land in southern region of Huddersfield. The site measures approximately 0.72 hectares and comprises predominantly hardstanding, modified grassland, and scrub habitat. See **Figure 1.1** below.

Figure 1.1 – Site red line boundary.
(Aerial Imagery © Google 2022)

1.3. This Report:

- Uses available background data, results of field surveys and consultation, to describe and evaluate the ecological features present within the likely 'zone of influence' (ZoI)[1] of the proposed development;
- Describes the actual or potential ecological issues and opportunities that might arise as a result of the site's development;
- Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation listed in **Appendix 1**; and
- Identifies whether any further work is required to inform a future planning application.

1.4. This assessment and the terminology used are consistent with the 'Guidelines for Ecological Impact Assessment in the UK and Ireland'[2] and 'Guidelines for Preliminary Ecological Appraisals'[3]

[1] Defined as the area over which ecological features may be subject to significant effects because of activities associated with a project and associated activities (CIEEM 2018).
[2] https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/
[3] https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf

Section 2: Methodology

Scope of Assessment

2.1 This report follows the guidance set out in the Chartered Institute of Ecologists and Environmental Management (CIEEM) Guidance on Preliminary Ecological Appraisals (PEA) and Ecological Impact Assessments (EcIA).

2.2 The extent of potential ecological effects which could arise from the proposed development were determined by undertaking a desk-based assessment of available records and published sources, together with an initial site survey. With this information, the 'Zone of Influence' (ZoI) of the proposed development was established, together with potential ecological effects, opportunities, and any further work, such as detailed surveys, that might be necessary to inform detailed development designs and requirements for mitigation.

Data Search

2.3 A desk-based study was undertaken to identify statutory and non-statutory nature conservation designations and protected species records and relevant planning policies. The following sources were used:

- The data search was undertaken in August 2022 for a 10km radius around the site for European statutory sites, a 2km radius for national statutory and non-statutory sites and a 2km radius for protected and priority[4] species records. The data search was conducted by inspecting the Multi Agency Geographic Information for the Countryside website (www.magic.defra.gov.uk[5]).

- Records of protected species and other species of nature conservation importance within 2km of the site were obtained from West Yorkshire Ecology Service (WYES) in August 2022; and

- Local planning policies from the Local Plan were checked to identify local planning policies which need to be considered as part of the development of the site (see **Appendix 1**).

Extended Phase 1 Habitat Survey

2.4 An 'extended' Phase 1 habitat survey of the site was initially undertaken on 17th of August 2022 by Bethany Phythian, an experienced field ecologist and member of CIEEM. Weather conditions on the day of the survey were optimal 18°C, dry, 10% cloud cover and wind BFS: 1.

2.5 The survey broadly followed the methodology set out in guidance from the Joint Nature Conservation Committee (JNCC) for extended Phase 1 habitat survey[6]. This method of survey

[4] UK priority species and habitats are those subject to conservation action and referred to as Species of Principal Importance (SoPIs) or Habitats of Principal Importance (HoPIs). They are listed at Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act states that local planning authorities must have regard for the conservation of both SoPIs and HoPIs.
[5] Accessed September 2021
[6] Joint Nature Conservation Committee, (2010), *Handbook for Phase 1 habitat survey - a technique for environmental audit.*

provides information on habitats and assesses the potential for legally protected or otherwise notable species to occur in and adjacent to the site and allows the ecological value of resources to be determined.

Preliminary Bat Roost Assessment

2.7. A preliminary bat roost assessment (PBRA) of all trees present within the site was undertaken to assess their potential to support roosting bats. This survey was undertaken alongside the 'extended' Phase 1 habitat survey. The survey followed standard methodologies[9] which are described below.

2.8. The survey comprised a ground level inspection of all trees to determine the potential of each tree to support roosting bats. During this survey, Potential Roost Features (PRFs) that may be used by bats, as identified within the BCT Good Practice Guidelines7F[10], were sought. These included the following:

- Woodpecker holes, rot holes, knot holes arising from naturally shed branches and man-made holes;
- Hazard beams and other vertical or horizontal cracks and splits (such as frost-cracks) in stems or branches;
- Partially detached platy bark;
- Cankers;
- Other hollows or cavities, including butt-rots;
- Partially detached ivy with stem diameters in excess of 50mm; and
- Bird, bat or dormouse boxes.

2.9. Evidence of the presence of bat roosts was also sought. These signs include:

- Bat droppings in, around or below a PRF;
- Odour emanating from a PRF;
- Audible squeaking at dusk or in warm weather; and,
- Visible staining below a PRF.

2.10. The trees were then categorised as providing negligible, low, moderate, or high bat roost potential, in line with the current BCT guidelines[10] criteria described below in **Table 2.1.**

Table 2.1: Categorising Potential Bat Roosts

Suitability	Description of Roosting Habitats
Negligible	Negligible habitat features on-site likely to be used by roosting bats.
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/ or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e., unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection conditions and surrounding habitat.

Limitations

2.11. The findings of this report are valid at the time of writing. Owing to the dynamic nature of ecological resources, if more than 12 months have elapsed since the report was written, advice should be sought to determine whether update work is required. The findings of the report should not be relied upon without this advice.

2.12. This report is also partly based on 3rd party data held by the Local Record Centre, which Tyler Grange Group Ltd. cannot guarantee the accuracy of.

Evaluation

2.13. The evaluation of habitats and species is defined in accordance with published guidance (CIEEM, 2019). The level of importance of specific ecological feature is assigned using a geographic frame of reference, with international being the most important, then national, regional, county, district, local and lastly, within the site boundary only.

2.14. Evaluation is based on various characteristics that can be used to identify ecological features likely to be important in terms of biodiversity. These include site designations (such SSSI's), or for undesignated features, the size, conservation status (locally, nationally or internationally), and the quality of the ecological feature. In terms of the latter, quality can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats) or species populations or assemblages. In the case of the evaluation of the value of fauna at the site, an assumed valuation of each ecological feature has been given based on the habitats observed at the Site during the initial survey. Where further surveys are required, the valuation may be subject to variation following the interpretation of survey results.

Quality Control

2.15. All ecologist at Tyler Grange Group Ltd are members of CIEEM, or are working towards membership and act under the direction of members, and abide by the Institute's Code of Professional Conduct.

Section 3: Ecological Features and Evaluation

Site Context

3.1. The site is accessed off Blackmoorfoot Road, in close proximity to the A62, located within Huddersfield. The site is surrounded by urban development, consisting of residential buildings, and associated industrial parks.

Protected Sites

Designated Sites

3.2. There is one European Statutory Designated Site within 10km of the site boundary; South Pennine Moors, designated as both Special Area of Conservation, as well as a Special Protection Area, located 6.6km south-west from site.

3.3. There are no Nationally Designated Sites within 2km of the site boundary.

3.4. Gledholt Wood, designated as a Local Nature Reserve (LNR), is a locally designated site located 0.9km north-west from site.

Non- Statutory Sites

3.5. There are no locally designated sites within 2km as returned by the data search. The site located within a SSSI Impact risk zone.

Habitats and Flora

3.6. The following describes the habitats within and adjacent to the site at the time of survey. The location and extent of each habitat is shown on plan **15131_P01** appended to this report and described below.

Modified Grassland

3.7. Modified grassland was located across the site in varying sward heights, management and species composition, but presenting low species diversity within each area. Towards the northern part of the site the grassland was closely mown amenity grassland. Further in to the site the grassland was semi-improved with a longer unmanaged sward. Grass species recorded included cocksfoot *Dactylis glomerata*, Yorkshire fog *Holcus lanatus*, perennial ryegrass *Lolium perenne*, and within the taller swards cleavers *Galium aparine*, ragwort *Jacobaea vulgaris*, thistles *Cirsium arvense*, and rosebay willowherb *Chamaenerion angustifolium* were present. Modified grassland towards the southern part of the site presented more dominant fescue *Festuca sp,* and yarrow *Achillea millefolium*.

3.8. The modified grassland (see Photograph 3.1 below) lacks inherent ecological value and is considered to be of **negligible ecological importance.**

Photograph 3.1: Amenity grassland on site

Hardstanding

3.9. Areas of hardstanding tarmac were present throughout the site, indicating its previous use as a car-park. This habitat type is considered to be of **negligible ecological importance**, given that it has no inherent interest for biodiversity.

Ephemeral Vegetation / Bare ground

3.10. Bare ground with areas of emerging ephemeral/short perennial covered the majority of the site. Species present included camomile *Matricaria recutita,* ragwort *Jacobaea vulgaris,* buddleia *Buddleja davidii* and prickly lettuce *Lactuca serriola.*

3.11. This habitat type is considered to be of **negligible ecological importance,** given that it has no inherent interest for biodiversity, see **Photograph 3.2** below.

Photograph 3.2- Ephemeral/bareground

Dense Scrub

3.12. Unmanaged dense scrub was present in the north-west area of the site. Species present included horse chestnut *Aesculus hippocastanum*, elder *Sambucus nigra*, rowan *Sorbus aucuparia*, bramble *Rubus fruticosus*, *buddleia Buddleja davidii* and conifer trees/ shrubs. This habitat does not hold any significant ecological importance and is therefore considered to be of **negligible ecological importance**. This habitat however may provide opportunities for fauna in the local area (see sections below).

Photograph 3.3– Example of dense scrub on the site.

Habitats Adjacent to Site

3.13. The site is located within an urban location area and is surrounded by new build houses on the western, southern and eastern boundaries of the site. A busy road, Blackmoorfoot Road, bounds the site to the north.

Fauna

Amphibians

3.14. WYES returned several amphibians recorded within 2km of the site. These included 3x records of great crested newt GCN *Triturus cristatus,* with the closest located 1.19km south-east from site. WYES also returned 3x records of palmate newt *Triturus helveticus* with the closest located 1.2 km south-east from site. Smooth newt *Triturus vulgaris*, records were also found (x2) with the closest located 1.2 km south-east from site.

3.15. No ponds were recorded on-site but two water bodies were recorded within the extended terrestrial range for GCN within 500m of the site, with the closest being 400m north. However, the likelihood of any newts being present in these ponds being able to disperse to the site is considered to be negligible due to the main road roads surrounding the site and extensive built form creating a dispersal barrier to the site.

3.16. The likelihood of amphibian presence within the site is considered to be exceptionally low due to the absence of suitable aquatic and terrestrial habitat for this species group, lack of suitable terrestrial habitat off-site and lack of connectivity with ponds nearby which could support breeding populations of amphibians. Therefore, this site is considered to be of **negligible importance** to amphibians and they will not be discussed any further in this report.

Birds

3.17. WYES returned 48 birds records of 24 species which are birds of Conservation Concern (BoCC) or listed as a priority species in the Biodiversity Action Plan (BAP) within the study area. Of these species those that are considered relevant to the site were bullfinch *Pyrrhula pyrrhula,,* house sparrow *Passer domesticus,* song thrush *Turdus philomelos* and wren *Troglodytes troglodytes* (full details can be made available on request).

3.18. The scrub and trees on site provide limited foraging and nesting habitat for a range of common species which have been returned in the local record search.

3.19. The site is considered unsuitable for ground nesting birds due to its small size, enclosed nature, residential surroundings, and presence of structures obscuring sightlines restricting site suitability. Additionally, no other habitats were recorded on site or adjacent to the site with the potential to support any Schedule 1 species, and no such relevant species were recorded during surveys.

3.20. The site is considered to be of **negligible ecological importance** to this species group in terms of supporting an important assemblage, but as potential nesting habitat is present, recommendations for this are detailed in **Section 4**.

European Hedgehog

3.21. The WYES returned no records of European hedgehogs *Erinaceus europaeus* within 2km of the site boundary.

3.22. In general, the habitats on site presented some value for hedgehog foraging and commuting, however due to the urban nature of the site and surrounding roads, it is unlikely that hedgehogs are in the locality. Therefore the site is considered to be of **negligible ecological importance** to this species group.

Reptiles

3.23. The WYES returned no records of reptiles within 2km of the site boundary.

3.24. The habitats on site were generally unsuitable for reptiles and therefore the site is considered to be of **negligible ecological importance** to this species group. No impacts are anticipated from development, therefore, they are not considered any further in this report.

Water Vole and Otter

3.25. There were no records of water vole *Arvicola terrestris* or otter *Lutra lutra* within 2km of the site boundary.

3.26. There were no ditches or other water features on or directly adjacent to the site at the time of survey. It is considered that water vole and otter are likely to be absent from the site and these species are not considered further due to the site being of **negligible ecological importance** for these species.

Badger

3.27. WYES returned no records of badger within in the study area within the last 20 years, with no records pertaining to setts.

3.28. The habitats on site are unsuitable for badger, considering the high proportion of hardstanding developed land. There was no evidence of badger setts or activity recorded on site and no mammal runs were present. The surrounding area also presents unsuitable habitat for badgers. The site is therefore considered to be of **negligible ecological importance** for badgers and this species group is not considered any further in this report.

Bats

3.29. WYES returned a total of 63 records of bats within 2km of the sites boundary. The following species records were returned: noctule *Nyctalus leisleri,* common pipistrelle *Pipistrellus pipistrellus,* pipistrelle species *Pipistrellus sp,* leisler's bat, *Nyctalus leisleri,* Vesper *Vespertilionidae,*

Daubenton's Bat Myotis daubentoni, and the *Natterer's Bat Myotis nattereri.* The closest bat roost identified was common pipistrelle, located 20m north from site.

Preliminary Roost Assessment

3.30. The trees on site were inspected for their bat roost potential. See **Table 3.1** below for full details of the preliminary roost assessment of the trees within the site.

Tree Number	Image	Bat Roosting Potential and description
T1	N/A	Horse Chestnut. Well maintained tree, single stem, mature, some pruning cuts, no obvious cavities identified. Situated along roadside, presenting extremely poor foraging habitat with no habitat linkages. **Low BRP**
T2		Sycamore. Single stemmed tree, branching out at 2m high. Some staining present where branching occurs, likely due to nesting birds. Magpies identified nesting. No obvious PRFs or cavities identified. **Low BRP**

3.31. The site presents limited foraging opportunities for bats due to the urban surroundings and location of the site. However, some opportunistic bats may use the site occasionally to forage, particularly if they are commuting in the local area. The site is considered to be of **site ecological importance** for foraging and commuting bats due to its urban nature and lack of linear habitats.

Section 4: Considerations in Respect of Proposed Development

Proposals

4.1. The proposals for the site (see **Appendix 2**) comprise the construction of a new LIDL foodstore (Use Class E) with associated access, parking, servicing area and landscaping. The impacts of this in relation to nature conservation sites, habitats and species are outlined below.

Protected Sites

4.2. All statutory sites are considered to be sufficiently distant from the site and would not be impacted as a result of the proposed works due to the distance between them and the site. There are no non-statutory sites within the study area to be considered.

Habitats and Flora

4.3. All habitats on site are considered to be of negligible ecological importance. The loss of these habitats to facilitate the development proposals, will result in a net loss of habitat. A biodiversity net gain assessment has been undertaken based on the current landscape plan **(see Appendix 3)** using Defra 3.1 **(see Appendix 4)** which concludes the site post-development habitats will come at a net loss of -79.8%. It will, therefore, be necessary for off-site contributions to be made to the Local Planning Authority or 3rd-party land owner to create the required deficit of units off-site.

Fauna

Bats

4.4. As European protected species, all UK bats receive legal protection in England under the Conservation of Habitats and Species Regulations 2018 (HabRegs) (as amended) and the Wildlife and Countryside Act (WCA) 1981 (as amended). As such deliberate injury, disturbance or damage/ destruction of a bat or its roost could trigger this legislation, which protects bats.

4.5. Additionally, T1 and T2, categorised as having low bat roosting potential are scheduled for removal. Under current survey guidelines, there is no requirement for further surveys for bats should tree loss be necessary in low potential trees, but mitigation for the removal of these trees, if required, should comprise soft-felling techniques whereby:

- Each tree is climbed and sectionally felled, lowering each limb onto the ground; and
- Each limb is left on the ground for a period of 24 hours before moving off-site/chipping.

4.6. In addition, a sensitive lighting scheme should be created that avoids light spill onto these boundary features and into the adjacent land parcels.

4.7. The proposals also provide an opportunity to enhance the site for roosting bats. Recommendations to this regard are made in **Section 5** of this report.

Breeding Birds

4.8. The proposals would require the loss of habitat of value to nesting and foraging birds through the loss of scrub and trees. The loss of this habitat is however compensated for through the provision of new landscaping which incorporate favourable habitat for nesting birds i.e. native shrub and scrub planting **(see Appendix 3: Landscaping Plan).**

4.9. All wild birds, their nests and eggs are afforded protection under the WCA 1981 (as amended). As such the removal of dense scrub and building works could trigger this legislation, which protects birds while actively nesting.

4.10. Any building works or activity to remove dense scrub or trees within the 'core' nesting bird season (March to August inclusive) should be preceded by checks by a suitably qualified ecologist (SQE), with any active nests found to be left until all chicks have fledged, and a suitable buffer for that species retained until the nest is no longer considered active by an SQE.

4.11. Due diligence must also be shown by all site contractors to check for active nests prior to demolition of the building and vegetation clearance, even if conducted outside of the 'core' nesting period as some species of bird are known to nest year-round. Should an active nest be suspected, a SQE will need to attend site to assess the status of the nest and advise further.

4.12. The proposals also provide an opportunity to enhance the site for birds. Recommendations to this regard are made in **Section 5** of this report.

Section 5: Conclusions and Recommendations

5.1 A biodiversity net gain assessment has been undertaken based on the current landscape plan **(see Appendix 3)** using Defra 3.1 **(see Appendix 4)** which concludes the site post-development habitats will come at a net loss of -79.8%. It will, therefore, be necessary for off-site contributions to be made to the Local Planning Authority or 3rd-party land owner to create the required deficit of units off-site.

5.2 **Bats**: No further nocturnal surveys are required to determine the likely absence of roosting bats however, soft felling of trees identified to have 'low' bat roosting potential will be required prior to removal/works (if required) to ensure no bats are disturbed or injured, with further advice sought from a suitably qualified ecologist if bats are found during these activities. Mitigation for bats should include a sensitive lighting strategy designed and adopted to preserve commuting and foraging routes for bats along the site boundaries and inclusion of bat boxes within the development.

5.3 **Birds**: The sensitive working methodologies outlined in **Section 4** should be adopted during the construction phase of the proposals.

5.4 The following features should be incorporated in the scheme that will also contribute to enhancing the biodiversity value of the site for local biodiversity action plan species:

- Installation of bird boxes on new building;
- Installation of bat boxes on new buildings; and

5.5 Providing the above recommendations are implemented, there are no ecological reasons why redevelopment of the site should not proceed in accordance with relevant wildlife legislation and planning policy, including 'G8 and G9' of the Leeds Core Strategy to protect and enhance the environment.

Appendix 1: Legislation and Planning Policy

Legislation

A1.1 Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species 2017 (as amended).
- The Countryside and Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992; and
- The Natural Environment and Rural Communities Act (NERC) 2006.

A1.2 The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2017 (as amended).

A1.3 In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.

A1.4 The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

National Planning Policy

National Planning Policy Framework (NPPF), July 2021

A1.5 The National Planning Policy Framework (NPPF) was updated in July 2021 and sets out the Government's planning policies for England and how these should be applied. It replaces the National Planning Policy Framework published in July 2019.

A1.6 Paragraph 11 states that:

"Plans and decisions should apply a presumption in favour of sustainable development."

A1.7 Section 15 of the NPPF (paragraphs 174 to 182) considers the conservation and enhancement of the natural environment including habitats and biodiversity (paragraphs 179-182)

A1.8 Paragraph 174 states that planning and decisions should contribute to and enhance the natural and local environment by:

- "protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

A1.9 Paragraph 175 states that plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

A1.10 Paragraph 179 states that in order to protect and enhance biodiversity and geodiversity, plans 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; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement 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."

A1.11 When determining planning applications, Paragraph 1780 states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely

impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and

- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

A1.12 As stated in paragraph 181 the following should be given the same protection as habitats sites:

- "potential Special Protection Areas and possible Special Areas of Conservation;

- listed or proposed Ramsar sites; and

- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."

A1.13 Paragraph 182 states that the presumption in favour of sustainable development does not apply where the planned project is likely to have a significant effect on a habitat site (alone or in combination with other plans or projects) unless an appropriate assessment has concluded the plan or project will not adversely affect the integrity of the habitats site.

Office of the Deputy Prime Minister (ODPM) Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

A1.14 ODPM Circular 06/05 was prepared to accompany PPS9, however continues to be valid, and material in the consideration of planning applications since PPS9's replacement by the NPPF.

A1.15 ODPM Circular 06/05 provides guidance on applying legislation in relation to nature conservation and planning in England. Part I considers the legal protection and conservation of internationally designated sites (namely candidate Special Areas of Conservation (cSACs), SACs, potential Special Protection Areas (pSPAs), SPAs and Ramsar sites) and Part II considers the legal protection and conservation of nationally designated sites, namely Sites of Special Scientific Interest (SSSIs).

A1.16 Part III considers the protection of habitats and species outside of designated areas (particularly UK Biodiversity Action Plan species and habitats), which it states are capable of being a material consideration in the preparation of local development documents and the making of planning decisions.

A1.17 Part IV considers species protected by law and states that the presence of a protected species is a material consideration in the consideration of a development proposal that, if carried out, would be likely to result in harm to the species or its habitat and that it is essential that the

presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

Local Planning Policy

Kirklees Local Plan – Adopted February 2019

A1.18 Policy LP30 : Biodiversity and Geodiversity – The council will aim to protect and enhance biodiversity and geodiversity of Kirklees including, the range of international, national, and locally designated wildlife and geological sites, and habitats, and species of principal importance and the Kirklees Wildlife Habitat Network.

South Pennine Moors

A1.19 Proposals which may directly or indirectly compromise achieving the conservation objectives of a candidate or designated European protected site will not be permitted unless the proprosals reaches the conditions specified in Article 6 (3) - (4) of the Habitats Directive.

Statutory Designated Sites

A1.20 Statutory designated sites, including the South Pennine Moors Special Protection Area (SPA) and Special Area for Conservation (SAC) and Sites of Special Scientific Interest, are already highly protected through current legislation and existing laws, the council will aim to ensure that adverse impacts to these areas as a result of development proposals are avoided.

A1.21 Development proposed within or outside a designated site of Site of Special Scientific Interest, likely to have an adverse impact on the site's special nature conservation features, will not usually be permitted. In exceptional circumstances, development will be permitted where the benefit of the development clearly out weigh the impacts on th site's special conservation features and measures are provided to mitigate harmful impacts.

The Dark Peak Nature Improvement Area

A1.22 Proposals that contribute to the aims and objectives of the Dark Nature Improvement Areawill in principle be supported, subject to other policies in this plan. Development with high risk to have an adverse impact on the aims and objectives will not be permitted.

Local Designated Sites & Important Local Ecological Features

A1.23 Proposals having a direct or indirect adverse impacts on a Local Wildlife site, Ancient woodland, Veteran Tree of other importanct tree, will not be granted unless the benefits of the development outweigh the need to safeguard the local conservation value of the site or feature and there is no alternate means to deliver the proposal. In all casews, compensatory measure would be permitted and secures in the long term.

Habitats and Species of Principle Importance

A1.24 Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodveristy interest, in which case long term compensatory measures will need to be secured.

Biodiversity and Development

A1.25 Development proposals will be required to:

- Result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreements;
- Minimise impact on biodiversity and provide net biodiversity gains through good designs by incorporating habitat creation and biodiversity enhancements where opportunities are present;
- Enhance and safeguard the function and connectivity of the Kirklees Wildlife Habitat network at a local and wider landscape scale unless the loss of the site and its functional role within the network can be completely maintained or compensated for in the long term;
- Establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and
- Incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.

A1.26 Policy LP31 Strategic Green Infrastructure – Within the Strategic Green Infrastructure Network, priority will be provided to enhancing and safeguarding green infrastructure networks, green infrastructure assets, and the range of functions they provided. Development proposals within and adjacent to the Strategic Green Infrastructure Network should ensure:

- The function and connectivity of green infrastructure networks and assets are retained or replaced;
- New or enhanced green infrastructure is deigned and integrated into the development scheme where appropriate involving natural greenspace, woodland, and street tree;
- The scheme integrates into existing and proposed cycling, bridleway, and walking route, particulary the core walking and cycling network, by providing new connecting links where opportunities exist;
- The protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network.

A1.27 The council will support proposals for the creation of new or enhanced green infrastructure provided these do not conflict with other Local Plan policies.

A1.28 Policy LP33: Trees – The council will no permit planning permission for developments which directly or indirectly threaten woodlands or tree of significant amenity.

A1.29 Proposals should retain any important or valuable trees where theu make a contribituion to public amenity, the distinctiveness of a specific location or contribute to the environment, in the wildlife habitat network and green infrastructure networks.

A1.30 Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, construction, and demolition. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme.

A1.31 Policy LP34: Conserving and enhancing the water environment- Proposals must :

- Ensure no deterioration of water courses or water bodies by conserving and enhancing:
  - The natural geomorphology of watercourses, including reinstating watercourses to their natural state through removal of modifications resulting from past industrial uses;
  - Water quality; and
  - The ecological value of the water environment, including the functionality of habitat networks.
- Ensure source protection zones are protected from contamination as a result of the proposal in line with the national guidance;
- Dispose of surface water appropriately (in accordance with the Local Plan drainage policy) adhering to the following networks in order of preference:
  - To an infiltration based system wherever possible;
  - Discharge into a watercourse with the prior approval of the landowner, navigation authority or Environment Agency, where applicable.
  - Discharge into public sewer

A1.32 Proposals are encouraged to:

- Make positive progress towards achieving 'good status' under the Water Framework Directive in surface and groundwater bodies.
- Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling as well as considering water availability from surface water and groundwater sources.
- Improve water quality through the incorporation of appropriately constructed and maintained Sustainable Drainage Systems and surface water management techniques taking into account the sensitivity of groundwater.

Local Biodiversity Action Plan

A1.33 The Kirklees biodiversity actions plan lists the following species and habitats which are relevant to this site in terms of possible presence or opportunity for implementation within the site. This information is found within the 2007 Kirklees BAP Species List.

Appendix 2: Proposed Site Plan

DO NOT SCALE!
ALL DIMENSIONS SHOULD BE CHECKED ON SITE BEFORE WORK COMMENCES

BOUNDARY BASED ON TITLE DEEDS: WYK696805

BOUNDARY BASED ON TOPOGRAPHICAL SURVEY: 5328-0721-01C

SUBJECT TO HIGHWAYS CONSULTATION

SUBJECT TO LEVELS STRATEGY REVIEW

LIDL INTERNALS AREAS ARE SUBJECT TO CONFIRMATION FROM LIDL FOLLOWING LATEST SPECIFICATION IMPLEMENTATION (AUG 2023)

PROPOSED LANDSCAPE PLAN AS PER LANDSCAPE ARCHITECTS DRAWING AND SPECIFICATION

NEW HIGHWAYS DESIGN AS PER HIGHWAYS ENGINEER TO INCLUDE SEPERATE RIGHT AND LEFT TURNS - ALLOWING SPACE FOR HGV ACCESS

PAVEMENT TO BE CONNECTED AND ALL EXTERNAL ROAD MARKINGS TO BE REMOVED

NEW VEHICLE ENTRANCE INTO SITE TO ALLOW FOR HGV/VEHICLE AND PEDESTRIAN ACCESS

EXISTING VEHICLE ENTRANCE TO BE MADE REDUNDANT TO BE LANDSCAPED TO REMOVE THE POSSIBILITY OF ON ROAD PARKING

EXISTING TREE TO BE REMOVED SHOWN IN RED

RED LINE BOUNDARY
7197 SQ M / 1.78 ACRES

PROPOSED RETAINING WALL ALONG CAR PARK EDGE TO BE FINISHED WITH WALLING STONE AND CAPPING PLUS 1.1m HIGH FENCE/RAILING ON TOP

93 CAR PARK SPACES
INC 6 DISABLED, 9 P&C, 2 EVC, 2 MOTORCYCLE

ELECTRIC VEHICLE CHARGING SPACES - 1 FEEDER, 2 SPACES RAPID CHARGING UNIT

EXISTING TREE TO BE REMOVED SHOWN IN RED

CYCLE PARKING - 5 SHEFFIELD CYCLE HOOPS - HOUSING 10 CYCLES 1000MM SPACED INCLUDING 1.5m WIDE SPACE SHELTERED AND LIT (UNDER CANOPY). VIEWED FROM SALES AREA/ CHECKOUT

ACCESS STAIR FOR MAINTENANCE OF BT POINT AND TELEPHONE POLE TO BE ACCESSED WITHIN CAR PARK OR FROM BLACKMOORFOOT ROAD

EXISTING SUB STATION TO REMAIN

PLANT AREA TO BE ON STORE PLATEAU - REDUCING SOUND AND VISUAL IMPACT TO HOUSING TO THE SOUTH

TWO DEDICATED MOTORCYCLE SPACES WITH SECURE GROUND ANCHORS FOR SAFE / SECURE PARKING

SOFT LANDSCAPING TO THE SOUTH BOUNDARY TO SLOPE DOWN TO RETAINING WALL

SCHEDULE OF AREAS (TYPE 1300):

SALES	= 1331 m²
WAREHOUSE	= 456 m²
ANCILLARY	= 213 m²
GIA	= 2000 m²

0 5 10 15 20 30 40 50
SCALE BAR 1:500

Rev.	Date	Description	Drawn
D	05/12/2023	Annotation amended Site plan updated - bollards added, motorcycle spaces added.	BM
C	30/10/2023		BM
B	04/10/2023	Annotation changes	BM

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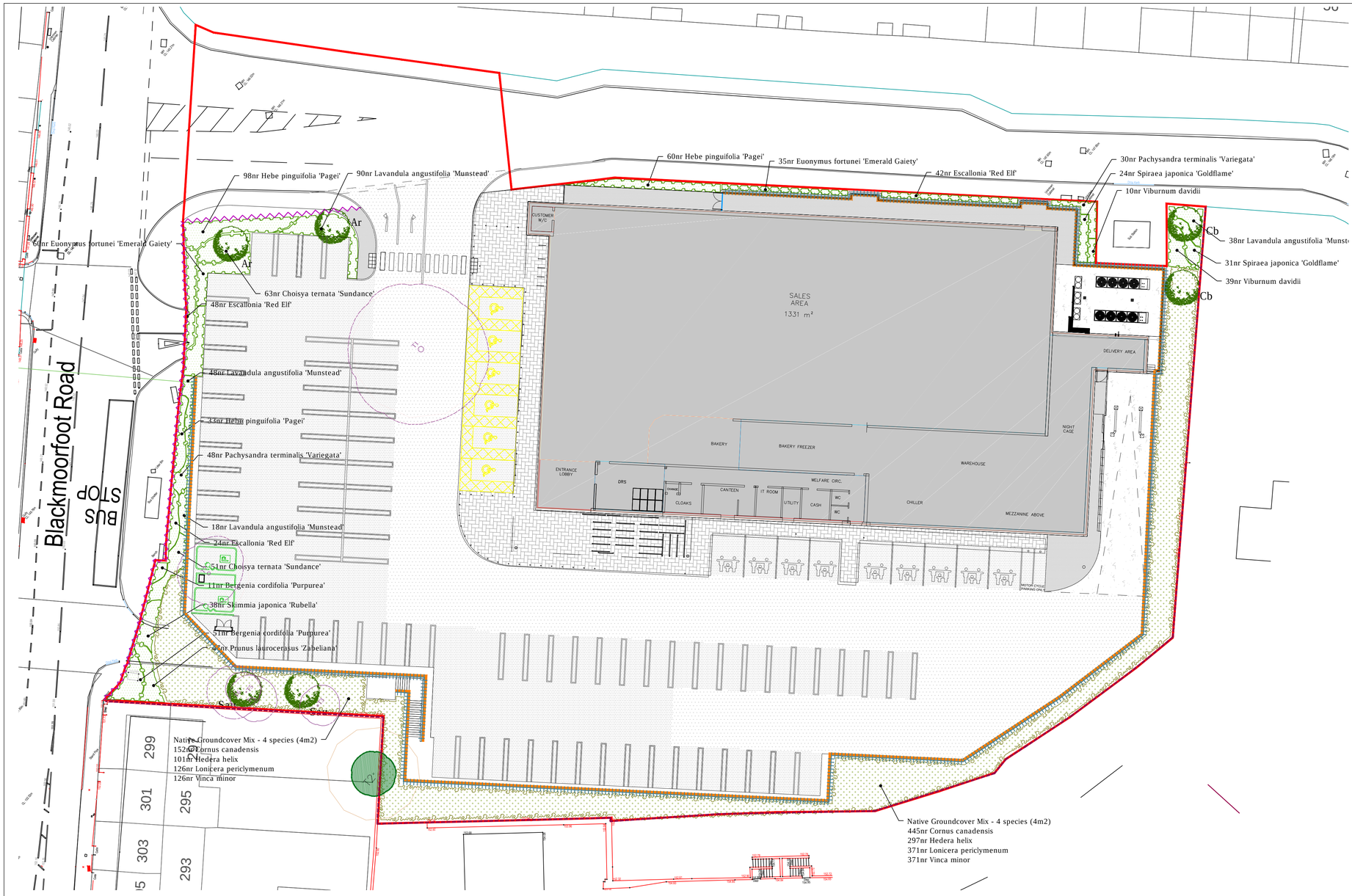
client
Lidl GB Ltd.

project
Blackmoorfoot Road
Huddersfield

drawing title
Proposed Site Plan

date	August 2023
status	Planning
scale	1:500 @ A3
drawn	KA checked BM
job no.	2783 dwg no. P413 rev. D

Appendix 3: Landscape Plan



NORTH

PLANTING NOTES

All trees to be planted and procured in accordance with BS 8545:2014. The providing nursery shall demonstrate Plant Healthy Certification and/or an adopted biosecurity policy and plant passport scheme.
Aftercare shall be in accordance with the approved Landscape Management Document.

GROUND PREPARATION

- Where required all existing topsoil and subsoil shall be stripped and stored separately on site. Heaps must not exceed 3m in height and should be used within 12 months in accordance with BS 4425 (Code of practice for general landscape operations).
- Existing topsoil and inert sub soils, shall be analysed in accordance with BS 3882 to determine available nutrients, texture, organic matter content and pH. Where required, existing soils are to be improved in accordance with BS 3882:2015. Subsoils shall conform to BS 8601:2013
- In all instances, where soil is to be retained and relatively undisturbed for the purposes of planting new vegetation on site, then it must be alleviated to avoid compaction, must be tested for pH for specific species suitability, and may require the addition of biochar + compost + organic fertiliser + native soil.
- Imported topsoi and site won soils shall be to British Standards BS 3882 - Multipurpose Grade. Spread to 300mm depth over areas to be planted with trees and shrubs. Remaining minimum rooting depth to be provide by a good quality subsoil to BS 8601:2013, free of building material debris to achieve the following overall rooting depths:
  Grass - 450mm
  Shrubs - 600mm
  Trees - 900mm

PLANTING SCHEDULES

ORNAMENTAL SHRUBS

ORNAMENTAL PLANTING SCHEDULE				
Herbaceous				
Nr	Name	Ht in cm	Pot(L)	Density
62	Bergenia cordifolia 'Purpurea'		3L	5.00
Shrub				
Nr	Name	Ht in cm	Pot(L)	Density
114	Choisya ternata 'Sundance'	30-40cm	3L	5.00
114	Escallonia 'Red Elf'	30-40cm	3L	5.00
95	Euonymus fortunei 'Emerald Gaiety'	20-30cm(D)	3L	5.00
191	Hebe pinguifolia 'Pagei'	20-30cm(D)	3L	5.00
194	Lavandula angustifolia 'Munstead'	30-40cm	3L	5.00
78	Pachysandra terminalis 'Variegata'	10-15cm	3L	5.00
47	Prunus laurocerasus 'Zabeliana'	30-40cm(D)	3L	5.00
38	Skimmia japonica 'Rubella'	30-40cm	3L	5.00
55	Spiraea japonica 'Goldflame'	30-40cm	3L	5.00
49	Viburnum davidii	20-25cm	3L	5.00

NATIVE SPECIES GROUNDCOVER SCHEDULE

GROUNDCOVER MIX SCHEDULE				
Nr	Name	Height/cm	Root	Pot/L
597	Cornus canadensis	20-30cm(D)	C	2L
398	Hedera helix	50-60cm	C	2L
497	Lonicera periclymenum	50-60cm	C	3L
497	Vinca minor	10-20cm	C	2L

All shrub material shall be first quality, sturdy, well rooted non-refridgerated stock with well branched heads and fibrous root systems. Shrubs shall be planted into 450mm good quality fibrous topsoil (To BS BS3882:2015) incorporating organic compost and slow release fertiliser in accordance with all good horticultural practice.
A proprietary geotextile membrane (colour: Black) is to be installed between the soil and mulch of the planted areas cut with T or X slits to fit around the plants as required. All plant material shall be a minimum of 3L pot size unless otherwise specified and conform to BS3936 Part 1 and BS 4428. Finished beds shall be dressed with 50mm blue slate mulch.

TREE SCHEDULE

SPECIES		NUMBERS REQUIRED		RQD SOIL VOLUME m3
	Ht in m	3.0-3.5	4.5 min	
	Girth in cm	10-12	16-18	
Acer rubrum (Ar)		0	2	18
Carpinus betulus (Cb)		0	2	18
Sorbus aucuparia (Sau)		0	2	7.5

All trees to have clear stems to 2.0m above ground level with well developed branching heads with a single, central leader and healthy, fibrous root systems.
Trees shall be planted into pits of an appropriate size to accommodate the root system without restriction, backfilled with a 3:1 topsoil:compost mix and shall be secured to a machine rounded stake using 1 no. biodegradable tree tie and spacer.
Finished height of stake shall not exceed 1/3 height of staked tree above ground.
All pits are to be 1m deep and provide the soil volumes listed above.

KEY

- Existing tree to be retained
- Existing tree to be removed
- Proposed Extra heavy standard (16-18cm girth) tree
- Proposed ornamental shrub planting
- Proposed mixed native species shrub planting
- Existing boundary to remain
- Proposed stone retaining wall (detailed by others)
- Proposed 1100mm high metal fence/guarding on top of wall (detailed by others)
- Proposed 600mm high timber knee rail on site boundaries (detailed by others)
- Proposed polymer modified bitumen (PMB) HGV routes& heavily trafficked areas in accordance with the Lidl specification (detailed by others)
- Proposed stone mastic asphalt (SMA) with 10mm chip to car park, in accordance with the Lidl specification (detailed by others)
- Proposed stone mastic asphalt (SMA) with 10mm chip to pedestrian areas with blister paving to crossing points in accordance with the Lidl specification (detailed by others)
- Proposed pencil edged paving setts laid herringbone bond to trolley bay, pedestrian routes and store entrance with concrete kerbs (detailed by others)
- Proposed loading bay & plant area base formed in concrete with stripped finish (detailed by others)

Rev.C: Updated to site layout P413D (SF) December 23
Rev.B: Updated to replanned layout and new spec store (SF) October 23
Rev.A: Updated to include steps and path access to Plant area (SF) March 23

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client: Lidl GB Ltd

project: Retail Development
CROSLAND MOOR
HUDDERSFIELD

drawing title: LANDSCAPE DETAILS

scale	date	drwn by	drawing no
1:250 @A1	Mar 23	SF/MBN	R/2682/1C

Appendix 4: BNG Assessment

Introduction

A4.1 This appendix sets of the results of a Biodiversity Net Gain (BNG) calculation utilising Defra's Metric Version 3.1.

A4.2 The National Planning Policy Framework (NPPF) published July 2021, states that planning and decisions should contribute to and enhance the natural environment by, amongst other, *'identifying and pursuing opportunities for securing measurable net gain for biodiversity'*. Emerging national and local policy to be incorporated within the Environment Act will mandate net gains in biodiversity post-development in accordance with approved metrics. In line with the requirement of Local Planning Policy and section 170 of the NPPF, this appendix provides the summary of the baseline biodiversity value of the site assessed against the proposed post-development value to detail the change in biodiversity value onsite.

Methodology

A4.3 The DEFRA Biodiversity Metric 3.1 was the current version in use at the time of this original assessment. This calculator is used to *'measure and account for biodiversity losses and gains resulting from development'*. The calculator requires baseline habitat data as well as the information on habitats to be lost and created to calculate the total number of biodiversity units on site post-development.

A4.4 Baseline: an extended Phase I habitat survey of the site was undertaken by Tyler Grange in 2022. This data was used to determine the area and value of habitats currently on site *'the baseline'* (see **Plan 1: Habitat Features Plan**). This data was then transported into classification of the UK Habitats[7] to utilise within the Defra 3.1 metric.

A4.5 Retained/ replacement habitats: the landscape proposals (see **Appendix 3**) were then used in combination with the baseline data, to calculate the areas of retained and replacement habitats on site.

A4.6 The calculator automatically assigns distinctiveness scores to each habitat type, and the user inputs scores for condition, ecological connectivity, strategic significance and total area (in hectares); as per the guidance, the area of trees on site was calculated using the integrated 'street tree helper' tool within the metric spreadsheet. No condition or connectivity scores are required for hardstanding or building as part of the calculator.

A4.7 Biodiversity units: the information above was then input into the Defra V3.1 calculator, to determine the number of biodiversity units at baseline and at post-intervention (i.e. habitat creation + retention). The calculator then uses this data to produce the total net unit and percentage change. The Defra calculator is provided separately to this note.

A4.8 Further information on the baseline habitats and conditions are available within the **Defra 3.1 calculation spreadsheet (ref: 15131_BNG_Crosland Moor)** supplied alongside this report**.**

7 UK Habitat Classification Working Group (2018) UK Habitat Classification – Habitat Definitions V1.0

Results

A4.9 Table A4.1. below summarises the existing biodiversity baseline value of the site.

Table A4.1 habitat units at baseline

Habitat type	Area (ha)	Baseline Units	Units lost	Units retained	Units enhanced
Ruderal/Ephemeral	0.467	0.93	0.93	0.00	0.00
Developed land; sealed surface	0.08	0.00	0.00	0.00	0.00
Modified Grassland (poor semi-improved)	0.115	0.23	0.23	0.00	0.00
Modified Grassland (amenity)	0.034	0.07	0.07	0.00	0.00
Mixed scrub	0.023	0.09	0.09	0.00	0.00
Urban Tree (moderate condition)	n/a	0.44	0.44	0.00	0.00
Urban Tree (good condition)	n/a	0.03	0.03	0.00	0.00
Total	**0.72**	**1.80**	**1.80**	**0.00**	**0.00**

A4.10 **Table A4.2** below summarises the post-development value of the site, which excludes enhancements.

Table A4.2 Post development habitat creation

Habitat type	Area (ha)	Units delivered
Mixed scrub	0.06	0.23
Developed land; sealed surface	0.63	0.00
Introduced shrub	0.03	0.06
Urban Trees (poor condition)	n/a	0.07
Total	**0.72**	**0.36**

A4.12 **Table A4.4** below summaries the projected net biodiversity value of the site post development.

Table A4.4 Projected Net Biodiversity Value

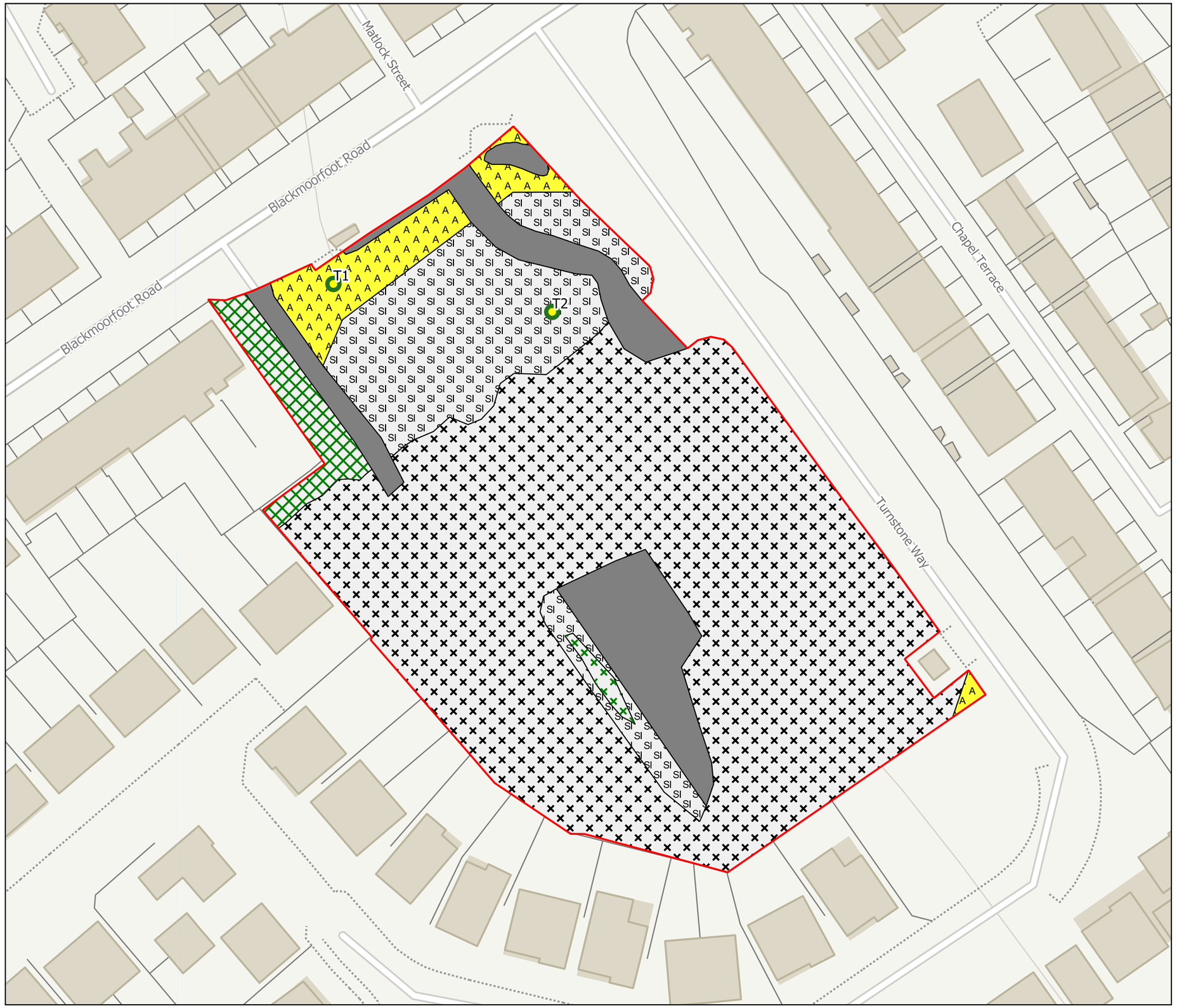
Baseline	Post-intervention	Percentage change
1.80	0.36	-1.43 units / net loss of 79.8%

Conclusion

A5.13 The Defra 3.1 Metric has calculated that, the proposed development at this stage as illustrated on the proposed landscape plan would amount to a biodiversity value of c. 0.36 units, resulting in an overall a net loss of 79.8%.

Plans:

Plan 1: 15131_P01: Habitat Features Plan



- Redline Boundary
- J1.3 - Disturbed land - ephemeral
- J1.2 - Cultivated land - amenity grassland
- Hardstanding
- B6 - Poor semi-improved grassland
- A2.2 - Scrub - scattered
- A2.1 - Scrub - dense/continuous
- Scattered Trees - Low BRP

N

0 10 20 m

Project	St Luke's Hospital, Blackmoorfoot Road
Drawing Title	Habitat Features Plan
Scale	1:600@A3 (Approximate)
Drawing No.	15131/P01
Date	August 2022
Checked	BP/AS

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