Land off Headlands Road, Liversedge

Preliminary Ecological Appraisal Report

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Report Ref. ER-7573-01

02/05/2024

Martin Walsh Architectural Ltd.

Report reference	**ER-7573-01 – Preliminary Ecological Appraisal Report**
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Date	02/05/2024
Report duration	In accordance with CIEEM (2019), unless otherwise stated the findings of this report remain valid for a period of 18 months. After this period advice should be sought on the scope of any updating work required.

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Contents

Summary

This report is produced to inform Martin Walsh Architectural Ltd. of potential ecological constraints associated with a proposed development site and the need for further reporting or output to support a planning application.

This report is based on a desk study of designated wildlife sites and records of protected or notable species, and an extended Phase 1 Habitat Survey carried out in April 2024.

Key Findings

The Site comprises existing but under-utilised industrial buildings with unmanaged neutral grassland, scrub, young woodland and trees.

The invasive non-native species Himalayan balsam is scattered throughout the site.

Biodiversity Net Gain

Details on measurement of the Site's biodiversity and the implications of complying with the requirement to provide a net gain for biodiversity are provided in our separate report ER-7573-02.

Introduction

1. Brooks Ecological Ltd was commissioned by Martin Walsh Architectural Ltd. to carry out a Preliminary Ecological Appraisal (PEA) of land at Land off Headlands Road, Liversedge, grid ref. SE201233. The survey includes land within the red line boundary shown in Figure 1 opposite, with a total area of 1.2ha.

2. This report is produced with reference to British Standard BS:42020 'Biodiversity Code of Practice for Planning and Development' and the CIEEM (2017) Guidelines for Preliminary Ecological Appraisal.

Purpose of a PEA

3. A PEA is an *initial assessment* of the baseline for a proposed development site and establishes whether the Site is likely to be constrained by ecology, and whether more information is needed to identify the ecological baseline.

4. The subsequent Preliminary Ecological Appraisal Report (PEAR) is intended to give guidance to a developer and assist with the early stages of project planning and design. Where a site is not complex or constrained, and no additional ecological input is necessary, the PEAR *may* be sufficient and suitable to support a planning application.

5. Biodiversity accounting metrics are used separately to quantify the value of a Site in Biodiversity Units, which helps in the later stage of assessing the ecological impacts of the proposed development. This process is set out separately in the Biodiversity Gain Report which accompanies this PEAR.

Proposals/Reason for PEA

6. The PEA has been commissioned to inform proposals to develop this Site for housing.

The Site

7. The application site 'the Site' comprises two warehouses and associated yard with an area of grassland, scrub and trees behind. It is located off Headlands Road in the south of the town, Liversedge. For the purposes of metric calculations, the Site area has been measured using GIS against the provided red line boundary as 1.17ha.

Figure 1 The Site (red line boundary).

Desk Study

Landscape

8. The Site is bound to the north by a large warehouse complex; to the west there are school playing fields. South and east there are residential areas that are part of Liversedge town.

9. The wider area is mostly made up of residential and commercial buildings of the towns Liversedge, Heckmondwike and Cleckheaton. There are some areas of structured habitat, in particular the allotments located to the north-east of the Site. To the west there are hedge lines agricultural fields with some areas. Wooded areas around Clough Beck and a cemetery make up some areas of structured habitat.

Wildlife Corridors

10. The national cycle way and Spen River form corridors allowing for faunal dispersal through Liversedge. Additionally, these corridors form part of the Kirklees wildlife habitat network. These are not functionally connected to the Site.

11. Clough Beck, located to the west of the Site, is linked by hedgerows. This could provide some means of faunal dispersal from the Site to the wider area, including some areas of structured habitats associated with Clough Beck.

Figure 2 Analysis of wildlife corridors and structured habitat visible on mapping in relation to the Site.

Designations

12. The assessment uses a 2km area of search around the Site for records of protected and notable species and locally or nationally designated wildlife sites.

Statutory Designations

13. A search has been made to identify any nationally designated sites within a 2km radius of the Site, or internationally designated sites within a 10km radius. The results are shown in the below table.
14. There are no nationally or internationally designated sites within the search radius.

SSSI Impact Risk Zones (IRZs)

15. The Site does not lie within any impact risk zones.

Non-Statutory Designations

16. There is one Local Wildlife Site in the search area; Sunny Bank Ponds.
17. Direct and indirect impacts on all remaining sites as a result of this development are unlikely due to the Site's separation and distance.

Nature Improvement Area

18. The Site is not within any Nature Improvement Area.

Wildlife Habitat Network

19. The Site is not within any mapped Wildlife Habitat Network. Land designated under the Kirklees wildlife habitat network comes within 300m of the Site but is not functionally linked.

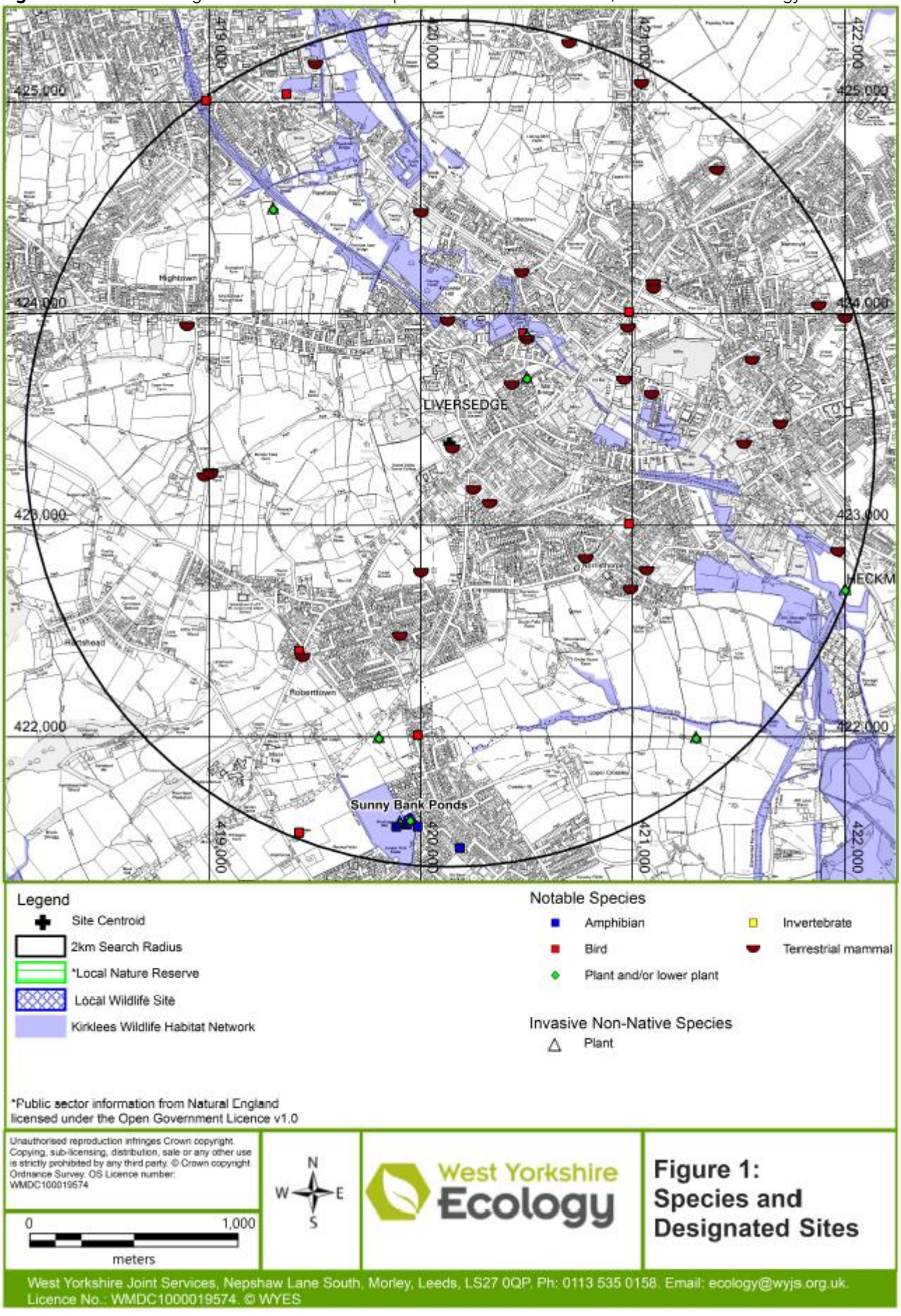
Granted EPSM Licences

20. There are no granted European Protected Species Mitigation (EPSM) licences shown within 1km of the Site.

Mapped Ancient Woodland

21. There are no mapped ancient woodlands within 15m of the Site.

Figure 3 Records of designated sites and notable species within 2km of the Site; West Yorkshire Ecology.



Survey

22. The survey was carried out during April 2024[1] and followed the principles of Extended Phase 1 Habitat Survey methodology (JNCC, 2010).

23. Although outside of the peak growing season, the nature of habitats present here, and the expertise and training of the surveyor meant that it was still possible to confidently classify the type and condition of habitats present on this Site.

24. Enough time was afforded the surveyor to carry out the survey. The survey was not constrained by poor weather.

25. Whilst the majority of the Site was accessible, at least 30% of the Site was inaccessible due to very dense vegetation, which could not be closely inspected. This could have concealed invasive species or protected species evidence.

Habitat Appraisal

26. The Site's habitats are described in order on the following pages. In line with the requirement to provide information on Biodiversity Net Gain (BNG), habitats are named in accordance with the UK Habitats classification system. We have used the UK Habitats v2.01 guidance in identifying habitats. Habitat descriptions are divided into the 'distinctiveness' categories used in the calculations presented in the Biodiversity Gain Assessment, with more weight being afforded the more distinctive/important habitats.

27. Generally, the following apply to each tier of distinctiveness, although some authorities might highlight some lower distinctiveness habitats as having a higher importance locally. Where relevant we have highlighted these.

Very Low Distinctiveness Habitats

28. Habitats of little or no habitat value, i.e., lacking any significant native vegetation, but could still provide supporting habitat for protected or notable fauna such as birds or bats. In the context of BNG, their areas are included in calculations, but mitigation or compensation is not required.

Low Distinctiveness Habitats

29. Habitats which are ubiquitous, often which have been created or modified intentionally. They tend to lack diversity of species and structure. They are unlikely to support notable flora but could still provide supporting habitat for protected or notable fauna. In the context of BNG, they are included in calculations, but compensation/mitigation needs only to provide habitat of similar or higher distinctiveness.

Medium Distinctiveness Habitats

30. Habitats which are common but provide a higher level of structural and species diversity. Though unlikely to support more notable assemblages, species of interest could be present here and they are more likely to be important supporting habitat to fauna. In the context of BNG, mitigation needs to provide habitat of the same broad habitat type, or that of higher distinctiveness.

High Distinctiveness Habitats

31. Habitats which are more natural and contain more important assemblages of plants and potentially species which are rare in their own right. They will provide good habitat for fauna. These habitats are likely to be targeted as conservation priorities and will be the subject of additional policy guidance or legislation. In the context of BNG, whilst mitigation or compensation for loss or damage is possible, provision of more of the same type of habitat would be required, which (with a few exceptions) is likely to be difficult.

Very High Distinctiveness Habitats

32. These are the UK's rarest/best habitats. They will be present in very particular locations and a range of rare or important plant and animal species will depend on the particular conditions they provide. These habitats will be the subject of restrictive policy guidance or legislation. Whilst the BNG metric does not preclude mitigation or compensation in respect of these habitats, creation of the same habitat type would be required, and this would range between very difficult/expensive and impossible.

Irreplaceable Habitats

33. These are habitats of high biodiversity value, which are so difficult to recreate that it would be impossible to achieve the requirement to increase biodiversity on top of no net loss. These habitats have significant protection in the NPPF; any impacts from development require a strong justification and will flag as unacceptable in the Biodiversity Metric. Bespoke compensation for any loss of these habitats must be agreed with the LPA.

34. Each habitat is mapped and an area for each type is provided in the format of the Statutory Biodiversity Metric Calculation Tool. The areas can be used to quantify the impacts of development in an Ecological Impact Assessment if this is required by the Local Planning Authority.

[1] This Report has been prepared during May2024 following a visit to the Site in April 2024, and our findings are based on the conditions of the Site that were reasonably visible and accessible at that date. We accept no liability for any areas that were not reasonably visible or accessible, nor for any subsequent alteration, variation, or deviation from the Site conditions which affect the conclusions set out in this report.

Condition Assessment

35. Our condition assessment for each habitat described references, where available, the criteria set out in DEFRA (2023) Statutory Biodiversity Metric Condition Assessments. A completed version of this spreadsheet is provided digitally with the Biodiversity Gain Report which accompanies this report.

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Habitats of Low/Very Low Distinctiveness

Figure 4 Approximate location and extent of these habitats.

Table 1 Summary – Habitats of Low/Very Low Distinctiveness.

UK Habitats	Label Ref	Summary Description
Developed land sealed surface	U1	Unvegetated concrete hard standing used as car parking and storage and land occupied by buildings.

Figure 5 Parking and storage area.

Habitats of Medium Distinctiveness

Figure 6 Approximate location and extent of these habitats.

Table 2 Summary of Medium Distinctiveness habitats.

UK Habitats	Label Ref	Summary Description
Bramble scrub	Sc1	Bramble dominated scrub with common species of nutrient enriched habitats like nettle, cleavers, broad leaved dock and Himalayan balsam.
Mixed scrub	Sc2	More established scrub with bramble, hawthorn, holly, ivy elder, raspberry, bindweed and dog rose.
Other Woodland; broadleaved	W1	Young and crowded secondary woodland developed from scrub with sycamore, birch, ash, wych elm, willows, hawthorn and honeysuckle. A field layer with ivy, occasional broad bucker, harts tongue and male ferns, lesser celandine
Other neutral grassland	g1	Unmanaged species poor grassland with a dense accumulated thatch. Dominated by false oat grass and cocksfoot with frequent Yorkshire fog. Forbs are few and far between limited to competitive types like hogweed, broad leaved dock, cow parsley, Himalayan balsam, knapweed common sorrel, creeping thistle and greater willowherb. average 4 species per m2

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Habitats of Medium Distinctiveness

Figure 7 Line of trees

Figure 8 Woodland

Figure 9 Woodland

Figure 10 Neutral grass, scrub and woodland

Figure 11 Mixed scrub

Figure 12 Neutral grassland

Trees

Figure 13 Approximate location and extent of these habitats.

Table 3 Summary – trees.

UK Habitats	Label Ref	Summary Description
Medium urban tree	T1	Goat willow
Small urban tree	T2	Elder
Medium urban tree	T3	Sycamore
Medium urban tree	T4	Goat willow with cutting damage
Small urban tree	T5	Goat willow
Small urban tree	T6	Coppiced sycamore
Medium urban tree	T7	Sycamore
Small urban tree	T8	Sycamore
Small urban tree	T9	Sycamore

36. There are many dead ash trees around the site as well but these are not recorded as trees for the purpose of this report and will not be included in the net gain Metric.

Figure 14 T1

Irreplaceable Habitats

37. No Irreplaceable habitats have been identified on site.

Ancient or veteran trees

38. No ancient of veteran trees have been identified on site.

Faunal Appraisal

39. The following pages discuss only the groups and species that could be reasonably expected to be found on the type of habitats present on, or adjacent to, the Site.

Amphibians

Field Evidence

41. There are no water bodies on site and no ponds visible within 250m.

Summary Evaluation

42. The site is unlikely to be of high value to amphibians.

Further Surveys and Recommendations

43. No further surveys or precautions are considered necessary.

Birds

Desk Evidence

44. The bird records returned show an assemblage typical of the habitats surrounding the Site. There are common garden birds such as house sparrow, greenfinch, wren, and song thrush as well as birds more often found in open fields such as rook and swallow.

45. The most unusual record returned is that of a ruff, however this dates back to 1970-1988 so it is unlikely there is a population.

Field Evidence

46. Dense scrub and pockets of trees on site are likely to provide foraging and nesting habitat for a range of common species.

47. A small number of common bird species were noted during the survey including blue tit, great tit, dunnock, robin, wren, blackbird and chiffchaff.

Summary Evaluation

48. Based on its size and habitats the Site will not be important to local bird populations

Further Surveys and Recommendations

49. No further surveys are considered necessary to demonstrate current baseline in respect of birds.

50. Standard precautions apply in respect of restrictions on clearing vegetation during the nesting season.

Bats

Desk evidence

51. There are 57 bat records from the search area, of which 10 are relating to roosts. The largest is a maternity roost of 202 bats of indeterminate species located almost 2km from the Site.

52. Species recorded with the search area include brown long eared bats, common pipistrelle, daubenton's bat, Leisler's bat, noctule and soprano pipistrelle. There are also records of undetermined myotid bat species.

Field Evidence (Roosting)

53. There are three buildings on site illustrated below

Figure 15 Building plan

Table 4 Bat Roost Suitability Assessment.

Ref	Notes	Suitability
B1	Single brick solid wall, reinforced concrete flat roof.	Negligible
B2	Double brick solid wall with pitched slate roof. Dense ivy growth, access to the roof/ building interior through gaps in gable. Close to streetlighting and road noise.	Low
B3	Steel frame and metal curtain walls or with dwarf brick walls on ground floor. No suitable crevices or access points.	Negligible

Field Evidence (foraging and commuting)

54. Connected linear vegetation and open rough grassland could potentially be used by bats for foraging and commuting.

Summary Evaluation

55. The Site lies between housing stock that could hold bat roosts, and open countryside.

Further Surveys and Recommendations

56. Seasonal activity surveys are recommended to determine the value of the site for foraging and commuting. A single emergence survey is also recommended of B2.

Bat Roost Suitability Assessment

View of B2

B2 general view

B2 potential access

B2 general configuration

B3

B3 Metal eaves

B3 general configuration

Stand alone B3 type building

View of B1

B1 from road side

B1 flat concrete roof

B1 from roadside

Hedgehogs (NERC Act 2006/Local BAP)

Desk evidence

63. Two hedgehog records were returned, one c.600m from the Site and the other c.1.9km.

Field Evidence

64. No evidence of hedgehogs was found on site.

Summary Evaluation

65. The Site provides suitable habitat for this species and measures to allow them to access gardens need to be planned for.

Further Surveys and Recommendations

66. Presence assumed; no further surveys are considered necessary.

Reptiles

Desk evidence

67. No records were returned for reptiles.

Field Evidence

68. The Site provides poor habitat for reptiles

69. No field evidence was found.

Summary Evaluation

70. Habitat is largely unsuitable and lack of connectivity to suitable habitat off site reduces the risk of this group being present.

71. Reptiles are assessed as likely absent from the Site.

Further Surveys and Recommendations

72. No further surveys or precautions are considered necessary.

Invasive Non-Native Species (INNS)

73. INNS are species listed on Schedule 9 of the Wildlife and Countryside Act (1981), for which it is an offence to cause or allow it to grow in the wild.

74. Himalayan balsam (Impatiens glandulifera) was noted in many places through the site.

Figure 17 Early growth of Himalayan balsam in grassland on site.

Survey constraints

75. This survey is constrained by the presence of areas that were inaccessible due to the density of vegetation and some recent cutting for access.

76. Although some INNS have been identified in this preliminary survey, it is not always possible to conclude absence or complete distribution from preliminary survey alone due to factors such as season, accessibility, third-party attempts to hide evidence, or undisclosed treatment programmes. For this reason, this report should not be relied upon as definitive evidence of distribution of INNS.

77. This site presents a small risk of supporting other undetected INNS based on the following factors:

- Areas of Site inaccessible to survey
- Potential for recent access clearing which may have obscured viable material
- Proximity to nearby potential sources of infection
- Potential for tipping of material

78. Should further assurances be needed in relation to INNS, a dedicated Invasive Weed Survey should be commissioned.

Ecological Constraints

Habitat Value

79. The usual approach to development is to minimise any net loss of biodiversity towards a gain in biodiversity value where this is possible on-Site. Our separate report on Biodiversity Gain sets out the position of the Site in terms of measured biodiversity.

80. Irrespective of the Biodiversity Gain process, development should still seek to retain what is best about the Site.

81. The plan opposite shows the Site in the context of mapped habitat distinctiveness with the aim of informing the design of any layout. It shows that there are no targets of higher distinctiveness or irreplaceable habitat which would need to be avoided by the proposals and that the Site is relatively uniform in terms of potential impact.

82. Habitats do not impose any particular design constraints. Loss of habitat of this nature are not of the order which (outside of Biodiversity Net Gain) would require specific mitigation or compensation as they are common locally.

83. In terms of structure and connectivity, trees on the site boundaries will contribute to the disjointed local network. These are of higher value in a local context and should ideally be retained.

84. Himalayan balsam is a constraint and needs to be managed to ensure that the Wildlife and Countryside Act is not contravened.

Faunal constraints

86. The site could act as strategic foraging for bats and a building with limited bat roosting potential has been identified.

Figure 18 Distinctiveness of habitat.

Ecological Opportunities

87. Ecological opportunities at the Site relate to:

- Retaining boundary vegetation and managing for wildlife.
- Potential to improve connectivity locally by providing new native hedgerow planting.
- Installing roosting or nesting features on new buildings.

88. A Biodiversity Management Plan would be useful in defining these enhancements and can be secured by standard condition.

Figure 19 Ecological Opportunities.

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Conclusions and Recommendations

Planning considerations		
Recommendation	**Rationale**	**When**
R1 Additional Surveys		
R1.2 Bat emergence survey	B2 should be subject to a single emergence survey to determine presence of likely absence of bat roosting.	May-September
R1.3 Bat activity survey	The site should be subject to a three-visit seasonal activity survey to assess level of use by the local bat population	April-May June-Aug Sept-October
R2 Produce a layout which minimises loss of biodiversity	Engage with the Constraints and Opportunities set out above, involve your ecologist in designs at an early stage. The proposals will need to consider the NPPF hierarchy of Avoid–Mitigate–Compensate in minimising any loss of biodiversity. Biodiversity Net Gain (BNG) policy mandates a minimum 10% Net Gain in Biodiversity Units, and the LPA may request additional gains. Your layout may need to change to accommodate your findings from R1 surveys.	During the design process
R3 Design	Make sure your design team follows ecological advice to and make sure there are no design conflicts. Produce a habitat retention plan at an early stage - which can be used to inform BNG and maximise scores. A habitat retention plan should identify areas which can be excluded from any impacts of clearance and construction. In producing a plan you should consider the need to provide (amongst other things) Site compounds, to store and move materials, to install drainage, flood storage, access and services - all with suitable easements.	During the design process
R4 Biodiversity Net Gain (BNG)	Carry out a BNG Assessment using the Statutory Biodiversity Metric Calculation Tool and accompanying Condition sheets produced by Defra.	During the design process.
R5 Ecological Impact Assessment (EcIA)	This report summarises all survey findings and assesses the impacts of the scheme in respect of these. Due to the scale of this development and the potential issues at hand it would seem an unlikely requirement,but may be requested by the LPA.	Prior to submission, after a fixed design is agreed and all key additional surveys are completed
R6 Produce a Biodiversity Management Plan	To specify in detail how the development will cater for biodiversity on-Site and to show how habitats incorporated will be managed.	Delivery report Suitable for planning condition
R7 Produce a CEMP (Biodiversity)	To show how the site will be built without affecting surrounding habitats and minimising risk of affecting protected or notable fauna. The CEMP will detail the following protection measures: • Location of Biodiversity Protection zones or fences • Dealing with known or discovered invasive species • Pre- or during- clearance ecology checks for protected species. • Protected/notable species method statements where licensing in not needed. • Nesting bird management	Delivery report Suitable for planning condition

Other considerations (managing legal or financial risks)		
Issue	**Rationale**	**When**
R8INNS Management Plan	This provides a formal INNS Survey and sets out management prescriptions and timings in detail. It can provide security for the Main Contractor and assurance for future Site operators/purchasers/owners.	Best initiated at an early stage (INNS Survey would ideally be complete April - October)

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Appendix 1 Habitats and Ecological Features

Appendix 2 List of species recorded

Sycamore	*Acer pseudoplatanus*
Bent	*Agrostis sp.*
Garlic mustard	*Alliaria petiolata*
Cow parsley	*Anthriscus sylvestris*
Bindweed	*Calystegia sepium*
Rough-stalked feathermoss	*Brachythecium rutabulum*
False oat grass	*Arrhenatherum elatius*
Bittercresses	*Cardamine spp.*
Silver birch	*Betula pendula*
Common mouse-ear	*Cerastium fontanum*
Creeping thistle	*Cirsium arvense*
Wood avens	*Geum urbanum*
Hawthorn	*Crataegus monogyna*
Dog rose	*Rosa canina*
Broad buckler fern	*Dryopteris dilatata*
Male fern	*Dryopteris filix-mas*
Cock's-foot	*Dactylis glomerata*
Groundsel	*Senecio vulgaris*
Red fescue	*Festuca rubra agg.*
Ash	*Fraxinus excelsior*
Lesser celandine	*Ficaria verna*
Cleavers	*Galium aparine*
Knapweed	*Centaurea nigra*
Common ivy	*Hedera helix*
Hogweed	*Heracleum sphondylium*
Tall fescue	*Festuca arundinacea*
Yorkshire fog	*Holcus lanatus*
Himalayan balsam	*Impatiens glandulifera*
Annual meadow grass	*Poa annua*
Holly	*Ilex aquifolium*
Creeping buttercup	*Ranunculus repens*
Bramble	*Rubus fruticosus*
Common sorrel	*Rumex acetosa*
Broad leaved dock	*Rumex obtusifolius*
Curled dock	*Rumex crispus*
Elder	*Sambucus nigra*
Wild raspberry	*Rubus idaeus*
Goat willow	*Salix caprea*
Dandelion	*Taraxacum officinale agg.*
Wych elm	*Ulmus glabra*
Nettle	*Urtica dioica*

Appendix 3 Explanatory Notes and Resources Used

Site Context

Aerial photographs published on commonly used websites 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 approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains.

Designated Sites

A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSIs]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development site with nearby important habitats. In addition, information from the local record holders was referred to on locally designated sites.

Functional linkage with off-Site habitats

When assessing these we consider whether the Site could be functionally linked to them, considering links such as:

- Hydrological links – is the Site upstream downstream, or could ground water issues affect it?
- Physical links – is the site in close proximity and could it be directly or indirectly affected by construction and operational effects? Conversely it may be that despite proximity major barriers separate the two.
- Recreational links – do footpaths and roads make it likely that increased recreational pressure could be felt?
- Habitat links – is the site part of a network of similar habitat types in the wider area? These could be joined by linear corridors or could simply be 'stepping stones' of habitat of similar form or function.

Method

Phase 1 habitat survey methodology (JNCC, 2010). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2017).

Faunal Appraisal

This section first looks at the types of habitat found on Site or within the sphere of influence of potential development, then considers whether these could support protected, scarce, or NERC Act 2006 Section 41 species (referred to collectively as 'notable species').

Records of notable species supplied from a 2km area of search by West Yorkshire Ecology are used to inform this appraisal.

We discuss further only notable species or groups which could be a potential constraint due to the presence of suitable habitat and their presence (or potential presence) in the wider area. We screen out and do not present accounts of notable species or groups which do not meet these criteria – in some cases it may be necessary to explain this reasoning.

Consideration is given to the Local Biodiversity Action Plan (LBAP), which for this site is the 'Kirklees Biodiversity Action Plan'.

Species/group	Habitat
Floating water plantain	Semi-natural pasture
Great crested newt	Lowland and upland meadows
Marsh helleborine	Lowland dry acid grassland
Northern wood ant	Blanket bog
Twite	Upland heathland
Water vole	Upland flushes
White clawed crayfish	Lowland heathland
	Upland oak woodland
	Lowland deciduous and other woodlands
	Upland mixed ashwoods
	Wet woodland
	Arable field margins
	Hedgerows
	Rivers, riverine corridors and associated habitats
	Reedbeds
	Scrub and habitat mosaics on previously developed land

Bats

Bat roosting potential is classified according to the following criteria set out below, taken from the Bat Conservation Trust Good Practice Guidelines (2023).

Bat Roosting Suitability of Buildings

Suitability	Criteria
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. 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 and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).
Moderate	A structure 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 (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure 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. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.

Bat Roosting Suitability of Trees

Suitability	Criteria
None	Either no PRFs in the tree, or highly unlikely to be any.
FAR	Further assessment required to establish if PRFs are present within the tree.
PRF	A tree with at least one PRF present.

Evaluation

In evaluating the Site, the ecologist will take into account a number of factors in combination, such as:

- the baseline presented above,
- the Site's position in the local landscape,
- its current management and
- its size, rarity or threats to its integrity.

There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP and Section 41 of the NERC Act (2006) to determine if the Site supports any Priority habitats or presents any opportunities in this respect.

The assessment of impacts considers the generic development proposals from which potential effects include:

- Vegetation and habitat removal
- Direct effects on significant faunal groups or protected species
- Effects on adjacent habitats or species such as disturbance, pollution and severance
- Operation effects on wildlife such as noise and light disturbance

Appendix 4 Bat Activity Survey Rationale

The Bat Conservation Trust Guidelines (BCTG) (Collins 2023) is now widely accepted as providing a basis and rationale for scoping and conducting bat surveys. It is acknowledged that the guidelines provide a wealth of background and are a very useful tool in standardising approaches to survey, it is also felt that an over reliance on some of the guidelines within this document can result in the provision of complicated surveys where they have significant consequences for the cost, or timescale of a large project, but could never deliver positives for bat conservation.

Taking the BCTG document as a whole, Chapter 2 helps the reader understand whether or not surveys are required, and that in the context of planning and development survey is required in relation to ensure;

- the avoidance of legal offences, and;
- the provision of a sufficient level of information – such that will allow the Local Planning Authority to make an informed decision on the proposals and their potential impacts on the Favourable Conservation Status (FCS) of bats.

Attendance at seminars presented by, and discussions with, those involved in production of the BCTG document has emphasised the point that it is within the remit of the consultant ecologist to make a decision on the necessity and scope of surveys – they will use the guidelines in doing so but are not in any way bound by them: this is reflected in Section 1.1 of the guidelines –

'The Guidelines do not aim to either override of replace knowledge and experience. It is accepted that departures from the guidelines (e.g. either decreasing or increasing the number of surveys carried out or using alternative methods) are often appropriate. However, in this scenario an ecologist should provide documentary evidence of (a) their expertise in making this judgement and (b) the ecological rationale behind the judgement. '

Such decisions require a consideration of the potential of the project to impact on bat habitat, alongside analysis of the value of habitat on and around the site and of local records and the likelihood that bats might occur in significant numbers. Our reports aim to present information on how we have arrived at our decision on the Site, what assumptions we have based this on, and where further survey is recommended we indicate what the objective of this survey should be and how best this would be achieved.

The site is close to potential roosing in surrounding housing and represents a potentially important foraging node. For this reason seasonal bat activity transects are recommended.

Appendix 5 Wildlife Legislation, Policy and Guidance

This is not an exhaustive list but sets out briefly the relevance of Legislation, Policy and Guidance in terms of planning applications and this assessment.

Legislation

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (EC Habitats Directive).

Provides framework at an international (EU) level for the consideration/protection of European Protected Species (EPS), and habitats through the designation of sites.

Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive) and The Ramsar Convention on Wetlands of International Importance (1971)

Provides framework at an international (EU) level for the consideration/protection of important bird populations and the sites on which they are dependant.

The Conservation of Habitats and Species Regulations (2010)

This transposes the EC Habitats Directive into UK law and provides the basis on which all EPS are protected and impacts on them can be licensed in the UK.

The Wildlife and Countryside Act (1981) as amended

This provides the basis on which UK species are legally protected or restricted and confers protection on Sites of Special Scientific Interest SSSIs. It contains annexes of plants and animals which are legally protected as well as those which are considered to be invasive or harmful. It provides the basis on which impacts on such species can be licensed in the UK and provides controls on work on or near SSSIs.

The Countryside and Rights of Way Act 2000 (CRoW)

Provides a statutory basis for nature conservation, strengthens the protection of SSSIs and UK protected species and requires the consideration of habitats and species listed on the UK and Local Biodiversity Action Plans (UKBAP/LBAP).

Natural Environment and Rural Communities Act 2006 (NERC)

Sets out the responsibilities of Local Authorities in conserving biodiversity. Section 41 of the Act requires the publishing of lists of habitats and species which are "of principal importance for the purpose of conserving biodiversity". At present these largely reflect those making up the UKBAP lists.

Hedgerows Regulations (1997)

Define and provide protection for Important Hedgerows.

Protection of Badgers Act (1992)

Protects badgers from persecution, this includes excavation/development in the proximity of setts.

Protected Sites

Statutory EU/International Protected Sites

Special Areas of Conservation (SACs); and Special Protection Areas (SPAs) and Ramsar Sites contain examples of some of the most important natural ecosystems in Europe. Work on or near these sites is strictly protected and Local Authorities will be expected to carry out 'Appropriate Assessment' of development in proximity of them. In this case there is often an increased burden on the developer in relation to provision of information and assessment.

Statutory UK Protected Sites

Local Nature Reserves (LNRs); National Nature Reserves (NNRs); Sites of Special Scientific Interest (SSSIs) all receive strict protection under UK legislation. Work in or in proximity to these sites would be restricted with any needing to be agreed with Natural England. Natural England now provide guidance on the nature of development which could impact on SSSIs through Impact Risk Zones.

Locally Protected Sites

Local Authorities have a variety of protected wildlife sites designated at a local or regional level. These are gradually being brought under the banner of Local Wildlife Sites (LWS) but at present a plethora of different designations exist – all subject to local policy.

Protected Species

European Protected Species

A number of species (most relevantly bats, great crested newts [GCN], and otters) receive strict protection from killing, injury and disturbance under The Conservation of Habitats and Species Regulations (2010). Protection is also conferred on the habitats on which they rely such as roost space in the case of bats and ponds and fields etc. in the case of GCN.

UK Protected Species

nesting bird species are protected from damage or destruction of their nests – whilst active.

Invasive species

Schedule 9 of the Wildlife and Countryside Act (1981) as amended.

Lists these species and makes it an offence to cause or allow their spread in the wild. This often has impacts on development and planning in relation to the presence of invasive plant species such as: Himalayan balsam (*Impatiens glandulifera),* Japanese knotweed (*Reynoutria japonica*), and giant hogweed *(Heracleum mantegazzianum*).

Planning Policy/Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework was updated in December 2023. The most relevant paragraphs from the NPPF are set out below.

The approach to assessing the natural environment is now embedded within the definition of what 'sustainable development' is and this falls under one of three objectives of the planning system – the 'environmental objective' applying in this case. Paragraph 8c (P8c) of the NPPF states that sustainable development should "protect and enhance our natural, built and historic environment", including "improving biodiversity". P10 sets out the Framework's presumption in favour of sustainable development.

Section 11 of the NPPF details making effective use of land. The Framework states that planning policies and decisions should "take opportunities to achieve net environmental gains – such as developments that would enable new habitat creation" and should "recognise that some undeveloped land can perform many functions, such as for wildlife" (P124).

Section 15 details conserving and enhancing the natural environment; policies and decisions should be "protecting and enhancing valued landscape [and] sites of biodiversity […] value", "recognise the intrinsic character and beauty of the countryside" and contribute to conserving and enhancing the natural environment and reducing pollution (P180). Allocations of land for development should, "allocate land with the least environmental or amenity value, where consistent with other policies in this Framework" and "take a strategic approach to maintaining and enhancing networks of habitats" (P181).

The Framework sets out ways to minimise the impacts on biodiversity through plans which "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" 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" (P185).

It is made clear in P186 that local planning authorities should apply a set of principles when determining planning applications. Planning permission should be refused "if significant harm to biodiversity resulting from development cannot be avoided […], adequately mitigated, or, as a last resort, compensated for". Development should not normally be permitted where an adverse effect on a SSSI is likely, and "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".

UK Biodiversity Indicators 2023; update to Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services

The UK Biodiversity Indicators 2023 provide updates to the indicators set out in Biodiversity 2020 including new species abundance targets as set out in the Environment Act 2021. Biodiversity 2020 builds on the Natural Environment White Paper (June 2011) – Setting out the current UK Government's approach to nature conservation. It promotes a more coherent and inclusive approach to conservation and the valuing in economic and social terms of economic resources.

The strategy promotes initiatives such as Biodiversity Offsetting, Nature Improvement Areas and a focus on well-connected natural networks and introduces the concept of securing a 'no net loss' situation with regard to UKBAP/Section 41 habitats and species.

ODPM circular 06/05 (2005) Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System
Provides guidance to Local Authorities on their obligations to biodiversity – particularly in relation to assessing planning applications and ensuring the adequacy of information.

BSI (2013) British Standards Institute BS 42020:2013 Biodiversity – Code of Practice for Planning and Development

Provides a standard for the biodiversity assessment and development industries and decision makers such as Local Planning Authorities to work to.