

Sent: 07 May 2025 08:40

Subject: 2024/92236 at location Wood Street Mills, Wakefield Road, Scissett, Huddersfield, HD8 9JS

Please see my commented below regarding ecology.

Designated sites

No issue.

Onsite habitats and species

The Preliminary Ecological Appraisal is reasonable and acceptable. Recommendations on mitigation and enhancements have been provided for bats, birds, badgers, riparian mammals, white-clawed crayfish, and Invasive Species. These can be covered in a CEMP.

A bat survey was also completed, this is reasonable and acceptable. Bats were found to be likely absent.

An eDNA survey for white clawed crayfish was also completed, this is reasonable and acceptable. Results of crayfish were negative, meaning highly unlikely to be absent.

BNG

A Biodiversity Net Gain Assessment has been provided; however, this assessment shows a net loss, and the report shows no plan to make up for the shortfall. We recommend the applicant provides at least an outline of the intended route to achieving net gain.

We need this information in advance of a planning decision because, if offsite gain is required, it will need to be secured with a section 106 agreement. If a section 106 agreement is needed, we recommend the applicant provides sufficient information for the heads of terms of an agreement prior to determination of the application

In addition to the information already provided, this information would comprise:

- A plan that follows the UK Habitat Classification showing the spatial locations of the habitats represented in the enhancement and/or creation tabs of the biodiversity metric (i.e. the target habitats).
- The georeferenced spatial data used to create both above plans (in either .shp or .gpkg format) and written permission to share this data with West Yorkshire data centre.
- A 30-year Habitat Management and Monitoring Plan (HMMP)

A minimum of 1.90 habitat units (with a minimum of 0.44 units for woodland) and 0.05 watercourse units (following a review of the updated report and metric) will need to be achieved to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Just on the watercourse matters.

1. Though I appreciate that the habitat units would need to be achieved off-site; the watercourse units for net gain should be achieved on-site to ensure the ecological value of the watercourse in that area.
2. Also, the applicant should bear in mind the response from the EA regarding Kirklees Policy LP34.

Options for deculverting

We consider the applicant has provided reasonable justification for discounting Option 1 "Complete Deculverting" and Option 2 "Partial Deculverting with bridge" subject to further evidence regarding WFD compliance.

However, Option 3 "Open up the extreme western part of the culvert, which is not affected by new building footprint (partial deculverting)" remains feasible.

The applicant states this option "would require the building to be re-organised – by moving the main pedestrian entrance to the north of the site, where parking is proposed. However, a modest level of deculverting could be achieved."

We disagree with the applicant's justification for discounting this option which states:

"It is suggested that the environmental benefits to be secured from opening up this short section of culvert would be limited - it would remain a relatively urbanised section of river, which would have limited potential to be improved, softened or planted to enhance biodiversity."

We recommend the applicant develops Option 3 as this would deliver 'Policy LP34 Conserving and enhancing the water environment' of the Kirklees Local plan which states that:

Proposals must:

- 1) Ensure no deterioration of water courses or water bodies (including groundwater) by conserving and, **where practicable, enhancing:**
 - a. the natural geomorphology of watercourses, including **reinstating watercourses to their natural state through removal of modifications** resulting from past industrial uses;
 - b. water quality; and
 - c. the **ecological value** of the water environment, including the functionality of habitat networks"

And goes on to say:

Cont/d.. 2

Proposals are encouraged to:

- 4) Make positive progress towards achieving 'good status or potential' under the Water Framework Directive in surface and groundwater bodies.

Whilst we recognise that deculverting 6 metres of the Dearne through Option 3 will still leave remaining culverted sections along this reach, it will result in localised improvement to hydro-morphology and river habitat in this constrained section of the watercourse. Therefore, the ecological value that Option 3 would provide should not be overlooked.

3. Finally, bearing in mind the EA's response: *"to overcome our objection, we require a WFD Assessment to be submitted for the which demonstrates that it will be possible for us to grant a FRAP."*

Suggested conditions:

To be confirmed once all of the above is considered.

Hope this helps.

Many thanks,

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