
From: Katie Smart <Katie.Smart@kirklees.gov.uk>
Sent: 10 June 2025 08:45
To: Victor Grayson <Victor.Grayson@kirklees.gov.uk>
Subject: RE: 2024/92283 - Dewsbury Market

Just for completion, please see commentary below:

Designations

No issue

Onsite habitats and species.

The ecological assessment provided is reasonable and acceptable. The report also includes bat emergence and re-entry surveys for the market hall, the smaller semi-covered market adjacent to the main hall, the toilet blocks, and the market office (all identified as having low potential for roosting bats). These surveys confirmed no bats were observed emerging nor re-entering these buildings.

A nesting birds (pigeon) was noted in the market hall during the initial assessment.

Recommendations for bats, birds, external lighting, and enhancements – which can be covered by a CEMP condition.

BNG

Please can the applicant an excel format of the BNG metric for auditing purposes.

The Biodiversity Net Gain report has been reviewed and (the metric will also be reviewed to ensure accuracy) it is noted that a non-significant (<0.5 biodiversity units) onsite net gain of 0.31 (low distinctiveness) habitat units. This does not need to be secured for 30 years but could be secured by a simple landscaping condition, if appropriate, to ensure it is provided and maintained for an aftercare period.

Suggested Conditions

Habitats / Species

A condition for a CEMP: Biodiversity (Construction Environment Management Plan) is advised, e.g.

No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity and in accordance with LP30 and NPPF15.

Informatives

Birds

All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

Reason: In order that the proposals are implemented in accordance with the Wildlife and Countryside Act 1981 (as amended).

Reviewing document provided:

- Condition 21 regarding external lighting is reasonable.
- Condition 22 regarding BNG is a little much, but if you feel it is needed as opposed to a landscaping condition then please do keep it in.
- *Ecological considerations and trees* section seems acceptable from an ecological / biodiversity perspective, though I'd mention the CEMP.

Hope this helps.

Many thanks,

Katie Smart, BSc, MSc, DIC, CEnv MIESci
 Biodiversity Officer
 Planning and Development Service
 Place Directorate – Skills and Regeneration
 PO Box 1720,
 Huddersfield,
 HD1 9EL