

Planning ContactCentre

From: ENVU Biodiversity and Land Use
Sent: 30 June 2025 13:30
To: Planning ContactCentre
Cc: Louise Bearcroft
Subject: 2024/92779 at location land at Providence Street, Earlsheaton, Dewsbury, WF12 8HZ

Designations

No issue

Onsite habitats and species

An Ecological Impact Assessment has been provided as part of the application.

It is acknowledged that the site has priority habitat deciduous woodland, and that Futures Ecology conducted a habitats assessment. It is mentioned in points 1.5, 5.8, and 6.5 that their habitats assessments declared that the woodland onsite does not meet the definition of a Habitat of Principal Importance. Please can the data to confirm this be provided clearly. Also, I wonder whether this change in value has been discussed and agreed with Natural England, or any other appropriate body? The further letter provided in May 2025 states that some of this woodland was removed prior to site visit. Was planning permission acquired prior to this clearance?

Further commentary will be made on the report once the query above resolved.

BNG

A few matters here need to be addressed:

Degradation

- The Ecological Impact Assessment and letter in May 2025 from Future Ecology raises a concern. It is mentioned that site clearance had already taken place. This would imply that degradation has taken place on the site. The applicant would need to confirm that no works took place on-site between May 2020 and with comparative aerial imagery.

The applicant should either:

- Provide evidence that the 'degradation' took place prior to 30th January 2020, if not under a planning consent, or after 25th August 2023 if to implement a planning consent; or
- Resubmit the BNG report and metric based on an appropriately evidenced assumption as to the pre-degradation baseline.

Competent person

- It is not mentioned that those who completed the Ecological Impact Assessment, and the Statutory Metric met the requirements for a competent person as stated in BS 8683:2021. Please can training and experience be mentioned with regards to this?

HCA

- A habitats conditions assessment report has not been provided.

Biodiversity Gain Plan

- Even without the data concerning degradation, it is predicted that >14 biodiversity units is to be lost due to this development, which is a lot with no plan to make up any loss / shortfall.
- There is not clear plan set out in a Biodiversity gain Plan and the Statutory metric of how Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act

2021) is to be achieved. A report and metric showing this plan must be provided before further commentary is made.

Legal metric

- The metric is not a legal version of macros have been disabled, and the spreadsheet mentions that settings have been changed. All tabs that are expected to be seen in a legal report do not appear in the one provided.

Result

By virtue of a lack of accurate and updated information, an assessment of how 10% biodiversity net gain will be achieved is not possible and as such, if granted planning permission, there is no guarantee if 10% biodiversity net gain will be achieved, hence would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Suggested conditions

To be confirmed once issues concerning degradation within EclA and BNG can be taken into account.

Many thanks,
Katie

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