



# FUTURESECOLOGY

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Our Ref: FE385 / KEH / AGE

Louise Bearcroft  
Senior Planning Officer  
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HD1 9EL

18<sup>th</sup> February 2026

By email: [Louise.Bearcroft@kirklees.gov.uk](mailto:Louise.Bearcroft@kirklees.gov.uk)

Dear Louise,

## **PROVIDENCE STREET, EARLSHEATON (PLANNING REF: 2024/60/92779/E) – RESPONSE TO ECOLOGY COMMENTS DATED 30<sup>TH</sup> JUNE 2025**

Following additional comments from yourself, dated 30<sup>th</sup> June 2025 regarding the submitted outline planning application (2024/60/92779/E (Kirklees Council)), this document provides additional information regarding those points raised.

Futures Ecology were commissioned to produce an Ecological Impact Assessment, which included a baseline Biodiversity Net Gain (BNG) assessment at the above-named site (Futures Ecology Ltd., FE385/EcIA01, August 2024). A full Biodiversity Net Gain (BNG) assessment, including the post-development, has now also been undertaken and should be referred to with this letter (Futures Ecology Ltd., FE385/BIA01, September 2025).

The following are the comments relating to the 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.”*



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Additional justification has been provided in paragraphs 3.8 – 3.12 within the Biodiversity Impact Assessment (Futures Ecology Ltd., FE385/BIA01, September 2025). This has not been discussed or agreed with Natural England, or another appropriate body, but has been based on professional judgement and the definitions in the relevant Natural England documents / UK Habs definitions<sup>1,2,3</sup>.

In terms of the metric, the areas mapped as Priority Habitat were still assigned high strategic significance as ‘Formally identified in local strategy’ but were classified as ‘Other broadleaved woodland’ in terms of habitat type given the abundance of sycamore *Acer pseudoplatanus*, lack of ground flora diversity / notable ground flora species and general immaturity of the woodland trees.

It is our understanding that planning permission was not acquired prior to the sections of woodland being felled. The client is currently in discussion with the Forestry Commission regarding restocking of the woodland to compensate for this loss.

The following are the comments relating to the BNG assessment:

### 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.”*

As previously stated in our response dated 6<sup>th</sup> May 2025, it is understood that the landowner cleared the trees in February 2024. This is two months prior to when the baseline ecology survey was undertaken in April 2024. This is consistent with a review of Google Earth historic imagery, which shows the woodland intact in September 2023. The relevant date for degradation is therefore 1<sup>st</sup> February 2024.

The baseline BNG metric submitted was based on appropriately evidenced assumptions as to the pre-degradation baseline, as demonstrated in our previous response on 6<sup>th</sup> May 2025. This has also been reiterated in the Habitat Degradation section of the Biodiversity Impact Assessment, paragraphs 3.3 – 3.7 (Futures Ecology Ltd., FE385/BIA01, July 2025).

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<sup>1</sup> Lowland Mixed Deciduous Woodland, UK Biodiversity Action Plan; Priority Habitat Descriptions. BRIG (ed. Ant Maddock) 2008

<sup>2</sup> Lowland Mixed Deciduous Woodland, Natural England document: <https://publications.naturalengland.org.uk/file/4687590768771072>, accessed 05.08.2024

<sup>3</sup> UKHab (2023) The UK Habitat Classifications – Habitat Definitions Version 2.0



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## 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?"*

The Ecological Impact Assessment and Statutory Metric was undertaken by K. Haymes BSc (Hons) MCIEEM. K. Haymes has over 10 years' experience in ecological consultancy, including Ecological Impact Assessments and is appropriately qualified for the assessment based on the CIEEM competencies. K. Haymes holds a Level 2 bat licence (2025-85857-CL18-BAT). K. Haymes is also registered to use a great crested newt (GCN) *Triturus cristatus* licence (2025-82135-SCI-CL08) and a barn owl *Tyto alba* licence (2026-87985-CL29-OWL). K. Haymes was certified in May 2021 to conduct River Condition Assessments (RCA).

## HCA

*"A habitats conditions assessment report has not been provided."*

The HCA information has been provided in Table 7 of the EclA, which details each habitat, which criteria were met or failed, along with the resulting condition. The full Habitat Condition Assessment Sheets have been provided in Appendix B of Biodiversity Impact Assessment (Futures Ecology Ltd., FE385/BIA01, September 2025).

## 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 2 2021) is to be achieved. A report and metric showing this plan must be provided before further commentary is made."*

Given the outline nature of the proposals no post-development calculations had been completed previously. However, this has now been run based on the Parameters Plan<sup>4</sup> and Illustrative Masterplan<sup>5</sup> created by JRP Associates. This has been reported in the Biodiversity Impact Assessment (Futures Ecology Ltd., FE385/BIA01, September 2025), with a brief summary provided below.

The Development Area has been assumed as a 70:30 split between Urban: Developed land; sealed surface and Urban: Vegetated gardens. This accounts for the proposed houses / roads / built development and the private gardens, road verges and Public Open Space (POS) amenity grassland. The retained onsite woodland will be enhanced and the areas without woodland cover will be restocked with trees to help compensate for previous woodland losses.

With the habitat provision and long-term management as described above, the scheme would result in a **3.54 Biodiversity Habitat Unit deficit**, which would need to be secured through offsite habitat provision / buying offsite biodiversity credits.

## 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*

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<sup>4</sup> JRP Associates, Development Parameters, Drawing number: 24 5721 03, May 2025

<sup>5</sup> JRP Associates, Illustrative Masterplan, Drawing number: 24 5721 02, August 2024, Rev C



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*the one provided.”*

Please refer to the new version of the metric, with macros enabled.

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).”*

We trust that the full Biodiversity Impact Assessment (Futures Ecology Ltd., FE385/BIA01, September 2025) provides clarity on these matters raised, however, if you would like to discuss anything please don't hesitate to contact me.

Yours sincerely,

**Kate Haymes**

Senior Ecologist  
Futures Ecology