

# Ecological Enhancement Scheme

**Dewsbury and District Hospital, Halifax Road, Dewsbury, WF13 4HS**

**Date:** December 2024

**Prepared by:** S Latham MCIEEM (Principal Ecologist)

N.B. Ecological reports may show information on legally protected, rare or vulnerable species. In such cases, it is recommended that appropriate caution be used when circulating copies.

ECOLOGICAL ENHANCEMENT SCHEME	
Author(s)	S Latham MCIEEM
Site Details, Address, Mileage, Chain etc.	Dewsbury and District Hospital, Halifax Road, Dewsbury, WF13 4HS
Proposed Works	Erection of single storey building with roof top plant area to provide outpatient theatres, treatment rooms and consultant rooms with link to boothroyd building, including demolition and remodelling of existing ramp and associated landscaping and drainage.
Boundary as specified by the client	YES
Central OS Grid Ref	SE 23230 22780

#### Report Version Control

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## INTRODUCTION

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Darwin Group commissioned RSS Infrastructure Ltd to undertake a Ecological Enhancement Scheme of a proposed scheme at Dewsbury and District Hospital, Halifax Road, Dewsbury, WF13 4HS, central Ordnance Survey grid reference SE 23230 22780.

The area of detailed ecological study referred to as 'the site' comprises of an area of land covering approximately 0.25 hectares in total. The current land includes a sealed surface and a remaining tree.

The development includes a single storey building and landscaping to including the planting of new trees and soft landscaping.

Additionally, the scheme requires the installation and/or enhancement of the following:

- **Installation of a single swift box**
- **Installation of a single bat box**

Avoidance, mitigation and enhancement opportunities are identified, including the following:

- The overnight covering or equipping with mammal ramps of any holes or trenches to avoid trapping hedgehogs and provision of holes for hedgehogs in any impenetrable fencing.
- Avoidance of lighting peripheral boundary planting to promote the use of the site by local bat populations, post-construction.

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## ECOLOGICAL ENHANCEMENT SCHEME

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### **1. INSTALLATION OF BAT AND BIRD BOXES**

*(Please refer to the Target Notes (TN) on Figure 1 below)*

#### **1.1 Bat Boxes**

- i. (TN1) One Schwegler 2F (or similar) Bat Roost boxes will be installed on a suitable tree at a height between 3—6m facing south-west. They will provide permanent new roosting opportunities for bats (please see Figure 1 for locations). The boxes are manufactured from long-lasting Woodcrete, last at 20—25 years and do not require maintenance. The boxes will be positioned to avoid direct sunshine and artificial lighting.

#### **1.2 Bird Boxes**

Bird nest boxes will be provided both on the new house and on suitable trees on the site to provide nesting habitats for a variety of bird species.

- i. (TN2) One Vivara Pro Woodstone Swift Nest Box (or similar) with a single oval entrance hole to be installed under the eaves of the new development building.

#### ***Bird Box Installation***

Swift nest boxes should be hung at a height of at least 5m and should be angled so that they face away from the prevailing wind (usually south-westerly in the UK) and out of direct sunlight or artificial lighting, ensuring that there is unobstructed access for birds entering and leaving. If possible, boxes should be sited under the shelter of eaves or overhanging roofs. Bird boxes require one annual clean in autumn (i.e. outside the bird breeding season, which is considered generally as March to the end of August in the UK). Care should be taken in case bats have occupied the bird boxes; in which case they must not be disturbed other than by a suitably licensed person.

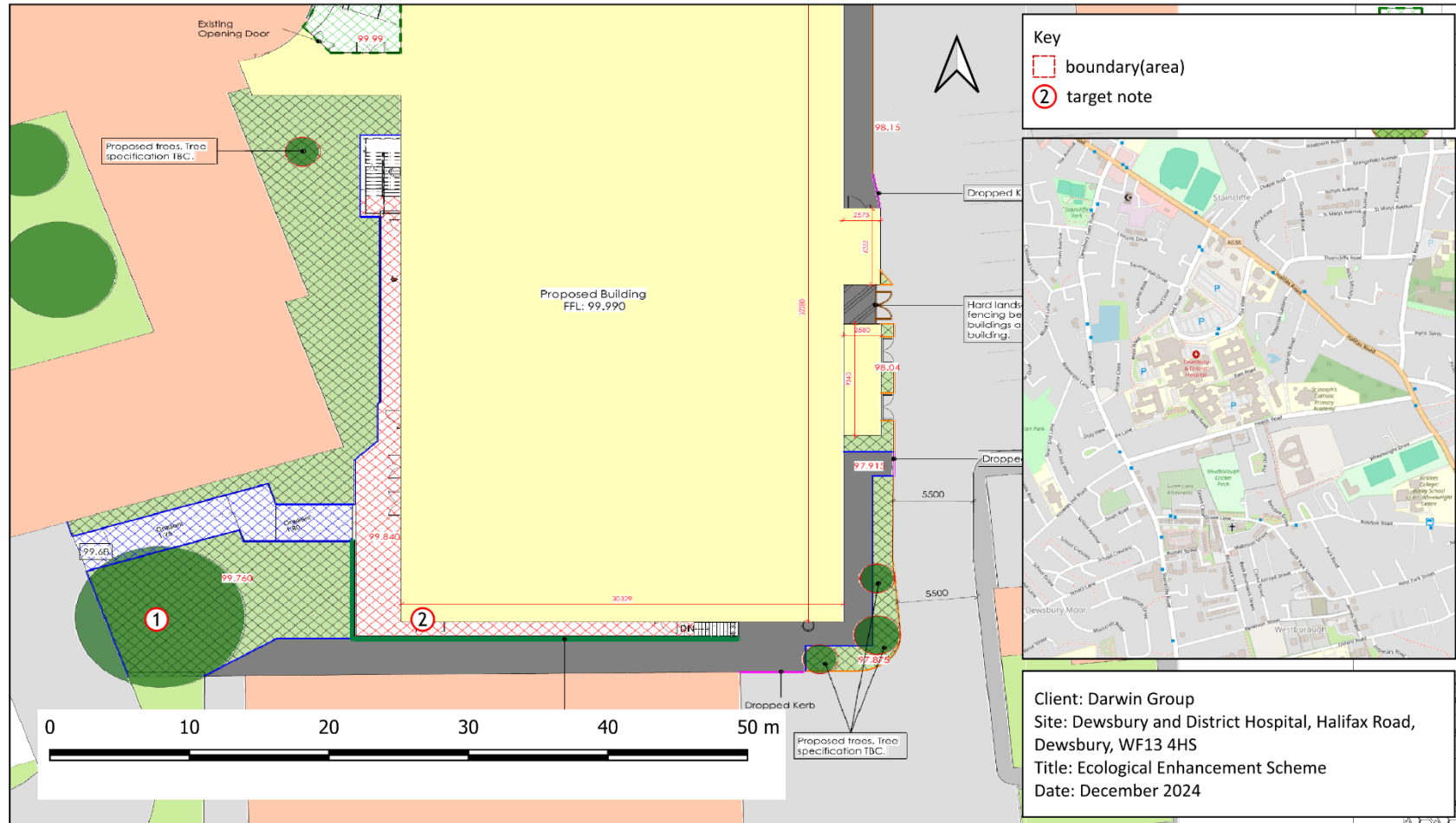
## **2. ENHANCEMENT OPPORTUNITIES**

### **2.1 Habitat Enhancement Opportunities**

The public open space buffer strips of the site will also provide habitats and refugia for small mammals including hedgehogs, for amphibians in their terrestrial phase, and for reptiles. The area will be in a sunny location offering partial shade and left unmanaged, although occasional cautious strimming following hand search may be necessary in some areas to provide basking areas for reptiles.

- i. A proportion of the hospital grounds could be sown with Emorsgate EM1 General Purpose Wildflower/Meadow Mix. This area should only be managed annually, following a careful pre-cut check for vulnerable fauna. All the cuttings should be removed and composted.
- ii. Log piles from felled trees could be created to provide habitats for invertebrates and small mammals.
- iii. Two Woodcrete hedgehog domes could be installed in the tussocky in dry, sheltered spots. Each boundary fence should contain at least two 13cm x 13cm holes suitable for hedgehogs to pass through.
- iv. Great crested newt and reptile hibernacula could be created.

Figure 1: Habitat Enhancement Plan



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## CAPABILITY and QUALITY ASSURANCE

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**Scott Latham MCIEEM**  
Principal Ecologist at RSS Infrastructure Ltd

Scott has extensive experience and over a decade's expertise in professional ecological consultancy, built on a lifetime's involvement in a range of environmental science and natural history subjects both in the UK and overseas (Sri Lanka, Uganda, South Africa, the USA and several continental European countries). His career has included species reintroduction, human-wildlife conflict resolution and legally protected species work under licence.

Scott is practised in BNG, GIS, EIA, ECoW, wildlife law, animal behaviour, ornithology, entomology and a range of applied ecological topics as well as project management and planning, as well has been a European Protected Species Licence (EPSL) holder through Natural England.

Besides his extensive ecological consultancy background, Scott is one of the co-founders of Wild Staffordshire. A purpose-driven not-for-profit founded to give conservation a creative voice, bringing together communities and organisations from across the world to help protect wild species and their habitats. Working with conservation NGOs, communities and expert advisory boards to ensure a combined road to conservation success. One of the projects led by Wild Staffordshire is Schools for Wildlife, whereby, as the founder of the project, I act as project lead. Schools for Wildlife was established as a response to the State of Nature (UK) report and is the first of its kind sustainable school initiative to bring schools, communities, and nature together. He is also chair of the Staffordshire Squirrel Project and is involved in various professional institute initiatives.

In addition, Scott is a storytelling wildlife & conservation photographer, whose work has been recognised worldwide including becoming the winner of the prestigious British Photography Awards 2019 for Wildlife Photography. His photographs have been regularly shown in exhibitions, and galleries and are featured in several books, including his self-authored and published charity book about Mountain Gorillas.

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## REFERENCES

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## APPENDICES

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### Appendix 1: Mandatory Biodiversity Net Gain (BNG)

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory from 12 February 2024 under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#). Developers must deliver a BNG of 10%. This means development will result in more or better-quality natural habitat than there was before development. General information has been published by the government regarding BNG (<https://bit.ly/BNGnew>).

#### **BNG exemptions**

It is essential to determine and confirm by this stage whether the proposal is exempt from the need to carry out the BNG process. Whether a scheme is exempt or not should be confirmed by ourselves, or with your planning consultant, and mention of it be included within the PEA itself.

Full details concerning applications that are exempt from BNG are listed on the following webpage: <https://bit.ly/BNGexempt>

#### **Irreplaceable habitats**

Irreplaceable habitats are very difficult habitats (or take a very significant time) to restore, recreate or replace once destroyed, due to their:

- age
- uniqueness
- species diversity
- rarity

They include some of England's most ecologically valuable terrestrial and intertidal habitats. The definition and list of irreplaceable habitats for BNG are set out in the [Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#). The list includes:

- ancient woodland
- ancient and veteran trees
- blanket bog
- limestone pavements
- coastal sand dunes
- spartina saltmarsh swards
- mediterranean saltmarsh scrub
- lowland fens

## Appendix 2: Legislation and Policy Summary

### Legislation for Species

Species	Status
Bats, Dormouse, Great Crested Newt, Heath Fritillary, High Brown Fritillary, Large Blue, Marsh Fritillary, Natterjack Toad, Pine Martin, Otter, Red Squirrel, Sand Lizard, Smooth Snake, Swallowtail, Water Vole, Wildcat	<p>These species receive full protection under the Wildlife and Countryside Act 1981 (and as amended), which makes it illegal (subject to certain exceptions) to:</p> <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any such animal;</li> <li>• Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection;</li> <li>• and intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.</li> </ul> <p>European Protected Species (EPS) licenses can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed, namely:</p> <ul style="list-style-type: none"> <li>• The development is for reasons of overriding public interest;</li> <li>• There is no satisfactory alternative; and</li> <li>• The favourable conservation status of the species concerned will be maintained and/or enhanced.</li> </ul> <p>Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a duty to 'have regard to the requirements of the EC Habitats Directive' i.e. LPA's must consider the above 3 'tests' when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations.</p>
Adder, Common Lizard, Grass Snake, Slow Worm, White-clawed Crayfish	<p>These species receive partial protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which provide protection against intentional killing or injury of any such animal.</p>
Nesting Birds	<p>All wild birds (as defined by the act) are protected under the Wildlife and Countryside Act 1981 (and as amended), which makes it illegal (subject to exceptions) to:</p> <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any wild bird;</li> <li>• Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.</li> </ul>
WCA Schedule 1 listed Birds	<p>Additional protection is provided to birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (and as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any bird listed on Schedule 1, or their dependent young while nesting.</p>

Badgers	<p>The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger or attempt to do so and to intentionally or recklessly interfere with a Badger sett. This includes:</p> <ul style="list-style-type: none"> <li>• damaging or destroying an active sett;</li> <li>• obstructing access to a sett; and</li> <li>• disturbing a Badger while it is occupying a sett.</li> </ul> <p>Licences can be granted to permit sett closure and/or disturbance between July and November inclusive (i.e. outside the sow pregnancy/birth period).</p>
WCA Schedule 9 listed invasive animals (Part 1) and plants (part 2)	<p>Certain species of plants and animals that do not naturally occur in Great Britain have become established in the wild and represent a threat to the natural fauna and flora. Section 14 of the WCA prohibits the release or allowed escape of animals listed in Schedule 9 to the Act and planting, or allowed growth, of any plant listed in Schedule 9 to the Act.</p>
LNR (Local Nature Reserves)	<p>Designated by the National Parks and Access to the Countryside Act 1949, LNRs may be declared for nature conservation by local authorities after consultation with the relevant statutory nature conservation agency. Legal protection of LNRs is provided under The Wildlife and Countryside Act 1981 (as amended).</p>

## Legislation for Habitats/Sites

Designation	Status
Ramsar Sites	<p>Ramsar Sites are wetlands of international importance designated following The Ramsar Convention. RAMSAR sites have the same level of protection as SSSIs under the Wildlife and Countryside Act 1981 (as amended).</p>
SPA (Special Protection Areas)	<p>SPAs are classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC), the Birds Directive. They are they seek to protect the habitats of rare and vulnerable birds, listed in Annex I of the Birds Directive, and for regularly occurring migratory species. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 implement the Birds Directive in the UK.</p>
SAC (Special Areas for Conservation)	<p>SACs are strictly protected areas which represent typical European Union of habitats and (non-bird) species listed in Annexes I and II of the EC Habitats Directive. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 implement the Habitats Directive in the UK.</p>

SSSI (Sites of Special Scientific Interest)	SSSIs protect the best examples of the UK's flora, fauna, or geological or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs were renotified under the Wildlife and Countryside Act 1981 (as amended). Modified provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000.
NNR (National Nature Reserves)	NNRs are examples of some of the most important natural and semi-natural terrestrial and coastal ecosystems in Great Britain. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended). Legal protection of NNRs is provided under The Wildlife and Countryside Act 1981 (as amended).
Hedgerows	All hedgerows are protected by the Hedgerows Regulations 1997, under which it is an offence to remove or destroy certain hedgerows without planning consent or permission from the Local Planning Authority. These regulations do not apply to any hedgerow within the curtilage of, or marking the boundary of the curtilage of, a dwelling house.
LNR (Local Nature Reserves)	Designated by the National Parks and Access to the Countryside Act 1949, LNRs may be declared for nature conservation by local authorities after consultation with the relevant statutory nature conservation agency. Legal protection of LNRs is provided under The Wildlife and Countryside Act 1981 (as amended).

## Policy Summary

Section 40 of the Natural Environment and Rural Communities (NERC) Act imposes a legal duty on Planning Authorities to 'have regard' to the conservation of biodiversity when considering planning applications.

Section 41 of the NERC Act requires the Secretary of State to publish a list of species and habitats of principal importance for conserving biodiversity in the UK. Such Biodiversity Action Plan (BAP) Habitats and Species (2007) do not offer the species any specific protection but help to highlight the species importance at a national level. This list is used by Local Planning Authorities to identify the species and habitats that should be afforded priority when applying the requirements of the National Planning Policy Framework (NPPF).

The NPPF underpins the Government's planning policies for England and how these are to be applied. The central theme of the NPPF is a presumption in favour of sustainable development. This presumption does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. The NPPF states:

'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- development on land within or outside a Site of Special Scientific Interest (SSSI) likely to have an adverse effect on an SSSI (either individually or in combination with other developments) should not

normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.

- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.
- opportunities to incorporate biodiversity in and around developments should be encouraged.
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland unless the need for, and benefits of, the development in that location outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites: potential Special Protection Areas (SPA) and possible Special Areas of Conservation (SAC); listed or proposed Ramsar sites; and sites identified, or required, as compensatory measures for adverse effects on European sites, potential SPAs, possible SACs, and listed or proposed Ramsar sites.'

The NPPF requires the Planning Authority to have a responsibility to promote the preservation, restoration and re-creation of priority habitats, and ecological networks and the protection and recovery of priority species populations linked to national and local targets and identify suitable indicators for monitoring biodiversity in the plan.

In addition, the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure.