

Sent: 28 May 2025 09:24

Subject: 2025/90033 at location adj, 916, Halifax Road, Hartshead Moor, Cleckheaton, BD19 6LR

Hi There,

Please see ecological commentary below.

Designations

No issue

Onsite habitats and species

The Preliminary Ecological Appraisal and Roost Assessment is reasonable and acceptable.

The buildings and trees on-site that are likely to be removed have no potential for roosting bats.

- There are recommendations for bats, birds, badgers, and hedgehogs that can be covered by a CEMP.
- Precautionary Working Method Statements will need to be provided for reptiles and amphibians.
- The trees to be retained onsite are to be covered by a Tree Protection Plan.
- Sch. 9 invasive species (Rhododendron) were noted onsite. An Invasive Species Method Statement will need to be provided.
- Enhancements for bats, birds, reptiles, and amphibians are also to be provided.

BNG

In the report, it is noted that a non-significant (<0.5 biodiversity units) onsite net gain of 0.13 (low distinctiveness) hedgerow 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.

However, it is also noted that there is a net loss of 1.98 habitat units. The report shows no plan to make up for the shortfall of 2.2 units for the statutory 10% net gain.

We recommend the applicant provides at least an outline of the intended route to achieving net gain.

It would be good to have 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 Records Centre.
- A 30-year Habitat Management and Monitoring Plan (HMMP)

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

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.

CEMP will also need to cover:

Invasive Species Management Plan

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

Lighting strategy

No works are to commence unless a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

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

Tree protection

A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works will be submitted to and approved by the LPA prior to the commencement of works on site, including site clearance and delivery of materials.

Hedgerow and tree protection measures will include temporary fencing for the protection of hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Any alternative fencing type or position not in accordance with BS 5837:2012 will be agreed in writing by the LPA prior to the start of development.

The root protection fencing will define the works exclusion zone around hedgerows and trees. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone, unless agreed in writing with the LPA. The approved hedgerow and tree protection measures will remain in place until the completion of development or unless otherwise agreed in writing with the LPA.

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

PWMS

A condition for the provision of a detailed Precautionary Working Method Statement (PWMS) is advised, e.g. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of reptiles and amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to reptiles and amphibians, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand search around potential reptiles and amphibians features.

In the event of encountering a reptiles or amphibians, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.

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

Enhancements

A Biodiversity Enhancement Management Plan must be provided to the LPA prior to the commencement of works on-site. It must include the following items that will be installed post development:

- 1 no. bee bricks
- 3no. bat boxes
- 1 no. bird box per dwelling
- Hibernacula for reptiles and amphibians

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

BNG

To be confirmed once a plan is provided to achieve overall 10% net gain.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Many thanks,
Katie

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