PRELIMINARY ECOLOGICAL APPRAISAL REPORT

at

Bank Field Lane
Huddersfield
West Yorkshire
HD5 0JF

Client:
Kirkheaton Engineering Co (DC) Ltd

Client Address:
The Forge
Bankfield Lane
Kirkheaton
Huddersfield
HD5 0JF

Client Contact:
01484424673 (Tel)

JCA Ref:
22939/RPS

Date of Report:
14/07/2025

JCA Limited
Arboricultural & Ecological Consultants

Quality Assurance

Version	Desktop Survey Completed:		Site Surveyed:		Report Completed:		Checked:	
	Date	Name	Date	Name	Date	Name	Date	Name
001	02/07/25	Rebecca Petch-Smith	02/07/25	Adam West	11/07/25	Rebecca Petch-Smith	11/07/25	James Foster

This report has been prepared and provided in accordance with the *British Standard 42020: Biodiversity – Code of practice for planning and development 2018* and the *CIEEM's Code of Professional Conduct*.

This Assessment is only valid for the named client and the project described. JCA Limited. accepts no responsibility or liability for the consequences of this document being used for a purpose other than the purpose for which it was commissioned. If the scope of works or timing of the project are altered the advice given in this report may not be valid. Information and data provided within this report is considered accurate at the time of writing.

Provided no significant changes are made to the proposals or on the site (e.g. significant changes to management practices or habitats present) subsequent to the report's issue; this report can be considered valid for 18 months from the date of issue.

As part of membership to our professional body (CIEEM) and EPS licence reporting we are required to provide our biological results to applicable biological record centres. As such, it is our intention to supply biological data collected as part of this assessment, where recorded, to the relevant BRC. If the project is sensitive in nature, we may be able to delay submitting the records until the project enters the public domain, however, this must be discussed with JCA Limited and agreed in writing.

© JCA Limited 2025

Summary

A report is required for **Bankfield Lane, Huddersfield** to assess the ecological value of the site by documenting the habitat types present and the site's potential for supporting rare and protected species.

A desktop study was undertaken in order to obtain any relevant ecological records that may be present within a 2km radius of the site, including protected and notable species records and nature conservation designations.

The site was surveyed on the 2nd of July 2025 by Adam West (Principal Ecologist). A thorough site assessment was undertaken following the guidelines set out in the UK Habitat Classification System (v2.01, 2023).

Recommendations:

- Vegetation clearance should be conducted outside of the nesting bird season to avoid disturbing the birds (the nesting season is considered to run between 1st March and 31st August). Where this is not possible a suitably qualified ecologist should check potential nesting habitat immediately prior to clearance. Where nesting birds are encountered works must be postponed until the nestlings have fledged.
- All excavations must be kept covered and planks must be placed at a 45 degree angle to allow for the safe passage of badgers and hedgehogs across the site.
- An Ecological Clerk of Works is required during the clearance of dense vegetation to ensure no hedgehogs are harmed.
- A Biodiversity Enhancement Plan should be designed pre-construction to be implemented post construction during the landscaping phase of the development.
- Two bat emergence surveys are required on building one. Both surveys must be completed between May and August when bats are most active.
- All lighting must be in line with Guidance note 08/23 during and post development.

© JCA Limited 2025

Contents

© JCA Limited 2025

1. Introduction and Terms of Reference

1.1 Background

1.1.1 JCA Limited was instructed by **Kirkheaton Engineering Co (DC) Ltd** to visit the site and conduct a Preliminary Ecological Appraisal (PEA) of the site located at **Bankfield Lane, Huddersfield, HD5 0JF** hereafter referred to as 'the site' in June 2025. The purpose of the survey is to establish a baseline of ecological information an assess whether the proposed works, hereafter referred to as 'the scheme', have the potential to adversely affect any protected or notable habitats or species.

1.2 Site Description

1.2.1 The site is situated to the northeast of Huddersfield, at grid reference: **SE 18000 17973.**

1.2.2 The site is four dwellings with associated access. The site is bordered to the north, east, and west by residential dwellings and to the south by previously developed industrial land.

1.3 Scope of the Report

1.3.1 The purpose of the Preliminary Ecology Appraisal (PEA) is to identify habitats currently present within and around the site in order to obtain baseline ecological information for the site. The PEA also assessed the potential of the site to support species which receive legal protection (at a UK Level) and species that are otherwise notable including Species of Principal Importance and Birds of Conservation Concern (BoCC).

1.3.2 The PEA comprises two main elements a) a desktop review of the ecology and policy context and b) a field survey of the proposed development site, and where possible, other areas to be affected.

1.3.3 Where relevant, legislative ad policy considerations are highlighted including:

- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Countryside and Rights of Way (CROW) Act 2000;
- The Natural Environment and Rural Communities (NERC) Act 2006;
- The Protection of Badgers Act 1992;
- Hedgerow Regulations 1997;
- Wild Mammals (Protection) Act 1996;
- The National Planning Policy Framework (NPPF) (2023); and
- Kirklees Local Plan

1.3.4 In addition to the above, biodiversity objectives detailed in the following documents have been considered:

- Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services;
- Biodiversity and Geodiversity Supplementary Planning Document (2019); and
- Kirklees Biodiversity Strategy

© JCA Limited 2025

2. Methodology

2.1 Zone of Influence

2.1.1 The study area encompassed the Zone of Influence of the Project. The Zone of Influence is defined as "… the area over which ecological features may be impacted by biophysical changes as a result of the proposed project and associated activities" (CIEEM, 2018). Further information regarding classification for the Zone of Influence is provided in **Appendix 4**.

2.1.2 The Zone of Influence and the study area is broadly considered to extend across the site, or just beyond the site boundary in most cases, with the potential for up to or exceeding 5 kilometres with regards to designated sites. A summary of predicted changes is provided in Table 1.

Table 1**:** Summary of predicted changes and Zone of Influence

Predicted Change	Zone of Influence
Vegetation/habitat clearance	Site
Generation of dust during site clearance and construction	Site and immediate surrounds (200m)
Acoustic disturbance and vibration from construction activities	Site and immediate surrounds (Typically up to 300m)
Increased traffic related air pollution and potential to impact upon sensitive habitats during both construction and operational phase	Habitats within approximately 200m of affected roads
Lighting (during construction and in long term)	Site and immediate surrounds
Changes to local hydrology; including surface water runoff and groundwater	Likely to include watercourses that receive surface water discharges, and downstream habitats
Landscape planting and habitat creation / green infrastructure creation	Site

2.2 Desktop Study Methodology

2.2.1 A desktop study was undertaken in order to obtain any relevant ecological records that may be present within a 2km radius of the site. This includes protected and notable species records, as well as nature conservation designations. For this information, the local ecological records centre was contacted: West Yorkshire Ecological Services (WYES) and West Yorkshire Bat Group (WYBG).

2.2.2 The search buffer of 2km from the central site grid reference is considered to be sufficient in order to cover the potential zone of influence of the proposed development.

2.2.3 The Multi-Agency Geographic Information for the Countryside (MAGIC) website was used to locate any designated sites, both statutory and non-statutory, such as Local Nature Reserves (LNRs), Ramsar Sites, Special Areas of Conservation (SACs),

© JCA Limited 2025

Special Protection Areas (SPAs) or Sites of Special Scientific Interest (SSSIs) that may be present within 2km of the survey site.

2.3 Site Assessment Methodology

A thorough site assessment was undertaken on 02/07/2025 by Adam West (Principal Ecologist, ACIEEM).

Habitats

The survey employed techniques based on the UK Habitat Classification System (v2.01, 2023). Botanical information was collected focussing on the dominant and/or key indicator species for each habitat to enable allocation of habitats to hierarchy levels 3 and/or 4, and where relevant to identify any priority habitats which are present on site. The conditions of the habitats on the site were assessed in line with the technical sheets supplied alongside Defra Metric 4.0. This is to inform future Biodiversity Metric Calculations if required. A map of the baseline habitats is provided in **Appendix 1**.

In the context of this report, rare, protected or notable species are those listed under the following: UK or European legislation, UK Biodiversity Framework Priority Species (including, but not limited to LBAP species), nationally rare or scare flora/fauna/habitats, Species of Conservation Concern (JNCC Red List, RSPB/BTO Amber Lists).

Non-native, invasive species, as listed under Schedule 9 of the Wildlife and Countryside Act (1981) as amended have been noted and mapped, where present as under the Wildlife and Countryside Act (1981) as amended it is an offence to release or allow to escape into the wild any flora/fauna not ordinarily a resident of the UK, which has been categorised as potential harmful to the UK flora and/or fauna.

Protected Species

Whilst conducting the site walk-over, any features that may be of value to or have the potential to support protected species were noted and photographic evidence taken (please refer to **Appendix 4**). Such protected species include, but are not limited to the following:

2.3.1 Amphibians

Consideration was given to the presence of habitat potentially suitable for supporting amphibians including water bodies (ponds, ditches), woodland, scrub, rough grassland and features such as log piles that might provide hibernation areas. Where appropriate, effort to gather direct evidence of amphibians was undertaken using a preliminary search for eggs by examining vegetation within reach of the margins of water bodies, and for resting animals on land by looking under potential refuges such as stones, wood and rubbish near to water bodies.

Great crested newts are known to forage up to at least 500m from their breeding water bodies and suitable habitats that fall within 250m must be considered even in situations where the breeding site itself will not be affected.

© JCA Limited 2025

2.3.2 Badgers

Consideration was given to the presence of habitat potentially suitable for supporting badgers including woodland, scrub and grassland. Potential evidence of the presence of badgers was noted including earthworks that might be badger setts, signs such as dung pits, mammal pathways through ground vegetation and under fences and hairs on fences.

2.3.3 Bats

The site was surveyed by Adam West (licenced surveyor) for foraging, commuting and roosting potential. A detailed search of the buildings/trees on site was conducted during daylight hours in order to identify potential bat roosting sites and look for evidence of bat activity and photographic evidence was taken (please refer to **Appendix 3**).

The survey was conducted by an experienced surveyor using the following equipment to ensure an accurate assessment; a printed site map, camera, a 1 million candlelight torch, binoculars, and ladders.

Signs that bats have previously or are currently using a potential roost site include:

- Droppings, carcasses and/or food remains found around the site.
- Bats observed within the building or tree.

The absence of signs of a potential bat roost cannot be treated as conclusive evidence that bats are not using the buildings/trees.

Buildings

During the bat scoping survey, the building on site was subject to an external survey to establish the suitability of the structure to support roosting bats in accordance with Collins (2023). The criteria for assigning a roost suitability category are presented in Table 2 below:

© JCA Limited 2025

Table 2: Guidelines used for assessing the bat roosting suitability of buildings (taken from Collins, 2023)

Roosting Suitability	Potential Roosting Features (PRFs) Present
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e., a complete absence of crevices/suitable shelter at all ground/underground levels).
Negligible	No obvious features on the site likely to be used by roosting bats, however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roosting opportunities that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough shelter, protection, surrounding habitats, or the appropriate conditions to be used on a regular basis by larger numbers of bats e.g. unlikely to support hibernation or maternity roosts.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to the size of the potential roosting feature which is sufficient to provide: shelter, protection, optimal conditions and surrounding habitats. The feature(s) are unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that could be used by bats due to the size of the potential roosting feature which is sufficient to provide: shelter, protection, optimal conditions and high-quality surrounding habitats. The features have the potential to support large colonies of bats (e.g. maternity or hibernation) for long periods of time.
Confirmed roost	Evidence of bat occupation found during initial survey.

Trees

Bats often roost in trees. Features such as old woodpecker holes, splits, cavities and rot holes, loose or flaking bark and ivy creepers can be exploited by bats to roost. Any trees present on site were therefore assessed for their potential to support roosting bats by searching for suitable features. The presence of roosting bats can be spotted through signs such as accumulations of moth or butterfly wings, staining, bat droppings, or bats themselves.

The absence of these cannot, however, be treated as conclusive evidence that bats are not present, and therefore an assessment was made of the potential of the trees to support bats based on the scale presented in Table 3 below, in accordance with Collins (2023).

© JCA Limited 2025

Table 3: Guidelines used for assessing the bat roosting suitability of trees (taken from Collins, 2023)

Roosting Suitability	Potential Roosting Features (PRFs) Present
None	Either no Potential Roosting Features (PRFs) in the tree, or highly unlikely to be any
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with at least one PRF present.

The category of roosting suitability assigned to a building/tree is used to determine what further survey effort is required to ascertain the presence/likely absence of bats within that feature, as shown in Table 4 below:

Table 4: Recommended minimum number of survey visits for presence/likely absence surveys (taken from Collins, 2023).

Negligible roost suitability	Low roost suitability	Moderate roost suitability	High roost suitability
No futher survey required	One survey visit. One dusk emergence survey, May to August (structures). No further surveys required (trees).	Two separate dusk emergence survey visits. May to September, with at least one survey between May and August.	Three separate dusk emergence survey visits. May to September, with at least two surveys between May and August
September surveys are both weather- and location-dependent. Conditions may become more unsuitable in these months, particularly in more northerly latitudes, which may reduce the length of the survey season. September surveys are likely to miss maternity roosts due to dispersal before this time but may pick up mating roosts. Multiple survey visits should be spread out to sample as much of the recommended survey period as possible; it is recommended that surveys are spaced out at **least three weeks apart**, preferably more. Survey timings **should consider the prevailing conditions in the year of survey, which will vary geographically**. In years with a cold spring, the surveys should not be started in early May, or all completed in May. The surveys should maximise the possibility of detecting maternity roosts, which can switch roosts between pregnancy and lactation, and the **optimum coverage includes the pre-parturition, post-parturition, and mating periods**. Structures that have been categorised as low potential can be problematic, and the number of surveys required should be judged on a case-by-case basis. In some cases, more than one survey may be needed, particularly where there are several buildings in this category.			

Habitats

A preliminary evaluation was also undertaken of the habitat on the site for the quality of potential commuting and foraging habitat for the local bat populations. Bats navigate using linear features in the landscape such as hedgerows and these can be important features for local roosts. The site itself may also provide important foraging habitat and support local bat roosts.

An assessment was therefore made of the potential of the habitat to offer suitable flight

© JCA Limited 2025

paths and foraging habitats based on the scale presented in Table 5 below, adapted from the Survey Guidelines (Collins, 2023):

Table 5: Site suitability for foraging and commuting bats (taken from Collins, 2023).

Site Suitability	Habitat features present
High	Continuous, high quality habitat that is well connected to the wider landscape and likely to be regularly used by bats for flight-paths, such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connect to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree lined watercourses and grazed parkland. Site is connected to a known roost.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub, or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
Low	Habitat that could be used by small numbers of bats as flight-paths, such as a gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Negligible	No obvious habitat features on site likely to be used as flight paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
None	No habitat features on site likely to be used by any commuting or foraging bats at any time of year) i.e. no habitats that provide continuous lines of shade/protection for flight-lines, or generate/shelter insect populations available to foraging bats).

© JCA Limited 2025

2.3.4 Birds

Any birds seen whilst carrying out the survey were recorded and the type and quality of habitats available for birds was considered, including vegetation suitable for nesting and habitat with the potential to support valued species including breeding and wintering birds.

2.3.5 Dormouse

The habitat on the site was assessed for the potential to support dormice which are found in habitats such as woodlands, scrub and hedgerows with good connectivity and suitable food plants. Satellite images were used to assess the connectivity of any suitable habitat present on the site to other areas of woodland and hedgerow networks.

2.3.6 Reptiles

Habitat considered potentially suitable for supporting reptiles was recorded. This includes areas providing basking and foraging areas, hibernation and breeding sites such as rough grassland and scrub, banks, burrows, rubble piles, compost heaps, hedge banks and water bodies.

2.4 Limitations:

2.4.1 The survey was undertaken inside of the optimal period for habitat assessment, where leaves and flowers on trees and plants were established. There were no weather or survey limitations.

© JCA Limited 2025

3. Results

3.1 Designated sites

Statutory Nature Conservation Sites

3.1.1 Internationally important sites

There are no statutory internationally important conservation sites within the search area.

3.1.2 Nationally important sites

There are no nationally important Sites of Special Scientific Interest (SSSIs) within the search area.

3.1.3 County important sites

There are seven locally important Local Nature Reserves (LNRs), Proposed Local Wildlife Sites (PLWSs) or Local Wildlife Sites (LWSs) within the search area:

- Laneside Quarry (LWS) is approximately 422 m east of the site. Reasons for designation include good population of great crested newts and exceptional populations of smooth newt.

- Dalton Bank (LNR) is approximately 734 m northwest of the site.

- Round Wood (LWS) is approximately 1089 m southwest of the site. Reasons for designation include ancient semi-natural woodland and native bluebell cover.

- Sir John Ramsden Canal (LWS) is approximately 1604 m northwest of the site. Reasons for designation include standing open water and value for appreciation of nature.

- Hutchin Wood (LWS) is approximately 1606 m east of the site. Reasons for designation include ancient semi-natural woodland and native bluebell cover.

- Gawthorpe Lower Wood (PLWS) is approximately 1782 m southeast of the site. Reasons for designation include high bluebell cover.

- Covey Clough & Hepworth Wood (LWS) is approximately 1934 m east of the site. Reasons for designation include native bluebell cover and species rich acid woodland.

All sites are considered to be of a sufficient distance from the site that no impacts are likely to occur as a result of the development proposals and are therefore considered to be outside of the zone of influence.

3.2 Habitats

Descriptions of the habitats recorded on site are given below, a map of the habitats is

© JCA Limited 2025

given as **Appendix 1**, with site photographs in **Appendix 3**. There is deciduous woodland priority habitat shown on MAGIC in the zone of influence.

3.2.1 Strategic Significance

There are no priority habitats and potential ecological network areas within the vicinity of the site. State how the sites are linked to the wider landscape, and any links to the priority habitats. The site is therefore not considered to be ecologically desirable.

The site is not part of any designated site, or listed on any local plan, neighborhood plan or other policy document for ecology. It is considered to have low strategic significance (Area/compensation not in local strategy/ no local strategy).

UK Habitats

The following habitat types were recorded on site: other broadleaved woodland, bramble scrub, mixed scrub, modified grassland, developed land sealed surface, buildings and vacant/ derelict land.

3.2.2 Modified grassland *(UKHab code: g4),* 200 – tree, 202 – young tree self-set

There was a small patch of modified grassland in the central west area of the site. Species identified in this area include oat grass species *Arrhenatherum* sp., ribwort plantain *Plantago lanceolata,* dandelion *Taraxacum officinale*, bramble *Rubus fruticosus*, common nettle *Urtica dioica*, Timothy grass *Phleum pratense*, buddleia *Buddleja*, white clover *Trifolium repens*, and ash *Fraxinus excelsior.*

There were three trees within this habitat – two elders *Sambucus nigra* and one ash *Fraxinus excelsior.*

3.2.3 Bramble scrub *(UKHab code: h3d)*

There was a small patch of bramble scrub bordering the woodland in the north of the site. Species identified in this area include bramble *Rubus fruticosus*, buddleia *Buddleja,* ash *Fraxinus excelsior*, cleavers *Galium aparine*, and bindweed *Convolvulus arvensis.*

3.2.4 Mixed scrub *(UKHab code: h3h)*

There was a small patch of mixed scrub in the central west of the site, adjacent to the modified grassland. Species identified in this area include bramble *Rubus fruticosus*, dog rose *Rosa canina*, buddleia *Buddleja*, and ash *Fraxinus excelsior.*

3.2.5 Other broadleaved woodland *(UKHab code: w1g)*

There were two patches of other broadleaved woodland on site, a larger area in the north and a small area in the south. Species identified in the northern woodland include ash *Fraxinus excelsior*, sycamore *Acer pseudoplatanus*, bramble *Rubus fruticosus*, common nettle *Urtica dioica*, crane's-bill *Geranium pratense*, cleavers *Galium aparine*, ivy *Hedera sp.*, elder *Sambucus nigra*, willow *Salix sp.,* and buddleia *Buddleja*.

Species identified in the smaller southern woodland include ash *Fraxinus excelsior*,

© JCA Limited 2025

sycamore *Acer pseudoplatanus*, bramble *Rubus fruticosus*, ivy *Hedera sp.*, elder *Sambucus nigra*, holly *Ilex sp.,* hawthorn *Crataegus monogyna*, and wild cherry *Prunus avium.*

3.2.6 Vacant/ Derelict land *(UKHab code: u, 82)*

There was a patch of vacant/ derelict land along the southern site boundary. Species identified in this area include false oat grass *Arrhenatherum elatius,* crane's-bill *Geranium pratense,* ash *Fraxinus excelsior*, ivy *Hedera sp.,* sycamore *Acer pseudoplatanus*, bramble *Rubus fruticosus,* and reflexed stonecrop *Petrosedum rupestre.*

3.2.7 Developed land; sealed surface *(UKHab code: u1b)*

There was a strip of developed land sealed surface along the western site boundary. No species were identified within this habitat.

3.2.8 Buildings *(UKHab code: u1b5)*

There are three buildings on site.

Building one is a two-story dwelling with brick walls and a single gable slate tile roof. Building two is a two- story dwelling with metal corrugated panelling and roofing. This building has a single-story red brick extension with a metal corrugated roof. Building three is a two-story dwelling with metal corrugated panelling and a single gable corrugated asbestos roof. Building four is a single-story dwelling with wooden panel walls, with a flat bitumen lined roof and plastic soffits.

3.3 Protected Species

3.3.1 Plants

There are four records for bluebells, two records for common centaury and one record for narrow-laved water plantain, which are protected or NERC Act S41 Priority Species, within the search area.

No Protected or notable plant species were recorded on site.

There are three records for giant hogweed, 17 records for Himalayan balsam, 12 records for Japanese knotweed, one record for *Lamiastrum galeobdolon argentatum* and one record for montbretia invasive species within the search area.

No invasive plant species were recorded on site.

No protected or invasive plant species were recorded on site. Protected/invasive plants are not considered further in this assessment.

3.3.2 Invertebrates

There are no records for stag beetle from the search area, and there is no habitat

© JCA Limited 2025

suitable for stag beetle larvae on site.

There are three species records for protected or NERC Act S41 Priority Species invertebrates within the search area. One for small heath butterfly, one for wall butterfly and one for cinnabar moth.

No protected invertebrate species were recorded on site. Invertebrate species are not considered further in this assessment.

3.3.3 Amphibians

There are no Natural England mitigation licenses, class licenses or eDNA pond results which appear to be present within the vicinity shown on MAGIC.

There were 136 records for great crested newt/other amphibians within the search area. There were also 20 records for common toad, eight records for common frog and 26 records for smooth newt.

The site was assessed for its suitability to support great crested newt and other amphibians – in its current state the site is considered to hold low suitability for great crested newt. There is a LWS with confirmed great created newts 422 m from the site. However, due to poor habitat connectivity it is unlikely that great crested newts/ other amphibians will be present on site.

Amphibians will not be considered further in this report.

3.3.4 Badgers

There were no records for badgers within the search area. The site is outside of the area of increased probability of badger activity.

No field signs of badger were recorded on site. There is other woodland; broadleaved on the site, which provides potential foraging habitat.

Badgers may also use the site for commuting; further recommendations have been provided in section 4.

3.3.5 Bats

There are no Natural England mitigation licenses which appear to be present within the vicinity shown on MAGIC.

There were two records for brown long-eared bat, one record for lesser noctule, one record for Natterer's bat, three records for noctule, four records for common pipistrelle and one record for whiskered Brandt's bat within the search area.

There were records of 22 bat roosts within the search area, the closest being 184 m from the site. 10 roosts were for unidentified bats; one was for lesser noctule and 11 were for common pipistrelle.

Buildings

© JCA Limited 2025

Building One

Building one is a two-story dwelling with brick walls and a single gable slate tile roof.

PRFs PRESENT: gaps in blocked up window on the northern wall, gaps between the bricks on the northern wall, gaps at the roof verge on the northern and southern walls, and gaps in the stone work on the northern wall.

This building has a **moderate** bat roost potential.

Buildings Two,

Building two is a two-story dwelling with metal corrugated panelling and roofing. This building has a single-story red brick extension with a metal corrugated roof.

PRFs PRESENT: there is a gap at the roof verge on the western wall.

This building has a **low** bat roost potential.

Buildings Three and Four

Building three is a two-story dwelling with metal corrugated panelling and a single gable corrugated asbestos roof. Building four is a single-story dwelling with wooden panel walls, with a flat bitumen lined roof and plastic soffit.

These buildings displayed no potential roosting features and had **negligible** bat roost potential.

Trees

No trees on site displayed potential roosting features.

Foraging and Commuting Habitat

The site contains tree and woodland habitats suitable for foraging and commuting bats.

The site is isolated within the wider landscape. Therefore, the habitat present on site is assessed as low quality.

Therefore, the bat assemblage is assessed of low importance for nature conservation. Further recommendations for further survey/regarding lighting impacts are given in Section 4.

3.3.6 Birds

There was a single record for dunnock, goldfinch, house sparrow, lapwing and swallow within the search area.

The site was assessed for its suitability to provide potential nesting and foraging opportunities for common species of bird in the woodland, scrub and tree habitat present on site. A bird was seen entering building two and not re-emerging, this

© JCA Limited 2025

suggests that nesting birds may be present within the roof of this building.

Nesting birds may be present on site; therefore, further recommendations have been provided in section 4.

3.3.7 Dormice

There were no records for dormice within the search area.

The site was assessed for its suitability to support dormice – in its current state the site is considered to hold no suitability for dormice.

It is unlikely that dormice will be present on site. Dormice will not be mentioned further in this report.

3.3.8 Otter

There were two records for otters within the search area.

The site was assessed for its suitability to support otter – in its current state the site is considered to hold no suitability for otter. Due to the presence of no suitable habitat on-site or in the vicinity of the site.

It is unlikely that otters will be present on site. Therefore, otters will not be mentioned further in this report.

3.3.9 Reptiles

There were no records for reptiles within the search area.

The site was assessed for its suitability to support reptiles – in it's current state the site

It is unlikely that reptiles will be present on site. Reptiles will not be mentioned further in this report.

3.3.10 Water vole

There were no records for water vole within the search area.

The site was assessed for its suitability to support water vole – in its current state the site is considered to hold no suitability for water vole. Due to the presence of no suitable habitat on-site or in the vicinity of the site.

It is unlikely that water voles will be present on site. Water voles will not be mentioned further in this report.

3.3.11 Other mammals

There were four records for West European Hedgehog within the search area. The woodland and scrub on site provide foraging and commuting opportunities for hedgehogs. This species is listed as vulnerable on the IUCN red list and is a species of Principal Importance under Section 41 of the NERC Act.

© JCA Limited 2025

© JCA Limited 2025

4. Conclusions

This section identifies and characterises potential impacts of the proposed development on each Important Ecological Feature identified in the preceding section. Measures to avoid, mitigate and compensate for these impacts are described, and any further surveys required are outlined below.

Protected species

4.1.1 Nesting birds

Impacts

The clearance of the woodland and building two has the potential to cause killing or injury to nesting birds. A significant permanent negative effect at the site level is possible.

Mitigation

Vegetation clearance should be conducted outside of the nesting bird season to avoid disturbing the birds (the nesting season is considered to run between 1st March and 31st August).

Where this is not possible a suitably qualified ecologist should check potential nesting habitat immediately prior to clearance. Where nesting birds are encountered works must be postponed until the nestlings have fledged.

No residual negative impacts are anticipated from loss of nesting habitat on the bird assemblage at a site level given the proposed mitigation.

4.1.2 Bat assemblage

Further survey

As building two has been considered to have a moderate potential and building two has low potential of supporting bat roosting sites, we recommend that dusk emergence surveys should be carried out to establish the absence/presence of roosting bats at **Bankfield Lane.**

Dusk bat surveys are conducted between May until September and are used to determine whether bats are currently roosting at a site. It can also give you an indication of the level of bat activity at a survey site and any specific foraging patterns. Dusk surveys are started around 30 minutes before sunset and up to 2 hours after and look for the emergence of bats from their roost sites. If bats are then confirmed to be roosting on the site, a **Bat Mitigation Licence** may be applied for from Natural England, and a mitigation plan devised so development causes as little impact on local bat populations as possible. It is recommended at **Bankfield Lane** that **two** surveys are required on the building with moderate potential and **one** on the building with low potential. Both surveys will need to be conducted between May and August when Bats are most active.

© JCA Limited 2025

Impacts

Construction activity, noise and lighting would have the potential to disturb commuting and foraging bats and may result in abandonment of roosts or core foraging areas adjacent to the Site.

The significant negative effect of disturbance during the construction phase are likely to be short-term in localised areas, and the bulk of any disturbance from construction work could be expected to take place mainly during daylight hours even in the absence of controls, when bats would not be foraging or commuting.

Therefore, disturbance from operational lighting from the new houses are a possible significant permanent negative effect at the site level.

Mitigation

The production and implementation of a Construction Method Statement (CMS) will be put into place prior to the beginning of the construction phase.

The CMS being implemented will prevent any disturbance impacts to bats during the construction period.

Lighting

All lighting installed as part of the development will be in line with Guidance Note 08/23 Bats and Artificial Lighting at night. The following will be required:

- LED lighting will be used and light levels will be kept as low as possible. Metal halide, fluorescent sources will not be used.
- Lighting will be directed to where it is required.
- Only luminaires with no light output above 90 degrees and/or an upward light ratio of 0% and with good optical control will be used, luminaires will always be mounted on the horizontal, i.e. no upward tilt.
- Any external security lighting will be set on motion-sensors and short (1min) timers.
- Internal lighting within the new rooms will be recessed where installed in proximity to windows to reduce glare and light spill.
- Light sources will emit minimal ultra-violet light, peak higher than 550nm and be of a warm white spectrum (ideally <2700 Kelvin).
- The use of bollard or low-level downward directional luminaires is strongly discouraged.

Providing the Lighting Strategy is adhered to, there will be an insignificant effect on the bat assemblage from lighting during the operational phase.

4.1.3 Hedgehogs and Badgers

© JCA Limited 2025

Impacts

The clearance of vegetation has the potential to cause the loss of some of the existing foraging opportunities, as well as killing or injury to individuals present. A significant permanent negative effect at the site level is possible.

Mitigation

The mitigation proposed above for vegetation clearance should prevent impacts to hedgehogs. No clearance will be undertaken during the winter hibernation period and staged clearance would allow animals to move safely out of the works area.

An Ecological Clerk of Works is required when clearing dense vegetation. This is to capture and relocate any hedgehogs found on site.

All excavations must be covered over night and planks must be placed at a 45 degree angle to ensure safe passage for badgers and hedgehogs on site during works.

No residual impacts on hedgehog from killing or injury are anticipated following implementation of this mitigation.

© JCA Limited 2025

5. Enhancements

5.1.1 In line with both local and national planning policy, the opportunity has been taken to design habitat enhancements into the proposed development. These enhancements, described below, will also be of benefit to the Section 41 species (and local BAP species) known to be present within the ZoI. A Biodiversity Enhancement Plan should be designed pre-construction to be implemented post construction during the landscaping phase of the development. This plan will aim to ensure there is no net loss of habitats on site and to increase biodiversity and opportunities for wildlife on site, due to the result of the proposed development. The biodiversity enhancement plan will aim to provide opportunities for local wildlife to ensure the development does not have a significant detrimental impact on local or national wildlife populations. Measures which may be included within the Biodiversity Enhancement Plan are outlined below.

- The provision of nest boxes for bird species such as swift and house sparrow on the walls of the new building will provide permanent nesting for species in decline. Swift boxes have the added benefit of being used often by other non-target species such as house sparrows.
- Both swift and house sparrows are colonial species and therefore the bricks/boxes will be fitted in groups with a minimum of three within proximity to each other to form colonies. The provision of groups of swift bricks/ boxes on site will enhance the habitat for the local bird population. Swift bricks will be fixed no less than two storeys (4.5-5m) above ground level and nest boxes can be sited on any aspect of a building except the southern side (unless shaded by the eaves) to prevent the young becoming heat stressed.
- The design will include one group of three swift integrated boxes which can be rendered or brick faced per unit. There will also be three integrated bird boxes on other buildings within the scheme.
- Provision of one integrated bat boxes/bricks within each of the new buildings to provide new roosting opportunities for the local bat populations. The box/brick will be fitted on south or west facing walls, as close to the eaves as possible. Bat bricks/boxes should not be fitted above or immediately adjacent to windows. These bat boxes are self contained with only a small entrance slot visible on the external wall and can be rendered over or stone/brick faced.
- Small holes (13 x 13 cm) will be left in any fences separating the garden from adjacent properties to allow hedgehogs to move freely throughout the site.
- Installation of bee bricks within the walls of the new house. Provision of bee bricks can provide excellent alternative habitat for solitary non-stinging bees. Six bee bricks will be incorporated within the design of the site. These bricks will be erected 1 metre above ground level within the stonework.
- Planting of fruit trees within the landscaping. A minimum of one fruit tree will be planted within the landscaping of each unit. This will provide excellent autumn and winter foraging for a number of species particularly birds as well as fruit for the new owners.

© JCA Limited 2025

- The areas to be planted as flowerbeds should include plants that provide good nectar sources for invertebrates such as bees and attract insects which will provide foraging for birds and attract moths for bats. Species include honeysuckle, jasmine, evening primrose, hebe, sedum, night scented stock, lavender, chives, geranium, foxgloves, aquilegia, wallflower and fuchsia.

© JCA Limited 2025

6. References

Bat Conservation Trust and Institution of Lighting Professionals (2023) *Guidance Note 08/23 Bats and Artificial Lighting at night.*

Bright, P., Morris, P. and Mitchell-Jones, A. (1996) The dormouse conservation handbook. Peterborough: English Nature.

British Standards Institute (BSI), (2013) *BS 42020:2013, Biodiversity - Code of practice for planning and development*. London.

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal*, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J (ed) (2023), *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd Edition). The Bat Conservation Trust, London.

Department for Levelling Up, Housing and Communities (2023), *National Planning Policy Framework.*

Edgar, P., Foster, J. and Baker, J. (2010) Reptile Habitat Management Handbook. 1st ed. Bournemouth: Amphibian and Reptile Conservation

Joint Nature Conservation Committee (JNCC), (2010) *Handbook for Phase 1 habitat survey: A technique for environmental audit*.

Langton, T., Beckett, C. and Foster, J. (2001) Great Crested Newt Conservation Handbook. Halesworth: Froglife.

Multi-Agency Geographical Information for the Countryside (MAGIC) Website.

Reason, P.F. and Wray, S. (2023). UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Chartered Institute of Ecology and Environmental Management, Ampfield.

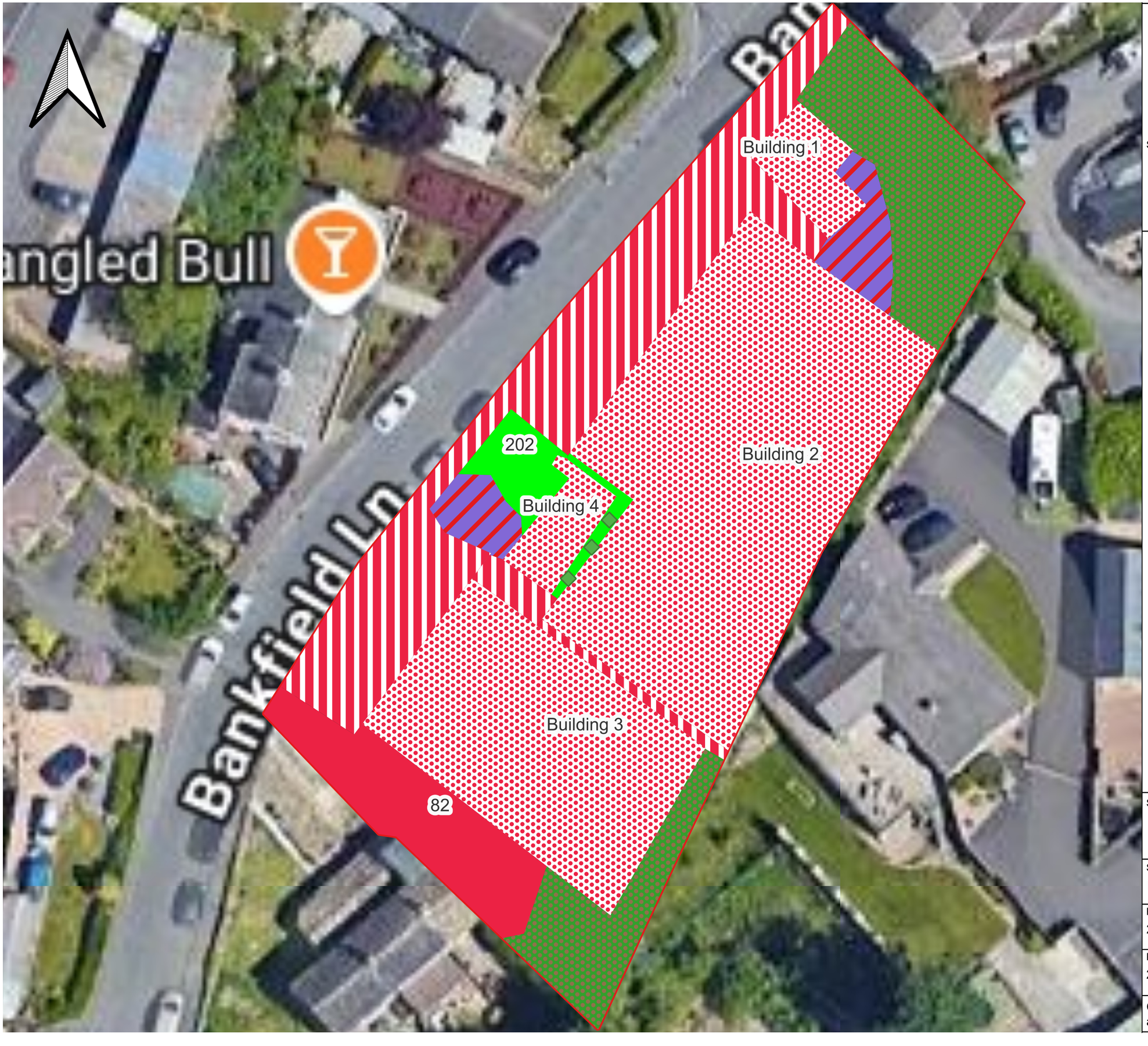
Strachan, R., Moorehouse, T. and Gelling, M. (2011), Water Vole Conservation Handbook, 3rd Edn, WILDCRU

© JCA Limited 2025

Appendices

Appendix 1: UKHab Habitat Map

© JCA Limited 2025



Site name & address
Bankfield Lane
Huddersfield
HD5 0JF

Key

- 200 - Individual Tree

UKHab Habitat:

- g4 - modified grassland
  202 - Young tree self-set
- w1g - other woodland-broadleaved
- h3d - bramble scrub
  h3h - mixed scrub
- u - urban
  82 - Vacant/ derelict land
- u1b - developed land. sealed surface
- u1b5 - buildings
- Red Line Boundary

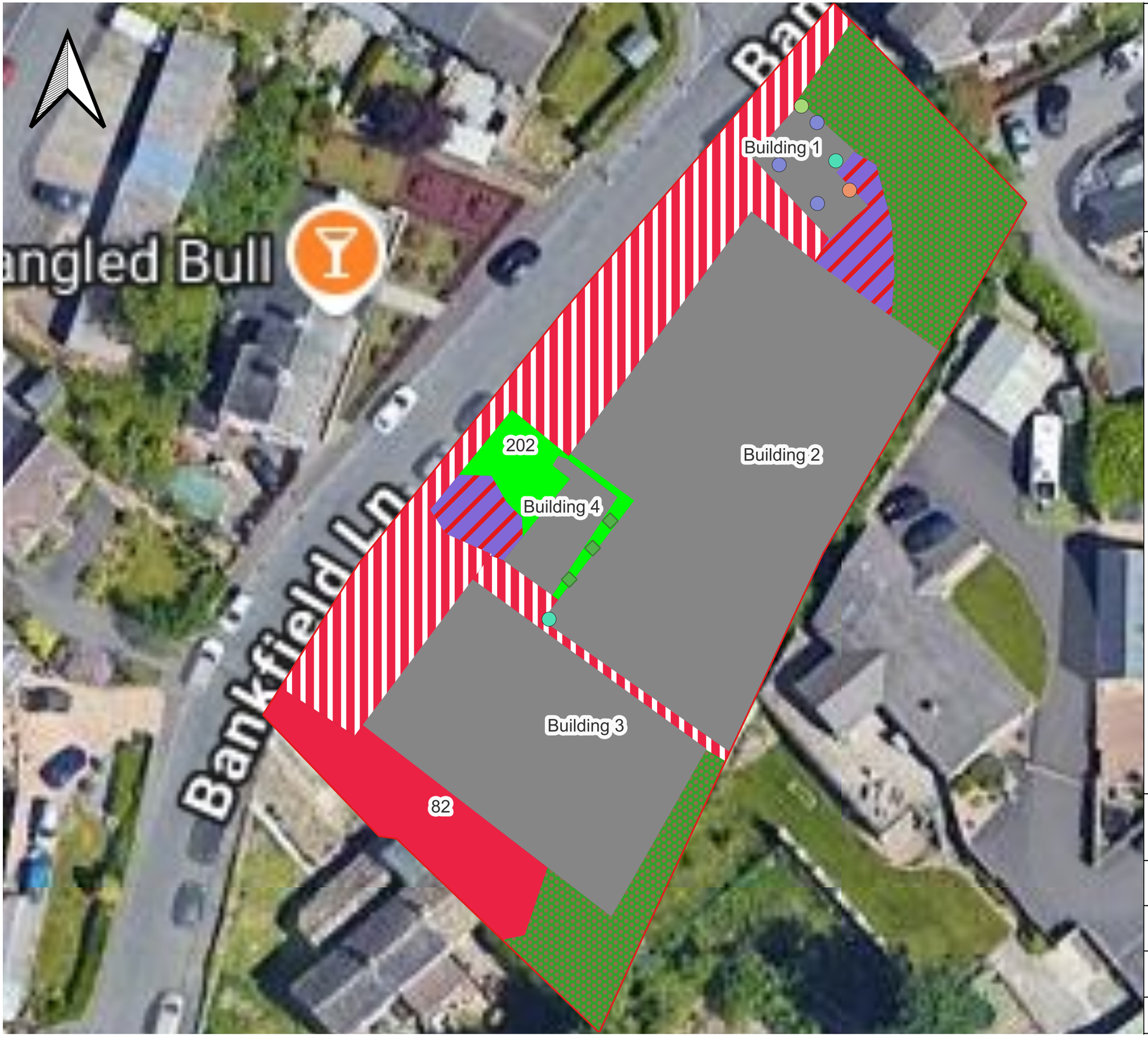
Scale
0 7.5 15 m

Site	Client
Bankfield Lane	Kirkheaton Engineering Co (DC) Ltd
Project	**Author**
22939/PEA	Rebecca Petch-Smith
Plan ref	**Revision**
22939/RPS	001

Contains Ordanance Survey data © Crown copyright and database right 2025

Appendix 2: Potential Roosting Features (PRF) Map

© JCA Limited 2025



Site name & address
Bankfield Lane
Huddersfield
HD5 0JF

Key

Potential Roosting Feature:

- Blocked up window
- Gaps between bricks
- Gaps at roof verge
- Gaps in stone work

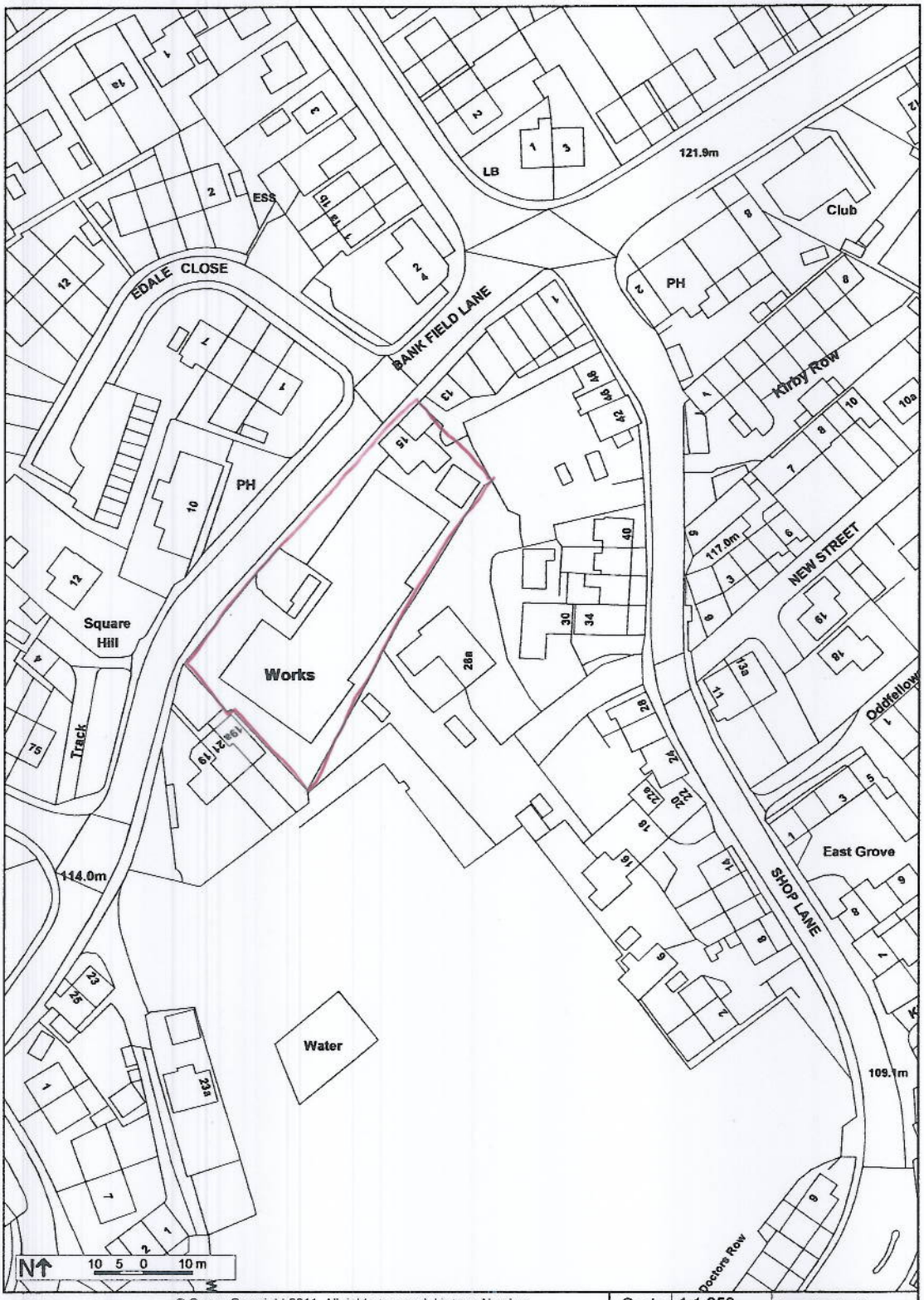
Scale
0 7.5 15 m

Site Bankfield Lane	Client Kirkheaton Engineering Co (DC) Ltd
Project 22939/PEA	Author Rebecca Petch-Smith
Plan ref 22939/RPS	Revision 001

Contains Ordanance Survey data © Crown copyright and database right 2025

Appendix 3: Proposed Development Plan

© JCA Limited 2025



© Crown Copyright 2011. All rights reserved. Licence Number 100047514

Scale	1:1,250
Date	26/06/12

FIND
PROFESSIONAL MAPPING INTELLIGENCE

Ordnance Survey

Appendix 4: Photographic Evidence

Photo 1: View of building 3 from the south.

Photo 2: View of building 3 from the west.

Photo 3: Vacant/ derelict land on site.

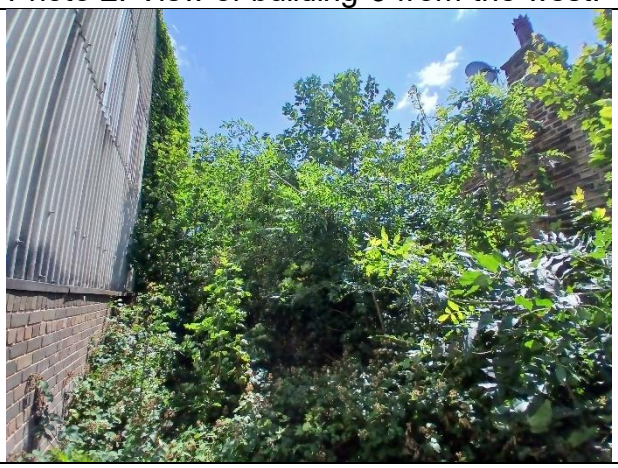


Photo 4: Small patch of woodland in the south of the site.

Photo 5: Vacant/ derelict land on site.

Photo 6: inside of the northern woodland

© JCA Limited 2025

Photo 7: Bramble scrub on site.

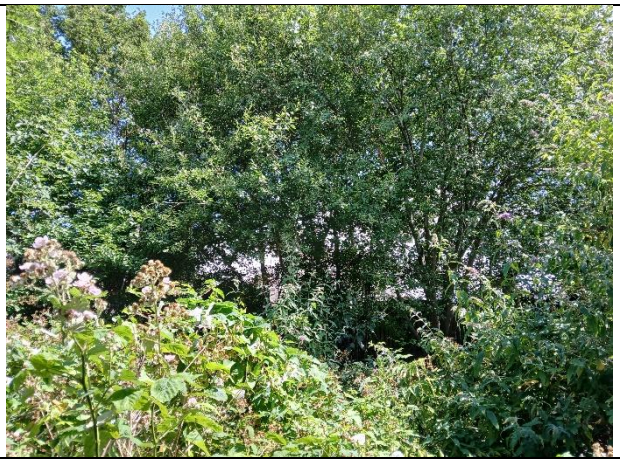


Photo 8: View from outside of the northern woodland.

Photo 9: West facing view of building 1.

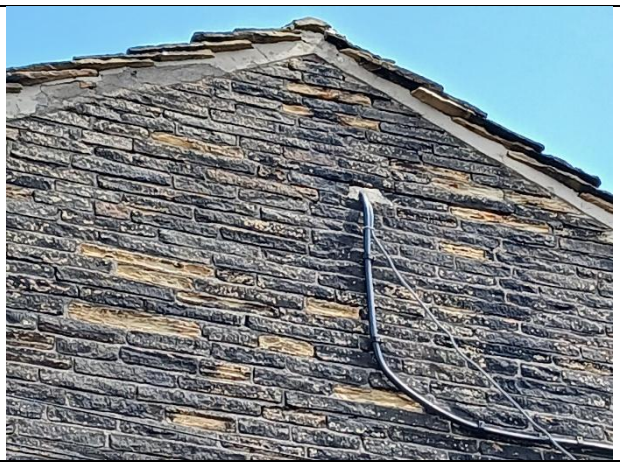


Photo 10: Lifted tiles on building 1.

Photo 11: Lifted tiles on building 1.

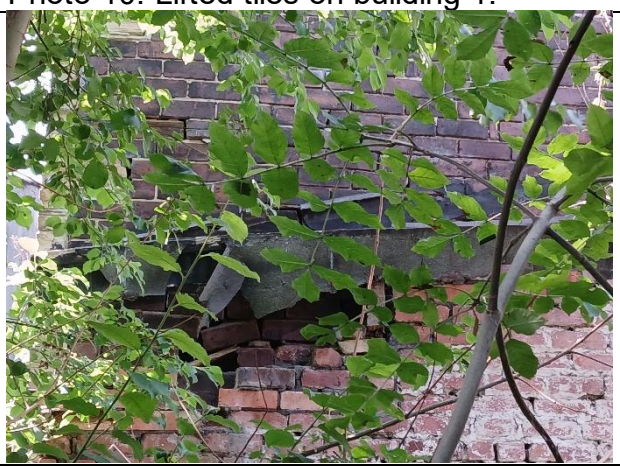


Photo 12: Gaps in the stonework of building 1.

© JCA Limited 2025

Photo 13: blocked up window of building 1.

Photo 14: Inside the roof of building 1.

Photo 15: inside the roof of building 1.

Photo 16: Inside the roof of building 1.

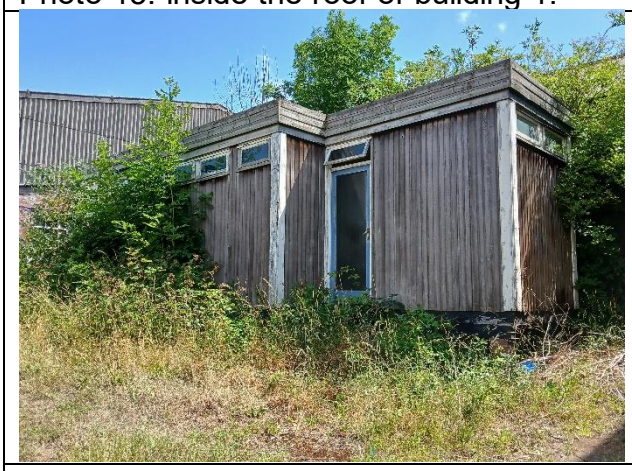


Photo 17: Building 4.

Photo 18: The extension of building 2.

© JCA Limited 2025

	
Photo 19: Modified grassland on site.	Photo 20: Mixed scrub in front of building 4.
	
Photo 21: Gaps in the mortar of building 1.	Photo 22: Inside of the northern woodland.

© JCA Limited 2025

Appendix 5: Relevant Nature Conservation Legislation and Policy

This Appendix is intended to provide an overview of the main features of legislation and policy relating to nature conservation in England and the implications for development.

KEY WILDLIFE LEGISLATION

Environment Act 2021
The Environment Act 2021 received royal assent in November 2021 and introduces new environmental protection regimes. This includes the creation of the Office for Environmental Protection who will oversee the framework. The Act includes several measures which impact on the planning application process to provide measures to ensure developments result in a net gain in biodiversity.
The Act provides a timeframe of 2 years from receiving royal assent for the production of the required regulations to implement the mandatory requirement of 10% Biodiversity Net Gain (BNG) for new developments. This apples from the 12th February for major applications and 2nd April for small sites. In England, BNG is becoming mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Conservation of Habitats and Species Regulations 2017 (as amended)
The Conservation of Habitats and Species Regulations 2017 (known as the "Habitats Regulations") was recently amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
The Habitats Regulations provide for the designation of both Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) in the UK. The Regulations also prohibit certain actions relating to European Protected Species (EPS), which include Hazel Dormouse *Muscardinus avellanarius*, Great Crested Newt *Triturus cristatus*, European Otter *Lutra lutra* and all native species of bat.

Wildlife & Countryside Act 1981 (as amended)
The Wildlife and Countryside Act 1981 is the principal mechanism for the legislative protection of wildlife in Great Britain. Certain species of bird, animal and plant (including all of the European Protected Species listed above) are afforded protection under Schedules 1, 5 and 8 of the Act. The Act also contains measures for the protection of the countryside, National Parks, Sites of Special Scientific Interest (SSSIs) and public rights of way as well as preventing the establishment of invasive non-native species that may be detrimental to native wildlife in Schedule 9.

Countryside & Rights of Way Act 2000
Many of the provisions of the Countryside and Rights of Way (CRoW) Act 2000 have been incorporated as amendments into the Wildlife and Countryside Act (1981) and some provisions have now been superseded by later legislation such as The Natural Environment and Rural Communities Act (2006).
The most relevant changes provided by the CRoW Act include the added protection given to SSSIs and other important sites for nature conservation. Importantly, under the Act it became a criminal offence to "recklessly disturb" Schedule 1 nesting birds and species protected under Schedule 5 of the Wildlife and Countryside Act. It also enabled heavier penalties on conviction of wildlife offences.

The Natural Environment and Rural Communities Act 2006
The Natural Environment and Rural Communities (NERC) Act 2006 was intended to raise the profile of biodiversity amongst all public authorities and to make biodiversity an integral part of policy and decision-making processes. The NERC Act also improved wildlife protection by amending the Wildlife and Countryside Act 1981.
Section 40 (S40) of the Act places a 'Biodiversity Duty' on all public bodies to have regard to the conservation of biodiversity when carrying out their normal functions. This includes giving consideration to the restoration and enhancement of species and habitats.
Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of Principal Importance for the conservation of biodiversity in England. This was published in 2007 and is commonly referred to as the "S41 list". Public authorities have a responsibility to give specific consideration to the S41 list when exercising their normal functions.

PLANNING POLICY & GUIDANCE
Listed below is the main planning policy and government guidance that relates to the conservation of nature and development at all levels of government.

© JCA Limited 2025

National Level

National Planning Policy Framework (NPPF)
The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied in local-level policy and decision making. The National Planning Framework was re-issued in July 2018 and updated in February 2019, July 2021 and September 2023. Key points relevant to the Natural Environment are given below.

> *8. Re: Sustainable development. The NPPF recognizes "that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).*

These are the economic objective, the social objective, and the environmental objective; the full text of paragraph c) relating to this third objective reads as follows:

> *"to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

174**.**Planning policies and decisions should contribute to and enhance the natural and local environment by:
a) Protecting and enhancing valued landscapes, sites of biodiversity … (in a manner commensurate withy the statutory status or identified quality in the development plan)
b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits form natural capital and ecosystem services.
d) minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

175. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value.

176**.** Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

177. permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

180. When determining planning applications, local planning authorities should apply the following principles:

> *a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
>
> *b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other*

© JCA Limited 2025

developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

181. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;
b) listed or proposed Ramsar sites; and
c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

182. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

Local Level

- Kirklees Local Plan

BIODIVERSITY PLANS AND STRATEGIES

An overview of the key biodiversity plans and strategies in the UK, and their implications for development, are set out below.

National level

The UK Biodiversity Action Plan 2007 (UK BAP) has been superseded by the *UK Post-2010 Biodiversity Framework* and individual national biodiversity strategies. The UK framework sets out the overarching vision, strategic goals and priority activities for the UK. The Framework's overall vision is that " by 2050, biodiversity is valued, conserved, restored and wisely used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people." In England, *Biodiversity 2020: A strategy for England's wildlife and ecosystem services* is the national biodiversity strategy, which has the stated mission "(…)to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people."
Note some local plans and government guidance documents/circulars still refer to the UK BAP and 'UK BAP priority habitats and species'. These habitats and species are listed under Section 41 of the NERC Act, and **remain a material consideration in the planning process.** They are now described as 'Species/Habitats of Principal Importance', though they are also commonly referred to as 'Section 41 Species/Habitats' or simply 'Priority Species/Habitats'. Further guidance is given in the relevant sections below.

Local level

Despite the changes to national level biodiversity policy described above, county and district level BAPs still apply. Kirklees Biodiversity Strategy.
Delivering Biodiversity Opportunities

© JCA Limited 2025

Where practicable, opportunities should also be sought to achieve a **net gain** (i.e. enhancement) of biodiversity. Support for biodiversity enhancement is provided in the Public Authority 'Biodiversity Duty' under the NERC Act 2006 and in the key principles of the NPPF, as described above.

SITES DESIGNATED FOR THE CONSERVATION OF NATURE

Statutory Sites

Internationally Important Sites

Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)
The Conservation of Habitats and Species Regulations 2017 (as amended) provide the primary legal basis for the protection of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in Great Britain. Ramsar sites are, as a matter of national planning policy, subject to the same strict protection. Any plan or project considered likely to affect a SAC, SPA or Ramsar site must be subject to an assessment.
Ramsar sites are wetlands of international importance. The majority of terrestrial Ramsar sites in England are also notified as SPAs and/or Sites of Special Scientific Interest (SSSIs).
SACs are sites which support internationally important habitats and/or species listed as being of Community.
SPAs are sites which support internationally important numbers of bird species. Together, SACs and SPAs make up the National Site Network.
Any plan or project considered likely to affect a SAC, SPA or Ramsar site must be subject to a Habitats Regulations Assessment (HRA), as set out under Regulation 63 of the Habitats Regulations 2017(as amended).
The Local Authority (or other 'competent authority') carries out the HRA, but the onus is on the developer to provide the necessary information to inform this process.
Under the Habitats Regulation 2017(as amended), the competent authority must determine in the first instance whether a proposed development is likely to have a significant effect on the National Site Network site either alone or in combination with other plans and projects. The stage of the HRA is known as 'screening'.
If a likely significant effect cannot be screened out, then an 'Appropriate Assessment' must be undertaken to assess the implications against the site's conservation objectives.

Nationally Important Sites

Sites of Special Scientific Interest (SSSI)
The Wildlife and Countryside Act 1981 (as amended) and the CRoW Act 2000 provide the primary legal basis for the protection of Sites of Special Scientific Interest (SSSI). These sites have been designated to capture the best examples of England's flora, fauna, geological or physiographical diversity.

National Nature Reserve (NNR)
NNRs are declared under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981, as amended by Environmental Protection Act 1990. They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats communities and species represented within them. NNRs represent the very best parts of England's SSSIs. The majority of NNRs also have European nature conservation designation.

Regionally & Locally Important Sites

Local Nature Reserves
Local Nature Reserves are declared by local authorities under the National Parks and Access to the Countryside Act 1949 as living green spaces in towns, cities, villages and countryside. They provide opportunities for research and education, or for simply enjoying and having contact with nature. LNRs are usually protected from development through local planning documents which may be supplemented by local by-laws.

Non-Statutory Sites

Local Wildlife Sites
Local authorities may designate non-statutory sites for their nature conservation value based on important, distinctive and threatened habitats and species within a national, regional and local context. These sites are

© JCA Limited 2025

not legally protected but are given some protection through the planning system. These sites may be declared as 'County Wildlife Sites', 'Sites of Importance for Nature Conservation' (SINCs), or 'Sites of Nature Conservation Importance' (SNCIs) in local and structure plans. Non-statutory sites are a material consideration when planning applications are being determined.

Nature Conservation in Areas Outside Designated Sites
Various other features exist outside designated sites that are important for the conservation of nature and which are a material consideration in the planning system.

Habitats of Principal Importance in England
Fifty-six habitat types have been identified as Habitats of Principal Importance in England for the conservation of biodiversity under Section 41 of the NERC Act 2006. The NPPF, Government Circular 06/05, good practice guidance and the NERC Act place a clear responsibility on planning authorities to further the conservation of these habitats. They can be a material consideration in planning decisions, and so developers are advised to take reasonable measures to avoid or mitigate impacts to prevent their net loss and to enhance them where possible. Additional guidance to developers is typically provided in local level planning policy.

SPECIES PROTECTION

Legally Protected Species

Mammals
All wild mammals are protected against cruelty under the Wild Mammals (Protection) Act 1996, which makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.
The following species of mammal are protected further by law in England:
Bats
There are 18 species of bat in the UK, seven of which are Species of Principal Importance in England. All bats and bat roosts are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Bats are also protected under the Habitat Regulations 2017 as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, where protection is retained under UK domestic legislation. It is an offence to:

- Intentionally or deliberately kill, injure or capture bats;
- Intentionally, deliberately or recklessly disturb bats in such a way as to be likely to significantly affect the ability of any significant group of bats to survive, breed, or rear or nurture their young or the local distribution of or abundance of a species of bat;
- Intentionally, or recklessly damage, destroy or obstruct any place used for shelter or protection (i.e. bat roosts) or intentionally or recklessly disturb a bat whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a bat; and
- Possess, sell or transport a bat, or anything derived from it.

Development proposals affecting bats or their roosts require a Protected Species licence from Natural England. It should be noted that a licence is enacted under the Habitat Regulations 2017 and will continue to apply in UK Law through the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019 and the European Union Withdrawal Act 2018 following the implementation of Brexit.

Dormouse
The Dormouse *Muscardinus avellanarius* is a Species of Principal Importance in England. It is legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and is afforded significant further protection as a European Protected Species under the Habitats Regulations 2017 (as amended). Collectively, this legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture Dormice;

© JCA Limited 2025

- Intentionally, deliberately or recklessly disturb Dormice in such a way as to be likely to significantly affect the ability of any significant group of Dormice to survive, breed, or rear or nurture their young or the local distribution of or abundance of the species;
- Intentionally or recklessly damage, destroy or obstruct access to places used by Dormice for shelter or protection (whether occupied or not) or intentionally or recklessly disturb a Dormouse whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a Dormouse;
- Possess or transport a Dormouse (or any part thereof) unless under licence; and
- Sell or exchange Dormice.

Development proposals affecting the Dormouse require a European Protected Species licence from Natural England.

Badger

The Protection of Badgers Act 1992 offers considerable protection to both badgers and badger setts. This legislation was enacted to protect the Badger *Meles meles* against baiting and not as a means of species recovery for it is common in England. It is an offence to cruelly treat, kill or take Badgers, but it is also illegal to intentionally or recklessly damage or disturb a badger sett whilst it indicates signs of current use by a Badger.

Natural England has issued guidance to help developers and their proponents avoid sett disturbance and to identify setts that are in current use[1]. It is important to maintain adequate foraging territory in development proposals affecting badgers as the destruction or severance of large areas of foraging territory could also be taken to include habitat loss. Licences to disturb Badgers and their setts in respect of development may be issued by Natural England provided provisions are made to minimise disturbance.

Birds

49 species of bird are listed as Species of Principal Importance in England. All birds are protected under the Wildlife and Countryside Act 1981 (as amended), making it an offence, with certain exceptions (e.g. game birds), to intentionally kill, injure or take any wild bird and to take, damage or destroy their nests or eggs. Schedule 1 of the Wildlife and Countryside Act 1981 affords extra protection for a number of species and applies harsher penalties for offences. Any intentional or reckless disturbance of a Schedule 1 bird, whilst it is nesting or rearing dependant young, constitutes an offence.

Regulation 10 of the Habitat Regulations 2017 (as amended) required appropriate authorities and conservation bodies, in the exercise of their functions, to take steps to secure ' the preservations, maintenance and re-establishment of sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat..'

Reptiles

All four of the widespread British species of reptile, including the Common Lizard *Lacerta vivipara*, Slow-Worm *Anguis fragilis*, Grass Snake *Natrix natrix* and Adder *Vipera berus,* are Species of Principal Importance in England. They are protected under Schedule 5 (Sections 9.1, 9.5a, 9.5b) of the Wildlife & Countryside Act 1981 (as amended) from intentional killing, injury and trade. The habitat of the four widespread reptiles is not legally protected; however the replacement of habitat lost through development may be required through the planning system. Mitigation for these species is not subject to licensing by Natural England but should nonetheless be planned to minimise disturbance.

The Smooth Snake *Coronella austriaca* and the Sand Lizard *Lacerta agilis* are the rarest reptile species in Britain. In addition to the protection that is afforded to the widespread species of reptile listed above, these

[1]Natural England (2009). Protection of Badgers Act 1992 (as amended) Interpretation of 'Disturbance' in relation to badgers occupying a sett. Available from: http://www.naturalengland.org.uk/Images/WMLG16_tcm6-11814.pdf
Natural England (2009). Guidance on 'Current Use' in the definition of a Badger Sett. Available from: http://www.naturalengland.org.uk/Images/WMLG17_tcm6-11815.pdf

© JCA Limited 2025

species are protected further under Schedule 5 (Sections 9.4b and 9.4c) of the Wildlife and Countryside Act 1981 (as amended). They are also European Protected Species protected under the Habitat Regulations 2017 (as amended). This legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture Sand Lizards or Smooth Snakes;
- Intentionally, deliberately or recklessly disturb Sand Lizards or Smooth Snakes in such a way as to be likely to significantly affect the ability of any significant group of Sand Lizards or Smooth Snakes to survive, breed, or rear or nurture their young or the local distribution or abundance of either species;
- Intentionally or recklessly damage, destroy or obstruct any place used by Sand Lizards or Smooth Snakes for shelter or protection, or intentionally or recklessly disturb a Sand Lizard or Smooth Snake whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a Sand Lizard or Smooth Snake;
- Keep, sell, or exchange Sand Lizards or Smooth Snakes or their eggs; and
- Deliberately take or destroy their eggs
-

Development proposals affecting Smooth Snake or Sand Lizard require a European Protected Species licence from Natural England.

Great Crested Newt

The Great Crested Newt *Triturus cristatus* is a Species of Principal Importance in England. It is legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and is afforded significant further protection as a European Protected Species under the Habitats Regulations 2017 (as amended). Collectively, this legislation makes it an offence to:

- Intentionally or deliberately kill, injure or capture Great Crested Newts;
- Intentionally, deliberately or recklessly disturb Great Crested Newts in such a way as to be likely to significantly affect the ability of any significant group of Newts to survive, breed, or rear or nurture their young or the local distribution of or abundance the species;
- Intentionally or recklessly damage, destroy or obstruct any place used by Great Crested Newts for shelter or protection, or intentionally or recklessly disturb a Great Crested Newt whilst it is occupying such a place;
- Damage or destroy a breeding site or resting place of a Great Crested Newt; and
- Possess, sell or transport a Great Crested Newt, or anything derived from it.

Development proposals affecting the Great Crested Newt require a European Protected Species licence from Natural England. Intentional or reckless behaviour leading to an offence being committed as detailed above may result in maximum penalties of:

  - Up to £5,000 fine per offence committed;
  - A custodial sentence of up to six months instead of, or in addition to, a fine; and/or
  - Items of equipment involved in committing the offence may be seized and detained.

In addition to the above penalties, it is likely that any European Protected Species mitigation Licence (EPSL) obtained for a site will be revoked whilst any wildlife offence is investigated. This will lead to immediate temporary and, depending on investigation outcomes, possible permanent restrictions on site works, as well as associated cost.

Species of Principal Importance in England

© JCA Limited 2025

943 species have been identified as being of Principal Importance in England for the conservation of biodiversity under Section 41 (S41) of the NERC Act 2006. This list of species includes species found in England which have been identified as requiring action under the now superseded UK Biodiversity Action Plan 2007 (plus the Hen Harrier). While these species may not be legally protected, there is a clear responsibility on planning authorities to further their conservation. These species can be a material consideration in development control decisions and so developers are advised to take reasonable measures to avoid or mitigate impacts to prevent the net loss of these species and habitats and to enhance them where possible.

Invasive Non-Native Species

There are a number of species not ordinarily resident to the UK. Those which pose a significant threat to our ecology and economy are listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). For an offence to be committed, a species must be released or allowed to escape into the wild. For example, if a plant listed on Schedule 9 is not adequately controlled by a land owner, once they are aware that it is present, and the species is allowed to spread into adjoining areas, then this could constitute an offence.

© JCA Limited 2025

Appendix 5: Author Qualifications

Adam West, Principal Ecologist

BSc (Hons) Animal and Wildlife Management, ACIEEM.

Adam joined JCA to lead the expanding ecology department. Having returned to education as a mature student, Adam studied Countryside Management for two years before undertaking a Batchelor's degree in Animal and Wildlife Management, for which he was awarded First Class Honours. Adam has many years' experience in ecological consultancy, working on projects ranging from individual planning applications to national infrastructure projects. Adam holds a Natural England Level 1 great crested newt survey class licence and a Natural England Level 2 bat survey class licence.

Rebecca Petch-Smith, Graduate Ecologist

MBiol (Hons) Zoology

Rebecca joined JCA in 2025 after spending 18 months in the teaching industry. Prior to this she graduated from the University of Leeds with a 2:1 Honours Integrated Master's degree in Zoology. As part of her degree programme, Rebecca spent time in Kenya conducting surveys on African ungulates. Rebecca began assisting on bat emergence surveys in 2024, after which, she gained employment as a Graduate Ecologist at JCA Ltd. She is currently conducting Preliminary Ecological Appraisals, Bat Scope Surveys and Biodiversity Net Gain Assessments and working towards her protected species licence.

.

James Foster, Assistant Ecologist

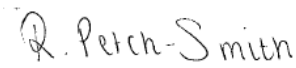
BSc (Hons) Biology.

James gained his undergraduate degree in biology in 2012 from University of Leeds. James has plenty of experience in ecology, having worked countless projects of different scales all over the north and midlands. James has over 11 years of experience surveying anything from reptiles to hedgerows and holds a Great crested newt licence level 1 and is working towards his bat licence and barn owl licence.

© JCA Limited 2025

The information and advice which we have prepared and provided is true, and has been prepared and provided in accordance with the CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and bona fide opinions.

Author



.....
Rebecca Petch-Smith *MBIOL BSc (Hons)*

11/07/2025

Approved by

.....
James Foster *BSc (Hons)*

11/07/2025

For and on behalf of ***JCA Ltd***

Registered Office:

Unit 80
Bowers Mill
Branch Road
Barkisland
Halifax
HX4 OAD

Tel. 01422 376335
Email: info@jcaac.com
Web: www.jcaac.com

© JCA Limited 2025

ECOLOGICAL SERVICES

Ecological Pre-Planning Services

- Phase 1 Habitat Surveys
- Great Crested Newt eDNA Sampling
- Protected species: Bat, Wintering and Nesting Bird, Badger, Amphibian, Otter, Water Vole, White-Clawed Crayfish, Dormice and Reptile Surveys.
- Preparation for Environmental Impact Assessment (EIA)
- Invasive Species Surveys
- Code for Sustainable Homes
- Butterfly & Insect Surveys

Ecological Post-Planning Services

- Biodiversity Enhancement Plans
- Protected Species Mitigation
- Ecological Management (Bat and Bird box installation and inspection)
- Planting Schemes
- Monitoring of bird or bat boxes.

ARBORICULTURAL SERVICES

Guidance for Architects & Developers

- British Standard 5837 Surveys
- Arboricultural Implications Assessments (AIA)
- Arboricultural Method Statements (AMS)

Advice for Engineers, Loss Adjusters and Insurers

- Tree Surveys for Subsidence
- Heave Assessment
- Tree Root Identification

Advice for Local Authorities and Social Housing

- Tree Safety Surveys
- Specialist Decay Detection
- Landscape and Orchard Design

Tree Advice for the Legal Profession

- Subsidence Litigation
- Personal Injury and Accident Investigation
- Expert Witness, Planning Inquiries and Appeals

Veteran Tree Management

- Ancient Woodland Management
- Veteran Tree Management

Tree Health and Pest and Disease Management

- Pest and Disease Surveys
- Tree Health Checks
- Disease Mitigation and Control

JCA Limited

Arboricultural & Ecological Consultants

HEAD QUARTERS

Unit 80 Bowers Mill,
Branch Road,
Barkisland
Halifax, HX4 0AD

Company Reg No: 05005041
VAT No: 686 4674 78