

Planning ContactCentre

From: ENVU Biodiversity and Land Use
Sent: 23 April 2025 11:42
To: Planning ContactCentre
Cc: Edward Cheseldine
Subject: 2025/90927 at location 2, Spa Bottom, Fenay Bridge, Huddersfield, HD8 0BB

Please see comments below.

Designations

No issue

Onsite habitats and species

The Preliminary Ecological Appraisal is reasonable and acceptable.

There is a recommendation for a bat emergence survey on the outbuildings between May and September, due to low bat roost potential.

There are also recommendations and mitigation for birds that may be impact by works on-site.

BNG

If I could be provided an excel format of the metric for auditing purposes it would be most appreciated.

A Biodiversity Net Gain Assessment has been provided; however, this assessment shows a net loss of 1.97 biodiversity (habitat) units on-site. At least 2.186 habitat units is required to achieve 10% net gain. The report shows no plan to make up for the shortfall.

As for the shortfall - we recommend the applicant provides at least an outline of the intended route to achieving off-site 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

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

Birds

All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

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

Enhancement

A woodcrete (or similar) bird boxes will be erected on completion of the development.

Reason: To meet the requirements of para. 180(d) of the National Planning Policy Framework (NPPF) and LP30.

Bats

The bat survey for the outbuildings, as described in the Preliminary Bat Roost Assessment should be added in a reserved matter.

Informatives - drafted

Bats

Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost.

Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Hope this helps

Katie

Ecology Team

Planning and Development Service

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