

Sent: 23 June 2025 11:50

Subject: 2025/91121 at location St Marys Vicarage, Spen Lane, Gomersal, Cleckheaton, BD19 4LS

Please see ecological commentary below:

Designations

No issue

Onsite habitats and species

The Preliminary Ecological Appraisal provided is reasonable and acceptable.

There are recommendations for further surveys for Bats, GCN, and invasive species.

There are recommendations bats, GCN, birds, hedgehogs, invasive species that can be covered by conditions and informative.

A bat emergence survey has been provided confirming that bats are likely absent from the building.

There is no sign of the GCN survey, and it is too late in the year now to complete. Therefore, a PWMS for amphibians will be conditioned.

An invasive species survey should be completed as part of the application – this can be made as a reserved matter.

BNG

A Biodiversity Net Gain Assessment has been provided; however, this assessment shows a net loss of 2.61 biodiversity (habitat) units on-site. At least 2.87 habitat units is required to achieve 10% net gain. The report shows no plan to make up 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 Ecological Services.
- A 30-year Habitat Management and Monitoring Plan (HMMP)

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.

Reason: In the interests of biodiversity and in accordance with 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 amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to 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 amphibians features. In the event of encountering 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
- 1 no. bat boxes
- Planting of fruit trees and flower beds for bats and birds.
- 1 no. swift box onsite
- Small holes within fences (and other mechanisms) for hedgehogs' mobility.

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

Informatives

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).

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.

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

Further conditions to be provided following invasive species survey and BNG update.

Many thanks,
Katie

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