Sent: 03 June 2025 08:15

Subject: 2025/91122 at location Turnbridge Mills, Quay Street, Huddersfield, HD1 6QT

Please see ecological commentary below:

Designations

On the opposite site of the canal there is an LNR, which will highly unlikely be impacted during the development. Therefore, no issues are considered.

Onsite habitats and species

The bat survey report is from June 2023, which means that it is invalid. A bat roosts were detected during the surveys reported on – new surveys are required in order to assess the extent of the roosts now and inform on a mitigation strategy for potential EPS licence. This can be added a reserved matter.
Pollution prevention measures for the canal will also be conditioned.

BNG

As the site is originally on hardstanding, and the area of the canal with a small amount of habitat is to be impacted, resulting in the de minimis argument – the application is considered exempt form BNG

Suggested conditioned

Bats

The bat emergence surveys must to be completed within the bat survey season (1st May to 31st August inclusive).
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: For the LPA to discharge its duties as a competent authority under The Conservation of Habitats and Species Regulations 2017 (as amended) in relation to European Protected Species.

Pollution prevention measures

A CEMP must include the following specific plans / documents:

- Pollution Prevention Plan for the watercourse (using good practice guidance such as CIRIA C532)

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

Hope this helps.
Many thanks,
Katie

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