

DC Admin

From: Kerri Simpson
Sent: 25 September 2025 11:58
To: DC Admin
Subject: FW: 2025/91145 at location 316, Middle Road, Earlsheaton, Dewsbury, WF12 8BT

Categories:

From: ENVU Biodiversity and Land Use <ENVUBiodiversityandLandUse@kirklees.gov.uk>
Sent: 02 September 2025 08:34
To: Kerri Simpson <Kerri.Simpson@kirklees.gov.uk>
Subject: 2025/91145 at location 316, Middle Road, Earlsheaton, Dewsbury, WF12 8BT

Hi There,

Please see ecological commentary below:

Designation

No issue

Onsite habitats and species

The Preliminary Ecological Appraisal is reasonable and acceptable.

- Birds – the site displays suitable habitats for breeding birds recommendations have been provided, which will be added to a conditioned CEMP.
- There are also recommendations for hedgehogs, badgers, amphibians, reptiles, and invasive species (Cotoneaster). These recommendations should also be included in the conditioned CEMP.
- Bats – the building was observed to have moderate potential for roosting bats. 2no. presence / absence surveys will be conditioned and should be observed as reserved matters.
- A lighting strategy will also be conditioned.
- Enhancements will also be conditioned for bats, birds, and hedgehogs.

BNG

There report and metric indicates a net loss of 0.48 habitat units. There is a deficit of 0.53 habitat units for a statutory 10% net gain.

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)

However, as such a low number of units are required, it is encouraged for BNG to be achieved onsite.

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 conditioned

BNG conditions will be provided once confirmation of offsetting is provided.

Reserved matters - surveys

Bats – Buildings

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.

No works are to commence without the council first receiving a copy of the European Protected Species (EPS) licence and mitigation method statement.

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.

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

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

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

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:

- 2no bat boxes
- 2no bird boxes
- Small holes within fences (and other mechanisms) for hedgehogs' mobility.
- A planting scheme should be implemented within the scheme to create a trees and hedgerows. Plantings should comprise native species of high biodiversity value

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

Many thanks,
Katie

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