From: ENVU Biodiversity and Land Use
Sent: 24 June 2025 10:13
To: Planning ContactCentre
Cc: Jillian Rann
Subject: 2025/91370 at location Land at, Gynn Lane, Honley, Holmfirth, HD9 6LF

Please see ecological commentary below:

Designations
SSSI Honley Cutting Station is 300m North of the site, though not within highlighted categories, therefore Natural England does not need to be consulted. Tree protection plans will be conditioned, and pollution prevention measures will be conditioned to be added to the CEMP.
Cliff Wood LWS is 360m south of the site.

Onsite habitats and species
A Preliminary Ecological Assessment has been provided; and is reasonable and acceptable.
There is a priority habitat (deciduous woodland) and watercourse directly adjacent, and at times, encroaching onto the site.
A CEMP will cover recommendations for foraging bats, birds, hedgehogs, badgers.

Invasive species were not observed onsite, but there may have been difficultly due to density of vegetation. Therefore, Invasive Species surveys will also be conditioned.

A further bat survey has been conducted due to the building onsite having moderate potential for roosting bats. This report confirmed single day roost, as a result an EPS mitigation licence will be required as part of the development.
A River Conditions Assessment was also provided, which confirmed that the river is in a fairly poor condition.
Manual search and eDNA sampling were conducted for the white clawed crayfish. Both returned with negative results. Precautionary measures for WCC have been included the report, which should be included in the CEMP.

It is understood that a further EcIA, Bat transect survey, and badger survey is to be provided in due course.

BNG
Two BNG Assessment reports have been provided. One in November 2024, which is the baseline report; and one in April 2025 showing the initial plans for achieving BNG net gain.
The baseline report and the current excel statutory metric do not match.
The planning report and the current excel metric do match.
Please can the applicant (or their ecologist) confirm which one should be adhered to, and explain why they were different in the first place?

Also, the current metric is not acceptable as it mentions that settings have been changed. Please can a legal version of the metric be provided, where no settings have been changed?

Just based on the details of the planning report, provided in April 2025:
Overall, there is currently a deficit in achieving 10% net gain: with 0.97 habitat units and 0.05 watercourse units still to be attained in order to meet statutory requirements.
However, it is acknowledged that there is onsite habitat creation of 5.91 habitat units, 0.36 hedgerow units, and 0.66 watercourse units. A HMMP will be required to secure this.
As well as that, offsite habitat creation is being created with a 0.95 net gain of habitat units. A Section 106 will be required to secure this.

As a result, further offsetting / offsite net gain is required to achieve net gain; with 0.97 habitat units and 0.05 watercourse units still to be attained in order to meet statutory requirements.

Suggested Conditions – drafted
CEMP – which much include recommendations for the PEA, WCC report, and upcoming EcIA, bat transect survey report, and badger survey.

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.

The CEMP must also include the following specific plans / documents:

- Pollution Prevention Plan for the watercourse (using good practice guidance such as CIRIA C532)
- Mitigation / precautionary measures for the SSSI Honley Cutting Station and Cliff Wood LWS.

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

Tree protection

A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works will be submitted to and approved by the LPA prior to the commencement of works on site, including site clearance and delivery of materials.

Hedgerow and tree protection measures will include temporary fencing for the protection of hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Any alternative fencing type or position not in accordance with BS 5837:2012 will be agreed in writing by the LPA prior to the start of development.

The root protection fencing will define the works exclusion zone around hedgerows and trees. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone, unless agreed in writing with the LPA.

The approved hedgerow and tree protection measures will remain in place until the completion of development or unless otherwise agreed in writing with the LPA.

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

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.

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).

HMMP – for onsite habitats

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

a) a non-technical summary;
b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 10 years from the completion of development; and
e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.
   Notice in writing shall be given to the Council when the:
   a) HMMP has been implemented; and
   b) habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

We also recommend a draft biodiversity gain plan is submitted.

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.

Offsite net gain

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 of the above plans (in eitither .shp or .gpkg format) and written permission to share this data with Cumbria Biodiversity Data Centre (CBDC).
- 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.

Many thanks,

Katie
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