



Preliminary Ecological Appraisal Report

Report Ref. ER-7732-01

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Vivly Living

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Summary

This report is produced to inform Vivly Living of potential ecological constraints associated with their proposed development site and the need for further reporting or output to support a planning application.

This report is based on a desk study of designated wildlife sites and records of protected or notable species, and an extended Phase 1 Habitat Survey carried out in July 2024.

Key Findings

The Site is occupied by an area of pasture comprising modified grassland with some individual trees, a house with garden and an access track. Ludhill Dike runs along its northern boundary and intersects the Site for a short distance.

The Site's interior is of generally low value with better habitat found in its individual trees and its bordering (off-Site) habitats.

Biodiversity Net Gain

Details on measurement of the Site's biodiversity and the implications of complying with the requirement to provide a net gain for biodiversity are provided in our separate report ER-7732-03.

Further surveys

Further surveys have been recommended for crayfish, bat activity and roosting, and [REDACTED]

Introduction

1. Brooks Ecological Ltd was commissioned by Vivly Living to carry out a Preliminary Ecological Appraisal (PEA) of land at Gynn Lane, Honley, grid ref. SE 1457 1209. The survey includes 2.4ha of land within the red line boundary shown in Figure 1, opposite.
2. This report is produced with reference to British Standard BS:42020 'Biodiversity Code of Practice for Planning and Development' and the CIEEM (2017) Guidelines for Preliminary Ecological Appraisal.

Purpose of a PEA

3. A PEA is an *initial assessment* of the baseline for a proposed development site and establishes whether the Site is likely to be constrained by ecology, and whether more information is needed to identify the ecological baseline.
4. The subsequent Preliminary Ecological Appraisal Report (PEAR) is intended to give guidance to a developer and assist with the early stages of project planning and design. Where a site is not complex or constrained, and no additional ecological input is necessary, the PEAR may be sufficient and suitable to support a planning application.
5. Biodiversity Accounting metrics are used separately to quantify the value of a Site in Biodiversity Units, which helps in the later stage of assessing the ecological impacts of the proposed development. This process is set out separately in the Biodiversity Gain Report which accompanies this PEAR.

Proposals/Reason for PEA

6. The PEA has been commissioned to inform proposals to develop this Site for housing.

The Site

The application site 'the Site' comprises a plot of pasture/farmland with a house, and associated access track and garden, on the outskirts of the village of Honley.

Figure 1 The Site (red line boundary).



Desk Study

Landscape

7. The Site is located c. 700m east of the village of Honley, some 4.7km south of the town of Huddersfield, West Yorkshire. It is bound immediately to the north and much of its west by woodland, giving way to housing. The wooded Penistone line bounds the Site to its west, with further pasture land and housing to its south.
8. The wider landscape comprises a combination of developed and agricultural land, intersperse with frequent strips and block of woodland.
9. The Site overlies a combination of the Soft Bed Flags and Pennine Lower Coal Measures formations, both sedimentary and giving rise to well-draining, acidic soil conditions.

Wildlife Corridors

10. The Site is reasonably well linked to structured habitat within the wider landscape, primarily to the north and south, by the wooded Penistone Line, which runs north to south along the Site's eastern boundary.
11. Ludhill Dike flows east to west through the woodland to the north of the Site, and is frequently culverted along its length. While not a significant corridor itself, provides connectivity to the wider network of drains and streams, and to the River Holme corridor, which flow south to north some 300m to the Site's west.

Figure 2 Analysis of wildlife corridors and structured habitat visible on mapping in relation to the Site.



Designations

12. The assessment uses a 2km area of search around the Site for records of protected and notable species and locally or nationally designated wildlife sites.

Statutory Designations

13. A search has been made to identify any nationally designated sites within a 2km radius of the Site, or internationally designated sites within a 10km radius. The results are shown in the below table.

Table 1 Statutory Designated Sites.

Site Name	Distance from Site	Designation	Summary Interest
Upper Park Wood	800m north	LNR	Mosaic of meadow, heathland and mixed deciduous woodland featuring well-developed shrub layer.
Castle Hill	1.8km north	LNR	Characteristic landscape features with locally typical examples of habitat mosaic, featuring acid grassland, semi-improved grassland and scrub typical of Pennine fringe farmland.
Honley Station Cutting	300m north	SSSI	Geological
South Pennine Moors	6km southwest	SAC	Features habitats such as European dry heath, blanket bog and old sessile oak woods.
		SPA	Habitat for species such as breeding populations of merlin, short eared owl and golden plover.

14. Despite the Site's connectivity to its surrounding landscape, designated Sites detailed above are sufficiently separated by developed land so that impacts site

as a result of this development are unlikely. The Site also does not comprise of habitats which may support designation characteristics of nearby SAC or SPA.

SSSI Impact Risk Zones (IRZs)

15. The Site lies within the IRZ for the Dark Peak SSSI but does not fall into any of the highlighted categories which require the LPA to consult with Natural England in relation to potential impacts.

Non-Statutory Designations

16. There are 10 Local Wildlife Sites within a 2km radius of the Site. Of these, only one is of potential relevance to the application:
17. Cliff Wood Local Wildlife Site, located some 360m south, is functionally linked to the Site via the wooded rail line running along the eastern boundary of both sites, and is designated for its species rich acid woodland and native bluebell cover.
18. If impacts on the corridor bounding the Site to its east can be avoided, development of this Site is unlikely to impact Cliff Wood.
19. Direct and indirect impacts on all remaining sites as a result of this development are unlikely due to the Site's separation and distance.

Nature Improvement Area

20. The Site is not within any Nature Improvement Area.

Granted EPSM Licences

21. There are no granted European Protected Species Mitigation (EPSM) licences shown within 1km of the Site.

Mapped Ancient Woodland and Trees

22. There is no mapped ancient woodland (AW) or Plantation on an Ancient Woodland Site (PAWS) within 15m of The Site, the nearest being Cliff Wood located some 300m south of the Site, mapped on Figure 4 below.

Wildlife Habitat Network

23. The woodland to the north and east of the Site is within the mapped Kirklees Wildlife Habitat Network, with some small parts of this being within the red line boundary.
24. Any works affecting the wildlife habitat network must ensure that existing functionality of the network is retained

Mapped Priority Habitat

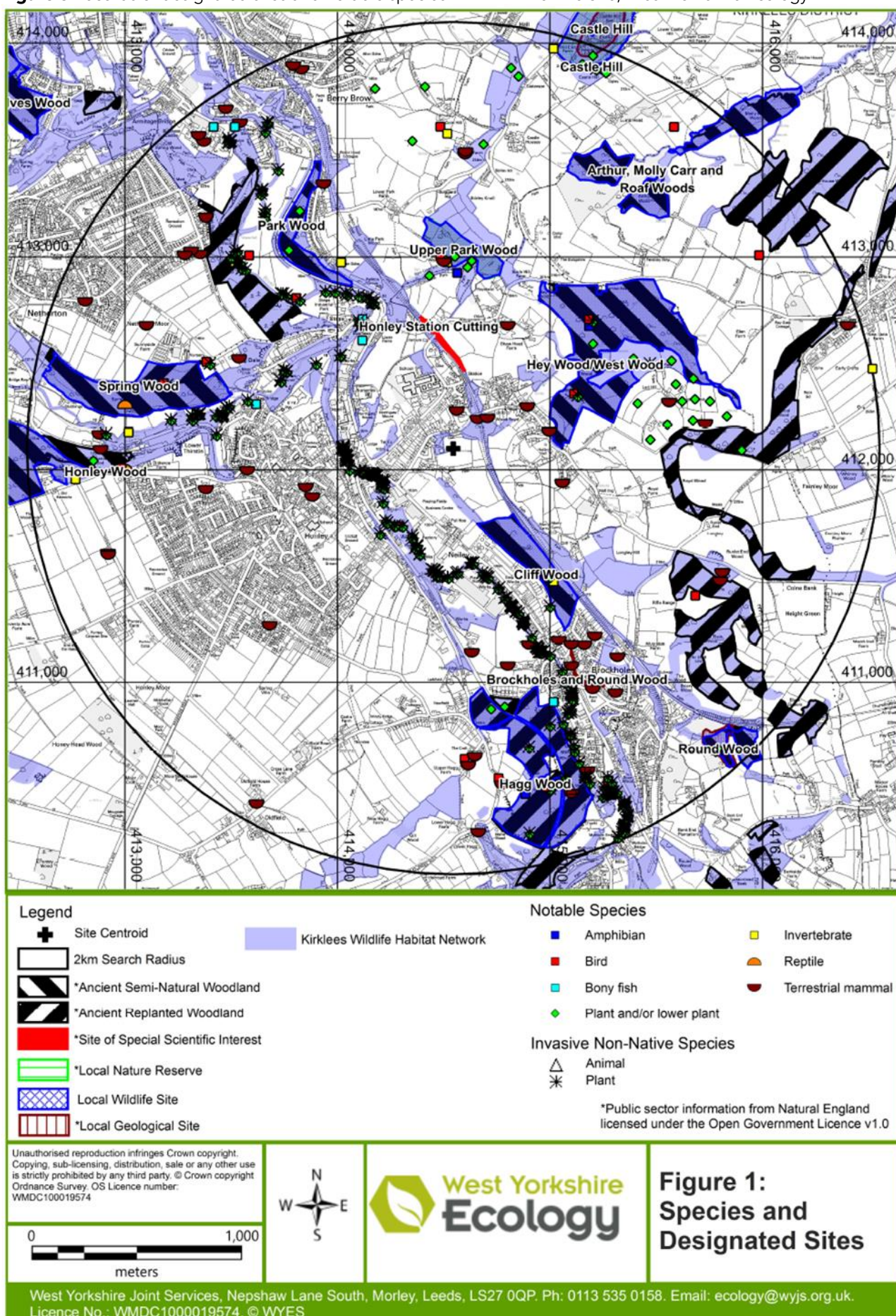
25. Deciduous woodland mapped (at a broad scale) as part of Natural England's Priority Habitat Network is found adjacent to, and to a small degree within, the Site.
26. This is mapped in relation to the Site in figure 3, opposite and described later in this report. Efforts should be made to avoid impacting on adjacent woodlands, and suitable buffers between woodland and development should be designed in wherever possible.
27. A small area of this north of the building was assessed during the survey, and found not to be woodland, with garden plants being found here instead. This has been mapped as vegetated garden.

Figure 3 View of vegetated garden



Figure 4 Analysis of habitat networks in relation to the Site.



Figure 5 Records of designated sites and notable species within 2km of the Site; West Yorkshire Ecology.

Survey

28. The survey was carried out during July 2024¹ and followed the principles of Extended Phase 1 Habitat Survey methodology (JNCC, 2010).
29. The timing of the survey meant that it was possible to confidently classify the type and condition of habitats present on this Site.
30. Enough time was afforded the surveyor to carry out the survey. The survey was not constrained by poor weather.
31. Whilst the majority of the Site was accessible, at least 5% of the Site was inaccessible due to very dense vegetation, which could not be closely inspected. This could have concealed invasive species or protected species evidence.

Habitat Appraisal

32. The Site's habitats are described in order on the following pages. In line with the requirement to provide information on Biodiversity Net Gain (BNG), habitats are named in accordance with the UK Habitats classification system. We have used the UK Habitats v2.01 guidance in identifying habitats. Habitat descriptions are divided into the 'distinctiveness' categories used in the calculations presented in the Biodiversity Gain Assessment, with more weight being afforded the more distinctive/important habitats.
33. Generally, the following apply to each tier of distinctiveness, although some authorities might highlight some lower distinctiveness habitats as having a higher importance locally. Where relevant we have highlighted these.

Very Low Distinctiveness Habitats

34. Habitats of little or no habitat value, i.e., lacking any significant native vegetation, but could still provide supporting habitat for protected or notable fauna such as birds or bats. In the context of BNG, their areas are included in calculations, but mitigation or compensation is not required.

Low Distinctiveness Habitats

35. Habitats which are ubiquitous, often which have been created or modified intentionally. They tend to lack diversity of species and structure. They are unlikely to support notable flora but could still provide supporting habitat for protected or notable fauna. In the context of BNG, they are included in calculations, but compensation/mitigation needs only to provide habitat of similar or higher distinctiveness.

Medium Distinctiveness Habitats

36. Habitats which are common but provide a higher level of structural and species diversity. Though unlikely to support more notable assemblages, species of interest could be present here and they are more likely to be important supporting habitat to fauna. In the context of BNG, mitigation needs to provide habitat of the same broad habitat type, or that of higher distinctiveness.

High Distinctiveness Habitats

37. Habitats which are more natural and contain more important assemblages of plants and potentially species which are rare in their own right. They will provide good habitat for fauna. These habitats are likely to be targeted as conservation priorities and will be the subject of additional policy guidance or legislation. In the context of BNG, whilst mitigation or compensation for loss or damage is possible, provision of more of the same type of habitat would be required, which (with a few exceptions) is likely to be difficult.

Very High Distinctiveness Habitats

38. These are the UK's rarest/best habitats. They will be present in very particular locations and a range of rare or important plant and animal species will depend on the particular conditions they provide. These habitats will be the subject of restrictive policy guidance or legislation. Whilst the BNG metric does not preclude mitigation or compensation in respect of these habitats, creation of the same habitat type would be required, and this would range between very difficult/expensive and impossible.

Irreplaceable Habitats

39. These are habitats of high biodiversity value, which are so difficult to recreate that it would be impossible to achieve the requirement to increase biodiversity on top of no net loss. These habitats have significant protection in the NPPF; any impacts from development require a strong justification and will flag as unacceptable in the Biodiversity Metric. Bespoke compensation for any loss of these habitats must be agreed with the LPA.
40. Each habitat is mapped and an area for each type is provided in the format of the Statutory Biodiversity Metric Calculation Tool. The areas can be used to quantify the impacts of development in an Ecological Impact Assessment if this is required by the Local Planning Authority.

Condition Assessment

41. Our condition assessment for each habitat described references where available the criteria set out in DEFRA (2024) Statutory Biodiversity Metric Condition Assessments. A completed version of this spreadsheet is provided digitally with the Biodiversity Gain Report which accompanies this report.

¹ This Report has been prepared during October 2024 following a visit to the Site in July 2024, and our findings are based on the conditions of the Site that were reasonably visible and accessible at that date. We accept no liability for any areas that were

not reasonably visible or accessible, nor for any subsequent alteration, variation, or deviation from the Site conditions which affect the conclusions set out in this report.

Habitats of Low/Very Low Distinctiveness

Figure 6 Approximate location and extent of these habitats.

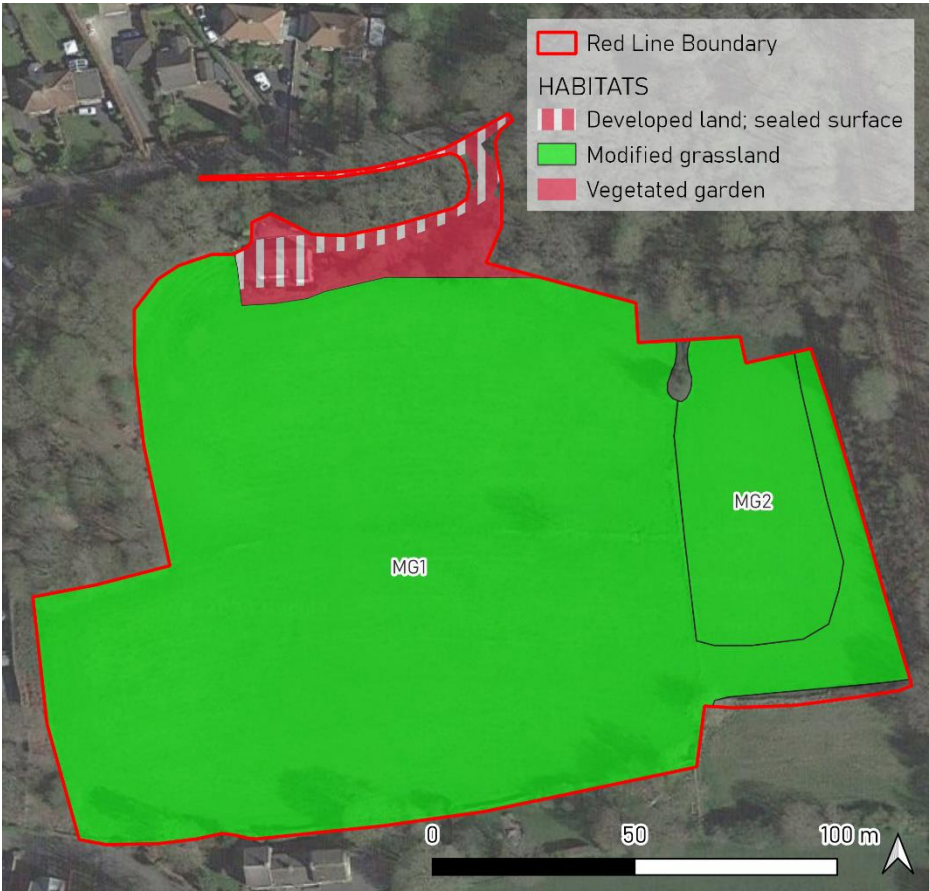


Table 2 Summary – Habitats of low/very low distinctiveness.

UK Habitat	Label Ref	Summary Description
Developed land; sealed surface	-	House & associated hard standing, including parts of access track.
Vegetated Garden	-	Garden associated with house, including unsealed, partially vegetated access track. Includes shrubs surrounding the house and sloped area to the south of the access track. Species noted include several small native and non-native trees & shrubs such as ash, holly, apple, cypress, oak, rhododendron, mock orange and box honeysuckle. Typical garden grasses such as bent & rye grasses, and forbs such as pink purslane, herb Robert, nettle, creeping thistle, ivy and cleavers are present, particularly along the track & the area to the south of this.
Modified Grassland	MG1	<p>Grassland forming most of the site, historically subject to some degree to agricultural improvement giving rise to a reasonably uniform, perennial rye and Yorkshire fog dominated sward. Exceptions to this are areas associated with an old dry-stone wall bisecting the parcel, along which is found a higher diversity of forbs, and to a small patch of more nutrient enriched land to the northwestern corner of Site. Small, scattered patches of bramble encroaching the northeastern corner from the adjacent woodland, and marginal encroachment of bracken is present to parts of the southern and western boundaries.</p> <p>Red fescue, cock's-foot and sweet vernal grass also noted within the sward. Forbs are infrequent but indicative of its historic improvement, with species such as white clover, common sorrel, broad-leaved dock, meadow buttercup and creeping thistle.</p> <p>Some very small fragments of former neutral grassland are present, where forb cover is higher. Additional species found here include catsear, red clover, common mouse-ear, creeping cinquefoil and occasionally lesser stitchwort. These are not of mappable scale.</p> <p>Average of species 6 spp. Per m² with <2 being forbs.</p>
Modified Grassland	MG2	<p>Area of grassland to northeast of Site similar to MG1, but seemingly less influenced by agricultural improvement and separated by an old drystone wall.</p> <p>The sward here is more varied in height, with a wider range of grasses present, dominated by common bent and Yorkshire fog. Rye grass is still present here, and with meadow foxtail, and sweet vernal grass present in greater abundance than MG1. Crested dog's tail, timothy and creeping bent are also noted, with occasional compact rush indicating damper conditions. A similar suite of forbs are present, but increased abundance, with additional species noted including creeping buttercup, red clover, common mouse-ear, cuckoo flower and common vetch.</p> <p>Average of species 8 spp. Per m² with 2 being forbs.</p>

Habitats of Medium - High Distinctiveness

Figure 7 Approximate location and extent of these habitats.

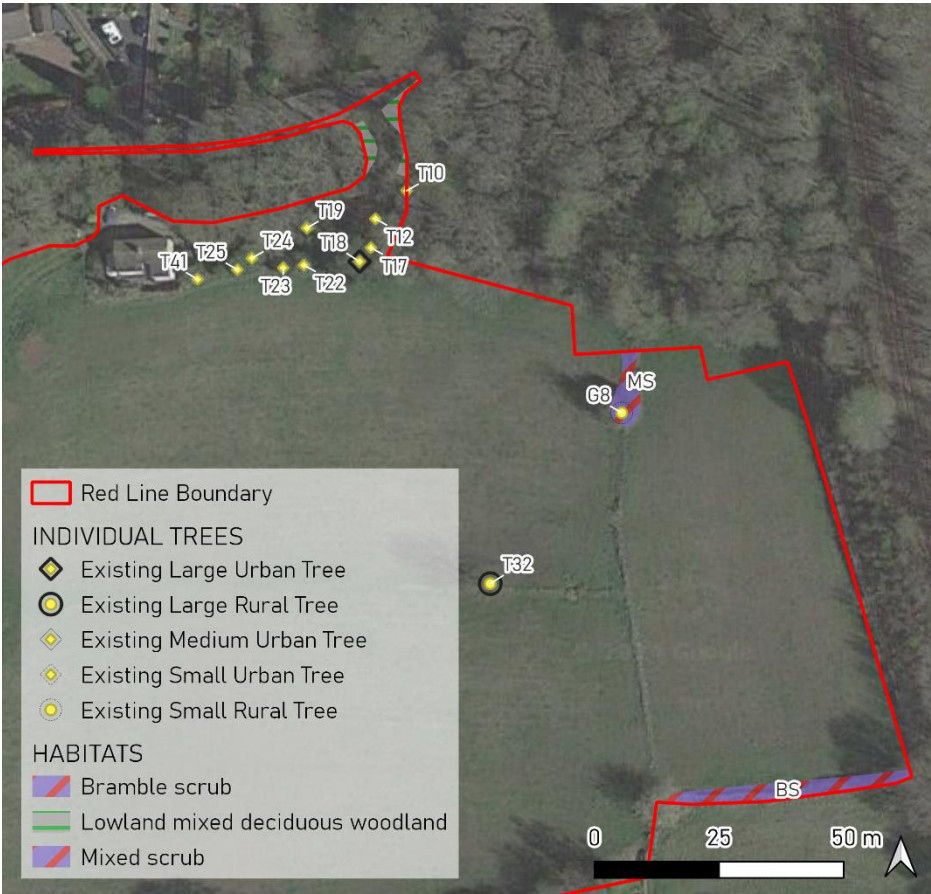


Table 3 Summary of Medium Distinctiveness habitats & trees

UK Habitats	Label Ref	Summary Description
Mixed Scrub	MS	A group of shrubs and scrub, most closely resembling mixed scrub within habitats available in UKHabs.
Bramble scrub	BS	A line of bramble-dominated scrub bordering the eastern parcel of the Site to its south.
Other Lowland Mixed Deciduous Woodland	-	<p>Small parcels where site boundary overlaps with adjacent woodland. Wider woodland is characterised by scyamore, oak, birch and ash, with hawthorne and holly found in the understorey.</p> <p>The ground layer is varying, with some pockets of ivy and bramble, and some showing remains of bluebell and ramsons. Fern and wood melick are also present, with frequent pockets of clear ground also.</p>
Individual Trees	Urban Trees	A number of trees ranging from small to very large, located within and on the boundaries of the Site. Species include a mixture of native and non-native broadleaf and conifers, including Scots pine, larch, cypress, beech, ash, sycamore, holly, oak, birch, apple.
	Rural G8	Medium wild cherry within patch of mixed scrub in grassland.
	Rural T32	Medium semi-mature multi-stemmed sycamore within centre of field along old wall

Trees have been labelled in accordance with Tree Constraints Plan dwg 1829-TCP-001-B (Seed, Aug 2024).

Habitats on Site

Figure 8 Typical view of MG1 sward



Figure 9 Typical view of MG1 sward

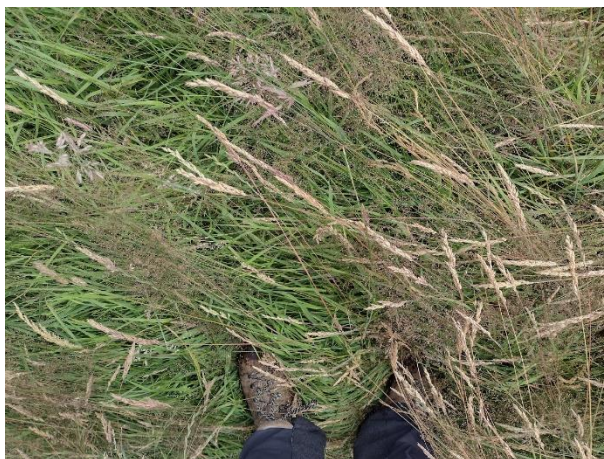


Figure 10 View of fragment with higher forb cover



Figure 11 Typical view of MG2 sward



Figure 12 Typical view of MG2 sward

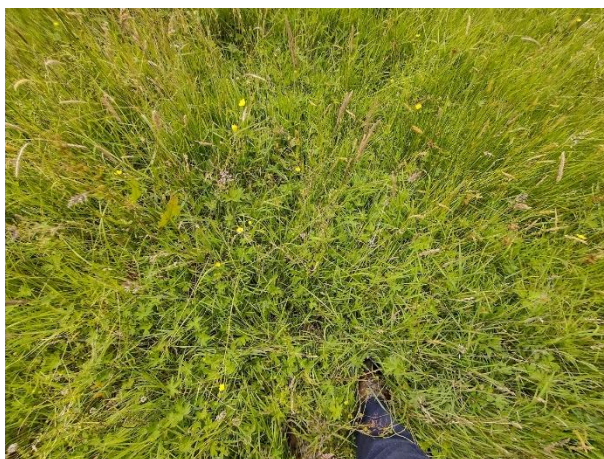


Figure 13 Scattered bramble scrub within northeast corner of MG2



Figure 14 View of house & associated curtilage



Figure 15 View of access track and vegetated garden (r), including T19.



Figure 16 View of T32



Figure 17 View of mixed scrub containing G8 cherry



Figure 18 View of bramble scrub to southern boundary



Watercourses

Figure 19 Approximate location and extent watercourse



Table 4 Summary of Medium Distinctiveness habitats & trees

UK Habitats	Summary Description
Other rivers and streams	<p>Ludhill Dike runs east to west along the north of the Site through the woodland, running through or within 10m of the site boundary for 68m.</p> <p>It is characterised by its cobble and gravel sediment, shallow, silted banks and unvegetated channel bed, likely due to a combination of shading from the surrounding woodland.</p> <p>Iron oxide pollution, evident in form of ochred channel bed, likely due to historic mining practices in the area. This will also inhibit the establishment of aquatic plant and invertebrate communities.</p> <p>The watercourse, its character and condition, are discussed in greater detail in the River Condition Assessment report, ER-7732-04.</p>

Figure 20 Characteristic view of Ludhill Dike



Faunal Appraisal

42. The following pages discuss only the groups and species that could be reasonably expected to be found on the type of habitats present on, or adjacent to, the Site.

Amphibians

Desk evidence

43. No ponds are evident on mapping within a 250m radius of the Site.
44. Seven records of amphibians are returned for the area in total, relating to common frog and common toad, all over 800m away from the Site.
45. There are no records of great crested newt (GCN) returned within a 2km radius.

Field Evidence

46. No ponds are found within 250m of the Site.
47. Suitable terrestrial habitat is present on Site in the form of scrub and dense grassy vegetation.

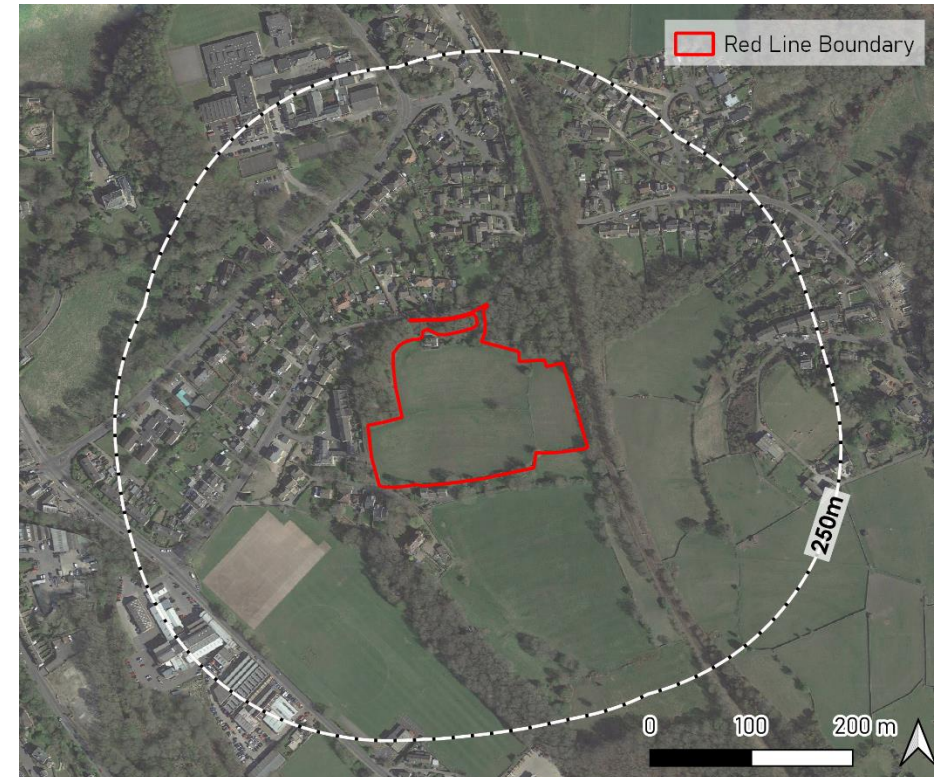
Summary Evaluation

48. The distance between the site and any potential breeding ponds makes it very unlikely that it would be of importance to amphibian populations, and in respect of great crested newt their likely absence can be assumed.

Further Surveys and Recommendations

49. No further surveys or precautions are considered necessary.

Figure 21 Ponds mapped in relation to the Site.



Bats

Desk evidence

- 50. Over 100 records have been returned within the search area pertaining to indeterminate vesper, pipistrelle and myotis species, common and soprano pipistrelle, noctule, Leisler’s, brown long-eared, Brandt’s, Daubenton’s, Natterer’s and whiskered bats.
- 51. Of these, 31 are of records of possible roosts, maternity, transitional or day roosts, the most significant of which is a common pipistrelle and indeterminate myotis roost, recorded some 400m northeast within a residential property in 2023.
- 52. Activity transects carried out by Brooks Ecological in 2019 found low levels of use of the Site, with a focus on the boundary of the woodland to the north.

Field Evidence (Roosting)

- 53. A single building is found on Site and was assessed for its potential roost suitability.
- 54. Individual trees within the Site boundary have been inspected for roost suitability, with none found to provide potential roost features. If proposals should change to affect any trees within the adjacent woodland, roost suitability assessments should be carried out of these also.

Table 5 Bat Roost Suitability Assessment.

Ref	Notes	Suitability
Building 1	Two storey brick & render house with stone tile double pitched roof. Single storey extension to the south with flat felted roof, wood frame windows and doors with stone lintels sitting flush to the wall. Small gaps to mortar and between window lintels to northern elevation. Gaps are evident to the roof ridge tiles, with some slipped tiles present on the southern pitch.	Moderate

Field Evidence (foraging and commuting)

- 55. The woodland and watercourse to the north of the Site, and to a lesser extent the adjacent rail line, present the most likely features of value to this group in terms of foraging and commuting habitat.

Summary Evaluation

- 56. Emergence surveys have concluded that the house on Site is used for roosting, likely by low numbers of common species of bats. Activity observed during both emergence and activity surveys suggests the tree line and riparian corridor running north of the Site is used regularly by local bat populations, with the area north of the building being also used by low numbers of bats for foraging or commuting from this roost.
- 57. Further details can be found in ER-7732-02 Bat Emergence and ER-7732-05 Bat Activity reports.
- 58. Activity transects undertaken in 2019 found low levels activity restricted to the structured habitat to the Site’s boundaries.

Further Surveys and Recommendations

- 59. Further survey will be required to inform a license prior to any works affecting the house on Site.
- 60. Activity surveys have been recommended and are presently underway, finishing in 2025. In the meantime, it is considered likely that the woodland edges are of most value to bats, and early design planning should seek to minimise any impact on local bat populations by retaining a dark corridor around these areas, and avoiding/ minimising direct impacts on woodlands surrounding the Site.

Figure 22 Building plan.



Figure 23 Gap to window lintel - north elevation



Figure 25 Gap to mortar - north elevation



Figure 24 View of southern roof pitch



Birds

Desk Evidence

61. Almost 200 records have been returned for birds within the search radius, of which only approximately 40 are dated to within the last 20 years. These encompass a typical suite of birds for the surrounding sub-urban and agricultural environments, with species such as bullfinch, dunnock, linnet, song thrush and swallow.

Field Evidence

62. Of the habitats within the Site's boundary, the trees in the garden and field and the patches of scrub within the grassland are likely to be of most value to nesting and foraging birds. Of greater value is the woodland bordering the Site to its north and west. The grassland is likely to be of low value to ground-nesting birds due to frequent disturbance from agricultural practices, its dense high sward, and this this habitat is frequent throughout the wider landscape.
63. A small number of common bird species were noted during the survey including dunnock, herring gull, robin and goldfinch.

Summary Evaluation

64. Based on its size and habitats the Site is not considered to be of significant importance to local bird populations

Further Surveys and Recommendations

65. No further surveys are considered necessary to demonstrate current baseline in respect of birds.
66. Standard precautions apply in respect of restrictions on clearing vegetation during the nesting season.

Hedgehogs (NERC Act 2006/Local BAP)

Desk evidence

67. Hedgehogs are not recorded within the search area.
68. A single record of brown hare is returned, some 1.2km east of the Site.

Field Evidence

69. Suitable habitat for both groups is present on and adjacent to Site, however no evidence of either was seen.

Summary Evaluation

70. The Site provides suitable habitat for both species, however the close proximity of the Site to residential areas, and presence of more open agricultural land to its east, makes this a less favourable area for brown hare.
71. Measures to allow hedgehog to access gardens and surrounding habitat need to be planned for.

Further Surveys and Recommendations

72. Presence assumed; no further surveys are considered necessary.

Reptiles

Desk evidence

73. Two historic records of reptile have been returned for the area, however are over 100 years old.

Field Evidence

74. No field evidence was found.

Summary Evaluation

75. While the bordering woodland and small areas of scrub on Site provide cover habitat, the relatively uniform nature of the rest of the site fails to provide the habitat structure required by this group.
76. Reptiles are assessed as likely absent from the Site.

Further Surveys and Recommendations

77. No further surveys or precautions are considered necessary.

Riparian Mammals

Desk evidence

78. No records of water vole are returned within the search area

Field Evidence

79. No evidence was found, with the banks of the watercourse being of limited height and extensive shading providing little opportunity for in-channel vegetation to establish.

Summary Evaluation

80. The watercourse is not considered to provide suitable habitat for this species, and their absence can be assumed.

Further Surveys and Recommendations

81. Absence considered likely; no further surveys are considered necessary.

White-clawed crayfish

Desk evidence

82. While no records have been returned from WY Ecology, their presence is recorded within the localised catchment.

Field Evidence

83. Ludhill Dike was found to offer steep, silted banks with a bed of variably rocky exposed and submerged substrate. Varying depths with pools and riffles gives way to moderate flow, with a clear water column present.
84. Evidence of iron-oxide pollution is present to the channel bed, which may indicate an acidic nature in the water column, limiting suitability for this species.

Summary Evaluation

85. Despite the limiting factors regarding the dike's suitability, the presence of potential habitat combined with the vulnerability of this species means their presence should not be ruled out.
86. As such, detailed survey was undertaken in 2024, which demonstrated a likely absence of this species. Further details can be found in Brooks Ecological's report SI-7732-01.

Further Surveys and Recommendations

87. Further survey is not considered necessary

Invasive Non-Native Species (INNS)

88. INNS are species listed on Schedule 9 of the Wildlife and Countryside Act (1981), for which it is an offence to cause or allow it to grow in the wild.

89. No INNS were noted during survey².

Survey constraints

90. Although no INNS have been identified in this preliminary survey, it is not always possible to conclude absence from preliminary survey alone due to factors such as season, accessibility, third-party attempts to hide evidence, or undisclosed treatment programmes. For this reason, this report should not be relied upon as definitive evidence of absence of INNS.
91. This site presents a small risk of supporting undetected INNS based on the following factors:
- Potential for recent earthworks or management which may have obscured viable material
 - Proximity to nearby potential sources of infection
92. Should further assurances be needed in relations to INNS, a dedicated Invasive Weed Survey should be commissioned.

² Whilst our ecologists are trained in the identification of invasive species, this report is not a dedicated invasive species survey. Detectability of invasive plant species can be affected by several factors, and conclusive determination status, or extent, is not

possible through preliminary survey alone. As the presence of invasive species can generate significant costs to development, the client may wish to instruct a dedicated invasive species survey prior to entering into contracts.

Ecological Constraints

Habitat Value

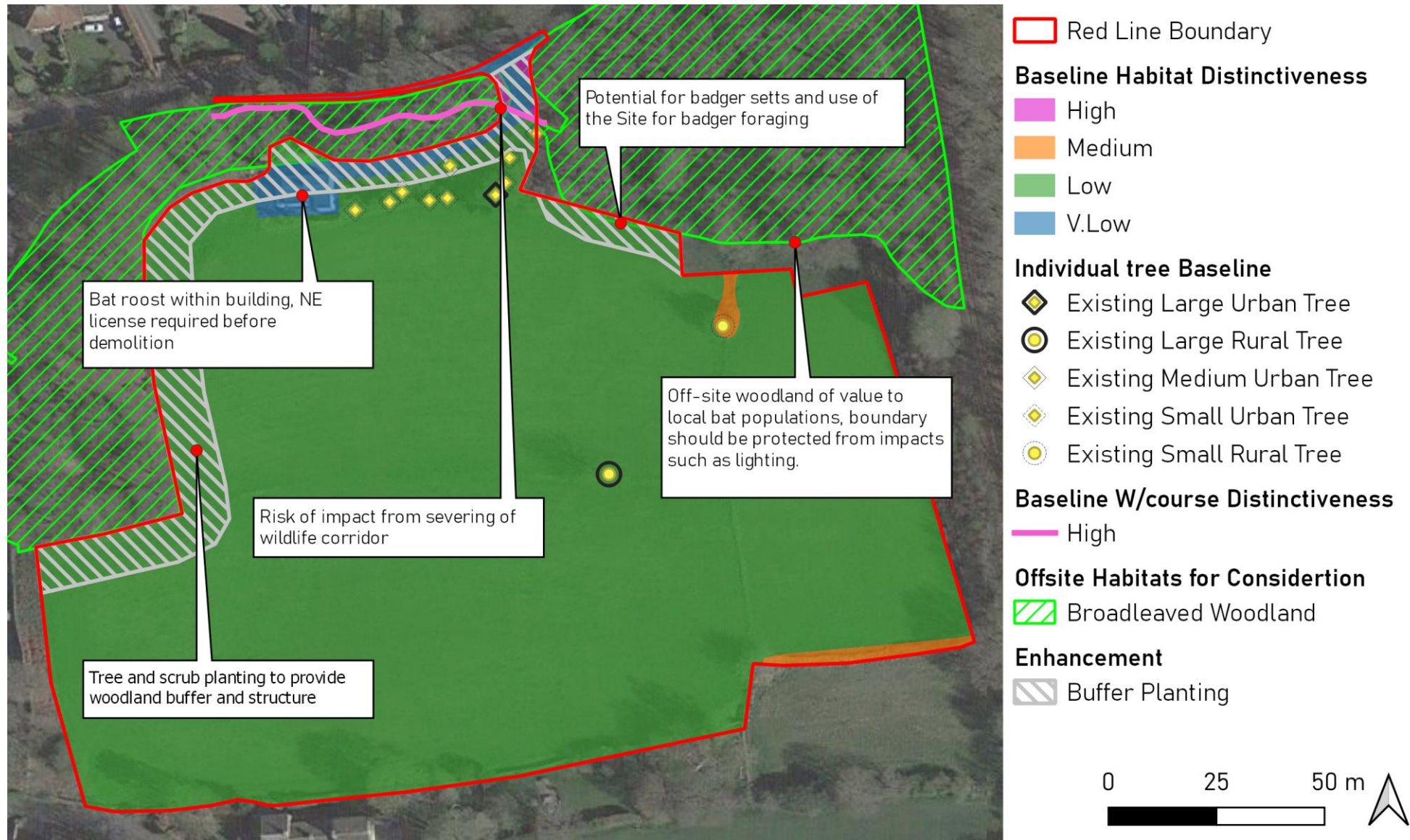
- 102.The usual approach to development is to minimise any net loss of biodiversity towards a gain in biodiversity value where this is possible on-Site. Our separate report on Biodiversity Gain sets out the position of the Site in terms of measured biodiversity.
- 103.Irrespective of the Biodiversity Gain process, development should still seek to retain what is best about the Site.
- 104.The plan opposite shows the Site in the contact of mapped habitat distinctiveness, with the aim of informing the design of any layout. It shows that there are few areas of medium or higher distinctiveness, or irreplaceable habitat, which would need to be avoided by the proposal, and that the Site is relatively uniform in terms of potential impact.
- 105.On-Site habitats do not impose any significant design constraint, with the small patches of medium distinctiveness habitat being of the scale that their loss would not require specific mitigation or compensation.
- 106.In terms of connectivity, the rail line bordering the Site to the east will continue to contribute to the local network, and should be protected from significant impacts of development - such as lighting.
- 107.The Ludhill Dike also provides structure and connectivity for terrestrial and riparian species moving through the landscape, and should be protected from impacts such as pollution, and the severing of this corridor through lighting, and poor design around access.
- 108.The woodland to the north and west of the Site provides structural value, and is of significance as mapped priority habitat. This should be protected from impacts such as access or tipping by new residents, and from lighting spill. A suitable landscaping buffer around these areas would help with this, and would improve the structure of the woodland edge..

Faunal constraints

- 109.Faunal constraints have been identified, discussed in their relevant sections above. These have been summarised in figure 26, overleaf.

Ecological Opportunities

- 110.Ecological opportunities at the Site relate to:
- Potential to improve connectivity locally with native hedgerow and tree planting to the western and southern borders. Tree or scrub planting to the edge of existing woodland would also provide a buffer, mitigating impact to these habitats.
 - Potential to contribute to roosting and foraging habitat by installing faunal boxes within new buildings, and choosing native fruit-bearing species for trees and hedgerows.
- 111.A Biodiversity Management Plan would be useful in defining these enhancements and can be secured by standard condition.

Figure 27 Habitat distinctiveness & faunal constraints.

Conclusions and Recommendations

Planning considerations		
Recommendation	Rationale	When
R1 Additional Surveys		
R1.1 Bats	Two evening emergence surveys carried out in summer 2024 identified the presence of a bat roost within the on-Site building. A minimum of one more survey will be required to inform a license application, and updating surveys will be required if works take place from June 2025.	Emergence surveys completed 2024 (ER-7732-02). Further survey required May - August inclusive, or the most recent survey season before demolition.
	Seasonal bat activity surveys, accompanied by monthly monitoring, completed to identify the value of on-Site habitats for local bat populations.	July - October monitoring & Summer & Autumn surveys completed 2024. May - June monitoring and Spring activity survey scheduled 2025.
R1.2 White-Claw Crayfish	eDNA & stone-turning survey to confirm the suspected absence of white-clawed crayfish within Ludhill Dike	Completed September 2024 (SI-7732-01)
R1.3 Badger	Updating badger survey during winter months should be completed to rule out the presence of badgers.	November - March
R2 Produce a layout which minimises loss of biodiversity	Engage with the Constraints and Opportunities set out above, involve your ecologist in designs at an early stage. The proposals will need to consider the NPPF hierarchy of Avoid–Mitigate–Compensate in minimising any loss of biodiversity. Biodiversity Net Gain (BNG) policy mandates a minimum 10% Net Gain in Biodiversity Units, and the LPA may request additional gains. Your layout may need to change to accommodate your findings from R1 surveys.	During the design process
R3 Design	Make sure your design team follows ecological advice to and make sure there are no design conflicts. <u>Produce a habitat retention plan at an early stage</u> which can be used to inform BNG and maximise scores. A habitat retention plan should identify areas which can be excluded from any impacts of clearance and construction. In producing a plan you should consider the need to provide (amongst other things) Site compounds, to store and move materials, to install drainage, flood storage, access and services, all with suitable easements.	During the design process
R4 Biodiversity Net Gain (BNG)	Carry out a BNG Assessment using the Statutory Biodiversity Metric Calculation Tool and accompanying Condition sheets produced by Defra. It is important that the baseline survey is undertaken during the appropriate season for the habitat type being assessed, so as to ensure the accuracy of habitat mapping and calculating condition scores. Where an initial survey is undertaken at a sub-optimal time of year, it is recommended that updating surveys be carried out during the optimal season for that habitat, prior to the BNG assessment being finalised. Failure to do this could mean that the final Biodiversity score calculated for a project is incorrect, which could then impact on any financial contribution that has been budgeted for to address Biodiversity Offsetting.	During the design process. Baseline survey to be completed during the appropriate season.
R5 Ecological Impact Assessment (EclA)	This report summarises all survey findings and assesses the impacts of the scheme in respect of these. Due to the scale of this development and the potential issues at hand it would seem an unlikely requirement, but may be requested by the LPA.	Prior to submission, after a fixed design is agreed and all key additional surveys are completed
R6 Produce a Biodiversity Management Plan	To specify in detail how the development will cater for biodiversity on-Site and to show how habitats incorporated will be managed.	Delivery report

Planning considerations		
Recommendation	Rationale	When
		Suitable for planning condition
R7 Produce a CEMP (Biodiversity)	<p>To show how the site will be built without affecting surrounding habitats and minimising risk of affecting protected or notable fauna. The CEMP will detail the following protection measures:</p> <ul style="list-style-type: none"> • Location of Biodiversity Protection zones or fences • Dealing with known or discovered invasive species • Pre- or during- clearance ecology checks for protected species. • Protected/notable species method statements where licensing is not needed. • Nesting bird management 	<p>Delivery report</p> <p>Suitable for planning condition</p>

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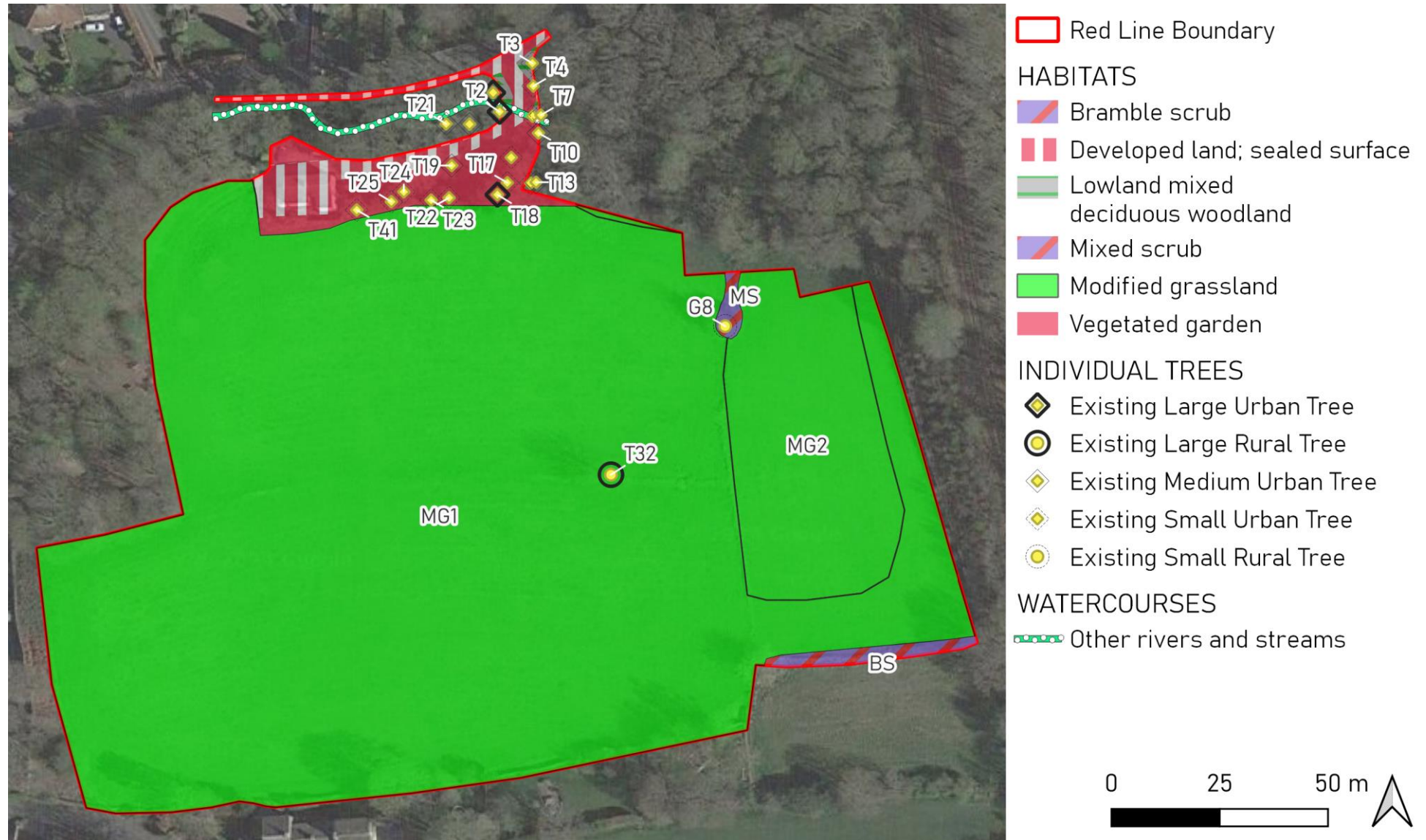
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Appendix 1 Habitats and Ecological Features



Appendix 2 List of species recorded

Apple	<i>Malus domestica</i>
Common bent	<i>Agrostis capillaris</i>
Creeping bent	<i>Agrostis stolonifera</i>
Birch	<i>Betula sp.</i>
Garlic mustard	<i>Alliaria petiolata</i>
Meadow foxtail	<i>Alopecurus pratensis</i>
Cow parsley	<i>Anthriscus sylvestris</i>
Bluebell	<i>Hyacinthoides non-scripta</i>
Box-leaved/ privet honeysuckle	<i>Lonicera pileata</i>
Bramble	<i>Rubus fruticosus</i>
Broad leaved dock	<i>Rumex obtusifolius</i>
Cherry laurel	<i>Prunus laurocerasus</i>
Cleavers	<i>Galium aparine</i>
Cuckoo flower	<i>Cardamine pratensis</i>
Cock's-foot	<i>Dactylis glomerata</i>
Rosebay willowherb	<i>Chamerion angustifolium</i>
Creeping thistle	<i>Cirsium arvense</i>
Common orache	<i>Atriplex patula</i>
Crested dogstail	<i>Cynosurus cristatus</i>
Foxglove	<i>Digitalis purpurea</i>
Common mouse-ear	<i>Cerastium fontanum</i>
Daffodil	<i>Narcissus sp.</i>
Creeping buttercup	<i>Ranunculus repens</i>
Ash	<i>Fraxinus excelsior</i>
Cypress	<i>Cupressus sp.</i>
Common ivy	<i>Hedera helix</i>
Hawkweed	<i>Hieracium agg.</i>
Dandelion	<i>Taraxacum officinale agg.</i>
Catsear	<i>Hypochaeris radicata</i>
Compact rush	<i>Juncus conglomeratus</i>
Italian rye grass	<i>Lolium multiflorum</i>

Herb robert	<i>Geranium robertianum</i>
Timothy grass	<i>Phleum pratense</i>
Larch	<i>Larix decidua</i>
Lesser stitchwort	<i>Satellaria graminea</i>
Holly	<i>Ilex aquifolium</i>
Lawson's cypress	<i>Chamaecyparis lawsoniana</i>
Creeping cinquefoil	<i>Potentilla reptans</i>
Nettle	<i>Urtica dioica</i>
Pink purslane	<i>Claytonia sibirica</i>
Perennial rye grass	<i>Lolium perenne</i>
Meadow buttercup	<i>Ranunculus acris</i>
Red fescue	<i>Festuca rubra agg.</i>
Common sorrel	<i>Rumex acetosa</i>
Scots pine	<i>Pinus sylvestris</i>
Sweet vernal grass	<i>Anthoxanthum odoratum</i>
Silver birch	<i>Betula pendula</i>
Sycamore	<i>Acer pseudoplatanus</i>
White clover	<i>Trifolium repens</i>
Vetch/tare	<i>Vicia sp.</i>
Red clover	<i>Trifolium pratense</i>
Yorkshire fog	<i>Holcus lanatus</i>
Common vetch	<i>Vicia sativa</i>
Wood melick	<i>Melica uniflora</i>
Smooth meadow grass	<i>Poa pratensis</i>
Annual meadow grass	<i>Poa annua</i>
Oak	<i>Quercus sp.,</i>
Hawthorne	<i>Crataegus monogyna</i>
Ramsons	<i>Allium ursinum</i>
Wood melick	<i>Melica uniflora</i>

Appendix 3 Explanatory Notes and Resources Used

Site Context

Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains.

Designated Sites

A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSIs]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development site with nearby important habitats. In addition, information from the local record holders was referred to on locally designated sites.

Functional linkage with off-Site habitats

When assessing these we consider whether the Site could be functionally linked to them, considering links such as:

- Hydrological links – is the Site upstream downstream, or could ground water issues affect it?
- Physical links – is the site in close proximity and could it be directly or indirectly affected by construction and operational effects? Conversely it may be that despite proximity major barriers separate the two.
- Recreational links – do footpaths and roads make it likely that increased recreational pressure could be felt?
- Habitat links – is the site part of a network of similar habitat types in the wider area? These could be joined by linear corridors or could simply be 'stepping stones' of habitat of similar form or function.

Method

Phase 1 habitat survey methodology (JNCC, 2010). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2017).

Faunal Appraisal

This section first looks at the types of habitat found on Site or within the sphere of influence of potential development, then considers whether these could support protected, scarce, or NERC Act 2006 Section 41 species (referred to collectively as 'notable species').

Records of notable species supplied from a 2km area of search by West Yorkshire Ecology are used to inform this appraisal.

We discuss further only notable species or groups which could be a potential constraint due to the presence of suitable habitat and their presence (or potential presence) in the wider area. We screen out and do not present accounts of notable species or groups which do not meet these criteria – in some cases it may be necessary to explain this reasoning.

Consideration is given to the Local Biodiversity Action Plan (LBAP), which for this site is the 'Kirklees Biodiversity Action Plan'.

Species/group	Habitat
Floating water plantain	Semi-natural pasture
Great crested newt	Lowland and upland meadows
Marsh helleborine	Lowland dry acid grassland
Northern wood ant	Blanket bog
Twite	Upland heathland
Water vole	Upland flushes
White clawed crayfish	Lowland heathland
	Upland oak woodland
	Lowland deciduous and other woodlands
	Upland mixed ashwoods
	Wet woodland
	Arable field margins
	Hedgerows
	Rivers, riverine corridors and associated habitats
	Reedbeds
	Scrub and habitat mosaics on previously developed land

Bats

Bat roosting potential is classified according to the following criteria set out below, taken from the Bat Conservation Trust Good Practice Guidelines (2023).

Bat Roosting Suitability of Buildings

Suitability	Criteria
<i>None</i>	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).
<i>Negligible</i>	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
<i>Low</i>	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).
<i>Moderate</i>	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation - the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).
<i>High</i>	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.

Bat Roosting Suitability of Trees

Suitability	Criteria
<i>None</i>	Either no PRFs in the tree, or highly unlikely to be any.
<i>FAR</i>	Further assessment required to establish if PRFs are present within the tree.
<i>PRF-I</i>	Potential roost feature suitable to support individual or low numbers of bats
<i>PRF-M</i>	Potential roost feature suitable to support multiple bats and possibly be used by a maternity colony

Evaluation

In evaluating the Site, the ecologist will take into account a number of factors in combination, such as:

- the baseline presented above,
- the Site's position in the local landscape,
- its current management and
- its size, rarity or threats to its integrity.

There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP and Section 41 of the NERC Act (2006) to determine if the Site supports any Priority habitats or presents any opportunities in this respect.

The assessment of impacts considers the generic development proposals from which potential effects include:

- Vegetation and habitat removal
- Direct effects on significant faunal groups or protected species
- Effects on adjacent habitats or species such as disturbance, pollution and severance
- Operation effects on wildlife such as noise and light disturbance

Appendix 4 Bat Activity Survey Rationale

The Bat Conservation Trust Guidelines (BCTG) (Collins 2023) is now widely accepted as providing a basis and rationale for scoping and conducting bat surveys. It is acknowledged that the guidelines provide a wealth of background and are a very useful tool in standardising approaches to survey, it is also felt that an over reliance on some of the guidelines within this document can result in the provision of complicated surveys where they have significant consequences for the cost, or timescale of a large project, but could never deliver positives for bat conservation.

Taking the BCTG document as a whole, Chapter 2 helps the reader understand whether or not surveys are required, and that in the context of planning and development survey is required in relation to ensure;

- the avoidance of legal offences, and;
- the provision of a sufficient level of information – such that will allow the Local Planning Authority to make an informed decision on the proposals and their potential impacts on the Favourable Conservation Status (FCS) of bats.

Attendance at seminars presented by, and discussions with, those involved in production of the BCTG document has emphasised the point that it is within the remit of the consultant ecologist to make a decision on the necessity and scope of surveys – they will use the guidelines in doing so but are not in any way bound by them: this is reflected in Section 1.1 of the guidelines –

‘The Guidelines do not aim to either override or replace knowledge and experience. It is accepted that departures from the guidelines (e.g. either decreasing or increasing the number of surveys carried out or using alternative methods) are often appropriate. However, in this scenario an ecologist should provide documentary evidence of (a) their expertise in making this judgement and (b) the ecological rationale behind the judgement.’

Such decisions require a consideration of the potential of the project to impact on bat habitat, alongside analysis of the value of habitat on and around the site and of local records and the likelihood that bats might occur in significant numbers. Our reports aim to present information on how we have arrived at our decision on the Site, what assumptions we have based this on, and where further survey is recommended we indicate what the objective of this survey should be and how best this would be achieved.

The habitats present on Site are not likely to be of significant value to bats, however the Site’s connectivity to wider landscape, and proximity to nearby higher value habitat may increase this value somewhat. Previous survey in 2019 identified the border of the now off-site woodland as providing the most value in terms of commuting. Updating activity surveys are being carried out in 2024 – 2025 to assess the continued use of the Site.

This assessment was made by Courtney Halstead BSc (Hons). Courtney has 3 years’ experience scoping and delivering bat activity and emergence surveys.

Appendix 5 Wildlife Legislation, Policy and Guidance

This is not an exhaustive list but sets out briefly the relevance of Legislation, Policy and Guidance in terms of planning applications and this assessment.

Legislation

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (EC Habitats Directive).

Provides framework at an international (EU) level for the consideration/protection of European Protected Species (EPS), and habitats through the designation of sites.

Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive) and The Ramsar Convention on Wetlands of International Importance (1971)

Provides framework at an international (EU) level for the consideration/protection of important bird populations and the sites on which they are dependant.

The Conservation of Habitats and Species Regulations (2010)

This transposes the EC Habitats Directive into UK law and provides the basis on which all EPS are protected and impacts on them can be licensed in the UK.

The Wildlife and Countryside Act (1981) as amended

This provides the basis on which UK species are legally protected or restricted and confers protection on Sites of Special Scientific Interest SSSIs. It contains annexes of plants and animals which are legally protected as well as those which are considered to be invasive or harmful. It provides the basis on which impacts on such species can be licensed in the UK and provides controls on work on or near SSSIs.

The Countryside and Rights of Way Act 2000 (CRoW)

Provides a statutory basis for nature conservation, strengthens the protection of SSSIs and UK protected species and requires the consideration of habitats and species listed on the UK and Local Biodiversity Action Plans (UKBAP/LBAP).

Natural Environment and Rural Communities Act 2006 (NERC)

Sets out the responsibilities of Local Authorities in conserving biodiversity. Section 41 of the Act requires the publishing of lists of habitats and species which are "of principal importance for the purpose of conserving biodiversity". At present these largely reflect those making up the UKBAP lists.

Hedgerows Regulations (1997)

Define and provide protection for Important Hedgerows.

Protection of Badgers Act (1992)

Protects badgers from persecution, this includes excavation/development in the proximity of setts.

Protected SitesStatutory EU/International Protected Sites

Special Areas of Conservation (SACs); and Special Protection Areas (SPAs) and Ramsar Sites contain examples of some of the most important natural ecosystems in Europe. Work on or near these sites is strictly protected and Local Authorities will be expected to carry out 'Appropriate Assessment' of development in proximity of them. In this case there is often an increased burden on the developer in relation to provision of information and assessment.

Statutory UK Protected Sites

Local Nature Reserves (LNRs); National Nature Reserves (NNRs); Sites of Special Scientific Interest (SSSIs) all receive strict protection under UK legislation. Work in or in proximity to these sites would be restricted with any needing to be agreed with Natural England. Natural England now provide guidance on the nature of development which could impact on SSSIs through Impact Risk Zones.

Locally Protected Sites

Local Authorities have a variety of protected wildlife sites designated at a local or regional level. These are gradually being brought under the banner of Local Wildlife Sites (LWS) but at present a plethora of different designations exist – all subject to local policy.

Protected SpeciesEuropean Protected Species

A number of species (most relevantly bats, great crested newts [GCN], and otters) receive strict protection from killing, injury and disturbance under The Conservation of Habitats and Species Regulations (2010). Protection is also conferred on the habitats on which they rely such as roost space in the case of bats and ponds and fields etc. in the case of GCN.

UK Protected Species

A number of species (including bats, GCN, water vole and white clawed crayfish) are strictly protected under The Wildlife and Countryside Act (1981) as amended, from killing, injury, disturbance and damage or destruction of their resting places etc. Certain species (such as reptiles) and some birds (such as barn owl) receive partial protection e.g. at certain times of the year or from certain activities only. All

nesting bird species are protected from damage or destruction of their nests – whilst active.

Invasive speciesSchedule 9 of the Wildlife and Countryside Act (1981) as amended.

Lists these species and makes it an offence to cause or allow their spread in the wild. This often has impacts on development and planning in relation to the presence of invasive plant species such as: Himalayan balsam (*Impatiens glandulifera*), Japanese knotweed (*Reynoutria japonica*), and giant hogweed (*Heracleum mantegazzianum*).

Planning Policy/GuidanceThe National Planning Policy Framework (NPPF)

The National Planning Policy Framework was updated in December 2023. The most relevant paragraphs from the NPPF are set out below.

The approach to assessing the natural environment is now embedded within the definition of what 'sustainable development' is and this falls under one of three objectives of the planning system – the 'environmental objective' applying in this case. Paragraph 8c (P8c) of the NPPF states that sustainable development should "protect and enhance our natural, built and historic environment", including "improving biodiversity". P10 sets out the Framework's presumption in favour of sustainable development.

Section 11 of the NPPF details making effective use of land. The Framework states that planning policies and decisions should "take opportunities to achieve net environmental gains – such as developments that would enable new habitat creation" and should "recognise that some undeveloped land can perform many functions, such as for wildlife" (P124).

Section 15 details conserving and enhancing the natural environment; policies and decisions should be "protecting and enhancing valued landscape [and] sites of biodiversity [...] value", "recognise the intrinsic character and beauty of the countryside" and contribute to conserving and enhancing the natural environment and reducing pollution (P180). Allocations of land for development should, "allocate land with the least environmental or amenity value, where consistent with other policies in this Framework" and "take a strategic approach to maintaining and enhancing networks of habitats" (P181).

The Framework sets out ways to minimise the impacts on biodiversity through plans which "identify, map and safeguard components of local wildlife rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity" and promote the "conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity" (P185).

It is made clear in P186 that local planning authorities should apply a set of principles when determining planning applications. Planning permission should be refused "if significant harm to biodiversity resulting from development cannot be avoided [...], adequately mitigated, or, as a last resort, compensated for". Development should not normally be permitted where an adverse effect on a SSSI

is likely, and "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity".

UK Biodiversity Indicators 2023: update to Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services

The UK Biodiversity Indicators 2023 provide updates to the indicators set out in Biodiversity 2020 including new species abundance targets as set out in the Environment Act 2021. Biodiversity 2020 builds on the Natural Environment White Paper (June 2011) – Setting out the current UK Government's approach to nature conservation. It promotes a more coherent and inclusive approach to conservation and the valuing in economic and social terms of economic resources.

The strategy promotes initiatives such as Biodiversity Offsetting, Nature Improvement Areas and a focus on well-connected natural networks and introduces the concept of securing a 'no net loss' situation with regard to UKBAP/Section 41 habitats and species.

ODPM circular 06/05 (2005) Biodiversity and Geological Conservation – Statutory Obligations and Their Impact Within the Planning System

Provides guidance to Local Authorities on their obligations to biodiversity – particularly in relation to assessing planning applications and ensuring the adequacy of information.

BSI (2013) British Standards Institute BS 42020:2013 Biodiversity – Code of Practice for Planning and Development

Provides a standard for the biodiversity assessment and development industries and decision makers such as Local Planning Authorities to work to.