



Ecological Impact Assessment

For

Walter Mashumba

15a Manor Way

Staincliffe

Batley

WF17 7BX

Reference: Q18703

Prepared by
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Disclaimers

All information presented in this Ecological Impact Assessment (EIA) has been prepared by ProHort Ltd using reasonable skill, care, and diligence, and is based on professional knowledge, current guidance, and data available at the time of writing. This report has been produced solely for the use of the client and for the specific project and purpose described herein, in accordance with the agreed scope of works. No responsibility is accepted for its use by any other party or for any purpose other than that for which it was commissioned.

The findings, evaluations, and recommendations contained within this report are based on information derived from desk-based research, consultations, and field surveys undertaken during the assessment period. Ecological conditions, habitat quality, and species presence can vary seasonally and over time due to natural processes and anthropogenic influences. As such, this report should be regarded as a snapshot of conditions at the time of survey and is considered accurate only for that period.

The absence of recorded evidence for a particular species or habitat does not necessarily confirm its absence; some species may be present but undetected due to survey timing, weather conditions, or other environmental factors. Where uncertainty exists, further survey effort or updated assessment may be required to ensure that ecological impacts are appropriately evaluated and mitigated.

This report has been prepared in accordance with the principles of the Chartered Institute of Ecology and Environmental Management's (CIEEM) Code of Professional Conduct and follows relevant UK legislation, planning policy, and good practice guidance for ecological assessment. In line with best practice, the contents of this report are considered valid for a period of 12 months from the date of issue, unless significant changes occur to the site, surrounding land use, proposed development, or relevant legislation and guidance.

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1. Introduction

This Ecological Impact Assessment (EclA) has been prepared for the land to the rear of 15a Manor Way, Staincliffe, Batley, WF17 7BX (central grid reference: SE 23591 23597) hereafter referred to as 'the Site'. The purpose of this assessment is to identify, quantify and evaluate the potential ecological effects of the proposed development, which includes the erection of 2 buildings and use of land for growing organic vegetables/herbs, on habitats, species and ecosystems. A site survey was undertaken on the 27th January 2026 and a desktop study was undertaken in February 2026.

The assessment follows the principles of the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal (CIEEM, 2018, v1.2 updated April 2022) and has been prepared in line with BS42020:2013 Biodiversity – Code of Practice for Planning and Development.

The EclA process includes a desk-based data review and an extended Phase 1 Habitat / UK Habitat Classification survey of the Site and its surroundings. The findings provide a robust baseline from which potential ecological impacts can be assessed, and appropriate mitigation, compensation and enhancement measures proposed.

The report has been prepared to support a planning application submitted to Kirklees Metropolitan Council, which requires ecological input to ensure the proposals comply with relevant wildlife legislation, planning policy and Biodiversity Net Gain (BNG) requirements under the Environment Act 2021.

1.1. Site Location and Context

The Site occupies approximately 0.41 hectares, and is located within Batley, c.1070m SW of the town's centre. It comprises areas of modified grassland, patches of vacant/derelict land with ruderal vegetation, developed sealed surfaces, and scattered urban trees. The surrounding area is dominated by residential and commercial properties. The surrounding landscape is typical of an urban residential fringe, providing a mosaic of built development, amenity land and fragmented green infrastructure.

The Site's location relative to the wider landscape is illustrated in Figure 1.



Figure 1 – Red line boundary of the Site

Taken from Bing Maps (© 2024 Microsoft Corporation, © 2024 Maxar, ©CNES (2024) Distribution Airbus DS)

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2. Proposed Development

The proposed development involves the erection of two buildings and the change of use of land to support the cultivation of organic vegetables and herbs. The works will entail localised vegetation clearance, ground preparation and regrading, installation of hardstanding and access surfaces, landscaping, and associated construction activities, while retaining and integrating existing trees where possible.

The overall aim of the project is to provide new built facilities and support the local community through the establishment of a managed community garden space, which will require both temporary construction land-take and permanent changes to on-site habitats.

Full development details are illustrated in Figure 2.

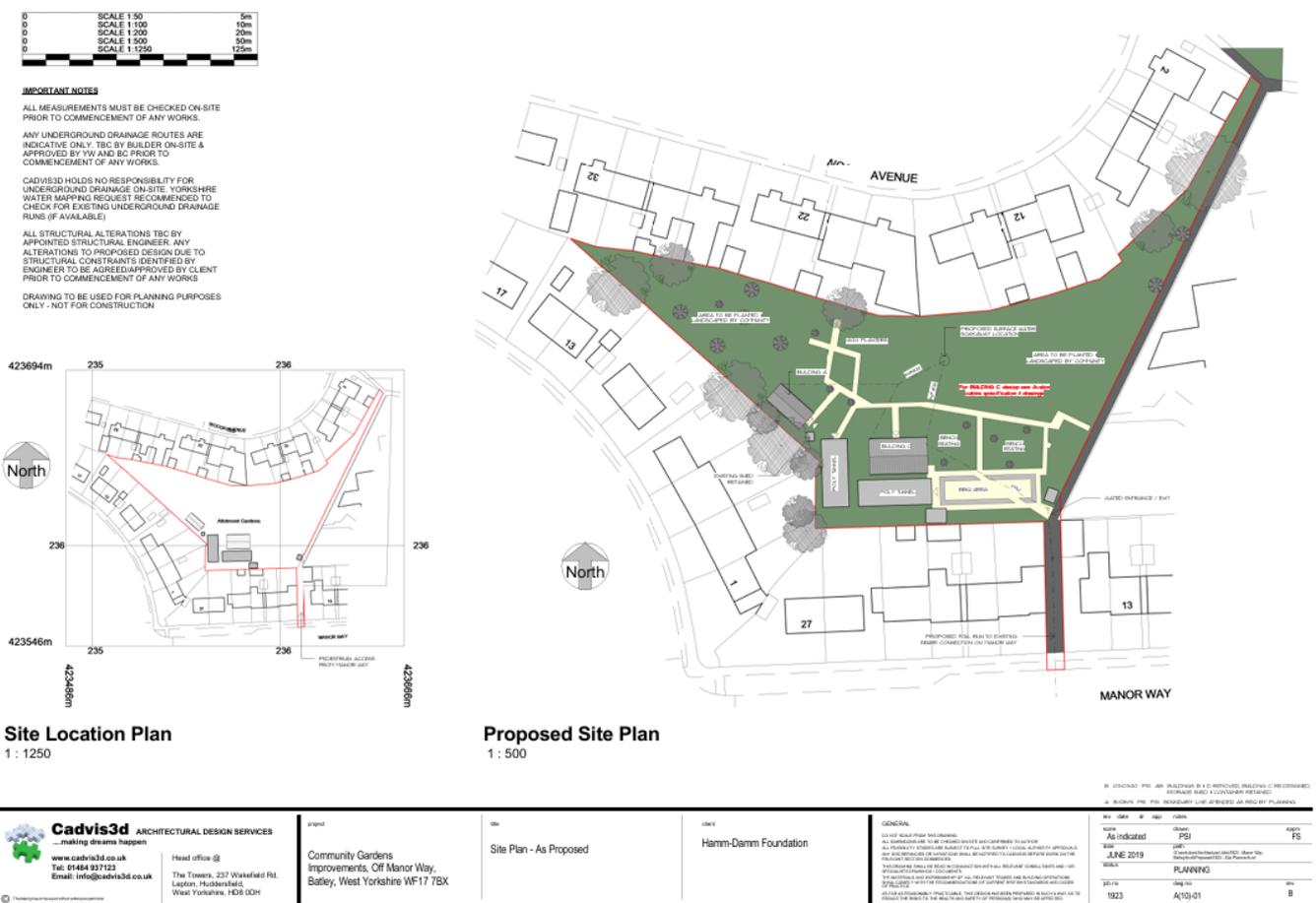


Figure 2: Proposed Development Layout (as provided by the client).

3. Results

3.1. Overview

The EclA has been undertaken in accordance with the following key professional guidance and standards:

- CIEEM (2018, v1.2 updated 2022) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal
- CIEEM (2017) Ecological Report Writing
- CIEEM (2019) EclA Checklist
- BS42020:2013 Biodiversity – Code of Practice for Planning and Development

The assessment process follows a structured approach: establishing baseline conditions, identifying important ecological features, predicting and evaluating the potential impacts of the proposed development, and proposing measures to avoid, mitigate, or compensate for identified effects.

3.2. Aims and Objectives

The principal aims of this EclA are to:

- Identify and describe existing habitats and species within and adjacent to the Site;
- Evaluate the ecological value and conservation importance of these features;
- Assess the potential impacts (direct, indirect, temporary, and permanent) associated with the proposed development;
- Recommend measures to avoid or mitigate any adverse effects on biodiversity;
- Identify opportunities for ecological enhancement and contribute to the achievement of Biodiversity Net Gain (BNG);
- Ensure that the development complies with relevant wildlife legislation and planning policy.

3.3. Desk-Based Assessment

A comprehensive desk-based review was undertaken to collate existing ecological data within a 2 km radius of the Site. Sources consulted include:

- The Local Environmental Records Centre ([insert name]), providing data on protected and notable species and non-statutory sites;
- DEFRA's MAGIC Maps for statutory designations, priority habitats and species, and European Protected Species (EPS) licences;
- Local Authority mapping and documentation, particularly for Tree Preservation Orders (TPOs);
- Historic aerial imagery and Ordnance Survey mapping to understand habitat continuity and land-use change.

Only records collected within the last 10 years were considered relevant to ensure up-to-date baseline information.

The desk study informs the likelihood of species presence and provides context for the field-based assessment. However, absence of data does not imply species absence.

3.4. Field Survey

A field survey was undertaken on 27th January 2026 by Hannah Burton (MSCi (Hons), QCIEEM) and Isabel Di Marco (BSc (Hons), QCIEEM) in wet weather conditions.

The Site was assessed using the UK Habitat Classification (UKHab) Version 2.0 (UKHab Ltd, 2023) methodology. Each habitat type was mapped and assigned a UKHab code. For each habitat, a species list was compiled, with plant species abundance recorded using the DAFOR scale (Dominant, Abundant, Frequent, Occasional, Rare).

In addition, habitats were assessed for their suitability to support legally protected and notable faunal species (including bats, birds, amphibians, reptiles, and mammals) based on field signs, habitat structure, and connectivity.

3.5. Assessment of Ecological Value and Significance

The evaluation of habitats and species follows the CIEEM (2018) framework, which considers both the ecological importance of the receptor and the magnitude and significance of predicted effects.

The importance of ecological features is assessed within the following geographic context:

- International
- National
- Regional
- County
- Local

An effect is considered “significant” if it is likely to influence the conservation status, distribution, or integrity of a feature, habitat or ecosystem. The assessment takes account of direct and indirect, temporary and permanent, and cumulative impacts.

The Mitigation Hierarchy has been applied throughout, prioritising avoidance of impacts through sensitive design, followed by mitigation measures, and finally compensation where residual impacts remain unavoidable.

3.6. Legislation and Policy Context

The development must comply with all relevant national and international wildlife legislation, including but not limited to:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017 (as amended)
-
- Natural Environment and Rural Communities (NERC) Act 2006 (Section 41 species and habitats)

- Environment Act 2021 (Biodiversity Net Gain provisions)
- National Planning Policy Framework (NPPF, 2024), Chapter 15: Conserving and Enhancing the Natural Environment

Local planning policies, including Kirklees Local Plan Strategy and Policies (Adopted 27th February 2019), have also been considered.

A full summary of relevant legislation and policy is provided in Appendix 1.

3.7. Limitations

All accessible areas of the Site were surveyed on foot; however, certain limitations apply. The survey was undertaken during winter, when many plant species are not readily identifiable and some ecological features may be less apparent. As such, species diversity associated with grassland and ruderal habitats may be under-represented. No access restrictions prevented coverage of the Site, and visibility was generally good due to reduced vegetation height; however, seasonal constraints mean that the findings represent a snapshot of conditions at the time of survey.

The survey provides a robust ecological overview, although it is acknowledged that a single visit cannot definitively confirm the absence of all protected species. Where potential constraints have been identified, recommendations for additional targeted surveys are provided.

4. Baseline Ecological Conditions

4.1. Designated Sites

One non-statutory designated sites were identified within 2km of the Site boundary. No statutory designated sites were identified within 2km of the Site boundary. A summary is provided in Table 1 below.

Table 1 – Statutory and Non-statutory Designated Sites within 2km of the Site

Site	Designation	Distance from the Site	Connectivity	Site description
Caulms Wood Quarry, Dewsbury	LGS	c. 1910m SE	Low — Several significant dispersal barriers are present, including urban development and fragmented habitats, limiting regular ecological movement between sites.	Caulms Wood quarry has a 50m long face of Upper Carboniferous sandstone called the Thornhill Rock. The face is steep and about 10m high, with large, shallow, rounded caves due to the weathering of iron-rich sandstones. There are thin coal seams and a seat earth, as well as various sedimentary structures such as crossbedding and ripple bedding.

4.2. Habitats within the Site

4.2.1. UK Habitat Classification Survey

Four UKHab habitats were identified within the Site:

- G4 Modified Grassland
- U1b Developed Land; Sealed Surface
- 82 Vacant or Derelict Land
- 32 Scattered Trees

An on-site habitat plan is shown in Appendix 3 and photographs of the Site are shown in Appendix 5. Each of these habitats are described in Table 4 below.

Table 2 – Habitats Recorded on Site

UKHab Type	Site description	Flora
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G4 Modified Grassland	The central aspect of the site was predominantly covered by modified grassland.	Abundant: winter grass (<i>Poa annua</i>) Frequent: common bent (<i>Agrostis capillaris</i>), perennial rye (<i>Lolium perenne</i>) and dock (<i>Rumex obtusifolius</i>) Occasional: creeping buttercup (<i>Ranunculus repens</i>), ragwort (<i>Jacobaea vulgaris</i>), ribwort plantain (<i>Plantago lanceolata</i>), cow parsley (<i>Anthriscus sylvestris</i>), fescue (<i>Festuca</i>), cock's-foot (<i>Dactylis glomerata</i>) Rare: bramble (<i>Rubus fruticosus</i>), dandelion (<i>Taraxacum officinale</i>) and apple saplings (<i>Malus domestica</i>)
U1b Developed Land; Sealed Surface	The South aspect of the site was predominantly hard standing, in the form of paving and concrete.	Occasional: winter grass (<i>Poa annua</i>)
82 Vacant or Derelict Land	The NE and NW aspects of the site were made up of vacant or derelict land.	Frequent: cow parsley (<i>Anthriscus sylvestris</i>) Occasional: bramble (<i>Rubus fruticosus</i>), apple saplings (<i>Malus domestica</i>), dock (<i>Rumex obtusifolius</i>) and willow herb (<i>Epilobium</i>) Rare: prunus saplings (<i>Prunus</i>) and dandelion (<i>Taraxacum officinale</i>)
32 Scattered Trees	Three of the scattered trees were prevalent in the NW aspect of the site, and an additional tree was located within the central aspect of the site.	T1 – Sycamore (<i>Acer pseudoplatanus</i>) T2 – Sycamore (<i>Acer pseudoplatanus</i>) T3 – Sycamore (<i>Acer pseudoplatanus</i>) T4 – Lime (<i>Tilia x europaea</i>)

4.3. Surrounding Habitats

The wider landscape surrounding the site consists of a mosaic of semi-natural grassland, arable land, scattered hedgerows, and residential gardens, offering varying levels of ecological connectivity to the Site. Key ecological corridors include the network of hedgerows running along field boundaries and gardens, as well as a nearby drainage ditch that may facilitate wildlife movement between the Site and adjacent habitats such as local green spaces and farmland. These features provide potential for species dispersal and foraging, particularly for birds, small mammals, and invertebrates.

4.3.1. Priority and Notable Habitats

The priority habitats (outlined in Section 41 of the Natural Environment and Rural Communities Act 2006 (as amended)) within 2km of the Site are outlined in Table 2 below.

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Table 3 – All priority habitats within 2km of the Site; taken from Magic Maps in February 2026.

Priority habitat	No. of sites within 2km	Closest site	Connectivity
Deciduous woodland	96	c. 400 m SE	<u>Low</u> – There are no indicator species recorded on the Site, and green spaces nearby are small and fragmented, reducing habitat continuity.
Traditional orchard	1	c. 1860 m NE	<u>Low</u> – There are no indicator species recorded on the Site, and green spaces nearby are small and fragmented, reducing habitat continuity.

4.3.2. Tree preservation Orders

No TPOs were found surrounding within directly surrounding the Site.

4.4. Species Records

A search of local biological records was conducted by West Yorkshire Ecology up to 2km from the Site. Only records within the past 10 years were included in the following assessment. The records were filtered based on the relevance to the project proposal.

4.4.1

There were no records within 200m of the Site. The nearest record was 1,799m from the centre of the Site; however, the site falls outside the area of increased probability of activity. Therefore, the potential for to utilise the Site is low. In addition to this, there is also significant dispersal barriers due to increased urbanisation, it can be assumed that would not use the surrounding habitats of the Site. During the Site visit no signs of was found. Additionally, it is unlikely the proposed works will impact any populations of surrounding the Site. Overall, the likelihood for the Site to support reptiles is negligible and no further action is required.

4.4.2 Bats

The records search and European Protected Species licence application identified breeding, foraging and resting bats were locally present

128 records of bats were returned by the data search. However, the proposed works will not impact any potential roost sites, and it is unlikely any changes to the Site will significantly impact any foraging habitat. Therefore, these results were not analysed further.

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The bat species returned by the local records are detailed in Table 5.

Table 5 – bat records.

Species	Number of records
Brown long-eared (<i>Plecotus auritus</i>)	1
Leisler's Bat (<i>Nyctalus leisleri</i>)	3
Myotis Bat species (<i>Myotis</i>)	1
Noctule (<i>Nyctalus noctule</i>)	4
Common pipistrelle (<i>Pipistrellus pipistrellus</i>)	111
Soprano pipistrelle (<i>Pipistrellus pygmaeus</i>)	7
Pipistrelle Bat Species (<i>Pipistrellus</i>)	1

4.4.3 Birds

There were no species of protected or priority bird species (species listed in Section 41 of the Natural Environment and Rural Communities Act 2006 or Schedule 1 of the Wildlife and Countryside Act 1981) returned by the local records.

The Site contains four trees; however, these are of limited size and structure and provide low potential for nesting birds. No evidence of nesting birds (e.g. nests, feathers, droppings or bird activity) was recorded during the site visit.

Any works affecting vegetation may have the potential to disturb nesting birds if undertaken during the breeding season (typically March to August inclusive). As a precaution, vegetation clearance should be undertaken outside of the breeding season where possible. If works are required during this period, a pre-works nesting bird check by a suitably qualified ecologist would be required to ensure compliance with wildlife legislation.

4.4.4 Great Crested Newt

The local record search returned 1 occurrence of Great Crested Newt (*Triturus cristatus*) (GCN). The closest record was 854m away from the site. Ecological connectivity between the Site and this record is considered low due to intervening urban development and fragmented habitats, which present significant dispersal barriers.

No ponds were identified within the Site and none are present within 250 m of the Site boundary. The terrestrial habitat surrounding the Site comprises predominantly modified grassland, hardstanding and disturbed urban land, which offers limited suitability for Great Crested Newt sheltering or dispersal.

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Given the absence of suitable breeding habitat within and immediately surrounding the Site, and the low suitability of terrestrial habitats, the proposed works are considered to pose a negligible impact on Great Crested Newt breeding populations. Therefore, no further surveys are considered necessary.

4.4.5 Other Mammals

No records of Hazel Dormice (*Muscardinus avellanarius*) were returned from the records search. Habitats within the Site are dominated by modified grassland, disturbed urban land and hardstanding, with scattered individual trees and no well-developed hedgerow or scrub network. These habitats are not suitable to support breeding, commuting or foraging Hazel Dormice. In addition, the Site is not functionally connected to any nearby woodland blocks or continuous hedgerow corridors known to support dormouse populations.

Overall, the likelihood of Hazel Dormice being present within the Site is considered **negligible**, and no further survey or mitigation measures are required.

No records of otter (*Lutra lutra*), beaver (*Castor fiber*) or white-clawed crayfish (*Austropotamobius pallipes*) were returned by the records search. However, one record of water vole (*Arvicola amphibius*) was returned by the records search. The Site does not contain any watercourses, and the nearest water feature is an urban drainage/watercourse. Habitats within the Site comprise modified grassland, disturbed ground and hardstanding, which are not suitable to support breeding, commuting or foraging watercourse mammals. No evidence of water vole or other water-associated species was identified during the survey. Overall, the likelihood of the Site supporting watercourse species is considered negligible, and no further survey or mitigation is required.

2 records of hedgehog (*Erinaceus europaeus*) but no records of brown hare (*Lepus europaeus*) were returned from the records search. The Site provides limited but potentially usable habitat for hedgehogs in the form of grassland, ruderal vegetation, brick piles and log pile, which may support occasional foraging or sheltering. No direct evidence of hedgehog presence was observed during the survey. As a precaution, any rubble or brash piles created or present on Site should be dismantled carefully by hand during works and avoided during the hibernation period to prevent accidental harm. With these precautionary measures in place, no further action is required.

4.4.6 Reptiles

No records of reptiles were returned from the desk-study search. Habitats within the Site are dominated by modified grassland, disturbed ground and hardstanding, which offer generally limited suitability for reptile breeding, commuting or foraging. However, a log pile and a brick pile were present on Site and may provide small-scale refuge opportunities for common reptile species. No reptiles or field signs were observed during the survey.

Overall, the likelihood of reptiles being present within the Site is considered low, and no further survey is required. As a precautionary measure, the existing log and brick piles, and any rubble or brash generated

during the works, should be dismantled carefully by hand and removed under ecological supervision where appropriate, and not during the reptile hibernation period.

4.4.7 Amphibians

The Site does not contain any ponds and no ponds are present within 250 m of the Site boundary. Habitats within the Site comprise modified grassland, disturbed ground and hardstanding, which provide limited suitability for amphibian breeding, commuting or foraging. No amphibians or field evidence were recorded during the survey.

Overall, the likelihood of amphibians occurring within the Site is considered **low**, and no further survey is required. As a precautionary measure, any rubble or brash piles present or generated during the works should be dismantled carefully by hand and avoided during the amphibian hibernation period to reduce the risk of accidental harm.

5. Impact Assessment and Mitigation

5.1. Bats

Desk study records confirm bats are present within the wider landscape; however, habitats within the Site provide only limited foraging opportunities and no confirmed roost features were identified during the survey. The four on-site trees are of generally low bat roost suitability. Potential impacts relate primarily to disturbance during tree works and inappropriate artificial lighting.

To minimise impacts:

- Any tree works should be preceded by a precautionary ground-level inspection by a suitably qualified ecologist if undertaken outside the survey period.
- Should features with bat roost potential be identified, works will cease and further assessment undertaken in accordance with Bat Conservation Trust guidance.
- External lighting will be directional, low-spill and designed to avoid illumination of retained vegetation and site boundaries, following Bat Conservation Trust & ILP Guidance Note 8.

As a biodiversity enhancement, installation of one bat box (e.g. Schwegler 1FW or equivalent) on a retained tree or suitable structure is recommended to increase local roosting opportunities.

5.2. Birds

Vegetation and tree works have the potential to disturb nesting birds protected under the Wildlife and Countryside Act 1981.

To avoid offences:

- Vegetation clearance will be undertaken outside the nesting bird season (March–August inclusive) where practicable.

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- Where seasonal avoidance is not possible, a nesting bird inspection will be completed by a suitably qualified ecologist no more than 24 hours prior to works. Active nests will be protected until young have fledged.

As an enhancement measure, installation of one bird nest box suitable for small passerines (e.g. Schwegler 1B or equivalent) is recommended.

5.3 Reptiles and Amphibians

Habitats within the Site are of low suitability for reptiles and amphibians. No ponds are present on Site or within 250 m, and connectivity to amphibian breeding habitat is limited. A log pile and brick pile present on Site may provide occasional refuge opportunities for common fauna.

To reduce risk during construction:

- The log pile, brick pile, and any rubble or brash generated during works will be dismantled carefully by hand during suitable weather conditions, avoiding the main hibernation period where practicable.
- Vegetation clearance will follow a directional approach to allow animals to disperse into adjacent retained habitat.

Post-construction, small habitat features such as log or stone refugia may be retained or created within landscaped areas to provide shelter opportunities for common species.

No amphibian exclusion fencing or further survey is considered necessary given the low risk identified.

5.4 Small Mammals

The Site may be used opportunistically by hedgehogs and other small terrestrial mammals. Construction activities could pose a temporary risk of entrapment.

Precautionary measures will include:

- Covering excavations overnight or installing escape ramps.
- Careful dismantling of debris or vegetation piles.

As an enhancement, maintaining small gaps at the base of boundary features (“hedgehog highways”) is recommended to support continued connectivity.

5.5 Summary of Mitigation and Compensation Measures

A summary of all recommended measures is provided in Table 6.

Species	Mitigation	Compensation/Enhancement
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Bats	Precautionary ground-level inspection of trees prior to works; sensitive, directional lighting designed to avoid light spill onto retained vegetation and site boundaries.	Installation of 1 bat box (e.g. Schwegler 1FW or equivalent) on a retained tree or suitable structure.
Breeding Birds	Vegetation clearance undertaken outside the nesting season (March–August inclusive), or nesting bird check by a qualified ecologist where this cannot be avoided.	Installation of 1 bird nest box (e.g. Schwegler 1B or equivalent).
Reptiles & Amphibians	Careful hand dismantling of the existing log and brick piles; directional vegetation clearance to allow fauna to disperse; avoidance of works during hibernation periods where practicable.	Retention or creation of small log or stone refugia within landscaped areas.
Small Mammals (incl. Hedgehog)	Covering of excavations overnight or provision of escape ramps; careful removal of debris and vegetation piles.	Incorporation of low-level boundary gaps (“hedgehog highways”) to maintain permeability of the Site.

6. Biodiversity Net Gain

The Statutory Biodiversity Metric has been completed for the Site. Full details of the Biodiversity Net Gain are provided in Appendix 6. A completed version of the Biodiversity Metric has been submitted in a separate Excel document.

Table 7 – Summary of the results of the Biodiversity Metric.

On-site baseline	Habitat units – 1.00
	Hedgerow units – 0.00
	Watercourse units – 0.00

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On-site post intervention	Habitat units – 1.03
	Hedgerow units – 0.00
	Watercourse units – 0.00
Total net unit change	Habitat units - +0.03
	Hedgerow units – 0.00
	Watercourse units – 0.00
Total net % change	Habitat units - +2.91%
	Hedgerow units – 0%
	Watercourse units – 0%

7. Conclusion

The proposed development will result in the permanent loss and alteration of areas of modified grassland, vacant/derelict land and small sections of hardstanding associated with the construction of two buildings and establishment of managed garden space. Existing urban trees will largely be retained and integrated into the final layout.

The development has the potential to temporarily disturb common and widespread fauna using the Site, including nesting birds, foraging bats and small mammals associated with urban habitats. Appropriate mitigation and precautionary working measures are identified to avoid harm to protected species and to safeguard ecological function during construction.

The Biodiversity Net Gain assessment demonstrates that on-site habitat creation and enhancement alone will not achieve the statutory 10% uplift in area habitats. As such, the purchase of off-site biodiversity units from an approved provider will be required, with a minimum of 0.07 units necessary to meet statutory requirements.

Assuming the implementation of the mitigation and compensation measures set out within the report, the development can be delivered in accordance with wildlife legislation regarding statutory designated sites and protected species and comply with all policies concerning biodiversity within the National Planning Policy Framework (2024) and Policy ENV1-6 of the Black Country Core Strategy.

Appendix 1 - Reference List and Useful Sources

- Amphibian and Reptile Groups of the UK (2010) Advice Note 5: Great Crested Newt Habitat Suitability Index. London, Amphibian and Reptile Groups of the UK.
- British Standards (2012) BS 5837: 2012 – Trees in relation to design, demolition and construction. London, British Standards Institution.
- British Standards (2020) BS 42020: 2013 - Biodiversity Code of Practice for Planning and Development. London, British Standards Institution.
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Appendix 2 - Planning Policy & Legislation

National Planning Policy Framework 2024

The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2024) sets out the government's planning policies for England and how these are expected to be applied. The NPPF states that 'planning policies and decisions should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils in a manner commensurate with their statutory status or identified quality in the development plan.
- Recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions, such as air and water quality, taking into account relevant information such as river basin management plans.

A list of principles which local planning authorities should follow when determining planning applications is included in the NPPF which includes the following:

- Distinguish between international, national and locally designated sites.
- Allocate land with the least environmental or amenity value.
- Maintain and enhance habitats and green infrastructure networks.
- Enhance natural capital at a catchment or landscape scale across local authority boundaries.
- Give weight to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.
- Map and safeguard components of local wildlife-rich habitats and wider ecological networks, including wildlife corridors and stepping stones, and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments),

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should not be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Species Scientific Interest.

- Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The Wildlife and Countryside Act (WCA) 1981

The WCA is the primary piece of legislation relating to nature conservation in Great Britain. The Act is supplemented by provisions in the CRoW Act 2000 and the NERC Act 2006.

Part 1 of this act makes it an offence to intentionally or recklessly kill, injure or take any wild bird, to take, damage or destroy the nest of any wild bird while that nest is in use or being built, and/or to take or destroy an egg of any wild bird.

Part 1 also makes it an offence to intentionally or recklessly disturb any wild bird included in Schedule 1 of the act, and to take, damage, or destroy the nest of any wild bird included in Schedule ZA1. Schedule 5 lists non-avian species that are afforded various protections under Sections 9.1a, 9.1b, 9.2, 9.4a, 9.4a (Wales), 9.4b, 9.4c, 9.5a and 9.5b.

Schedule 8 lists plant species that are protected from intentionally picking, uprooting or destroying under Section 13.

Schedule 9 lists non-native invasive plants for which it is an offence under Section 14 to plant or otherwise cause to grow in the wild any part of said plants.

The Conservation of Habitats and Species Regulations 2017

Section 43 of Part 3 of this legislation makes it an offence to do any of the following with regards to European Protected Species (animals) as listed on Schedule 2:

- Deliberately capture, injure or kill any wild animal of a European protected species. • Deliberately disturb wild animals of any such species.
- Deliberately takes or destroy the eggs of such an animal.
- Damage or destroy a breeding site or resting place of such an animal. (Note: no intentionality is necessary to prosecute this activity).

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Section 43 of Part 3 of this legislation makes it an offence to do any of the following with regards to European Protected Species (plants) as listed on Schedule 5:

- Deliberately pick, collect, cut, uproot or destroy a wild plant of a European Protected Species.
- Be in position of or to transport said plant.

The Countryside and Rights of Way (CRoW) Act 2000

The CRoW Act applies only to England and Wales and importantly adds the word “reckless” to the offence of damaging or destroying a place a bat uses for shelter or rest or disturbing a bat while using a roost.

Natural Environment and Rural Communities Act 2006

Section 40 of Part 3 of this act compels public bodies (local authorities, police, fire and health authorities, and utility companies) with exercisable functions within England to consider actions to be taken to conserve and enhance biodiversity in England—in particular to have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992, any relevant local nature recovery strategies, and any relevant species conservation strategy or protected site strategy (prepared by Natural England).

Section 41 of Part 3 of this Act ensures the publishing of a list containing species and habitat types that are of principle importance for the purpose of conserving or enhancing biodiversity in England.

Wild Mammals (Protection) Act 1996.

Under this legislation it is an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with the intent to inflict unnecessary suffering.

Under this legislation it is an offence to (or intend to, or to be reckless as to whether your actions would have these consequences):

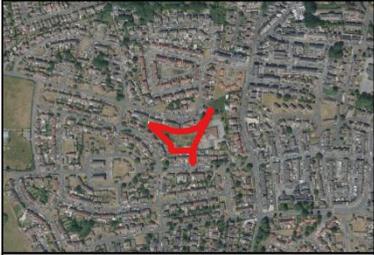
- Wilfully kill, injure or take (or attempts to do so).
- Damage or destroy any part of . (Note: no intentionality is necessary to prosecute these activities).
- Obstruct access to . (Note: no intentionality is necessary to prosecute these activities).
- Disturb when it is occupying (Note: no intentionality is necessary to prosecute these activities).

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Appendix 3 - Habitat Plan of the Site



Key

- Site Boundary
- Modified Grassland
- Vacant or Derelict Land
- Developed Land; Sealed Surface
- Individual Trees

15a Manor Way, Staincliffe, Batley,
WF17 7BX
Walter Mashumba
Q18704
4th February 2026
Version 1
Scale 1:700



Appendix 4 - Habitat Proposals



Key

-  Site Boundary
-  Developed Land;
Sealed Surface
-  Vegetated Garden
-  Individual Trees

15a Manor Way, Staincliffe, Batley,
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Walter Mashumba
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Appendix 5 - Photographs



Image 1 – Vacant or Derelict Land situated in the East aspect of the site



Image 2 – T1 Sycamore (Acer pseudoplatanus) – located in the East aspect of the site



Image 3 – T2 Sycamore (Acer pseudoplatanus) – located in the East aspect of the site



Image 4 – T3 Sycamore (Acer pseudoplatanus) – located in the East aspect of the site



Image 5 – T4 Lime (Tilia x europaea) – located in the central aspect of the site



Image 6 – Modified Grassland located in the central aspect of the site



Image 7 – Modified Grassland located in the central aspect of the site



Image 8 - Vacant or Derelict Land situated in the West aspect of the site



Image 9 – Developed Land; Sealed Surface situated in the Southern aspect of the site



Image 10 – Log pile situated in the central aspect of the site



Image 11 – Brick pile situated in the North aspect of the site



Image 12 – Brick pile situated in the North aspect of the site

Appendix 6 – Biodiversity Net Gain

1. Introduction

ProHort Limited have been commissioned by Walter Mashumba to conduct a Biodiversity Net Gain Assessment for 15a Manor Way, Staincliffe, Batley, WF17 7BX (grid reference: SE 23591 23597). A site survey was undertaken on the 27th January 2026 and a desktop study was undertaken in February 2026.

The Local Planning Authority has requested that a Biodiversity Net Gain (BNG) Assessment is completed to support the planning application. The development includes the erection of 2 buildings and the change of use of land to support the cultivation of organic vegetables and herbs.

Kirklees Metropolitan Council requires developments in the area to achieve a net gain in biodiversity, with a minimum of a 10% gain compared to the pre-development value of the site. A quantitative measure of the base value of a Site for biodiversity, and the value of a Site post-development, is arrived at by using a recognised Biodiversity metric. Biodiversity metrics measure the value of a Site in terms of Biodiversity Units. Biodiversity Units are a proxy measure of biodiversity, arrived at by assessing the type, area and condition of semi-natural habitats on site. A limitation of the use of metrics is that they only measure habitat areas, and do not consider species-specific measures which may nevertheless make meaningful contributions to gains in local biodiversity.

2. Methodology

The pre-development (baseline) and post development (proposed) value of the habitats have been calculated using the DEFRA/Natural England's Statutory Biodiversity Metric calculator. The methodology for determining habitat distinctiveness and condition values, follows the guidelines set out in the User Guide and Technical Supplement for Biodiversity Metric.

The current assessment utilised the principles outlines in the 'Mitigation Hierarchy' denoting the steps involved in reaching the conclusions outstated in this report and preserving natural features and resources of importance. The 'Mitigation Hierarchy' states:

- Avoid: The easiest, cheapest and most desirable method of reducing potential impacts of the proposed development.
- Minimise: Where avoidance is not possible, measures can be taken to minimise the impacts of the proposed development.
- Mitigate: Where minimisation is not possible, measures can be taken to enhance/ create on Site habitats to compensate for potential losses caused by the proposed development.
- Offset: Where mitigation is not possible, on-site habitat loss must be compensated off site. This should be utilised as a last resort for compensating losses as it is the most risk involved, expensive and complex solution.

3. Habitat Baseline

The value of the area baseline habitats was calculated using the Statutory Biodiversity Metric and is outlined in Table 8 below.

Table 8 – area habitat baseline calculation

Habitat	Notes	Area (ha)	Habitat Units	Area retained	Area enhanced	Units lost
Modified grassland	Poor	0.209	0.42	0	0	0.42
Developed land; sealed surface	N/A - Other	0.116	0.00	0	0	0.00
Vacant or derelict land	Moderate	0.087	0.35	0	0	0.35
Urban tree	Moderate	0.029	0.23	0.029	0	0.00
Total Habitat Area		0.44	1.00	0.03	0	0.77
Site Area (exc. urban trees)		0.41				

The area habitat baseline of 1.00 units must be enhanced by 10% resulting in at least a 1.10 unit baseline post intervention. If this cannot be achieved on Site, off Site credits will need to be acquired.

4. Proposed Habitats

All habitats proposed within the Site are outlined below:

- Developed Land; Sealed Surface
- Vegetated Garden
- Urban Trees

The location of these proposed habitats can be seen in Appendix 4.

We outline indicative suggestions on how such habitats may be established and should be treated as general guidelines. Explicit details and tailored plans should be created to establish the habitats in the relevant conditions. A Habitat Management and Monitoring Plan is recommended.

4.1. Developed land; sealed surface

The proposed development will result in the creation of additional areas of Developed land; sealed surface, associated with the erection of two new buildings, along with associated hardstanding such as access routes, service areas and potentially small sections of paved or compacted surfaces.

4.2. Vegetated garden

The proposed development includes the establishment of vegetated garden throughout the site. In order to establish a vegetated garden, any existing vegetation will be cut short. A grass seed mix containing a range of species will be distributed around the area. This will then be rolled in to increase likelihood of establishment. This will contain species that can handle heavy management e.g. red clover (*Trifolium pratense*), white clover (*Trifolium repens*), ribwort plantain (*Plantago lanceolata*), yarrow (*Achillea millefolium*), black medick (*Medicago lupulina*), common sorrel (*Rumex acetosa*) and a mix of grass species.

4.3. Urban Trees (Individual Trees)

The proposed development will retain trees on site, and introduce small, moderate condition trees, located within the landscaped areas surrounding the new buildings and vegetated garden. These trees will remain as isolated specimens within a developed setting rather than forming continuous woodland cover. Urban trees will provide important structural diversity within the scheme, offering shade, visual screening and ecological benefits. They will continue to support nesting and foraging opportunities for birds, bats and invertebrates, and will contribute to habitat connectivity within the wider urban landscape. Where necessary, protective measures during construction will ensure that retained trees are safeguarded and integrated into the final layout.

5. Achieving a Net Gain in Local Biodiversity

Under the mandatory BNG regime, habitats determined by the LPA to constitute “significant on-site enhancements” must be retained, appropriately managed, monitored and reported on for a minimum of 30-years following completion of development, and this requirement must be legally secured by a Conservation Covenant.

The application needs to be supported by clear, site-specific proposals e.g. details of long-term management and monitoring, a draft long-term management plan (Habitat Management and Monitoring Plan [HMMP]) - set out “initial” habitat creation and enhancement works and to demonstrate that appropriate management will be delivered so the predicted target conditions are achieved. In addition to long-term management of these habitats, appropriate long-term management of retained habitats is required to ensure they do not decline / deteriorate in condition.

6. Conclusion

The development will not result in a measurable loss to local biodiversity.

There will be a total uplift of 2.91% biodiversity of area habitats. This will be achieved through the onsite planting of small moderate condition trees. In order to achieve the obligatory 10% uplift of area habitats, at least 0.07 off site biodiversity units must be acquired.

Offsite biodiversity units can be obtained through local landowners, habitat banks and the market which can be found through your LPA, a broker etc. If this is not possible statutory biodiversity credits must be purchased from the UK government as a last resort. The number of statutory credits required is 0.14 A1 units. These units are exclusively purchased from the government and the cost of these is inflated to equate 2 credits per 1 off site biodiversity unit.

As mitigating and minimising was not a viable option due to the scale of the project off setting was the only feasible option.

7. Other Recommended Enhancements

Enhancements for bats and birds are recommended due to the proximity of the Site to a number of priority woodland parcels. It is likely bats and birds will use the site for commuting and foraging. It is proposed that 1 bat box for crevice dwelling species and 1 bird box are installed on the buildings or mature trees. Green and Blue Bee Bricks should be used within any new brick walls to be constructed. A Biocube planter should also be placed within the Site to provide a habitat for a wide variety of species. This species intervention would enhance local biodiversity.