

**Sent:** 05 March 2026 11:38

**Subject:** 2026/90343 at location 54, Victoria Street, Clayton West, Huddersfield, HD8 9NW

Please see ecological commentary below:

**Designations**

No issue

Reviewed:

- Preliminary Ecological Appraisal (Arbtech, May 2025)
- Bat Roosting Potential Survey (JCA, June 2025)
- BNG Statutory Metric (Ian Dickinson (Principal), Feb 2026)
- Existing Site Plan (iD Projects, December 2024)
- Proposed Site Plan (iD Projects, November 2025)

**Onsite habitats and species**

The site consists of vegetated gardens with introduced shrubs, hardstanding, bare ground, mixed native scrub, a wall (built linear feature), and 11 scattered trees. The proposed development will result in the loss of areas of vegetated garden with introduced shrubs in addition to removal of 7 of the 11 trees currently on site.

- Bats
  - Two of the scattered trees (T6 and T7) are mature Sycamores with potential bat roost features. These were examined further by a licenced bat surveyor and found to not contain roosting opportunities for roosting bats.
  - The vegetated garden with ornamental shrub, mixed scrub and trees all moderate suitability for foraging and commuting bats
  - The stone wall onsite was assessed for crevice dwelling bats – no evidence of bats was recorded. An informative for bats will be provided.
- Birds – the trees onsite were considered to have suitability for nesting birds. Removal conditions for outside bird nesting season is to be added.

- Invasive species – Sch 9 listed species Rhododendron was observed onsite. Removal / management conditions will be added.
- Tree protection measures for retained trees onsite are recommended and to be conditioned.

Enhancements for bats, birds and hedgehogs have been provided, and a condition will be added.

**BNG**

Baseline calcs

- The trees mentioned in the PEA report are not mentioned in the “Baseline habitats” of tab “5. Area habitats” of the metric.
- The metric is missing “mixed native shrub” as mentioned in the PEA.
- The wall (built linear feature) is also not mentioned.

The baseline calcs are not validated.

Post development calcs

- 2no large trees are mentioned to be planted / created as part of post-development habitats  
The Small Sites Metric User guide states that “When planting trees post-development size class is determined by the size of the tree at site-planting.” The natural size increases of planted trees within post-development calculations must not be recorded. Newly planted individual trees must be recorded as “Small” at the time of planting unless tree translocation is taking place. No management plans indicate that large tree translocation is taking place. As such, a revised metric where the trading rules are met and the Number of New Trees Planted Post-Development column within 1d. – Tree area calculator uses the Small categorisation for trees is required prior to decision.
- Also, the 2no large trees to be planted will have a canopy that will result in 1,530m<sup>2</sup>, while the site is mentioned to be 561.64m<sup>2</sup>, which would not be possible. This is not in line with metric principles 7 and 9 of the BNG requirements.

Both matters make the Biodiversity Gain Plan invalid.

### **Suggested conditions**

BNG conditions to be provided, once an appropriate BNG plan is provided.

#### Birds

No removal of trees that may be used by breeding birds shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds’ nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

#### Habitats / Species

A condition for a CEMP: Biodiversity (Construction Environment Management Plan) is advised, e.g. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

- Mitigation measures for the Kirklees Habitats Network, which is part of and adjacent to the site.

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

#### Tree protection

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

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

The root protection fencing will define the works exclusion zone around hedgerows and trees. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone, unless agreed in writing with the LPA. The approved hedgerow and tree protection measures will remain in place until the completion of development or unless otherwise agreed in writing with the LPA.

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

#### Invasive species

No works shall commence on-site prior to the completion of an invasive species survey and appropriate removal and / or management plan and agreed in writing with the council. The survey must be undertaken at the optimal time of year; between May and September.

Schedule 9 of the Wildlife and Countryside Act 1981 lists non-native species that are considered harmful to native biodiversity and habitats in the UK. It is illegal to release, plant, or allow these species to grow in the wild.

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

#### Ecological Design Strategy / BEMP – for, biodiversity, bats, hedgehogs, and birds

No development shall take place until an ecological design strategy (EDS) addressing mitigation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a. Purpose and nature conservation objectives for the proposed works.
- b. Review of site potential and constraints.
- c. Detailed design(s) and/or working method(s) to achieve stated objectives.
- d. Extent and location/area of proposed works on appropriate scale maps and plans.
- e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g. Persons responsible for implementing the works.
- h. Details of initial aftercare and long-term maintenance.
- i. Details for monitoring and remedial measures.
- j. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details, and all features shall be retained in that manner thereafter.

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

Many thanks, Katie

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