

DC Admin

From: ENVU Biodiversity and Land Use
Sent: 07 April 2026 10:40
To: Planning ContactCentre
Subject: 2026/90438 at location 49, Cross Bank Road, Carlinghow, Batley, WF17 8PN

Hi There,

Please see ecological commentary below:

Designations

No issue

Onsite habitats and species

The site consists of built-up areas and garden, bare ground, vegetated garden, hardstanding, gravel, shrub, 7no buildings and scattered trees. There is a priority habitat comprises priority lowland mixed deciduous woodland, located immediately adjacent to the western boundary of the site.

- Bats – Buildings B1 and B6 were noted to have low potential for roosting bats. 1no presence / absence survey is required for each building. This must be completed prior to determination. A lighting strategy should be provided for the adjacent woodland. Trees T3 and T4 provide opportunities for roosting bats. These are to be retained, and tree protection measures will be conditioned. A PWMS will also be conditioned for all other buildings.
- Amphibians – there are no ponds within 500m of the site, however the site does offer opportunities for common amphibians. A PWMS has been recommended and will be conditioned.
- Reptiles - the site does offer opportunities for reptiles. A PWMS has been recommended and will be conditioned.
- Birds – the site does offer opportunities for nesting birds. Precautionary measures will be provided in a CEMP.

- Invertebrates – the site offers value for invertebrates. Precautionary measures will be provided in a CEMP.
- Hedgehogs – the site offers value for hedgehogs. Precautionary measures will be provided in a CEMP.
- Enhancements have been recommended for bats, birds, invertebrates, hedgehogs, and biodiversity.

BNG

The development appears to be within the original footprint of the building / hardstanding (according to the description provided by the application) and is therefore BNG requirements are exempt as set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended). Should more information come to light, please do let me know.

Suggested conditions

Habitats / Species

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

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"

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

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

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

Lighting strategy

No works are to commence unless a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

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

Tree protection

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

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

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

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

Bats – reserved matter

The bat emergence surveys must be completed within the bat survey season (1st May to 31st August inclusive).

No works shall commence until the surveys are completed, and a copy of the report is provided to the council and approved in writing.

Should an EPS bat licence be required this must be provided prior to works and approved by the council in writing.

Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Reason: For the LPA to discharge its duties as a competent authority under The Conservation of Habitats and Species Regulations 2017 (as amended) in relation to European Protected Species.

PWMS - Bats

A condition for the provision of a detailed Precautionary Working Method Statement (PWMS) is advised, e.g. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of bats shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to bats, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand stripping around potential bat roosting features.

In the event of encountering a bat, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.

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

PWMS - reptiles

A condition for the provision of a detailed Precautionary Working Method Statement (PWMS) is advised, e.g. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of reptiles and amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to reptiles and amphibians, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand search around potential reptiles and amphibians features.

In the event of encountering a reptiles or amphibians, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.

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

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

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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