

Michael Wilson
Westwood Wilson Ltd.
Kent House,
81 High Street,
Cranleigh,
GU6 8AU

Updating Ecological Appraisal – Westwood Mills, Linthwaite

Brooks Ecological Ltd was commissioned by Westwood Wilson Ltd. to carry out an Updating Ecological Appraisal (PEA) of land at Westwood Mills, Low Westwood Lane, Linthwaite (SE 094 145).

This document provides an update to the Preliminary Ecological Appraisal prepared by Brooks Ecological Ltd. in March 2016 (R-2506-01), and these two documents should be read to conjunction for full context.

Figure 1 Red line boundary



Desk Study

Water Bodies

The assessment made within R-2506-01 remains the same.

Wildlife Corridors

The assessment made within R-2506-01 remains the same.

Designated Sites

Statutory Designations

The assessment made within R-2506-01 remains the same.

Non-Statutory Designations

West Yorkshire Ecology Service have supplied information regarding non-statutory designations within a 2km radius of the Site.

The assessment made within R-2506-01 remains the same.

Kirklees Wildlife Habitat Network

The assessment made within R-2506-01 remains the same.

Survey

An updating walkover survey was carried out during March 2019¹ and followed Phase 1 habitat survey methodology (JNCC, 2010).

Limitations

The survey was carried out in early spring when many plant species have died back however the habitat types could still be assessed at this time by the surveyor.

Whilst the majority of the site was accessible at least 10% was occupied by dense impenetrable vegetation which could not be closely inspected.

Results

The Site has changed very little since 2016. As before, it comprises an array of species-poor habitats that have established following a lack of management. Whilst these habitats have gone through natural succession, their extents have changed minimally (as shown in D-3976-01.1), with those species recorded unanimous to those detailed in R-2506-01. The one exception to this is the extent of invasive species, as detailed later in the report.

The following habitats were identified within the Site and on its immediate boundaries:

- Buildings
- Semi-improved neutral grassland
- Hardstanding
- Scrub / tall ruderal
- Secondary woodland
- Trees
- Standing water
- Flowing water

¹ This document has been prepared during August 2019 following a visit to the site in March 2019 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.



Figure 3

Semi-improved neutral grassland
in the west



Figure 4

Secondary woodland in the
north-west



Figure 5

Hardstanding with short ephemeral in the east



Figure 6

Low Westwood pond SSI & LWS in the east

Fauna

Five new faunal records have made since 2016, all of which relate to birds (herring gull, house sparrow and starling) recorded >1.9km from the Site.

Bats

Bat Roost Suitability Assessment

Since 2016, the buildings have continued to deteriorate with most of the roof structures having now collapsed. This has exposed a lot of the previously identified features to the elements, with significant water ingress apparent.

Overall, this has reduced the suitability of the buildings and the buildings are now collectively assessed as having moderate bat roosting suitability.

No trees are found to have any features able to support roosting bats. The vertical fissure previously identified was found to be sealed and now offers negligible roosting suitability.



Figure 7

General view of buildings- note roof structure now missing since 2016

Foraging / commuting

The assessment made within R-2506-01 remains the same.

Amphibians

The assessment made within R-2506-01 remains the same.

Birds

The assessment made within R-2506-01 remains the same.

Water vole

The assessment made within R-2506-01 remains the same.

Otter

The assessment made within R-2506-01 remains the same.

White-clawed crayfish

The assessment made within R-2506-01 remains the same.

Reptiles

The 2016 report recommended further survey for this species group. Whilst the Site still does support pockets of suitable habitat for reptiles, they are not recorded locally, and it is thought that dedicated survey for this species group would be disproportionate to the risk of directly impacting them. Accordingly, directional clearance of the Site is now deemed sufficient to prevent accidental killing or injury- this conclusion has been supported by the Kirklees Council Ecologist.

Invasive Non-Native Species (INNS)

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. The following species were recorded in 2019 with the extent of both having changed since the 2016 survey:

- Japanese Knotweed
- Himalayan balsam

The areas of Japanese knotweed have been controlled somewhat by a herbicide treatment with the majority of stands showing evidence of recession. However, periphery growth and stands within the River Colne channel show last season's growth indicating that these plants are still viable.

The on-going management plan should ensure that those involved have the correct permissions for working near watercourse to ensure those areas adjacent to the River are controlled.



Figure 8

Japanese knotweed within River Colne channel (untreated) and within Site boundary (largely treated)

Himalayan balsam was originally found in the west of the Site. Since 2016, it has spread across the Site, with seedlings now noted Site-wide. The Management Plan for Japanese knotweed should incorporate how Himalayan balsam will be managed on Site.

Ecological Constraints and Opportunities Plans (ECOP)

Constraints to Development

The habitats on Site, although relatively common, occupy a position between the River Colne and The Huddersfield Narrow Canal which increases the Site's ecological significance. Much of the Site is included within the Kirklees Wildlife Habitat Network (KWHN), which includes areas targeted for enhancement and protection through the planning process. Proposals for the development will need to ensure the function of this corridor is maintained. This can be achieved through targeted landscaping and enhancement though potential sacrifices may be required with regards to the current masterplan.

The River Colne is directly connected to the Site, and the development has the potential to result in contamination of the river and downstream habitats. Rivers are listed as Habitats of Principle Importance under the NERC Act, and also listed as a Kirklees BAP habitat. A Construction Environment Management Plan (CEMP) will need to be produced and strictly adhered to in order to prevent negatively impacting on the river. The elevated position of the canal suggests this water body will avoid potential impacts. The CEMP is likely to be produced as a Condition of Planning.

Japanese knotweed and Himalayan balsam have been identified on Site and will need to be brought under control. An Invasive Weed Management Plan should be produced for the Site.

The development has the potential to significantly impact on Low Westwood Pond SSI / LWS via its contamination during the construction process. Additionally, should floating water plantain still be present within the water body, the development could risk damage / destruction of the plant, and therefore result in an offense under European law. In order to assess whether the pond still supports this species, further survey will be required. Due to the nature of this survey, which can potentially damage the plant, a survey licence will need to be sought from Natural England. Measures to prevent contamination of this pond will need to be set out in the CEMP.

Opportunities for Development

Development of the Site offers the opportunity for ecological enhancement which should go beyond mitigating or compensating any potential impacts (as set out in the NPPF BS:42020). These enhancements can be detailed in an Ecological Design Strategy.

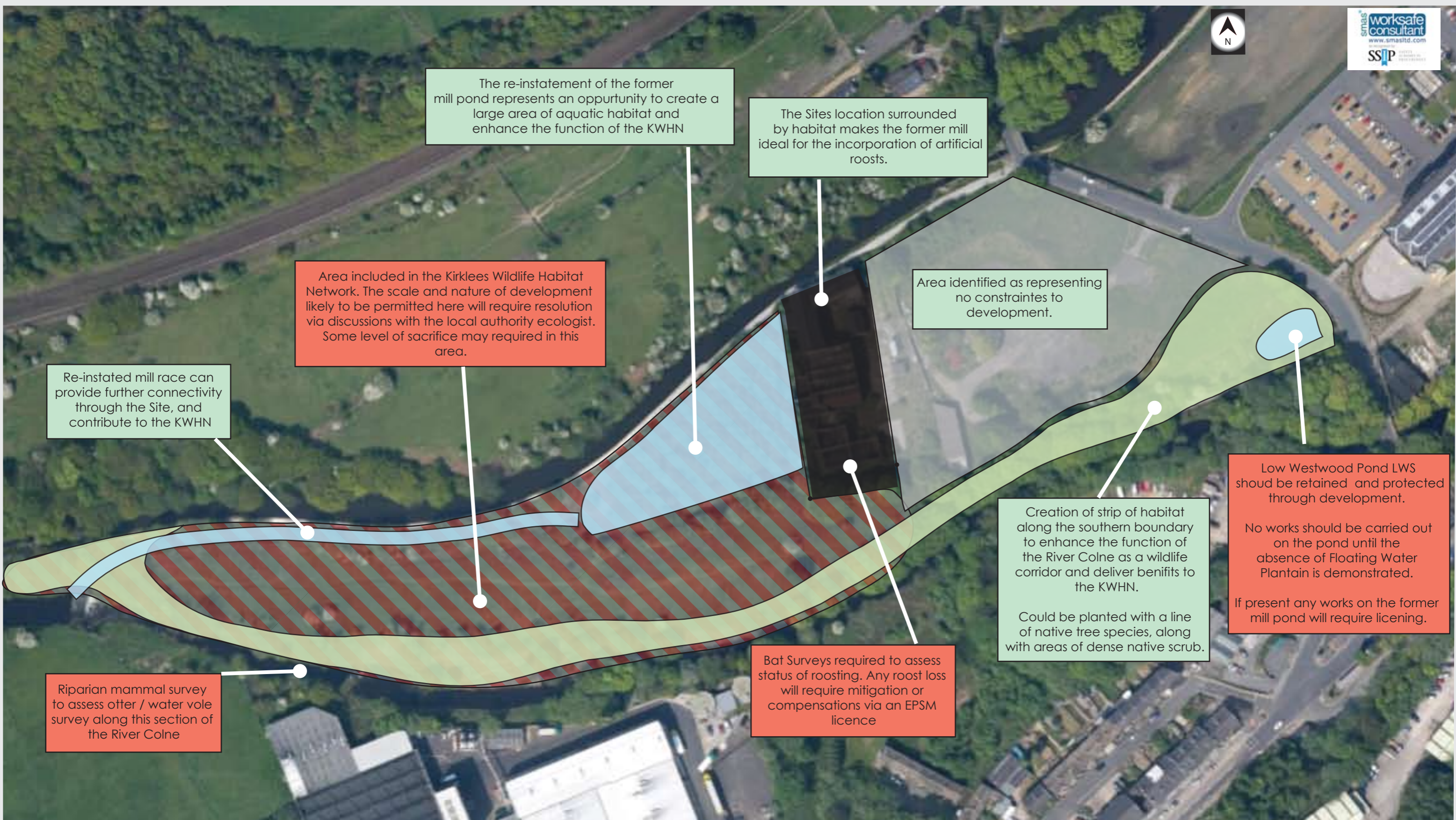
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The Ecological Constraints and Opportunities Plan taken from R-2506-01 suggests a framework for the layout of the Site. It is recommended that discussions are opened with the council ecologist who will be considering the application, to determine the level of mitigation which will be expected, particularly in relation to the loss of areas of the KWHN.



Unit A, 1 Station Road, Guiseley,
LEEDS LS20 8BX
Phone **01943 884451**
Phone **01943 879129**
Email: admin@brooks-ecological.co.uk
www.brooks-ecological.co.uk
Registered in England Number 5351418



The re-instatement of the former mill pond represents an opportunity to create a large area of aquatic habitat and enhance the function of the KWHN

The Sites location surrounded by habitat makes the former mill ideal for the incorporation of artificial roosts.

Area included in the Kirklees Wildlife Habitat Network. The scale and nature of development likely to be permitted here will require resolution via discussions with the local authority ecologist. Some level of sacrifice may required in this area.

Area identified as representing no constraints to development.

Re-instated mill race can provide further connectivity through the Site, and contribute to the KWHN

Low Westwood Pond LWS should be retained and protected through development.
No works should be carried out on the pond until the absence of Floating Water Plantain is demonstrated.
If present any works on the former mill pond will require licencing.

Creation of strip of habitat along the southern boundary to enhance the function of the River Colne as a wildlife corridor and deliver benefits to the KWHN.
Could be planted with a line of native tree species, along with areas of dense native scrub.

Riparian mammal survey to assess otter / water vole survey along this section of the River Colne

Bat Surveys required to assess status of roosting. Any roost loss will require mitigation or compensations via an EPSM licence

Conclusion and recommendations

Guidance provided by Clause 8 BS:42020 and ODPM circular 06/05 (2005) makes it clear that proposals and planning decisions should be informed by sufficient information - this is particularly the case in respect of European Protected Species (EPS).

Additional surveys will be required in terms of confirming and supporting this preliminary assessment. These are summarised in the tables below:

Table 1 Recommendations to support planning

Issue	Why	When calculated on the date of this report.
Bat activity survey	The level of mitigation required will need to be informed by the value of the bat assemblage using them. Information on bat assemblages will inform proposals for habitat enhancement.	Monthly transects from April to October with remote monitoring of key features.
Bat roost survey	Would identify any conflicts between bat roosts and the proposals. Disturbance or destruction of roosts being a criminal offence*.	Two surveys between May – August.
Riparian mammal	Impacts on otter / water vole and their habitat are prohibited by law* Clause 8 BS:42020 requires decisions to be made based on adequate information.	Walkover surveys the River Colne frontage during low water in March – September.
Breeding birds	The Site represents a range of habitats which could be of importance to local bird populations. This survey is required to characterize the assemblages using the Site, in order to characterize use of the Kirklees Wildlife Habitat Network and direct any required mitigation, or enhancements.	Three surveys in the period March – June.
Floating water-plantain	This species is listed on Schedule 8 of the Wildlife & Countryside Act (1981) and as such it is an offence to intentionally or recklessly cause its destruction. Site activities, and any works on the pond (i.e. reprofiling) has the potential to result in an offence. Survey is required to determine its current status, and inform mitigation / enhancements.	July – The time required to secure a licence for this survey will need to be considered.

Issue	Why	When calculated on the date of this report.
Produce an Ecological Impact Assessment (EclA)	Once all recommended surveys have been carried out and the key findings from these have been fed into the final design, an EclA is needed to summarise the effects of the development.	Prior to submission
Produce an Ecological Design Strategy (EDS)	Sets out how the design can deliver gains for wildlife. This document will inform a Landscape Masterplan.	Prior to submission

Some further surveys will inform precautions taken during the Site's development, but will not impact on the layout or planning decisions. These are best carried out once development timescales are known. They can be time constrained and information on those required at this Site is provided below to aid project planning.

Table 2 Other recommendations

Issue	Why	When calculated on the date of this report.
Invasive Weeds Management Plan	If not already in place, an Invasive Species Management Plan should be prepared to carry out a dedicated invasive weed survey and detail how Invasive Weeds on the Site will be managed.	May-August (the growing season)
Nesting bird management	To prevent the proposed works impacting on nesting birds, any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.	Pre- and during - clearance

The following features should be incorporated into the project in relation to the protection of ecology and compliance with Policy and best practice.

Table 3 Issues to be addressed in layout or project design

Issue	Rationale
A large proportion of the Site lies within the Kirklees Wildlife Habitat Network (KWHN). Discussions should be opened with the council ecologist in order to determine the level of development to mitigation / enhancement required.	Compliance with NPPF (including) Para 109 and Para 118. Kirklees Council policy DLP31
A Construction Environment Management Plan (CEMP) should be provided by the projects main contractor. This would include a chapter on biodiversity with specific input from an ecologist and would set out (amongst other issues) the protection of watercourse and still water bodies.	Good practice requirement BS 42020:2013 (Clause 10). There may be advantages to presenting this in illustrative form as part of any application package.
A drainage plan for the operational site should be produced which shows the settlement and retention of surface water on site and the suitable control of sediment and pollution prior to discharge.	Good practice requirement BS 8582:2013