

**Consultation Response from KC,
 Ecology Unit**
**2026/91076 Builders Yard, The Old Brickworks, Top O' Th' Bank, Thurstonland,
 Huddersfield, HD4 6UY**
Demolition of existing building and erection of detached dwelling with ancillary works
Date Responded: 12/05/2026
Responding Officer: Z. Hanshaw
Responding Ref: 2605/06

I have reviewed the documents submitted and I am not satisfied that there is sufficient ecological information for determination.

The Preliminary Ecological Appraisal Report (PEAR), (JCA, March 2026) concludes that further surveys for amphibians/Great Crested Newts, and bats are required. The PEAR states that *“A HSI survey is recommended on pond 2 within 500m of the site and further eDNA surveys may be required following the HSI. Mitigation may also be required depending on the results of the eDNA survey.”* And *“As the site has been considered to have a high potential of supporting bat roosting sites, we recommend that three bat emergence surveys should be carried out to establish the absence/presence of roosting bats at Land at The Quarry, The Old Brickworks.”*

Bats are legally protected under the EC Habitats Directive and UK legislation, including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). With limited exceptions, it is a criminal offence to intentionally or recklessly capture, kill, disturb bats in their shelter, or damage or destroy a bat roost. Roosts are protected whether or not bats are present. Similarly Great Crested Newts are protected under the same legislation. Activities that may constitute a legal offence include deliberately capturing, killing, injuring, or disturbing great crested newts; damaging or destroying their breeding or resting places; obstructing access to their sheltering sites through deliberate action or lack of due care; possessing, selling, controlling, or transporting live or dead newts or any part of them; and taking great crested newt eggs

Bat and Great Crested Newt surveys must therefore be undertaken, prior to determination, in accordance with ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System). The LPA requires certainty of the impacts of the proposed development on protected species to ensure that appropriate mitigation and compensation measures are included within the proposals, prior to determination.

Additionally, the Biodiversity Accounting Assessment Report (JCA, April 2026) states that off-site biodiversity enhancements will be included to ensure that this development delivers a 10% Net Gain for Biodiversity in line with the requirements of the Environment Act 2021. As this enhancement is off-site, a legal agreement will be required to secure these enhancements. Alternatively, as it looks like the offsite area is adjacent to the proposed development, the red line boundary of this development could be amended to include the biodiversity enhancement area, and the Biodiversity Net Gain can be secured via a condition.