

**Consultation Response from KC,
Ecology Unit**
**2026/92441 Disused Railway Embankment, off Crosland Factory Lane to Fold Farm Lane,
Netherton, Huddersfield, HD4 7FB**
**Formation of accessible, 755m long path for walking, wheeling and cycling primarily along
the top of a disused railway embankment**
Date Responded: 01/10/2026
Responding Officer: Z. Hanshaw
Responding Ref: 2610/02

I have reviewed the documents submitted with this application, including the Preliminary Ecological Appraisal (Brooks Ecological, November 2024), the Badger Assessment and Report (Brooks Ecological, January 2025), the Invasive Non-Native Species Survey (INNS) (Brooks Ecological, January 2025), the Biodiversity Net Gain Metric and the Biodiversity Net Gain Assessment (Brooks Ecological, September 2025).

Whilst I support the principle of the proposals, there are ecological issues which need to be resolved.

Firstly, I would note that on the first page of the ecological reports by Brooks Ecological, there is information to state that each report is only valid for 18 months. It is therefore considered that all of the ecological reports are out of date and will need to be verified by an updated walkover survey, and further species-specific surveys as necessary.

Secondly, the Preliminary Ecological Appraisal states that further surveys for Great Crested Newts are required, or a mitigation strategy will be required. No reference to the Great Crested Newts Rapid Risk Assessment is made, to detail the appropriateness of a mitigation strategy. I would recommend that further information on the likelihood of Great Crested Newts being present and affected by the proposals is provided. If it is considered that no impacts on Great Crested Newts can be achieved through the use of detail mitigation, then the details this mitigation will need to be provided prior to determination.

The Preliminary Ecological Appraisal also states that further bat surveys are required on the trees to be removed, and in the preapplication response sent by KC Ecology, hibernation surveys were also recommended. No further bat surveys have been undertaken, and no information is provided in the ecological reports on the trees to be removed. Further information on the bat roosting suitability of the trees to be removed, and further bat surveys of the tunnels need to be provided prior to determination.

The above information is required as the Authority requires certainty of the likely impacts of the proposal on protected species.

I would also note that the INNS survey was undertaken in November, and page 4 of the report details "*Subsequent surveys for INNS should be carried out during the period May—September to ensure optimal detectability and ideally May—June to ensure plants are identified prior to some species setting seed so that more effective control can be achieved should they be present on the site.*" These surveys do not appear to have been completed, and further survey for INNS onsite should be completed, and the results provided.

Additionally, I am not satisfied with the Biodiversity Net Gain Assessment. The proposals will include 2265m² of new hard standing within the woodland. The walkover surveys were completed

in October and September, which are outside of the peak season for botanical surveys, and so does not pick up on if any vegetation is likely present along the bank to during the summer season. Nor does not consider the impact of the loss of 2265m² of bare soil/vegetation within the woodland, especially considering the site is Priority Habitat. It is considered that Biodiversity Net Gain will apply, as the development will impact the habitats. Further information on how the site can achieve a net gain for biodiversity should be provided. I would accept that the baseline for the area to be surfaced could be classed as bare ground, with appropriate justification and survey, for the purpose of completing the Biodiversity Net Gain metric.