

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended)**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR  
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

**Reference No:** 2020/44/93025/E

**Site Address:** The Laithe, 1, Abbey Gardens, Shepley, Huddersfield,  
HD8 8FT

**Description:** Discharge condition 5 (bat survey) on previous  
permission 2020/90778 for erection of first floor  
extension over existing garage

**Recommending Officer:** Katie Wilson

**DECISION – DISCHARGE OF CONDITION 5 APPROVED**

**I hereby authorise the approval of this application for the reasons set  
out in the officer's report and recommendation annexed below in  
respect of the above matter.**

Paul Dowd

***AUTHORISED OFFICER***

**Date: 16-Dec-2020**

## 2020/93025- Officer Report

This discharge of condition application is pursuant to planning permission 2020/90778 for the erection of first floor extension.

The application seeks to discharge the following condition:

5. No development shall take place (including any demolition, or internal or external works to existing structures) until an ecological survey sufficient to investigate the integrated bat brick on the building has been undertaken and used to prepare an Ecological Impact Assessment focusing on bats, which shall be submitted to and approved in writing by the local planning authority. All survey and reporting shall be undertaken following national good practice guidelines.

**Reason:** this is a pre-commencement condition to ensure that the presence or likely absence of roosting bats is determined prior to any activities that could impact bats or their roosts, and consequently result in an offence under regulation 43 of the Conservation of Habitats and Species Regulations 2017. The protection of priority species is a requirement of Policy LP 30 of the Kirklees Local Plan.

### Assessment – Condition 5

The applicant submitted a bat survey report by SLR (ref: 424.11124.00001 version 1 September 2020). It comprised a desk-top study together with field survey, including building inspection for bats and results of bat evening emergence survey and dawn re-entry survey.

Conclusions were given at the end of the report in an ecological impact assessment.

No roosting bats were recorded during the dusk emergence or dawn re-entry surveys, and no bats or evidence of bat occupation was identified during the building inspection.

Beyond the integrated bat box itself, no further features were identified with appreciable potential to support roosting bats. As such, roosting bats are concluded to be likely absent at the current time. Roosting bats are, therefore, assessed as being unaffected by the extension proposals. Therefore, there are no licensing requirements, and the production of a method statement is not required.

Given that bats can switch roosts it is likely that bats may roost in the box in the future, and so the existing bat box should be left in-situ. It was also noted that the approved extension will reduce the space between the box entrance and the apex of the roof below; this may reduce the attractiveness of the box to roosting bats as they have a reduced flight space to drop out of the box if emerging; and it may leave the box slightly more vulnerable to predation.

As a precaution and a measure of best practice, the following is recommended:

- that the entrance of the bat box should not be obstructed during the construction activities, for example by avoiding erecting scaffolding or storing other building materials directly over the entrance.
- Direct artificial lighting should be avoided on the box entrance.
- In order to provide a second roosting option for bats, and to accord with planning policy for ecological enhancement, it is recommended that a second bat box be erected, either integrated into the fabric of the wall in the same manner as the existing box (i.e. a design such as Schwegler 1FR bat tube) or fixed onto the exterior (i.e. a design such as Beaumaris Woodstone Bat Box). The box should be sited at a minimum of 3-4m above ground level with an uncluttered clear flight path to the box. Bat boxes can be purchased from specialist suppliers such as nhbs.

No other protected or notable species would be impacted by the proposed development, and as such no further measures or precautionary working measures are recommended.

The bat survey report has been reviewed by the Council's biodiversity officer, who accepts it as justification for the discharge of condition 5, provided all ecological measures cited as recommendations within Section 4.0 are implemented.

Kirkburton Parish Council – “no comment”

Overall, the proposal is considered acceptable to discharge condition 5 of planning approval 2020/90778.

## **Decision text**

### **Condition 5 (bat report):**

The submitted bat survey report by SLR (ref: 424.11124.00001, version 1, September 2020) is satisfactory for the requirements of condition 5 and so it can be discharged.

The development shall be carried out in accordance with all the ecological measures cited as recommendations in Section 4.0 of the bat survey report.

**Report Dated:** 16.12.2020

