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:	**2021/44/93876/E**
Site Address:	Land at, Abbey Road North, Shepley, Huddersfield, HD8 8DY
Description:	Discharge of condition 12 (biodiversity habitat enhancement) of previous outline permission 2017/92233 for erection of up to 34 dwellings
Recommending Officer:	Richard Riggs

DECISION – Discharge of Condition – Approve

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.

Victor Grayson

AUTHORISED OFFICER

Date: 21-Apr-2023

OFFICER REPORT (DISCHARGE OF CONDITIONS)

Application: 2021/93876
Description: Discharge of condition 12 (biodiversity habitat enhancement) of previous outline permission 2017/92233 for erection of up to 34 dwellings
Address: Land at Abbey Road North, Shepley, Huddersfield, HD8 8DY
Ward: Kirkburton

Expiry Date: 30 November 2021
Extension: 28 April 2023

Case Officer: R Riggs (Senior Planning Officer)

This application seeks to discharge Condition 12 (Biodiversity Habitat Enhancement Scheme) of outline planning permission 2017/92233 for erection of up to 34 dwellings at Land at Abbey Road North, Shepley, Huddersfield, HD8 8DY.

The Local Planning Authority has received supporting documents in relation to the discharge of the above planning condition. In addressing the information provided, consultations have been undertaken and, based on the responses received from these consultees, Officers are able to advise that the following decisions have been taken by the Local Planning Authority:

- Condition 12 (Biodiversity Habitat Enhancement Scheme) – Submitted information is approved.

This information provided has been approved after being considered to meet the requirements set out in the conditions of the original planning permission. The implementation of the details of the condition hereby approved is to be fully complied with by the applicant, as per the requirements of the conditions.

The full details of the required compliance with the abovementioned conditions are set out below.

Condition 12 (Biodiversity Habitat Enhancement Scheme)

> ***12.*** *No development shall take place until a biodiversity habitat enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of measures for encouraging biodiversity within the site, including potential locations for bird and bat roosting opportunities. The scheme shall be carried out as approved before the dwellings are first occupied, or in accordance with a programme agreed by the Local Planning Authority. The approved scheme shall be permanently retained thereafter.*
> ***Reason:*** *To accord with the guidance contained in part 11 of the National Planning Policy Framework "Conserving and enhancing the natural environment".*

Officer Assessment

The following plans have been submitted in support of this application:

- Ref: R-3626-03 (Biodiversity Management Plan), dated 16/09/2021 and received by the Local Planning Authority on 06/10/2021.
- Ref: R-3626-04 (Ecological Impact Assessment), dated 30/10/2019 and received by the Local Planning Authority on 06/10/2021.

The applicant has submitted the abovementioned plans and information detailing the satisfactory provision of a Biodiversity Habitat Enhancement Scheme. KC Ecology have reviewed the submitted information and consider it to be acceptable. As such, it is recommended that the submitted details be approved.

The applicant is advised that the details hereby approved are required to be carried out as approved before the dwellings are first occupied, or in accordance with a programme agreed by the Local Planning Authority. The approved scheme shall be permanently retained hereafter, as required by the condition.

DECISION NOTICE TEXT

Condition 12 (Biodiversity Habitat Enhancement Scheme)

The following plans have been submitted in support of this application:

- Ref: R-3626-03 (Biodiversity Management Plan), dated 16/09/2021 and received by the Local Planning Authority on 06/10/2021.
- Ref: R-3626-04 (Ecological Impact Assessment), dated 30/10/2019 and received by the Local Planning Authority on 06/10/2021.

You have submitted the abovementioned plans and information detailing the satisfactory provision of a Biodiversity Habitat Enhancement Scheme. The submitted details are hereby approved.

You are advised that the details hereby approved are required to be carried out as approved before the dwellings are first occupied, or in accordance with a programme agreed by the Local Planning Authority. The approved scheme shall be permanently retained hereafter, as required by the condition.

Richard Riggs
Senior Planning Officer
Majors and Minerals Team

Report Dated: 13 April 2023