

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:	2022/44/92957/W
Site Address:	Former Hoyle Ing Dyeworks, Hoyle Ing, Linthwaite, Huddersfield, HD7 5QS
Description:	Discharge conditions 3 (external facing materials). 4 (roofing materials). 5 (boundary treatment). 8 (demolition), 11 (BEMP), 13 (noise), 17 (Electric Vehicle Charging), 18 (Construction Management Plan), 19 (CEMP), 29 (waste collection) on previous permission 2021/94664 for demolition of existing building and development of the former Dyeworks comprising 9 apartments, 4 bungalows and 2 maisonettes (within a Conservation Area)
Recommending Officer:	Ellie Worth

DECISION – Discharge of Condition -Granted

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

Majors Team

AUTHORISED OFFICER

Date: 18-Oct-2022

Application: 2022/92957

Site: Former Hoyle Ing Dyeworks, Hoyle Ing, Linthwaite, Huddersfield, HD7 5QS

Proposal: Discharge conditions 3 (external facing materials). 4 (roofing materials). 5 (boundary treatment). 8 (demolition), 11 (BEMP), 13 (noise), 17 (Electric Vehicle Charging), 18 (Construction Management Plan), 19 (CEMP), 29 (waste collection) on previous permission 2021/94664 for demolition of existing building and development of the former Dyeworks comprising 9 apartments, 4 bungalows and 2 maisonettes (within a Conservation Area)

Condition 11 - Biodiversity Enhancement and Management Plan (BEMP)

11. Prior to the commencement of development (including ground works) a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP shall be in accordance with the Biodiversity Metric 3.0 calculations dated 14th July 2021. The BEMP shall provide a minimum of 0.18 habitat units and 0.10 hedgerow units post-development and shall include the following:

- Description and evaluation of features to be managed and enhanced;
- Extent and location/area of proposed enhancement works on appropriately scaled maps and plans;
- Ecological trends and constraints on site that might influence management;
- Aims and Objectives of management;
- Appropriate management actions for achieving Aims and Objectives;
- An annual work programme (to cover an initial five-year period capable of being rolled forward over a period of 30 years);
- Details of the management body or organisation responsible for implementation of the BEMP;
- Ongoing monitoring programme and remedial measures; and
- Arrangements for the review and update of the BEMP every five years and its implementation for a minimum of 30 years.

The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer through the management body responsible for its delivery.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain are agreed at an appropriate stage of the development process.

Assessment

As part of this application a Biodiversity Enhancement and Management Plan (BEMP) by Collington Winter environmental (dated September 2022) has been submitted. This has been reviewed by KC Ecology, who considers the plan to be in line with the habitat management detailed within the Biodiversity Net Gain Assessment (2022) to achieve the required level of biodiversity units, post development.

Therefore, subject to the principles laid out within the submitted BEMP been adhered to throughout the development and retained thereafter, condition 11 can be formally discharged.

Recommendation: Approve details.

Report Dated: 17th October 2022.

Proposed Letter Text

Condition 11 - Biodiversity Enhancement and Management Plan (BEMP)

The submitted Biodiversity Enhancement Management Plan by Collington Winter environmental (dated September 2022), is in line with the habitat management detailed within the Biodiversity Net Gain Assessment (2022) to achieve the required level of biodiversity units, post development.

As such, subject to the principles laid out within the submitted BEMP been adhered to throughout the development and retained thereafter, condition 11 can be discharged.