

**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:	2023/44/90732/W
Site Address:	77, Hall Ing Lane, Honley, Holmfirth, HD9 6QW
Description:	Discharge condition 8 (ecology report) on previous permission 2020/94211 for demolition of existing dwelling and erection of detached dwelling with detached garage
Recommending Officer:	Lucy Taylor

DECISION – APPROVE DISCHARGE OF CONDITION

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.

Julia Steadman

AUTHORISED OFFICER

Date: 29-Sep-2023

Officer Report – Discharge of Conditions Application

77, Hall Ing Lane, Honley, Holmfirth, HD9 6QW.

The application seeks to discharge condition 8 (ecology report) on previous permission 2020/94211 for demolition of existing dwelling and erection of detached dwelling with detached garage.

Condition 8: Ecology Report

Before the hereby approved dwelling is first occupied an ecological design strategy (EDS) addressing mitigation and enhancement shall be submitted to and approved in writing by the local planning authority. The EDS shall include the following.

- a. Purpose and conservation objectives for the proposed ecological works.*
- a. Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges. Habitat boxes to be integral to new structures where appropriate. Along with a timeframe for their installation.*
- b. Details of how the design of boundary treatments will not obstruct the movement of hedgehogs.*
- c. Planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose.*
- d. Details of maintenance.*

The EDS shall be implemented in accordance with the approved details, including approved timescales, and all features shall be retained in that manner thereafter.

Reason: *To ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.*

Assessment

The supporting information submitted by the applicant, including:

- Ecological Design Strategy by Middleton Bell Ecology, dated 3rd February 2023 (report ref: MBE/ECO/2023/06/01)

The condition is regarding the provision of sufficient measures of ecological enhancement, to ensure the provision of biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

LP30 of the Kirklees Local Plan sets out that ‘*The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees...*’

Chapter 15 of the National Planning Policy Framework aims to conserve and enhance the natural environment.

This condition was imposed as part of application 2020/94211 due to the location of an ancient woodland adjacent to the site, which could result in indirect effects due to new lighting. In addition, it was considered necessary that biodiversity net gain be demonstrated.

Consultation has been undertaken with KC Ecology, whereby the Council's Ecology Officer confirmed that the submitted Ecological Design Strategy (report ref: MBE/ECO/2023/06/01) provides sufficient detail to ensure that ecological features are mitigated and enhanced at the site. As such, the Council's Ecology Officer supports the discharge of condition 8.

Decision Notice Text

I refer to your above referenced discharged of conditions application and can confirm the following: -

Condition 8: Ecology Report

You have submitted the following information:

- Ecological Design Strategy by Middleton Bell Ecology, dated 3rd February 2023 (report ref: MBE/ECO/2023/06/01)

The details submitted are accepted to provide appropriate details of ecological mitigation and enhancement, in accordance with the requirements of condition 8.

Therefore, provided the approved details are implemented in accordance with the approved details and that all features be thereafter retained, condition 8 will be satisfied.