

**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:	2023/44/90931/W
Site Address:	rear of, 12, Wren Street, Paddock, Huddersfield, HD1 4TT
Description:	Discharge conditon 5 (EDS) on previous permission 2019/91637 for erection of 2 dwellings
Recommending Officer:	Laura Yeadon

DECISION – Details Submitted for 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.

Teresa Harlow

AUTHORISED OFFICER

Date: 10-May-2023

Officer Report – 2023/90931

This application relates to condition 5 of planning application 2019/91637 which granted permission for the erection of 2 dwellings at rear of, 12, Wren Street, Paddock, Huddersfield, HD1 4TT.

The wording of the condition is as follows:

Condition 5 – Ecological Design Strategy

5. No development shall take place until an ecological design strategy (EDS) addressing ecological enhancement has been 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.*
- b. Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes and bird boxes. Habitat boxes to be integral to new structures.*
- c. Planting schedule and planting plan showing the inclusion of native species of tree to be included within the application area, and how this achieves the stated purpose.*
- d. Details of suitable underground infrastructure to support the long term viability of the trees.*
- e. Details of maintenance. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.*

Reason: *To ensure the development hereby permitted provides ecological enhancement measures in accordance with Policy LP30 of the Kirklees Local Plan. This is pre-commencement to ensure detailed designs are available to enable implementation as part of the construction program.*

Assessment of Condition 5

The application has been accompanied by Soft Landscape Planting information and an Ecological and Landscape Design Strategy document authored by Matthew Fountain Landscapes dated 21st March 2023.

The Council's Ecologist was formally consulted as part of this application to discharge the Condition.

The comments from the Ecologist cites that the submitted Ecological Design Strategy provides sufficient detail to ensure that native species are included in the soft landscaping and that protected and notable species are included in the design. This includes the following actions:

1. Ecological Refugia Actions.
2. Habitat Management,
3. Proposed Landscaping Works.

It is considered by the Ecologist that the submitted details are acceptable.

Taking account of the response of the Ecologist and the details submitted, it is considered that the submitted scheme satisfies the requirements of Condition 5.

The submitted scheme provides limited information in respect of points d and e, but as this relates to a small residential development, the limited information is considered acceptable.

“Limitations and constraints comprise of the relative lack of current ecological features. Ecological enhancements are limited by the current low ecological value of the site and limited features. Creation of new habitats are limited due to the small scale of the site, the need to protect the integrity of the walls the mass of hard standing and remaining poor ground conditions. Consequently ecological enhancements are based on species of plants and tree type which can best cope with conditions and are easily accessible and known to be attractive to bats, birds and invertebrates”.

Report date: 10th May 2023

Decision Text

The following information has been submitted to discharge Condition 5 of application 2019/91637:

- Application form
- Soft Landscape Planting information
- Ecological and Landscape Design Strategy document authored by Matthew Fountain Landscapes dated 21st March 2023.

The details submitted within the Ecological and Landscape Design Strategy document is considered to be acceptable for the purposes of Condition 5 of application number 2019/91637 and the submitted information satisfies the requirements of this Condition.

It should be noted that there is a requirement that the Ecological Design Strategy shall be implemented in accordance with the hereby approved details, including the schedule of works pre and post construction and ‘prior to completion of construction works’ and all features are retained in that manner thereafter.

