

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:	2023/44/92938/W
Site Address:	Russell House, Fell Greave Road, Huddersfield, HD2 1NH
Description:	Discharge condition 4 (ecological design strategy) on previous permission 2019/90633 for construction of car parking area, formation of footpath link and replacement fence to part of the boundary
Recommending Officer:	Lucy Taylor

DECISION – Details submitted for condition 4 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: 08-Mar-2024

Officer Report – Discharge of Conditions Application

Russell House, Fell Greave Road, Huddersfield, HD2 1NH.

The application seeks to discharge condition 4 (ecological design strategy) of previous permission 2019/90633 for construction of car parking area, formation of footpath link and replacement fence to part of the boundary.

Condition 4 – Ecological Design Strategy

No development shall take place until an ecological design strategy (EDS) addressing mitigation and 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, bird boxes and hedgehog refuges. Habitat boxes to be integral to new structures where appropriate.*
- c. Details of how the design of boundary treatments will not obstruct the movement of hedgehogs.*
- d. 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.*
- 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 sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is pre-commencement to ensure detailed designs are available to enable implementation as part of the construction program.*

Assessment

The supporting information submitted by the applicant, including:

- Landscape Plan
- Ecological Design Strategy by JCA Limited Aboricultural & Ecological Consultants (ref: 21560/EIC)
- Preliminary Ecological Appraisal by JCA Limited Aboricultural & Ecological Consultants (ref: 21560a/EIC)
- DISC Application report by Forget Me Not Childrens Hospice

The condition was imposed as a result of the site's location within a Strategic Green Infrastructure Network, to ensure that the proposals would not interfere

with the function of this designated area and that any loss to biodiversity would be mitigated and enhanced. The condition sought to maintain connectivity and improve opportunities for wildlife, imposed to ensure that the new fence would not hinder wildlife such as hedgehogs from commuting between these.

The submitted information denotes the proposed ecological enhancement measures at the site, to provide a biodiversity net gain. This includes details of bat roosting features, swift nesting features and the planting of hedgerows.

Formal and informal consultations have been undertaken with KC Ecology, whereby the Council's Ecology Officer confirmed that they were satisfied that the information within the Ecological Design Strategy provides sufficient detail to allow the discharge of condition 4.

Decision Notice Text

I refer to you above referenced discharge of conditions application and can confirm the following: -

Condition 4 – Ecological Design Strategy

You have submitted the following information:

- Landscape Plan
- Ecological Design Strategy by JCA Limited Aboricultural & Ecological Consultants (ref: 21560/EIC)
- Preliminary Ecological Appraisal by JCA Limited Aboricultural & Ecological Consultants (ref: 21560a/EIC)
- DISC Application report by Forget Me Not Childrens Hospice

The details submitted are accepted to provide appropriate details of electrical vehicle charging points, in accordance with the requirements of condition 4.

Therefore, provided that the Ecological Design Strategy by JCA Limited Aboricultural & Ecological Consultants (ref: 21560/EIC) is implemented in accordance with the approved details and all features be retained in that manner thereafter, condition 4 will be satisfied.

