

**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:	2024/44/91547/E
Site Address:	School Of Dance And Performing Arts, 61-63, Moor Lane, Gomersal, Cleckheaton, BD19 4LF
Description:	Discharge of condition 3 (EDS) of previous permission 2022/93344 for conversion and extension of existing building to form 10 one-bedroom apartments and associated external works
Recommending Officer:	Louise Bearcroft

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: 25-Jul-2024

Discharge of condition 3 (EDS) of previous permission 2022/93344 for conversion and extension of existing building to form 10 one-bedroom apartments and associated external works

Condition Wording

Notwithstanding the plans hereby approved, there shall be no commencement of the development hereby permitted until an Ecological Design Strategy (EDS) has been submitted and approved in writing by the Local Planning Authority. The EDS shall include:

a) The EDS shall be informed by the submitted Bat Survey, Preliminary Ecological Appraisal and Biodiversity Impact Assessment to demonstrate how the proposals will deliver a measurable biodiversity net gain of at least 10%.

b) The pre-development biodiversity value of the onsite habitat, measured using the Biodiversity Metric 3.1 (or latest version, if available).

c) The post-development biodiversity value of the onsite habitat, measured using the Biodiversity Metric 3.1 (or latest version, if available).

d) Details, including future maintenance for at least 30 years, of any on site habitat enhancements, and then details of any offsite habitat enhancement required to achieve a biodiversity net gain, including pre-development and target biodiversity value.

Reason: *To ensure significant ecological harm is prevented and that a final scheme provides a biodiversity net gain in accordance with the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.*

This is a pre-commencement condition to ensure the scheme design is able to account for the baseline ecological value of the site and so can be designed in accordance with the ecological mitigation hierarchy, as required under Policy LP30.

Documents Submitted

- Biodiversity Net Gain Strategy by Arbtech dated 18/05/2024

Consultation Responses

K.C Ecology - Happy that the content of the submitted BNG strategy (Arbtech, 2024) provides sufficient detail to adhere to condition 3 of 2022/93344 and as such, support the discharge of this condition.

Assessment

The applicant has submitted a Biodiversity Net Gain Strategy. KC Ecology are satisfied that the content provides sufficient detail to adhere to condition 3 and recommend that the condition be discharged.

Recommendation: Approve the Details

Decision Notice Text

Documents Submitted

- Biodiversity Net Gain Strategy by Arbtech dated 18/05/2024

Assessment

You have submitted the above document. The details therein are considered to be acceptable for the purposes of condition 3 and are hereby approved. The condition cannot be fully discharged at this stage as it requires that future maintenance of the habitats is implemented over a period of 30 years.

Report Dated:

25/07/2024
