

**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:	2024/44/92273/W
Site Address:	Netherfield Barn, St George's Road, Scholes, Holmfirth, HD9 1UH
Description:	Discharge of details reserved by Condition 7. (bat survey and assessment) of previous permission 2023/91279 for alterations to convert barn/workshop to one dwelling
Recommending Officer:	Katie Chew

DECISION – Discharge of Condition 7 - 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 23-Aug-2024

Officer Report

Application: 2024/92273

Application Site: Netherfield Barn, St George's Road, Scholes, Holmfirth, HD9 1UH

Proposal: Discharge of details reserved by Condition 7. (bat survey and assessment) of previous permission 2023/91279 for alterations to convert barn/workshop to one dwelling.

Assessment:

Condition 7 (Bat survey and assessment)

'7. Prior to any development work commencing on the site, a detailed bat survey and assessment must be carried out by a qualified ecologist in accordance with current best practice guidelines. The survey shall: a) Be conducted during the appropriate survey season, typically between April and September; a) Assess the presence of roosting bats, commuting routes, and foraging habitats within and in the vicinity of the development site; b) Include the use of appropriate survey techniques, such as bat detectors, emergence surveys, and visual inspections; c) Identify any species of bats present and their numbers, and evaluate the importance of the site for bat conservation; and d) Recommend appropriate mitigation measures if the survey identifies the presence of roosting bats or significant bat activity on or near the development site. The survey report, findings, and recommendations must be submitted to the local planning authority for review and approval. The development shall not commence until written approval for the bat survey findings and proposed mitigation measures has been obtained. If the survey indicates the presence of roosting bats, development works must not commence until an appropriate mitigation licence has been obtained and appropriate mitigation measures agreed with the relevant authorities.

Reason: *This is a pre-commencement condition to ensure the proposed works do not result in a criminal offence under the Conservation of Habitats and Species Regulations 2017 and to ensure that appropriate mitigation is undertaken to comply with policy LP30 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD, Policy 13 of the Holme Valley Neighbourhood Development Plan, Chapter 15 of the National Planning Policy Framework and Circular 06/2005'.*

The applicant has submitted a Bat Scoping Survey authored by John Gardener, dated 6th August 2024 to support the discharge of Condition 7. This report outlines that a daytime scoping and evening activity survey were carried out at the site on Thursday 20th June 2024 with a follow up emergence survey on the 10th July 2024, and a dawn survey on the 2nd August 2024. During the survey work it was concluded that given the quality of the habitat around the site and the style of the barn, brown long-eared bats or a Myotis species had been expected but this proved not to be the case. No bats other than Pipistrelles

were observed or detected during any of the three surveys and there was no evidence to suggest the presence of other species.

Furthermore, the building offers moderate roosting potential although no bats were seen to emerge from the building. Consequently, there is no requirement for a European Protected Species Mitigation License (EPSML) though some potential roosting features are to be lost to the development, and therefore compensation is required.

The presence of a nearby roost, however, requires the following precautions and compensation strategy to ensure that no bats are harmed:

Timings

- There are no timing constraints.

Precautionary measures

- All contractors should be made aware of the potential presence of bats and to proceed with caution, particularly when lifting roofing tiles.
- Where required, all roofing tiles should be carefully lifted rather than by dragging and a careful watch should be maintained. Lifting tiles avoids crushing injuries if bats were present.
- Crevices in the stonework should be inspected before being filled to ensure bats are not present.
- If at any time a bat is found, then work in that area should cease immediately and advice sought from a qualified ecologist.

Compensation

- Two permanent bat roosting features should be installed on the building on the south and west elevations as outlined within the report. Schwegler 1FTH summer roosts would be ideal.

Taking the above assessment into consideration, Officers consider the submitted information to be sufficient to discharge Condition 7.

Decision Notice Text

Condition 7 (Bat survey and assessment)

You have submitted the following details:

- Bat Scoping Survey authored by John Gardener, dated 6th August 2024, received 12th August 2024.

The submitted information is considered to satisfy the requirements of Condition 7 and therefore Condition 7 is discharged.

Report Dated:

15th August 2024.