

**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:	2024/44/92527/E
Site Address:	Land at, Whitley Road, Whitley, Dewsbury, WF12 0LZ
Description:	Discharge of details reserved by condition 6 (Ecological Design Strategy) on previous permission 2024/91143 for reserved matters application pursuant to outline permission 2020/93432 (APP/Z4718/W/21/3274396) for erection of residential development (plot 1)
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE OF CONDITION 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.

John Holmes

AUTHORISED OFFICER

Date: 11-Nov-2024

Officer Report

Reference No. 2024/44/92527E

Site Address: Land at, Whitley Road, Whitley, Dewsbury, WF12 0LZ

Proposal: Discharge of details reserved by condition 6 (Ecological Design Strategy) on previous permission 2024/91143 for reserved matters application pursuant to outline permission 2020/93432 (APP/Z4718/W/21/3274396) for erection of residential development (plot 1)

Condition 6 (Ecological Design Strategy)

6. No development shall commence until an ecological design strategy (EDS) addressing ecological 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.*
- 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.*
- 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.*
- e. A timetable for the implementation of the EDS.*

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

Reason: *This pre-commencement condition is necessary to ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with Policy LP30.*

Assessment of Condition 6

The applicant has submitted an Ecological Design Strategy (reference no. 2024/0349/rev1, dated 4th September 2024) and an Ecological Design Strategy Plan (reference no. 0067, dated April 2024) in support of the application to discharge condition 6. The submitted information is considered to satisfy the requirements of the condition.

The submitted scheme sets out the objectives, location of habitat boxes, use of hedgehog holes in boundaries to not obstruct movement of hedgehogs a planting schedule and plan which indicates use of hawthorn, hazel, elm, spindle, field maple and ash which are native species. The location of this planting is indicated as being a hedgerow to the front of the site. A timeframe for implementation is set out and maintenance is set out including that Bird

boxes will be cleaned out annually between November and February and Bat boxes will be left undisturbed (or could be checked by a Natural England bat ecologist as appropriate). The submitted detail sets out that if damaged, both bat and bird boxes will be replaced with like-for-like boxes. Further maintenance is set out as Should any areas of hedgerow planting fail or require additional planting, extra planting to replenish and strengthen the hedgerow will take place.

The submitted scheme is considered to satisfy the information requirements of condition no.6 and the scheme set out is considered to be acceptable having regard to the scale of the development proposal. It is considered that the scheme set out in the submitted detail provides ecological enhancement measures sufficient to provide a biodiversity net gain. It is therefore recommended condition 6 is discharged.

Decision Notice

Condition 6 (Ecological Design Strategy)

The following information has been submitted:

- Ecological Design Strategy (reference no. 2024/0349/rev1, dated 4th September 2024)
- Ecological Design Strategy Plan (reference no. 0067, dated April 2024)

The submitted details are considered acceptable for the purposes of Condition 6. This condition will be discharged by the implementation of the approved details and their retention thereafter.