

**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**

|                              |  |
|------------------------------|--|
| <b>Reference No:</b>         | 2025/44/92907/E  |
| <b>Site Address:</b>         | Kirklees Council Depot, 1-3, St Paul's Road, Mirfield, WF14 8AX  |
| <b>Description:</b>          | Discharge of details reserved by condition 20 (EDS) on previous permission 2024/92006 for variation of condition 20 (EDS) on previous permission 2023/90394 for variation condition 2 (plans) on previous permission 2019/94099 for demolition of existing buildings and erection of two-storey supported living apartment block (13 apartments) with associated offices, gardens and parking spaces |
| <b>Recommending Officer:</b> | Ellie Thornhill  |

**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.**

Nick Hirst

***AUTHORISED OFFICER***

**Date: 10-Nov-2025**

## Officer report

**Application:** 2025/92907

**Site:** Kirklees Council Depot, 1-3, St Paul's Road, Mirfield, WF14 8AX.

**Proposal:** Discharge of details reserved by condition 20 (EDS) on previous permission 2024/92006 for variation of condition 20 (EDS) on previous permission 2023/90394 for variation condition 2 (plans) on previous permission 2019/94099 for demolition of existing buildings and erection of two-storey supported living apartment block (13 apartments) with associated offices, gardens and parking spaces.

### Condition 20: Ecological Design Strategy

*20. Prior to the demolition of the buildings, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the Local Planning Authority. The EDS shall demonstrate that a net biodiversity gain will be achieved, and shall include the following details:*

- Purpose and conservation objectives for the proposed works;*
- Review of site potential and constraints;*
- Detailed design(s) and/or working method(s) to achieve stated objectives;*
- Extent and location/area of proposed works on appropriate scale maps and plans;*
- Seasonal timings of works with regards to roosting bats and nesting birds;*
- Replacement bat roosts and/or protection of roost sites, including the roost within the adjacent tree in Ings Grove Park;*
- An appropriate lighting design illustrating how impacts to existing and replacement bat roosts will be minimised;*
- 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 such opportunities exist);*
- A 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;*
- Persons responsible for implementing the works;*
- Details of initial aftercare and long-term maintenance; and*
- Details of monitoring and remedial measures.*

*The EDS shall set out (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully-functioning biodiversity objectives of the originally approved scheme. The*

*development shall be implemented in accordance with the approved EDS.*

**Reason:** *In the interests of local ecological value and visual amenity, and to accord with Policies LP24, LP30, LP32 and LP33, of the Kirklees Local Plan, and chapters 12 and 15 of the National Planning Policy Framework.*

In support of condition 20 the following documents have been submitted:

- Bat Emergence Survey Report (reference 22040b/Ado by JCA)
- Ecological Design Strategy Report (reference 22040a/Ado by JCA)
- Statutory Biodiversity Net Gain Assessment (reference 22040a)

### Consultation Response

KC Ecology – Comments Received 21/11/25:

*The EDS, as mentioned, is reasonable and acceptable. Condition 20 is met.*

### Assessment

The EDS sets out the aims of the site are to incorporate a Local Biodiversity Action Plan (LBAP) habitats within the enhancement plans.

A summary of the habitats and features present at the site include; developed land (sealed surface), bramble scrub and urban trees.

Paragraph 3.1.3 of the report states that all habitats on site were poor species, consisting of only common species typical of their habitat type. Paragraph 3.1.4 further outlines that none of the habitats or features on the site are deemed suitable for supporting rare or protected mammals (except bats), birds (except breeding birds), amphibians, reptiles, plants, or invertebrates, nor will the site impact on any designated conservation sites.

The site holds moderate potential for supporting foraging and commuting bat species and the vegetation and buildings on-site have the potential for supporting nesting birds.

Only one small young, self-seeded tree would be retained as part of this proposal. The existing bramble scrub to the eastern boundary would also be removed from the site.

Instead, the proposed development would see the creation of the following habitats (as set out within paragraph 4.1.2):

- G3c – other neutral grassland (proposed species rich grass seed mix and proposed wildflower grass seed mix)
- H2a – native hedgerow
- H3h – mixed scrub (proposed native species shrub mix)

- U1 – built-up areas and gardens (proposed turf to private garden area)
- Secondary code 32 – scattered trees (proposed trees)
- Secondary code 847 – introduced shrubs (proposed ornamental shrub planting)

This would provide a + 34.27% biodiversity net gain at the site.

The sites value to wildlife and biodiversity would be increased through a combination of tree and shrub planting, the inclusion of faunal boxes and hedgehog provisions and the creation of nectar and pollen rich grassland habitat.

Details for the planting, management, ongoing maintenance and monitoring of the different habitats has been provided within paragraphs 4.2 to 5.6 and have been considered acceptable by Officers.

In respect of faunal boxes, a total of 20 would be provided. These include two x integral bat bricks (within the building), seven x bat boxes (on trees), 11 bird boxes (two on buildings, nine on trees).

Alongside the above, one hedgehog shelter and one insect log pile have been recommended. The location of each faunal provision to be installed can be seen in Appendix 3.

With regards to lighting, paragraph 6.1.1 sets out that the site is suitable for bats which are nocturnal species sensitive to lighting. As such, a number of guidance measures have been set out in paragraph 6.1.2, with paragraph 6.1.3 further outlining that *“Special attention should be made to ensure that no light spill falls upon any of the trees within Ings Grove Park that is directly adjacent to the site, either pre-or post-development”*.

West End Joiners & Builders Ltd would be responsible for the implementation of the EDS.

Both Planning and Ecology officers consider the EDS to be acceptable and in accordance with the requirements of the condition. It is therefore recommended to be approved. However, as the condition has an ongoing requirement it cannot currently be discharged in a full. A note of the ongoing requirement is recommended to be included on the decision notice.

**Recommendation:** Approve.

**Report Dated:** 10/11/2025.

### **Decision Notice Text**

#### Condition 20: Ecological Design Strategy

Pursuant to condition 20, you have submitted:

- Bat Emergence Survey Report (reference 22040b/Ado by JCA)
- Ecological Design Strategy Report (reference 22040a/Ado by JCA)
- Statutory Biodiversity Net Gain Assessment (reference 22040a)

The submitted information is deemed acceptable for the initial requirements of Condition 20 and is hereby approved.

Notwithstanding the above, please note that condition 20 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

*The development shall be implemented in accordance with the approved EDS.*