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:	**2026/44/91987/W**
Site Address:	Honley Library, West Avenue, Honley, Holmfirth, HD9 6HF
Description:	Discharge of details reserved by planning obligation (Biodiversity Net Gain Plan) on previous permission 2025/91982 for Variation of condition 2 (plans) on previous permission 2024/91141 for erection of single storey lean-to extension, internal refurbishment, erection of accessible ramps and patio area
Recommending Officer:	Ellen Gilbert

DECISION – DISCHARGE OF CONDITON 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: 25-Aug-2026

DISCHARGE OF CONDITIONS

The merits of the application have previously been assessed under application reference 2025/91982 and permission granted for the erection of a single storey lean-to extension, internal refurbishment, erection of accessible ramps and patio area.

On the 9th of September 2025, planning permission was granted for the *erection of a single storey lean-to extension, internal refurbishment, erection of accessible ramps and patio area* at Honley Library. Whilst a variation of condition application, application 2025/91982 granted a new planning permission.

Under planning legislation, a condition is in place by law in relation to biodiversity net gain. The biodiversity gain condition has its own separate

Statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 which sets out that:

> *Every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that the development may not be begun unless—*
> *(a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and*
> *(b) the planning authority has approved the plan*

Paragraph 14 sets out the requirements of a biodiversity gain plan:

> *(1) For the purposes of paragraph 13(2)(a), a biodiversity gain plan is a plan which—*
> *(a)relates to development for which planning permission is granted, and*
> *(b)specifies the matters referred to in sub-paragraph (2).*
>
> *(2) The matters are—*
> *(a)information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,*
> *(b)the pre-development biodiversity value of the onsite habitat,*
> *(c)the post-development biodiversity value of the onsite habitat,*
> *(d)any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,*
> *(e)any biodiversity credits purchased for the development, and*
> *(f)such other matters as the Secretary of State may by regulations specify.*
> *(3) The Secretary of State may by regulations make provision about—*
> *(a)any other matters to be included in a biodiversity gain plan;*
> *(b)the form of a biodiversity gain plan;*
> *(c)the procedure to be followed in relation to the submission of a biodiversity gain plan (including the time by which a plan must be submitted);*
> *(d)persons who may or must submit a biodiversity gain plan*

Paragraph 15 sets a planning authority to which a biodiversity gain plan is submitted must approve the plan if, and only if, it is satisfied as to the following matters:

> *(a)that the pre-development biodiversity value of the onsite habitat is as specified in the plan,*
> *(b)that the post-development biodiversity value of the onsite habitat is at least the value specified in the plan,*

(c)that, in a case where any registered offsite biodiversity gain is specified in the plan as allocated to the development—
(i)the registered offsite biodiversity gain is so allocated (and, if the allocation is conditional, that any conditions attaching to the allocation have been met or will be met by the time the development begins), and
(ii)the registered offsite biodiversity gain has the biodiversity value specified in the plan in relation to the development,
(d)that any biodiversity credits specified in the plan as purchased for the development have been so purchased,
(e)that the biodiversity gain objective is met, and
(f)any other matters specified in the plan under paragraph 14(2)(f)

ASSESSMENT

The following documents have been submitted to form the biodiversity gain plan:

- Planting Plan received 16th July 2026.
- BNG Calculation Metric
- Document titled Biodiversity Gain Plan dated 15th July 2026

The plan submitted provides a mixture of soft and hard landscaping, the former in the way of planting and shrubbery. In addition, the BNG Metric and Assessment provide an overview of the calculations made and strategies to be taken.

The aforementioned documents were reviewed by KC Ecology who were satisfied that the documents aligned and demonstrate that a 10% Net Gain for Biodiversity can be achieved onsite. KC Ecology have recommended that the BNG Plan condition can be discharged on the basis of the submitted detail.

Conclusion

The submitted details are considered acceptable and constitute a biodiversity gain plan which satisfies the requirements of sections 14 and 15 of Schedule 7A of the Town and Country Planning Act 1990. The general condition of planning permission in place by virtue of section 13 of Schedule 7A of the Town and Country Planning Act 1990 is therefore considered to be satisfied and discharged by the submitted scheme.

DECISION LETTER TEXT

The following has been submitted:

- Planting Plan submitted as part of application number 2026/44/91987/W
- BNG Calculation Metric
- Document titled Biodiversity Gain Plan dated 15th July 2026

The submitted details are considered acceptable and constitute a biodiversity gain plan which satisfies the requirements of sections 14 and 15 of Schedule 7A of the Town and Country Planning Act 1990. The general condition of planning permission in place by virtue of section 13 of Schedule 7A of the Town and Country Planning Act 1990 is therefore satisfied and discharged by the submitted scheme.