

DISCHARGE OF CONDITIONS

location	rear of 191, Huddersfield Road, Thongsbridge, Holmfirth, HD9 3TT
application	Erection of Two Detached Dwellings
client/applicant	Mr M Jebson
job number	17/500
date	May 2018

This application follows on from an allowed planning appeal (appeal ref: APP/Z4718/W/17/3173857). This followed on from a planning refusal (ref 2016/60/91954/W) dated 19th January 2017.

This discharge of condition application follows discussions with the reserved matters application case officer, Farzana Tabasum.

A full list of the imposed conditions can be found in appendix A of this document.

This discharge of condition application focuses on conditions 5, 7 & 8. This application, following the previous removal of conditions and discharge of conditions effectively concludes the remaining/outstanding discharge of conditions/pre-conditions.

A description follows the conditions that should enable the conditions to be assessed.

- 5) Development shall not commence until full details of the improvement works along Huddersfield Road and the access road serving the site as shown on drawing 1402801D, along with works to ensure safe accessibility of 195 Huddersfield Road and vehicle swept paths as shown on drawing 1402801E have been submitted to and approved in writing by the local planning authority. The dwellings shall not be occupied until the works have been implemented in accordance with the local planning authority's approval and have been certified as complete by or on behalf of the local planning authority and such works shall be retained thereafter.

Initial emails and correspondence between the project highways consultant, Eric Appleton of Via Solutions and Ryan Kinder (KMC highways) provided a favourable response to the improvement works proposed. These are detailed on the submitted plan.

- 7) Development shall not commence until a scheme detailing provision for access and on-site parking for construction workers' vehicles for the duration of the construction period has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented throughout the construction period.

This point was covered in the reserved matters application; *"The site is large for two dwellings. It is anticipated the proposed driveway areas would initially be stripped and formed with crushed stone – these areas would provide parking for builders/tradesmen along with adequate onsite storage space for materials and site waste to be stored, this is all within the red line boundary and will ensure the development does not hinder the right of way to 193 Huddersfield Road nor the public footpath that runs adjacent to the site".*

- 8) Development shall not commence until details of the storage and access for collection of waste from the premises shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been implemented in accordance with the approved details and shall be retained thereafter.

Again this point was covered in the reserved matters application; *“Given the restricted access to the site for large vehicles the applicant has already discussed with the local builders merchants/skip hire company regarding the use of smaller vehicles for delivery of materials and collection of waste (skips)”*.

Waste materials will be kept to an absolute minimum.

The site will accommodate one, possibly two skips at a time. These will all be stored adjacent to the access road within the red line site boundary to ensure the right of way (No. 193) is not hindered and to ensure no detrimental impact on the PROW.

As the approved reserved matters plans indicate both properties have extensive front garden areas. These will be the last part of the development to be completed therefore being freely available and easily accessible for the duration of the development.

I would be grateful if you could contact Paul Matthews Architectural prior to drafting up your recommendation for determination.

APPENDIX A

SCHEDULE OF CONDITIONS

Schedule of Conditions

- 1) The development hereby permitted is for no more than 2 dwellings. The development shall be carried out in accordance with the following plans, unless otherwise varied by the conditions set out: Site Location Plan; 1402801D, 1402801E.
- 2) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 4) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 5) Development shall not commence until full details of the improvement works along ~~Huddersfield~~ Road and the access road serving the site as shown on drawing 1402801D, along with works to ensure safe accessibility of 195 ~~Huddersfield~~ Road and vehicle swept paths as shown on drawing 1402801E have been submitted to and approved in writing by the local planning authority. The dwellings shall not be occupied until the works have been implemented in accordance with the local planning authority's approval and have been certified as complete by or on behalf of the local planning authority and such works shall be retained thereafter.
- 6) The development shall not be brought into use until the any approved vehicle parking areas and driveways shall have been surfaced and drained in accordance with the Communities and Local Government; and Environmental Agency's 'Guidance on permeable surfacing of front gardens (parking areas)' published 13 May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.
- 7) Development shall not commence until a scheme detailing provision for access and on-site parking for construction workers' vehicles for the duration of the construction period has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented throughout the construction period.
- 8) Development shall not commence until details of the storage and access for collection of waste from the premises shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been implemented in accordance with the approved details and shall be retained thereafter.
- 9) The Reserved Matters submission in relation to the appearance, layout or landscaping shall include details of:
 - Full design of any retaining structures to be installed on the site, including detailed drawings, sections and engineering calculations.
 - Details of any soft landscaping to be planted above the retaining structure.

- Details of the materials to be used to face the retaining structure.
- Details regarding the maintenance of the structure and soft landscaping.
- Details of how the structures will be created to prevent any detrimental impact on the adjacent public footpath and details of how the public footpath will be protected throughout construction.

The development shall thereafter only be carried in accordance with the approved details.

- 10) Development shall not commence until a scheme demonstrating an adequately designed means of foul and surface water drainage have been submitted to and approved in writing by the local planning authority. No parts of the development shall be brought into use or occupied until the works comprising the approved scheme have been completed and retained thereafter.
- 11) The development shall not be brought into use until a scheme of ecological enhancements for the site outlined in red on the approved location plan as recommended in the Ecological Appraisal reference R192401 dated May 2014 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to occupation of the dwellings and shall be retained thereafter.
- 12) Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.
- 13) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 12, development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the local planning authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
- 14) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 13. In the event that remediation is unable to proceed in

be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development included within Classes A-G inclusive of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining a specific planning permission from the local planning authority.