

**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: 2019/44/92880/W

Site Address: Land adj, Hazeldene House, Stoney Bank Lane,
Thongsbridge, Holmfirth, HD9 7LZ

Description: Discharge conditions 4 (retaining structures and
raised ground works) and 6 (Construction Method
Statement) on previous permission 2018/90406 for
erection of two dwellings including formation of new
access

Recommending Officer: Farzana Tabasum

DECISION – Approval of condition 4, partial approval of condition 6

**I hereby authorise the partial approval of this application for the reasons
set out in the officer's report and recommendation annexed below in
respect of the above matter.**

Teresa Harlow

AUTHORISED OFFICER

Date: 24-Oct-2019

Officer Report

Site Description

The application seeks to discharge condition nos. 4 and 6 on planning permission for the erection of one two dwellings including formation of new access, granted under application no. 2018/90406. This is a 2nd application to discharge these same conditions as the information submitted with the 1st discharge of condition application (ref, no 2019/90407) was not sufficient to discharge the conditions.

The following drawings/details accompany this application:

Revised site management plan, drawing reference no. 106 rev D
Access road retaining wall, sections & details, drawing reference no. 01 dated 16th Aug 2019

The wording and reasoning for these conditions is as set out below:

4. No development shall take place until full details of retaining structures and raised ground works along the approved drive, have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished ground levels, means of enclosure and surface materials. Thereafter the development shall be carried out in accordance with the details approved.

Reason: In the interests of protecting the adjacent woodland area and ecological interests of the site and adjacent woodland which forms part of the wildlife habitat network and to accord with Policies EP11 of the Kirklees Unitary Development Plan, PLP1, PLP30 & PLP33 of the Publication Draft Local Plan and guidance in the National Planning Policy Framework. This is a pre commencement condition to ensure a suitably constructed vehicular access is provided into the site to accommodate the construction traffic materials to be delivered/stored in the site and to avoid a detrimental impact on the long term viability of the protected trees.

6. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for: i) access into the site, the parking of vehicles of sites operatives and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) hours of construction work

Reason: In the interests of highway safety and to safeguard the protected trees adjacent to the site and to accord with Policies T10 and NE9 of the Kirklees Unitary Development Plan, PLP21, PLP33 and guidance within the National Planning Policy Framework. This is a pre commencement condition to ensure an appropriate vehicular access is provided into the site to accommodate the construction traffic materials to be delivered/stored in the

site, prior to development commencing and to avoid an adverse impact on the long term viability of the protected trees.

With regards to condition no. 4, the Tree Officer advises:

The excavations required are smaller and utilise piling where necessary so overall the effect on the adjacent trees will be minimised with this design. In addition the revised management plan indicates the use of protective fencing to BS 5837:2012 standards. This is satisfactory.

With respect to condition no.6, the Highway Officers advises:

Other than hours of construction which should be provided, the revised management plan is sufficient in terms of access into the site, parking of vehicles of sites operatives and visitors, loading and unloading of plant and materials, storage of plant and materials to be internally within the site.

Decision text:

The application is accompanied with the following details:

- Revised site management plan, drawing reference no. 106 rev D, dated 08/09/17, and
- Access road retaining wall, sections & details, drawing reference no. 01 dated 16th Aug 2019

The submitted information has been reviewed by both the Council's Highway and Arboricultural Officers.

Condition no. 4

The Council's Arboricultural Officer states the excavations required are lesser than previously submitted details and would utilise piling where necessary. Overall the effect on the adjacent trees will be minimised with this design. In addition the revised management plan indicates the use of protective fencing to BS 5837:2012 standards. Condition no. 4 will be satisfied subject to the development being carried out in accordance with these details.

Condition no. 6

The revised management plan is sufficient in terms of access into the site, parking of vehicles of sites operatives and visitors, loading and unloading of plant and materials, storage of plant and materials to be internally within the site. However, detail of hours of construction should be provided and agreed, before the condition can be discharged.

You can submit the outstanding details under this application by quoting reference no. 2019/92880 in any future correspondence for Officers to consider prior to formal discharge of condition no. 6.

Report Dated:

23/10/19