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Date: 03-Jun-2021
Our Ref: 2020/94219

Dear Sir

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge conditions 3, 6-17, 19 on previous permission 2019/90085 for erection of
8 dwellings
Land at, Lancaster Lane, Brockholes, Holmfirth, HD9 7TL
Application Number: 2020/94219**

I write with reference to your application to discharge the conditions for the above development as submitted on 17-Dec-2020.

Condition 3

The proposed facing material is from the Forticrete Shearstone walling stone range and is the 'Cotswold Village' stone with a 'cottage' finish. Castings are the Forticrete Cast Stone Dressings in 'Portland'. The proposed roofing material is a Greys Artstone Slate in Welsh blue/grey.

With regards to the proposed walling material, the original planning application proposed natural stone whereas the proposal is for an artificial stone. The committee report specified that natural stone was proposed and that this was considered acceptable, subject to the approval of a sample. The Huddersfield Planning Sub-Committee therefore determined the application based on the development being faced in natural stone. The proposed material is not therefore considered to be acceptable.

The original planning application specified artificial slate for the roofing material. The proposed artificial slate tile is considered acceptable and is hereby approved. The condition requires the roofs of the dwellings to be faced in the approved material and retained as such.

Condition 6

This is a prescriptive condition and express approval/discharge is not required.

Condition 7

Boundary treatment details are shown on drawing number 30 by Acumen. It is noted that the site layout on this drawing does not reflect the site layout as approved and instead reflects the scheme as proposed under application 2021/90508, which seeks to vary condition 2 (plans and specifications) on planning permission 2019/90085.

Notwithstanding the fact that the layout shown relates to a slightly different iteration of the scheme, the boundary treatment details as proposed are considered acceptable. The submitted details do not however specify the facing stone that is to be used for the retaining walls (including the gabion wall at the back of plots 4-6) and confirmation of the stone to be used is required before the details can be agreed in full.

Condition 8

Drawing number PL62L02 Rev PR1 (Detailed Planting Plan) has been provided.

Several issues have been identified with the Detailed Planting Plan and the submitted LEMP, as set out within the consultation response from the Council's Ecology Unit dated 1st June 2021. These issues will need to be resolved before the landscaping details can be approved.

The condition states that the landscaping shall be designed to avoid any trees being located over or within 5 metres either side of the centre line of the public sewers that cross the site. It is unclear whether this has been achieved because I have been unable to take an accurate scaled measurement from the drawing. Please could you clarify the separation distance between the sewer and the nearest tree(s)?

Condition 9

The information submitted on 18th May 2021 is currently being considered by Kirklees Lead Local Flood Authority (LLFA) and I will write to you separately regarding this condition.

Condition 10

Kirklees LLFA have advised that this condition cannot be discharged as the proposed scheme does not prevent silts from exposed sub-soils being washed off site in heavy rain during the earthworks/plateauing of land for the housing units. The LLFA would expect the scheme to include bunding/silt trap fencing and a settlement lagoon/tank to prevent soil reaching the adopted highway and silting up the existing road gullies in River Holme View or causing mud to be deposited on the highway/ third party land.

Condition 11

A Construction Environmental Plan Management (ref Brindle & Green, BG19.124.6 February 2020) has been submitted to address this condition. The CEMP is considered acceptable and is approved. The condition cannot be fully discharged at this time because it requires the construction of the development to be carried out in accordance with the details hereby approved.

Condition 12

A Landscape and Ecological Mitigation Plan has been submitted (ref Brindle & Green, BG19124.7, February 2020).

Further clarification is required in relation to certain elements of the LEMP, as set out within the consultation response from the Council's Ecology Unit dated 1st June 2021. As such, the condition cannot be discharged at this time.

Condition 13

Drawing number 1552-DFL-HLG-XX_XX-DR-EO-1301 (Lighting Layout) has been submitted.

The submitted Landscape and Ecological Mitigation Plan (ref Brindle & Green, BG19124.7, February 2020) also includes lighting information at section 4 (Sensitive Lighting Scheme).

The above information is acceptable to satisfy condition 13. The development is required to be carried out in accordance with the aforementioned Lighting Layout drawing and the Sensitive Lighting Scheme as detailed within section 4 of the Landscape and Ecological Mitigation Plan (and any subsequent revised LEMP approved pursuant to condition 12).

Condition 14

An Invasive Species Management Protocol letter dated 22/04/2020 (Brindle & Green) has been provided.

The submitted information specifies the location and extent of invasive plant species on the site (Japanese knotweed and Himalayan balsam) and the control/removal methods to be used to eradicate them from the site. The protocol also includes the need for future monitoring to ensure treatment has been successful.

Future monitoring of the invasive plant species should form part of the maintenance and monitoring regime included within the Landscape and Ecological Management Plan (LEMP) required under condition 12.

The submitted details are approved, subject to the LEMP being amended to reflect the above.

Condition 15

Drawing number TWP20-EH1-E02-001 (Proposed Residential Development Electric Car Charging Plan) has been submitted showing the location of the electric vehicle recharging points at each of the 8 dwellings.

The submitted details are approved on the basis of the charging points providing Mode 3 charging and a Type 2 socket outlet.

The condition cannot be fully discharged at this stage because the recharging points are required to be provided before the dwelling to which it relates is first occupied and thereafter retained.

Condition 16

A Construction Management Statement (Arcuss Ltd, August 2020, Rev – 2) has been submitted in respect of condition 16.

I can confirm that the submitted details are acceptable for the purposes of the condition. The condition cannot be fully discharged at this time because it requires the construction of the development to be carried out in accordance with the approved Construction Management Statement.

Condition 17

The submitted Construction Environmental Plan Management (ref Brindle & Green, BG19.124.6, February 2020) proposes acceptable measures to mitigate the impact of the development on the amenity of the neighbouring residential properties.

The submitted details are approved. The condition cannot be fully discharged at this time because it requires the construction of the development to be carried out in accordance with the details hereby approved.

Condition 19

The Council's Highways Structures department have advised that condition 19 pertaining to the slope stability at this site cannot be discharged for the following reasons:

- 1) Inaccurate description of the site and the existing highway retaining wall, which does not reflect the site layout, thus invalidating the report in the main.
- 2) Absence of a suitable ground model to accurately map out the ground conditions including the presence of any bedrock for the full height of the slope, based on the interpolation/extrapolation of ground investigation.
- 3) Omission of cross-sectional details for sections AA, B-B and C-C and the absence of any analysis for these sections.
- 4) Groundwater levels do not appear to have been taken into account and no consideration is given to any impact on slope drainage post development.
- 5) Absence of an objective assessment of a potential slope/wall failure due to large bulk excavations.

Further information is therefore required before details can be approved under this condition.

Yours faithfully

D. Wordsworth

David Wordsworth
Team Leader for Major and Minerals Development