

**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:	2021/44/91703/E
Site Address:	43, Edge Road, Thornhill Edge, Dewsbury, WF12 0QA
Description:	Discharge of conditions 3, (materials) 4, (boundary treatment) 9, (site investigation report) & 15, (ecological design strategy) on previous permission no. 2019/93278 for erection of detached dwelling
Recommending Officer:	Edward Cheseldine

DECISION – DISCHARGE OF CONDITIONS – SPLIT DECISION

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 23-May-2024

Officer Report

2021/91703 - 43, Edge Road, Thornhill Edge, Dewsbury, WF12 0QA

Application Description

The applicant is seeking permission to discharge conditions 3, (materials) 4, (boundary treatment) 9, (site investigation report) & 15, (ecological design strategy) on previous permission no. 2019/93278 for erection of detached dwelling.

Condition 3

Samples of all external walling and roofing materials to be used in the construction of development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before development commences on the superstructure of the dwelling. The development shall thereafter be carried out in accordance with the approved details.

Reason: *In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.*

Assessment

The following evidence has been submitted:

- Covering letter was submitted by DPA Planning, for land adjacent to 43 Edge Road, Thornhill Edge, Dewsbury, WF12 0QA, dated 22 April 2021.
- Additional information provided by the planning agent, including photographs of render samples and slates roof tiles. Provided on 08 February 2024.

Included within the covering letter are material samples, for the exterior walls are natural stone 150mm sawn bed with stone heads and cills to match. North Stone concrete dark grey roof tiles samples have been provided. An off-white render will be used. The material choices are appropriate for the area, they are already visible on the streetscene and comply with Policy LP24 of the Kirklees Local Plan. Condition 3 is recommended for discharge.

Condition 4

Notwithstanding the submitted plans and information, before development commences on the superstructure of the dwelling hereby approved, full details of all boundary treatments, including a continuous stone wall, as indicated on the submitted plans, along the east side boundary of the application site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the dwelling is first brought into use and thereafter retained.

Reason: *In the interests of visual amenity and to ensure that the curtilage of*

the new dwelling does not encroach into the adjacent land within the blue line boundary which falls within the Green Belt and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 and 13 of the National Planning Policy Framework.

Assessment

A picture of the proposed wall has been included only. Heights, locations and materials of other boundary treatments have not been submitted. Therefore this condition cannot be discharged as this point. A boundary plan should be submitted to discharge this application.

Condition 9

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.

Reason: To identify and remove unacceptable risks to human health and the environment from coal mining features and hazards in accordance with Policy LP53 of the Kirklees Local Plan and the Chapter 15 of the National Planning Policy Framework. This is a precommencement condition as it could affect the method of construction of the dwelling.

Assessment

The following evidence has been submitted:

- Coal mining intrusive investigation report, produced by Your Environmental, titled Land Adjacent 43, Edge Road, Thornhill Edge, Dewsbury WF12 0QA – Historic Shallow Coal Mining Intrusive Investigation Report, dated 6 May 2021
- Ground gas assessment report, produced by Your Environmental, titled Land Adjacent 43, Edge Road, Thornhill Edge, Dewsbury WF12 0QA – Addendum Hazardous Ground Gas Risk Assessment, dated 24 May 2021.

These reports were sent to The Coal Authority to review if there are any associated risks with the development. The Coal Authority the submitted information was sufficient to discharge condition 9. As such, condition 9 is recommended for discharge.

Condition 15

No development shall take place until an ecological design strategy (EDS) addressing enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.

- a. Purpose and conservation objectives for the proposed works.
- a. Review of site potential and constraints.
- b. Detailed design(s) and/or working method(s) to achieve stated objectives.

- c. Extent and location/area of proposed works on appropriate scale maps and plans.
- d. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- e. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- f. Persons responsible for implementing the works.
- g. Details of initial aftercare and long-term maintenance.
- h. Details for monitoring and remedial measures.
- i. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure a scheme has an acceptable impact on biodiversity in line with Policy LP30 of the Kirklees Local Plan and the aims of Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure ecological measures are capable of being fully integrated into the construction phase.

Assessment

The following evidence has been submitted:

- Ecological Design Strategy, produced by Quants Environment, titled Land at Edge Road, Dewsbury, WF12 0QA Ecological Design Strategy, dated April 2021.

The ecological design strategy has been assessed by KC Ecology as to its adequacy, it has been assessed that the design strategy is appropriate for the development. As such, condition 15 is recommended for discharge.

Recommendation: Discharge of Conditions split decision

Decision Notice

Condition 3

The following evidence has been submitted:

- Covering letter was submitted by DPA Planning, for land adjacent to 43 Edge Road, Thornhill Edge, Dewsbury, WF12 0QA, dated 22 April 2021.
- Additional information provided by the planning agent, including photographs of render samples and slates roof tiles. Provided on 08 February 2024.

The materials are appropriate; therefore Condition 3 can be discharged.

Condition 4

There is additional information required to discharge this condition, therefore Condition 5 must remain until further notice.

Condition 9

The following evidence has been submitted:

- Coal mining intrusive investigation report, produced by Your Environmental, titled Land Adjacent 43, Edge Road, Thornhill Edge, Dewsbury WF12 0QA – Historic Shallow Coal Mining Intrusive Investigation Report, dated 6 May 2021
- Ground gas assessment report, produced by Your Environmental, titled Land Adjacent 43, Edge Road, Thornhill Edge, Dewsbury WF12 0QA – Addendum Hazardous Ground Gas Risk Assessment, dated 24 May 2021.

Information submitted in relation to Condition 9 is acceptable, therefore it can be discharged.

Condition 15

The following evidence has been submitted:

- Ecological Design Strategy, produced by Quants Environment, titled Land at Edge Road, Dewsbury, WF12 0QA Ecological Design Strategy, dated April 2021.

Information submitted in relation to Condition 15 is acceptable, therefore it can be discharged.

Recommendation: Discharge of Conditions Approve