

**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:	<b>2023/44/92040/E</b>
Site Address:	Low Farm, Wakefield Road, Grange Moor, Huddersfield, WF4 4BB
Description:	Discharge of condition 10 (Arboricultural Method Statement) and 11 (Access Roads) of previous permission 2021/93644 for erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements
Recommending Officer:	Nick Hirst

**DECISION – Discharge of Conditions – Approve**

**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.**

*Victor Grayson*

**AUTHORISED OFFICER**

**Date: 20-Sep-2023**

**Application:** 2023/44/92040/E

**Site:** Low Farm, Wakefield Road, Grange Moor, Huddersfield, WF4 4BB

**Proposal:** Discharge of condition 10 (Arboricultural Method Statement) and 11 (Access Roads) of previous permission 2021/93644 for erection and operation of grid-connected solar photovoltaic farm to supply up to 49.9MW, with ancillary infrastructure and landscaping and biodiversity enhancements

## **Assessment**

### Conditions 10 (Arboricultural Method Statement) and 11 (Access Roads)

*10. Prior to development commencing, an Arboricultural Method Statement with Tree Protection Plan in accordance with British BS5837 shall be submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.*

**Reason:** *So as to protect the viability of the protected mature and protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (again harm to trees) prior to works commencing on site.*

*11. Prior to development commencing, in accordance with the recommendations contained within the hereby approved Arboricultural Impact Assessment, details of the intended location of where access roads will be formed using a cellular containment system shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved details.*

**Reason:** *So as to protect the viability of the protected mature and protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (again harm to trees) prior to works commencing on site.*

The above conditions were requested by K.C. Trees, who have reviewed the submitted Arboricultural Method Statement. K.C. Trees have confirmed that the details within the AMS satisfied the initial requirements of each condition. Officers support this assessment.

Both conditions do, however, have ongoing clauses which prevent the full discharge of each condition at this stage. This shall be noted within the decision notice.

**Recommendation:** Approve details.

**Report Date:** 19/09/2023

**Proposed Letter Text**

Conditions 10 (Arboricultural Method Statement) and 11 (Access Roads)

You have submitted the combined Arboricultural Impact Assessment and Arboricultural Method Statement document dated 04/07/2023 by Arbtech pursuant to both conditions 10 and 11.

I can confirm that the submitted details are acceptable for the initial requirement of each condition. Notwithstanding this, be aware that each condition has ongoing requirements which must be adhered to, to secure continued compliance with the respective condition. These ongoing requirements are as follows:

Condition 10:

*Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.*

Condition 11:

*Thereafter, the development shall be carried out in complete accordance with the approved details.*