

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:	2023/44/93699/E
Site Address:	Strines Lodge, Penistone Road, High Flatts, Huddersfield, HD8 8XU
Description:	Discharge conditions 5 (tree planting), 6 (tree protection), 7(Arboricultural Method Statement) on previous permission 2023/92449 for erection of single storey rear extension with internal and external alterations (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

DECISION – APPROVE DISCHARGE OF CONDITIONS

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: 06-Feb-2024

Officer Report

Reference No. 2023/44/93699/E

Site Address: Strines Lodge, Penistone Road, High Flatts, Huddersfield, HD8 8XU

Proposal: Discharge conditions 5 (tree planting), 6 (tree protection), 7 (Arboricultural Method Statement) on previous permission 2023/92449 for erection of single storey rear extension with internal and external alterations (within a Conservation Area)

Assessment

Condition 5 – Tree Planting

5. Development shall not commence until a tree planting scheme has been submitted to and approved in writing by the Local Planning Authority. New trees are to be planted in the first available planting season following the commencement of the approved development. All new trees shall be rootballed or containerised as per British Standard BS3936 Nursery Stock and must be staked and tied in accordance to good arboriculturist practice. The approved scheme shall be retained and maintained for the lifetime of the development. Any new tree becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree.

Reason: *This detail is required prior to development commencing on site in the interests of visual amenity and to accord with LP33 of the Kirklees Local Plan and the National Planning Policy Framework.*

Assessment of Condition 5

To discharge condition 5, a plan titled Tree Planting Plan (reference. AWA5682) has been submitted. The details on the plan are acceptable for the first part discharge of the condition. However, for the full discharge the new tree will need to be planted to the agreed detail in the first available planting season following the commencement of the approved development. The 2023/2024 planting season would typically end at the end of March 2024. Depending on weather, it could be sooner/later.

Condition 6 – Tree Protection

6. Development shall not commence until a scheme detailing measures to protect the trees and/or other areas of vegetation indicated to be retained on the approved Tree Impacts Plan (Appendix 6 of Arboricultural Report & Impact Assessment, reference AWA5682) during the demolition, engineering and construction phase(s), has been submitted to and approved in writing by the Local Planning Authority. Details must include the type and location of tree protective fencing and the method of installation. Development shall not

commence until the works comprising the approved scheme have been fully installed/completed. The approved measures must be retained throughout the demolition, engineering and construction phase(s) of the development. No plant, equipment or materials shall be stored or placed within any fenced area at any time.

Reason: *This detail is required prior to development commencing on site to protect to viability of the protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.*

Condition 7 - Arboricultural Method Statement

7. Development shall not commence until an Arboricultural Method Statement, has been submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details of foundation design and 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: *This detail is required prior to development commencing on site to protect to viability of the protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.*

Assessment of Condition 6 and 7

The details for both these conditions can be found within Arboricultural Method Statement (AMS) (Reference: AWA5770AMS). Providing the sequence of operations and the accompanying detail within the AMS are followed and the tree protection plan shown in Appendix 4 are implemented during the development as described, the retained trees at the site will be suitably protected during the development. Therefore, the AMS is acceptable for the discharge of condition 6 and 7 from a tree perspective.

Decision Notice Text

Condition 5 - Tree Planting

The following has been submitted:

- Tree Planting Plan (reference. AWA5682)

The details on the plan are acceptable for the first part discharge of the condition. However, for the full discharge the new tree will need to be planted to the agreed detail in the first available planting season following the commencement of the approved development.

Condition 6 - Tree Protection

The following has been submitted:

- Arboricultural Method Statement (AMS) (Reference: AWA5770AMS)

In conclusion, it is considered that the submitted information is acceptable for the purposes of discharging condition 6.

Condition 7 - Arboricultural Method Statement

The following has been submitted:

- Arboricultural Method Statement (AMS) (Reference: AWA5770AMS)

In conclusion, it is considered that the submitted information is acceptable for the purposes of discharging condition 7.

Report Dated: 29/01/2024