



Kirklees Council
Planning and Development Service
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Huddersfield
HD1 9EL

Enquiries to: Nick Hirst

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Date: 25-Oct-2024
Our Ref: 2024/90237

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 of conditions 3 (construction environmental management plan), 4 (public right of way), 5 (retaining walls), 6 (Phase II Report), 7 (Remediation Strategy), 9 (Remediation Validation Report) and 18 (Japanese Knotweed) of previous permission 2021/92062 for erection of 9 dwellings and associated works adjacent, Britannia Road, Golcar, Huddersfield, HD3 4QB
Application Number: 2024/90237**

I write with reference to your application to discharge the conditions for the above development as submitted on 29-Jan-2024.

Condition 3 (construction environmental management plan)

You have submitted the revised Construction (Environmental) Management Plan, as received by the council 05/07/2024, pursuant to condition 3. I can confirm that the submitted details are acceptable for the initial requirements of the condition. However, be aware that the condition has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Condition 4 (public right of way)

You have submitted the document titled Appendix K – Public Right Of Way pursuant to condition 4. I can confirm that the submitted details are acceptable for the initial

requirements of the condition. However, be aware that the condition has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Thereafter the development shall be carried out in complete accordance with the details so approved and any damage made good before the extensions are first occupied.

Condition 5 (retaining walls)

This condition requires technical and fully dimensioned sectional plans to detail the proposed engineering and retaining works, at or near the new and existing highway, to allow officers to assess that the works would be undertaken safely and without prejudicing the road network. No such adequate details have been provided.

Further to the above, the plans which have been provided indicate changes to the proposed design and method of retention / engineering works within the site from the approved plans. It is outside the scope of the Discharge of Condition process to make such amendments to the approved plans.

For the avoidance of doubt, no approval is hereby issued pursuant to condition 5.

Conditions 6 (Phase II Report), 7 (Remediation Strategy), 9 (Remediation Validation Report)

You have submitted the following documents pursuant to conditions 6, 7, and 9:

- Phase 2 Site Investigation Report, authored by Your Environment, dated March 2021 (ref: YEX1601)
- Land Remediation statement authored by Eco Control Solutions

The submitted details are not accepted.

Your attention is drawn to the consultation response from K.C. Environmental Health. The reports submitted as part of this Discharge of Condition application are the same as those submitted under the previous planning application (ref: 2021/92062), where K.C. Environmental Health raised various issues. No further details have been provided and therefore all previously raised concerns remain.

For the avoidance of doubt, conditions 6, 7, or 9 are not hereby discharged.

Condition 18 (Japanese Knotweed)

You have submitted the document titled 'Land Remediation at Britannia Road, Huddersfield, HD3 4QB' pursuant to condition 18.



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I can confirm that the submitted details are adequate for the initial requirements of condition 18.

Notwithstanding the above, be aware that condition 18 has ongoing requirements which must be adhered to, to ensure ongoing compliance. These are:

In the event that Japanese Knotweed is identified within the site prior to or during the construction phase, all works on site (save for site investigation works) shall cease immediately. Prior to development recommencing, an 'invasive non-native species protocol' shall be submitted to, and approved in writing by, the Local Planning Authority. The protocol shall detail the containment, control, and removal of Japanese Knotweed species on site. Thereafter the development shall be undertaken in accordance with the approved scheme.

Submission of further details

If the requested details are provided within six weeks of the date of this letter, they will be accepted as part of this application. Please quote 2024/90237 and send the details directly to nick.hirst@kirklees.gov.uk.

After six weeks, a new Discharge of Condition application will need to be required.

Yours faithfully,

Mathias Franklin
Head of Planning and Development