

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED
BUILDING CONSENT**

Reference No:	2024/44/91168/E
Site Address:	Occupation Bridge, adj, Thornhill Road, Westtown, Dewsbury
Description:	Discharge condition 2 (materials), 4 (conservation implementation management plan) on previous permission 2021/91334 for Listed Building Consent for infill and embankment widening of bridge MDL1/10 Occupation (Thornhill Road)
Recommending Officer:	Louise Bearcroft

**DECISION – GRANT APPROVAL TO DISCHARGE CONDITIONS 2 & 4
FROM PREVIOUS PERMISSION 2021/91334**

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.

Helen Bower

AUTHORISED OFFICER

Date: 13-Jun-2024

Discharge of condition 2 (materials), 4 (Conservation Implementation Management Plan) on previous permission 2021/91334 for Listed Building Consent for infill and embankment widening of bridge MDL1/10 Occupation (Thornhill Road).

Publicity

The application was advertised by site notice and press notice, expiring 30 May 2024.

No representations have been received as a result of this publicity.

Condition 2 (Materials)

Condition Wording:

Before the works hereby approved commence, or within a timescale to be otherwise agreed in writing by the local planning authority, samples and specifications of all materials to be used on all external elevations of the works shall be submitted to and approved in writing by the local planning authority. The works shall be constructed only using the approved materials unless otherwise agreed in writing by the local planning authority.

Documents Submitted

- Occupation Underbridge (MDL1/10) Listed Building Consent Condition 2: Schedule of Materials. Dated April 2024.

Consultation Responses

Historic England – Advise to seek the views of specialist conservation and archaeological advisers.

KC Conservation and Design – Having reviewed the submitted details attached to the submitted report - Occupation Underbridge (MDL1/10) Listed Building Consent Condition 2: Schedule of Materials – We are satisfied with the submitted details and consider this can now be discharged.

Assessment

Occupation Underbridge (MDL1/10) is a single-span accommodation underbridge, located a short distance off Thornhill Road. The bridge accommodates a driveway providing access to a private property located to the south-east of the railway. Constructed of quarry-faced sandstone, the bridge survives in largely its original form and comprises a semi-circular arch flanked by curved wing walls, notable for the detail of construction.

At this location it is necessary for the track to be realigned to the northwest of the bridge deck to deliver the line speed increase. It is proposed to infill the

underbridge with foamed concrete and construct a masonry-clad retaining wall on the south-eastern side of the arch.

Network Rail have submitted a Schedule of Materials for the proposed works, with a proposal to use foamed concrete with a natural stone masonry facing wall of local sandstone, to be sourced from Crosland Hill Quarry, and lime mortar.

KC Conservation and Design note that having reviewed the submitted details attached to the submitted report - Occupation Underbridge (MDL1/10) Listed Building Consent Condition 2: Schedule of Materials they are satisfied with the submitted details and consider this can now be discharged. Historic England have no other comments, advising the LPA to seek the views of their specialist conservation advisers. In conclusion, the details are considered to be acceptable for the purposes of condition 2.

Condition 4 (Conservation Implementation Management Plan)

Condition Wording:

No works shall commence until a Conservation Implementation Management Plan (CIMP) has been submitted to and approved in writing by the local planning authority. The approved CIMP will include as a minimum requirement contents based on the model template CIMP structure attached to this list of conditions. The CIMP will specifically include methodologies for:

- i) fabric removal, masonry repairs, vegetation removal, repointing, metalwork repairs and application of protective paint systems as appropriate;*
- ii) the identification of historic elements of the fabric which once removed may be reused or preserved, and a strategy for their storage or reuse where appropriate;*
- iii) any improvements to the setting to sustain, enhance and better reveal the heritage asset affected;*
- iv) details of any maintenance access regime required (if any);*
- v) provision of heritage interpretation boards during construction works;*
- vi) dissemination of "toolbox talks" to personnel involved in demolition and construction works.*

The works must be carried out in accordance with the approved CIMP unless otherwise agreed in writing with the local planning authority.

Documents Submitted

- Occupation Underbridge (MDL1/10) – Conservation Implementation Management Plan. Dated April 2024

Consultation Responses

Historic England – Advise to seek the views of specialist conservation and archaeological advisers.

KC Conservation and Design – Having reviewed the submitted CIMP for Occupation Bridge, Conservation is satisfied with the detail provided in the submitted document and considers that this can now be discharged.

Assessment

KC Conservation and Design note that having reviewed the submitted CIMP for Occupation Bridge, Conservation is satisfied with the detail provided in the submitted document and considers that this can now be discharged. The details are considered to be acceptable for the purposes of condition 4.

In section 2.2.2 of the CIMP it states *“We do not anticipate any need to depart from the information provided, however there may be unforeseen circumstances which require us to urgently revise proposals. In such circumstances Kirklees Council will be notified as soon as possible, and their agreement sought on the proposals through the established TRU Heritage Working Group”*. For clarity there is no formal process through the regular Heritage Working Group to formally approve any subsequent revisions should these be required. Accordingly, any revisions will need to be considered through the Discharge of Condition process.

Recommendation: Approve details pursuant to condition 2 and condition 4.

Report Dated:

Decision Notice Text

Condition 2 (Materials)

Documents Submitted

- Occupation Underbridge (MDL1/10) Listed Building Consent Condition 2: Schedule of Materials. Dated April 2024.

Assessment

You have submitted the above document. The details therein are considered to be acceptable for the purposes of satisfying condition 2. The condition cannot be fully discharged at this time as it requires that the works shall be constructed using the approved materials.

Condition 4 (Conservation Implementation Management Plan)

Documents Submitted

- Occupation Underbridge (MDL1/10) – Conservation Implementation Management Plan. Dated April 2024

Assessment

You have submitted the above document. The details therein are considered to be acceptable for the purposes of satisfying condition 4. The condition cannot be fully discharged at this time as it requires that the works must be carried out in accordance with the approved CIMP.

In the interests of clarity, with specific reference to paragraph 2.2.2 of the CIMP, any subsequent requirement to amend the approved details would have to be considered through the Discharge of Condition application process.