

**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:	2024/44/91311/W
Site Address:	stables adj, 84, Woodhead Road, Holmbridge, Holmfirth, HD9 2NL
Description:	Discharge condition 9 (highway retaining wall) on previous permission 2021/91568 for erection of extensions and alterations to garage/stable to form one dwelling with associated parking with part removal of boundary wall (within a Conservation Area)
Recommending Officer:	Katie Chew

DECISION – DISCHARGE OF CONDITION REFUSED

**I hereby authorise the refusal of this application for the reasons set out
in the officer's report and recommendation annexed below in respect of
the above matter.**

John Holmes

AUTHORISED OFFICER

Date: 27-Jun-2024

Officer Report:

Application: 2024/91311

Application Site: Stables adj, 84, Woodhead Road, Holmbridge, Holmfirth, HD9 2NL.

Proposal: Discharge condition 9 (highway retaining wall) on previous permission 2021/91568 for erection of extensions and alterations to garage/stable to form one dwelling with associated parking with part removal of boundary wall (within a Conservation Area).

Assessment:

Condition 9 (Highway Retaining Wall)

9. Development shall not commence until detailed cross sectional information, and design and construction details of proposed alterations to the highway retaining wall supporting Fairfields Road/ building walls and structures and changes to ground levels adjacent this highway retaining wall to form the extension and parking platform have been submitted to and approved in writing by the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based on, method statements for both temporary and permanent works, removal of any bulk excavations, a full slope stability analysis together with structural calculations and all associated safety measures for the protection of adjacent public highway. All retaining structures shall be designed and constructed in accordance with the approved details and shall be so maintained throughout the life of the development.

Reason: *This is a pre-commencement condition to ensure that the development can be undertaken without detriment to highway safety and to avoid the risk of land instability at any stage during or after the development process that could cause harm to people or the environment in accordance with Policies LP21 and LP53 of the Kirklees Local Plan.*

The above condition relates to works associated with the highway, therefore the Council's Highway Structures Officers have been consulted. They note that the proposed modification to the existing private burr wall supporting Fairfields Road to form a new vehicular access and also build an extension at the above site are liable to a formal technical approval (via submission of AIP's) and as such pending the successful conclusion of this process, Condition 9 cannot be discharged at this time.

For planning purposes, the submitted details are unacceptable, pending approval by the Local Highways Authority. As it stands without the approval of these details, this discharge of condition application has failed to demonstrate appropriate arrangements which would ensure the safety, effectiveness and efficiency of the alterations proposed to the existing highway retaining wall supporting Fairfields Road/building walls and structures and changes to ground levels adjacent to this highway retaining wall to form the previously approved

extension and parking platform. Condition 9 must therefore remain until further notice.

Having regard to the submitted detail, and response of the Highways Structures Team it is considered further information is required to enable the

Decision Notice Text

Condition 9 (Retaining Wall)

You have submitted the following details:

- Designer Risk Assessment ref. 186-59 by beam consulting, dated 19th April 2024, received 15th May 2024.
- Supporting Highway Structure Statement, ref: 186-59-DOC-01 by beam consulting, dated 9th April 2024, received 15th May 2024.
- Structural Calculations, ref: 186-59-CAL001 by beam consulting, dated 16th April 2024, received 15th May 2024.
- Structural Summary, ref: 186-59 (sheet 18), by beam consulting, dated 16th April 2024, received 15th May 2024.

The submitted details are not considered to enable to discharge of this condition. The details submitted would fail to ensure the safety, effectiveness and efficiency of the alterations proposed to the existing highway retaining wall supporting Fairfields Road/building walls and structures and changes to ground levels adjacent to this highway retaining wall to form the previously approved extension and parking platform. Condition 9 is therefore not discharged.

If further information is received within 28 days of this letter this would be considered and assessed under this application.

Report Dated:

26th June 2024.