

**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>2024/44/91698/E</b>
Site Address:	land at, Westfield Farm, Barnsley Road, Flockton, Huddersfield, WF4 4DW
Description:	Discharge of condition 3 (material samples), 11 (statement/declaration), 12 (drainage scheme) and 13 (storm events) on previous permission 2023/90171 for demolition and re-building of existing farmhouse with extensions and the erection of one dwelling (amended house type)
Recommending Officer:	Nicole Helliwell

**DECISION – DISCHARGE OF CONDITIONS (SPLIT DECISION)**

**I hereby authorise the partial 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: 17-Oct-2025**

## **Officer Report**

**Reference No.** 2024/44/91698/E

**Site Address:** Land at, Westfield Farm, Barnsley Road, Flockton, Huddersfield, WF4 4DW

**Proposal:** Discharge of condition 3 (material samples), 11 (statement/declaration), 12 (drainage scheme) and 13 (storm events) on previous permission 2023/90171 for demolition and re-building of existing farmhouse with extensions and the erection of one dwelling (amended house type)

## **Assessment**

### **Condition 3 – Material Samples**

*3. Before development commences on the superstructure of the dwellings hereby approved, samples of walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used to construct the proposed development.*

**Reason:** *In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the guidance contained within Chapter 12 of the National Planning Policy Framework.*

### **Assessment of Condition 3**

The applicant has submitted a document titled 'Materials - Unit 3 Farm House' (dated 14<sup>th</sup> June 2024, reference no. M01 Rev. B) and a document titled 'Materials - Unit 4' (dated 21<sup>st</sup> September 2024, reference no. M02) which detail the walling and roofing materials proposed. The submitted documents confirm that Unit 3 would be faced in coursed 'Tumbled & Dyed' natural stone and silicone through render with Ashlar heads, cills and mullions and natural blue slate for the roof which would align with the materials approved under app no. 2024/91088.

Furthermore, it is noted that Unit 4 would be faced in coursed 'Tumbled & Dyed' natural stone with Ashlar heads, cills and mullions and natural blue slate for the roof. However, the proposed materials would contravene the plans approved under planning application reference no. 2023/90171. The approved plans show that Unit 4 would be of stone construction with timber cladding at lower ground floor level and Bradstone Old Quarried artificial stone slates for the roof. For this reason, the proposed materials would not be acceptable and therefore, the condition cannot be discharged at this stage and must remain.

### **Condition 11 – Statement/Declaration**

*11. Before the development is brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document*

*shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

**Reason:** *To ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.*

#### Assessment of Condition 11

The applicant has submitted a letter (dated 2<sup>nd</sup> May 2024, ref. E22/7993/MD/L002) from Haigh Huddleston & Associates, the content of which confirms the undertaking of an additional investigation to the one undertaken previously. On the basis that the report attributes the previous voids to fractured sandstone, as opposed to shallow coal mine workings, and confirms that the site is considered to be safe and stable from a mining viewpoint, the Mining Remediation Authority raise no objection to the LPA discharging Condition 11.

#### **Condition 12 – Drainage Scheme**

*12. Prior to construction works commencing, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rates with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 + climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.*

**Reason:** *This is a pre-commencement condition to ensure measures are incorporated at an appropriate time, to guarantee the provision of adequate and sustainable systems of drainage in accordance with LP28 of the Kirklees Local Plan.*

#### Assessment of Condition 12

A document titled 'Preliminary Drainage Feasibility (dated January 2024, reference no. E22/7993/01A) and a plan titled 'Preliminary Drainage Feasibility' (dated January 2024, ref. E22/7993/01A) have been submitted in support of condition 12.

The submitted surface water plans and calculations indicate a 5.0 l/s surface water discharge rate into the Flockton Beck, however the LLFA's response dated 31/03/2024 stated that the allowable discharge rate shall be 3.5 l/s. Therefore, revised calculations and drawings will need to be resubmitted to the

LLFA to show the increased attenuation volume and revised flow control device specification (subject to a minimum 75mm outlet diameter).

Further information will also be required as follows:

1. Discharge of this condition cannot be given until the above confirmation of the right to cross the land between the development and Flockton Beck has been confirmed.
1. Details of the headwall construction will also need to be submitted before Land Drainage Consent can be granted.
2. Details of the organisation that will be responsible for the maintenance of the surface water drainage (including the attenuation tank, flow control device and outfall structure) will need to be confirmed.

Therefore, Condition 12 cannot be discharged until further calculations, drawings and other information, as detailed above, have been submitted to the Lead Local Flood Authority. Any new information will need to be submitted via a new discharge of condition application.

### **Condition 13 – Storm Events**

*13. Prior to construction works commencing, an assessment of the effects of 1 in 100-year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.*

**Reason:** *This is a pre-commencement condition to ensure measures are incorporated at an appropriate time, to guarantee the provision of adequate and sustainable systems of drainage in accordance with LP28 of the Kirklees Local Plan.*

### **Assessment of Condition 13**

A document titled 'Proposed SWS Operations & Maintenance Itinerary' (reference no. E22/7993/MD/L003, dated 10<sup>th</sup> June 2024) has been submitted in support of condition 13. The measures during construction stated in the Operation and Maintenance document to prevent silts from entering the beck are considered sufficient for the purposes of Condition 13, which will be discharged by the completion of the approved works prior to the development being brought into use, and their retention thereafter.

## **Decision Notice Text**

### **Condition 3 – Material Samples**

The following information has been submitted:

- Materials - Unit 4 (dated 21<sup>st</sup> September 2024, reference no. M02)
- Materials - Unit 3 Farm House (dated 14<sup>th</sup> June 2024, reference no. M01 Rev. B)

The submitted details are not acceptable at this time and therefore it is recommended that Condition 3 remain until further notice.

### **Condition 11 – Statement/Declaration**

The following information has been submitted:

- Letter from Haigh Huddleston & Associates (dated 2<sup>nd</sup> May 2024, reference no. E22/7993/MD/L002)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 11 and therefore the condition can be discharged.

### **Condition 12 – Drainage Scheme**

The following information has been submitted:

- Preliminary Drainage Feasibility (dated January 2024, reference no. E22/7993/01A)
- Drainage calculations by Haigh Huddleston & Associates (dated 10<sup>th</sup> June 2024)

The submitted details are not acceptable at this time and therefore it is recommended that Condition 12 remains until further notice.

### **Condition 13 – Storm Events**

The following has been submitted:

- Proposed SWS Operations & Maintenance Itinerary' (reference no. E22/7993/MD/L003, dated 10<sup>th</sup> June 2024)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 13 which will be discharged by the completion of the approved works prior to the development being brought into use, and their retention thereafter.

