

**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>2024/44/91860/E</b>
Site Address:	5-7, Ossett Lane, Earlsheaton, Dewsbury, WF12 8LU
Description:	Discharge details reserved by condition 4 (retaining wall) on previous permission 2023/90833 for reserved matters application pursuant to outline permission 2021/91695 for erection of residential development (5 dwellings)
Recommending Officer:	Nina Sayers

**DECISION – Discharge of Condition 4 - Approved**

**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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 22-Oct-2024**

## Officer Report

### Site Description

**Site address** – 5-7, Ossett Lane, Earlsheaton, Dewsbury, WF12 8LU

**Proposal** – Discharge details reserved by condition 4 (retaining wall) on previous permission 2023/90833 for reserved matters application pursuant to outline permission 2021/91695 for erection of residential development (5 dwellings).

### Assessment

#### Condition 4 – Retaining Wall

Condition 4 reads as follows:

*4. A scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new retaining walls adjacent to the existing highway, including any modifications to the existing retaining wall abutting C522 Ossett Lane, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained. Reason: In the interests of highway safety and to comply with Policies LP21 and LP22 of the Kirklees Local Plan, Highways Design Guide SPD, as well as the aims of Chapter 12 of the National Planning Policy Framework.*

The applicant has submitted the following information in support of the discharge of condition 4:

- Retaining Wall – Section and Elevation ‘13125-SA-ZZ-DR-A-307’
- Preliminary Cube Test Data
- Photographs of Retaining Wall
- Concrete Test Cube Report x 4

KC Highways Structures have been consulted on this application and are satisfied that condition 4 can be discharged. The applicant is reminded that the approved scheme shall be implemented prior to the commencement of the proposed development and must be thereafter retained.

