



Kirklees Council
Planning and Development Service
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Date: 06-Feb-2026
Our Ref: 2024/91996

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of details reserved by conditions 7 (Phasing Plan), 8 (Phase 1 SI), 9 (Phase 2 SI), 12 (Highway Condition Survey), 13 (CEMP), 14 (Construction Environmental Management Plan: Biodiversity), 16 (Trial Trenching) and 19 (Temporary Surface Water Management Plan) of previous permission 2022/93154 for erection of 68 dwellings with associated access, parking, open space, landscaping and infrastructure works (including installation of surface water attenuation tank)
Land at, Penistone Road, Fenay Bridge, Huddersfield, HD8 0AW
Application Number: 2024/91996**

I write with reference to your application to discharge the conditions for the above development as submitted on 15-Jul-2024.

Condition 7 (Phasing Plan)

Pursuant to Condition 7, you have submitted:

- Phasing Plan, Drawing No. Z078 – 004 Rev. B, received 06/11/2024.

The submitted information is considered to be sufficient for the initial requirements of Condition 7. However, be aware that the condition has the below ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The development shall be implemented in accordance with the approved phasing plan.

Condition 8 (Phase 1 SI) & Condition 9 (Phase 2 SI)

Pursuant to Conditions 8 & 9, you have submitted:

- Supplementary Geoenvironmental Appraisal, Report No. 4526/1, authored by Lithos, dated December 2024, received 22/01/2025.

The submitted information is considered to be sufficient to discharge Conditions 8 & 9 and is hereby approved.

By virtue of the findings of the phase 2 report, a formal remediation strategy for contamination, as required by the initial requirement of condition 10, is not considered necessary. However, from the document and approved plans it is evident that regrading is required.

The applicant must confirm that no imported material will be used as part of the development. If imported material is to be used, the developer must demonstrate how the material will be assessed as suitable for its intended use and not pose a risk to human health.

Notwithstanding the above, you are reminded of the secondary requirement of condition 10, which relates to 'unexpected contamination'. For convenience, this is repeated below:

In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Condition 12 (Highway Condition Survey)

Pursuant to Condition 12, you have submitted:

- Dilapidation Survey, draft issue, authored by Andrew Moseley Associates, dated March 2023, received 16/07/2024.

The submitted information is acceptable for the initial requirement of Condition 12 and is hereby approved. However, be aware that the condition has the below ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

Within one month of the development's completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.

Condition 13 (CEMP)

Pursuant to Condition 13, you have submitted:

- Construction Environmental Management Plan, Revision F, authored by Newett Homes, dated October 2025, received 29/10/2025.
- Construction Management Plan, Drawing No. Z078-004, Rev F, received 29/10/2025.

The submitted details are deemed to be acceptable for the initial requirements of Condition 13 and are hereby approved. However, Condition 13 does have 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 14 (CEMP: Biodiversity)

Pursuant to Condition 14, you have submitted:

- Construction Environmental Management Plan: Biodiversity, Rev B, authored by FPCR environment & design, dated 11/12/2025, received 05/01/2026.

The submitted information is acceptable for the initial requirement of Condition 14 and are hereby approved. However, be aware that the condition has the below ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Condition 16 (Trial Trenching)

Pursuant to Condition 16, you have submitted:

- Archaeological Evaluation by Trial Trenching, Report No. 4053, dated October 2023, authored by WYAS Archaeological Services, received 21/10/2024.

The submitted information is considered to be sufficient to discharge Condition 16 and is hereby approved.

Condition 19 (Temporary Surface Water Management Plan)

Pursuant to Condition 19, you have submitted:

- Construction Surface Water Management Plan, Drawing No. 22/491/TSWMP/001, Rev A, received 01/10/2024.
- Surface Water Management Method Statement, authored by Alfa Site Services Ltd, dated 18/03/2024, received 01/10/2024.

The submitted information is acceptable for the initial requirement of Condition 19 and are hereby approved. However, be aware that the condition has the below ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Yours faithfully

Mathias Franklin
Head of Planning and Development