

From: Cllr Alison Munro <Alison.Munro@kirklees.gov.uk>

Sent: 19 September 2024 12:20

To: Victor Grayson <Victor.Grayson@kirklees.gov.uk>; William Simcock <William.Simcock@kirklees.gov.uk>

Subject: Castle Hill 2024/92517

Dear Officers,

Please see attached my submission in relation to the planning application to vary condition 17 of the previous permission dated 10th February 2022.

Thank you,

Alison

Alison L Munro

If you are contacting me as a local constituent, please be aware that I may need to share your personal information when contacting council officers or other agencies relevant to your query. For more information on how I use personal data for my constituency casework, please read my Privacy Notice

at: <http://www.kirklees.gov.uk/beta/information-and-data/pdf/privacy-notice-councillors.pdf>.

Further information about data protection can be found at:

<http://www.kirklees.gov.uk/beta/information-Planning> consent was granted on 10<sup>th</sup> February 2022 in relation to planning application 2018/93591 subject to conditions. In the delegated decision notice S106 Full permission dated 10<sup>th</sup> February 2022, it was noted that scheduled monument consent required from the Sec of State was outstanding. This consent remains outstanding and no such application has been made by the Applicant. The Applicants have had at least 2 years and 7 months (at the time of this submission) to have made such an application.

Under planning permission 2018/93591, development is to commence within 3 years of the date planning permission was given and will expire on the 10<sup>th</sup> February 2025, in 5 months time. According to guidelines published by Historic England, it is illegal to carry out works to the schedule monument without consent. Please see the extract taken from the current guidelines on the Historic England website:

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**Obtaining Scheduled Monument Consent for works is granted by the Secretary of State and must be given in writing before works are started. Consent cannot be given retrospectively, and undertaking works before consent has been given is a criminal offence.**

**According to information from Historic England, Scheduled Monument consent may take up to 13 weeks and Historic England have up to 42 days to submit draft advice to the Secretary of State.**

**It is my view that if the applicants were genuinely interested in commencing works, that they would have already submitted an application to Historic England.**

- Now the applicant would like to change condition 17 under the previous planning approval 2018/93591 this condition from a “pre-commencement” condition (where details must be submitted and approved before any work commences on site) to a “pre-superstructure” condition (where works such as foundations etc can go ahead before the details are submitted and approved, but the details must be submitted and approved before works above ground commence).

It is therefore important to consider the application to vary condition 17 as we need to understand what kind of works on the ancient monument might be involved. I need to know the form the drainage will take and details of the extent of excavations that could be undertaken, but no such details are provided either on the application or accompanying it.

It is my view this application has been carefully calculated both with its timing and its lack of details.

It's not clear either why the Applicants have failed to apply to Historic England for approval.

This being the case, I request this application is refused.

Kind regards,  
Alison