

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:	2024/44/93262/E
Site Address:	Garden House, 13, Longlands Road, Dewsbury, WF13 4AB
Description:	Discharge of details reserved by conditions 4 (Materials), 6 (Arboricultural Method Statement), 7 (Tree Protection Plan), 8 (Bat Boxes), 9 (Construction Schedule/Method Statement) on previous permission 2024/90206 for demolition of existing dwelling and erection of detached dwelling
Recommending Officer:	Nicole Helliwell

DECISION – Discharge of Conditions 4, 6, 7, 8 and 9 - 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: 09-Jan-2025

Officer Report

Reference No. 2024/44/93262/E

Site Address: Garden House, 13, Longlands Road, Dewsbury, WF13 4AB

Proposal: Discharge of details reserved by conditions 4 (Materials), 6 (Arboricultural Method Statement), 7 (Tree Protection Plan), 8 (Bat Boxes), 9 (Construction Schedule/Method Statement) on previous permission 2024/90206 for demolition of existing dwelling and erection of detached dwelling

Assessment

Condition 4 – Materials

4. Prior to development commencing on the superstructure of the dwelling hereby approved, details of all the external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained as such.

Reason: *This pre-commencement condition is in the interest of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

Assessment of Condition 4

The applicant has submitted a document titled 'Planning Condition 4' (reference no. 23-907/241106, dated 6th November 2024) which details the walling and roofing materials proposed. The proposed walling materials would be Bespoke Nordic White 215 x 65mm bricks from Jewson. It is also noted that the roofing materials would be Slatescape Passaro Spanish Slate 500 x 250mm from MYERS Building & Timber Supplies. These materials would be in keeping with those used in the surrounding area. Therefore, these details are deemed to be acceptable for the purposes of the condition and therefore condition 4 can be discharged. This is subject to the development being completed using the approved materials.

Condition 6 – Arboricultural Method Statement

6. Development shall not commence until an Arboricultural Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details of including but not limited to the following:

- removal of existing structures and hard surfacing.*
- installation of temporary ground protection.*
- excavations and the requirement for specialized trenchless techniques within the RPAs of retained trees.*
- installation of new hard surfacing – materials, design constraints and implications for levels within the RPAs of retained trees.*

- *specialist foundations – installation techniques and effect on finished floor levels and overall height.*
- *retaining structures to facilitate changes in ground levels.*
- *preparatory works for new landscaping/replacement planting.*
- *auditable/audited system of Arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.*

and how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: *This detail is required prior to development commencing on site to protect to viability of the protected trees and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework*

Condition 7 – Tree Protection Plan

7. Development shall not commence until a scheme detailing measures to protect the trees during the demolition, engineering and construction phase(s), has been submitted to and approved in writing by the Local Planning Authority. Details must include the type and location of tree protective fencing and the method of installation. Development shall not commence until the works comprising the approved scheme have been fully installed/completed. The approved measures must be retained throughout the demolition, engineering and construction phase(s) of the development. No plant, equipment or materials shall be stored or placed within any fenced area at any time.

Reason: *This detail is required prior to development commencing on site to protect to viability of the protected trees and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.*

Assessment of Condition 6 and 7

An Arboricultural Method Statement (reference no. 21557/a/TT, dated 21st October 2024) which includes a Tree Protection Plan has been submitted in support of conditions 6 and 7. The submitted documents sufficiently detail all steps taken to protect the retained trees on site. As such, KC Trees have confirmed that there are no further comments or objections to the above conditions being discharged.

Condition 8 – Bat Boxes

8. Prior to the commencement of the development, a plan detailing the positioning, location and specification of the two bat roost boxes (Schwegler 1FE bat box, or similar) detailed within the Bat Emergence and Re-Entry Survey report shall be submitted to and approved in writing to the local authority. The boxes shall be installed and retained as detailed in the approved plans.

Reason: *This pre-commencement condition is necessary to provide an enhancement to biodiversity in line with LP30 and the requirements of section 15 of the National Planning Policy Framework.*

Assessment of Condition 8

A document titled 'Proposed Site Plan – Two Bat Roost Boxes' (reference no. PC-01, dated 11/24) has been submitted in relation to condition 8. The location of the bat boxes would be acceptable, therefore, this condition will be discharged by their installation prior to occupation of the development, and their retention thereafter. However, KC Trees remind the applicant that the installation of the bat boxes must not be constructed in a non-intrusive way. For example, not using hammer and nail but rather an adjustable strap or hung in a position where it will not swing against the protected trees causing friction damage.

Condition 9 – Construction Schedule/Method Statement

9. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the numbers and size of vehicles expected to access the site, the routing of construction traffic to and from the site, construction workers and delivery parking facilities, the location of materials storage and site facilities, the use of traffic management/banksman for large deliveries, the provision and the use and retention of adequate wheel washing facilities within the site and the means of removal of mud and debris from the highway/footway. Unless otherwise agreed in writing by the LPA, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: *In the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

Assessment of Condition 9

A document titled 'Temporary Works Plan' (reference no. PC-02, dated November 2024) and a document titled 'Construction Schedule/Method Statement' (reference no. 23-907/241106, dated 6th November 2024) have been submitted in support of condition 9. KC Highways Development Management have reviewed the submitted plan and document and have confirmed that this information is suitable for the discharge of condition 9.

Decision Notice Text

Condition 4 – Materials

The following information has been submitted:

- Planning Condition 4 (reference no. 23-907/241106, dated 6th November 2024)

It is considered that the proposed walling and roofing materials are acceptable for the purposes of condition 4. However, condition 4 can only be fully

discharged when the proposal is constructed and maintained in accordance with the details approved.

Condition 6 - Arboricultural Method Statement

The following information has been submitted:

- Arboricultural Method Statement (reference no. 21557/a/TT, dated 21st October 2024)

In conclusion, it is considered that the submitted information is acceptable for the purposes of discharging condition 6.

Condition 7 - Tree Protection Plan

The following information has been submitted:

- Arboricultural Method Statement (reference no. 21557/a/TT, dated 21st October 2024)

In conclusion, it is considered that the submitted information is acceptable for the purposes of discharging condition 7.

Condition 8 – Bat Boxes

The following information has been submitted:

- Proposed Site Plan – Two Bat Roost Boxes (reference no. PC-01, dated 11/24)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 8. This condition will be discharged by their installation prior to occupation of the development, and their retention thereafter. However, KC Trees remind the applicant that the installation of the bat boxes must not be in a non-intrusive way. For example, not using hammer and nail but rather an adjustable strap or hung in a position where it will not swing against the protected trees causing friction damage.

Condition 9 – Construction Schedule/Method Statement

The following information has been submitted:

- Temporary Works Plan (reference no. PC-02, dated November 2024)
- Construction Schedule/Method Statement (reference no. 23-907/241106, dated 6th November 2024)

In conclusion, it is considered that the submitted information is acceptable for the purposes of discharging condition 9.

