



Kirklees Council
Planning and Development Service
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Huddersfield
HD1 9EL

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Date: 17-Sep-2025
Our Ref: 2025/90610

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 22 (CEMP), 23 (CEMP: Biodiversity) and 30 (internal estate roads) of previous outline permission 2020/92307, including the consideration of access, for erection of residential development (up to 75 units) Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS
Application Number: 2025/90610**

I write with reference to your application to discharge the conditions for the above development as submitted on 05-Mar-2025.

Condition 22: CEMP

Pursuant to condition 22, you have submitted:

- Construction Environmental Management Plan (Framework), authored by Homes by Honey, Rev P04, dated 06/08/2025, received 06/08/2025.
- Compound Plan, Drawing BD-300, received 21/05/2025.
- Construction Management Plan, Drawing 200 Rev C, received 07/07/2025.
- Photo Locations Plan, Drawing 102, Rev L, received 08/08/2025.
- Photographs of site signage locations, received 08/08/2025.

The submitted details are deemed to be acceptable for the initial requirements of condition 22. However, condition 22 has 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.

Further to the above, please note the following comments from KC Environmental Health:

The applicant is reminded that Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

In addition to the above, it is important to note that comments received from KC LLFA are said without prejudice to comments to be provided regarding the future discharge of condition 16 (temporary drainage).

Condition 23: CEMP: Biodiversity

Pursuant to Condition 23, you have submitted:

- Construction Environmental Management Plan (Biodiversity), Document Number: XXX-BWB-ZZ-XX-RP-LE-0001_CEMP(B), Rev P02, authored by BWB Consulting, dated 02/10/2024, received 16/06/2025.

The submitted details are deemed to be acceptable for the initial requirements of condition 23. However, condition 23 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

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 30: Internal Estate Roads

Pursuant to condition 30, you have submitted:

- Section 38 Agreement Plan, Drawing E23/8060/022A, received 06/03/2025.

This condition requires Section 38 technical approval, which has not yet been issued. Condition 30 must therefore remain undischarged until further notice.



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Yours faithfully

Mathias Franklin
Head of Planning and Development