

**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:	2025/44/91011/E
Site Address:	Land Adj, 170, Penistone Road, Shelley, Huddersfield, HD8 8HZ
Description:	Discharge of details reserved by conditions 6 (Bin Presentation Points), 7 (Boundary Treatment Details) and 12 (Phase I Desk Study Report) of previous permission 2023/91272 for erection of detached dwelling
Recommending Officer:	Elenya Jackson

DECISION – DISCHARGE OF CONDITIONS – SPLIT DECISION (6 and 7 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.

Emma Thompson

AUTHORISED OFFICER

Date: 05-Jun-2025

Officer Report

Land Adj, 170, Penistone Road, Shelley, Huddersfield, HD8 8HZ

Discharge of details reserved by conditions 6 (Bin Presentation Points), 7 (Boundary Treatment Details) and 12 (Phase I Desk Study Report) of previous permission 2023/91272 for erection of detached dwelling

Condition 6:

6. Before development commences, details of suitable bin presentation points for collection of wastes from the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interest of highway safety and waste management and to accord with LP24 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

Condition 7:

7. Notwithstanding the submitted plans and information, the dwelling hereby approved shall not be occupied until, full details of all boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the dwelling is first brought into use and thereafter retained.

Reason: In the interests of visual amenity in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and Chapters 12 of the National Planning Policy Framework.

Condition 12:

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

Assessment Condition 6

The following details have been submitted:

- Drawing entitled Plans, Elevations and Views 2204 - 01 Rev D

These documents have been reviewed with KC Highways and the proposed bin storage is considered appropriate. The details would satisfy the requirement of condition 6. The approved details shall be provided before first occupation and shall be so retained thereafter.

Assessment Condition 7

The following details have been submitted:

- Drawing entitled Plans, Elevations and Views 2204 - 01 Rev D

These documents have been reviewed internally. The north of the site would retain its existing boundary treatment, and all other boundaries would be enclosed by a timber boarded fence. The development shall thereafter be completed in accordance with these details before the dwelling is first brought into use and thereafter retained.

The details are considered acceptable for the purpose of condition 7

Assessment Condition 12

The following details have been submitted:

- Phase one report
- Borehole Log

The details are currently being assessed to ensure land contamination can be identified and mitigated to ensure the safe development and occupation of the site. A decision regarding the outstanding matters will be issued once the details have been fully assessed by KC Environmental Health.

Decision notice text

Condition 6

The following details have been submitted:

- Drawing entitled Plans, Elevations and Views 2204 - 01 Rev D

These documents have been reviewed with KC Highways and the proposed bin storage is considered appropriate. The details would satisfy the requirement of condition 6. The approved details shall be provided before first occupation and shall be so retained thereafter.

Condition 7

The following details have been submitted:

- Drawing entitled Plans, Elevations and Views 2204 - 01 Rev D

These documents have been reviewed internally. The north of the site would retain its existing boundary treatment, and all other boundaries would be

enclosed by a timber boarded fence. The development shall thereafter be completed in accordance with these details before the dwelling is first brought into use and thereafter retained.

The details are considered acceptable for the purpose of condition 7

Condition 12

The following details have been submitted:

- Phase one report
- Borehole Log

The details are currently being assessed by KC Environmental Health to ensure land contamination can be identified and mitigated to ensure the safe development and occupation of the site. A decision regarding the outstanding matters will be issued in due course once the details have been fully assessed by KC Environmental Health.