



Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

Enquiries to: Nina Sayers

Jason Walls,
Concept Architecture and Planning Ltd
9, Paddock Close
Drighlington
Bradford
BD11 1LD

Kirklees Direct
Tel: 01484 221000
Email: nina.sayers@kirklees.gov.uk

Date: 07-Oct-2025
Our Ref: 2025/91030

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 5. (phase 1 desk study) 6. (phase 2 site investigation) & 13. (arboricultural method statement) of permission 2024/93237 for
Erection of detached dwelling
adj, 14, Whinmore Gardens, Gomersal, Cleckheaton, BD19 4HG
Application Number: 2025/91030**

I write with reference to your application to discharge the conditions for the above development as submitted on 14-Apr-2025.

Condition 5 and 13 can be discharged.

Condition 6 must remain.

Condition 5 – Phase I Report

The following information has been submitted to support the discharge of condition 5:

- Phase I GeoEnvironmental Desk Study, dated March 2025 - M1179 A.01

The submitted report is considered acceptable for the purposes of discharging condition 5 and it is recommended that Condition 5 is discharged.

Condition 6 – Phase II Report

The following information has been submitted to support the discharge of condition 6:

- Phase II GeoEnvironmental Site Investigation, dated March 2025 - M1179/25 A.0

KC EH have read the report provided and do not accept the report for the following reasons. These must be addressed either by a revised report, or an addendum:

- The gas monitoring is incomplete. Additional monitoring results are required as discussed in the report. 2.
- The number of boreholes (2) does not appear to be in accordance with good practice guidance.
- No atmospheric pressure trends have been reported in the document.
- The report appears contradictory. In Section 8.2, the report suggests no asbestos was found 'Asbestos fibres or fragments were not identified in any of the samples analysed.' This is supported by the laboratory sheets provided. However, the report also reads 'It should be noted that asbestos was found in 2 No. samples and appropriate measures regarding this should be undertaken as a minimum an. Asbestos management plan, specialist asbestos supervision during any site works and an asbestos management plan should be sought for the site before any construction or groundbreaking activities.' This is contradictory and requires clarification.

Condition 6 can therefore not be discharged at this time and must remain. Should further information in respect of condition 6 be submitted to the LPA within the next 6 weeks, this can be dealt with under the current application reference, otherwise a new application would need to be submitted.

Condition 13 – Arboricultural Method Statement

The following information has been submitted to support the discharge of condition 13:

- Arboricultural Method Statement – 22438c/ChC
- Tree Protection Plan – 22438c/ChC

The submitted AMS details the tree protection measures which must be implemented throughout the development of the proposals. Therefore Condition 13 can be now discharged.

Condition 13 can therefore be discharged. The applicant is reminded of the further stipulations of condition 13 which requires the development to be carried out in complete accordance with the Arboricultural Method Statement.

Yours faithfully

Mathias Franklin
Head of Planning and Development