

**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**

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|-----------------------|--|
| Reference No: | 2025/44/91101/E |
| Site Address: | Dale Bank, Storthes Hall Lane, Kirkburton, Huddersfield, HD8 0PR |
| Description: | Discharge of details reserved by conditions 9 (Arboricultural Method Statement), 10 (Phase II Intrusive Site Investigation Report), 11 (Remediation Strategy) and 13 (Verification Report) of previous permission 2024/90914 for demolition of existing dwelling and erection of detached dwelling with associated works |
| Recommending Officer: | Edward Cheseldine |

DECISION – Discharge of Conditions – Split Decision

I hereby authorise the split decision 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: 23-Jun-2025

Officer Report

2025/91101 - Dale Bank, Storthes Hall Lane, Kirkburton, Huddersfield, HD8 0PR

Proposal Description

The proposal is to discharge of details reserved by conditions 9 (Arboricultural Method Statement), 10 (Phase II Intrusive Site Investigation Report), 11(Remediation Strategy) and 13 (Verification Report) of previous permission 2024/90914 for demolition of existing dwelling and erection of detached dwelling with associated works.

Condition 9

9. Prior to commencement of works, a detailed Arboricultural Method Statement and a Tree Protection Plan shall be hereby approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details and retained as such. Reason: To prevent harm and damage to the nearby tree, with the requirements of LP 33.

Assessment

The following has been submitted:

- Arboricultural Method Statement, authored by Iain Tavendale, received 22/04/2025.

For the purposes of the assessment, KC Trees were consulted in order to evaluate the arboricultural methods detailed within the report. The scheme submitted is considered acceptable and satisfactorily addresses the requirements of Condition 8. This is on the proviso as the tree protection fencing is aligned according to the S; photographs and 7-days' notice must be submitted to planning via trees.planning@kirklees.gov.uk. For the purposes of this application, KC Trees recommended the condition can be discharged.

Condition 10, 11, 13

10. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation 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.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (11) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the

implementation and completion of the approved remediation measures.
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.

13. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been 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.

Assessment

The following has been submitted:

- Geoenvironmental Appraisal, authored by Lithos, reference 4977/2, dated April 2025.
- Supplementary Letter, authored by Lithos, received 111 June 2025.

KC Environmental Health have reviewed the submitted information and confirmed the details were suitable for the discharge of conditions 10, 11. The conditions can be discharged on the proviso the details within the Phase II and Remediation Strategy are adhered, and remediation of the site is carried out and completed in accordance with the Remediation Strategy approved.

Condition 13 cannot be discharged at this time as a Verification Report has not been submitted.

Decision Notice Text

Condition 9

The following has been submitted:

- Arboricultural Method Statement, authored by Iain Tavendale, received 22/04/2025.

The scheme submitted is considered acceptable and satisfactorily addresses the requirements of Condition 8. However, this is on the proviso that the tree protection fencing is aligned according to the S; photographs and 7-days' notice must be submitted to planning via trees.planning@kirklees.gov.uk. For the purposes of this application, KC Trees recommended the condition can be discharged.

Condition 10 & 11

The following has been submitted:

- Geoenvironmental Appraisal, authored by Lithos, reference 4977/2, dated April 2025.
- Supplementary Letter, authored by Lithos, received 111 June 2025.

Conditions 10 & 11 can be discharged on the proviso that the details within the Phase II and Remediation Strategy are adhered to, and remediation of the site is carried out and completed in accordance with the Remediation Strategy approved.

Condition 13

Condition 13 cannot be discharged at this time as Verification Report has not been submitted.