

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:	2025/44/92725/W
Site Address:	adj 67, Chapel Gate, Scholes, Holmfirth, HD9 1SX
Description:	Discharge of details reserved by conditions 7 (CMP), 8 (CEMP), 9 (road condition survey), 14 (invasive non-native species protocol), 15 (footway spec), 17 (road drainage structures), 18 (surface water spec), 19 (exceedance event), 20 (temp drainage) on previous permission 2022/92406 for erection of 10 affordable dwellings with access from Chapelgate and associated works including resident play zone
Recommending Officer:	Ellie Thornhill

DECISION – Discharge of Condition – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 08-Sep-2026

Reference: 2025/92725

Site address: Land Adj, 67, Chapelgate, Scholes, Holmfirth, HD9 1SX

Description: Discharge of details reserved by conditions 7 (CMP), 8 (CEMP), 9 (road condition survey), 14 (invasive non-native species protocol), 15 (footway spec), 17 (road drainage structures), 18 (full drainage details), 19 (exceedance event), 20 (temp drainage) on previous permission 2022/92406 for erection of 10 affordable dwellings with access from Chapelgate and associated works including resident play zone

Overview

An initial interim decision letter for this application was issued 07-Apr-2026, with the following position:

Details approved

- 7 (CMP)
- 8 (CEMP)
- 9 (road condition survey)
- 18 (full drainage details)
- 19 (exceedance event)
- 20 (temp drainage)

Outstanding conditions

- 14 (invasive non-native species protocol)
- 15 (footway spec)
- 17 (road drainage structures)

Following engagement with the applicant and further details, a second interim decision letter for this application was issued 24-Apr-2026, with the following position:

Details approved

- 17 (road drainage structures)

Outstanding conditions

- 14 (invasive non-native species protocol)
- 15 (footway spec)

This assessment therefore relates to the outstanding conditions 14 and 15 only.

Condition 14: Invasive non-native species protocol

14. Prior to development commencing, an 'invasive non-native species protocol' shall be submitted to and approved in writing by the Local Planning Authority. The protocol shall detail the containment, control, and removal of buddleia *Buddleia davidii*, Japanese rose *Rosa rugosa* and *Cotoneaster* species on site. Thereafter the development shall be undertaken in accordance with the approved scheme.

Reason: To prevent the spread of non-native invasive species, to safeguard and enhance the function of the application site, in line with the aims and objectives of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This pre commencement condition is necessary to ensure ecological measures are capable of being fully integrated into the construction phase.

In support of condition 14, the following document has been submitted:

- Invasive Plant Management Plan (ref: IPM251046, dated 29/04/26)

Assessment

The following is extracted from the officer report dated 07/04/2026:

Paragraph 10.74 of the committee report for the original application 2022/92406 states that:

*10.74 Invasive non-native species including buddleia *Buddleia davidii*, Japanese rose *Rosa rugosa* (target note 5, photo 8) and a *Cotoneaster* species (target note 6, photo 9) are present on site. Therefore, a condition for an invasive species management plan is recommended, to avoid spreading invasive species.*

*These species are also acknowledged within page 18 of the EcIA (submitted under 2022/92406) However, the Invasive Plant Management Plan submitted for this application does not include any information in relation to the species "buddleia *Buddleia davidii*", as requested by condition 14.*

*Therefore, in the absence of this information a full assessment of condition 14 cannot be undertaken at this time and therefore, the Invasive Plant Management Plan should be updated/revised to include this specie. Should "buddleia *Buddleia davidii*" no longer be present at the site, an explanation as to why, would be required.*

As such, condition 14 cannot be discharged at this time and must remain.

The revised report identifies the measures that will be implemented to contain, treat and eradicate the invasive species recorded within the site, including the previously omitted *buddleia Buddleia davidii*, thereby preventing any further spread. The report further confirms that the off-site disposal of invasive plant

material will be undertaken by a licensed waste carrier and taken to a waste management facility operating under the appropriate environmental permits.

Therefore, it is considered that the information submitted is now acceptable to support the discharge of condition 14.

However, as the condition has an ongoing requirement it cannot currently be discharged in full at this stage. A note of the ongoing requirement is recommended to be included in the decision notice.

Condition 15: Footway specification

15. Prior to development commencing, notwithstanding the details shown on the approved plan(s), a scheme detailing the provision of a minimum 2.0m wide footway long the site's frontage to both Chapelgate and Dean Bridge Lane, as shown on plan ref (462)-GWP-01-01-D-A (PA)-0003 rev P16 shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the proposed construction specification, surfacing, drainage, kerbing, the relocation of existing telegraph poles and street lighting columns, and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwelling shall be occupied until the approved scheme has been implemented.

Reason: *To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure the design has been approved at an appropriate stage of the development process.*

In support of condition 15, the following document has been submitted:

- Section 278 works general arrangement (ref: 22055-DCE-XX-XX-D-C-140 rev C06)
- Section 278 works site clearance and excavation (ref: 22055-DCE-XX-XX-D-C-141-C05)
- Section 278 works surfacing and kerbing (ref: 22055-DCE-XX-XX-D-C-142 rev C06)
- Section 278 construction details (ref: 22055-DCE-XX-XX-D-C-143 C04)

Assessment

As the Section 278 process has now been completed, confirmed via an email from K.C. Highways (S278) dated 07/09/2026, the requirements of Condition 15 have been satisfied, as a scheme detailing the provision of a footway with a minimum width of 2m has been approved.

However, as the condition has an ongoing requirement it cannot currently be discharged in full at this stage. A note of the ongoing requirement is recommended to be included in the decision notice.

Recommendation: Approve both conditions

Report Dated: 04/09/2026

Recommended Decision Notice Text

Condition 14: Invasive non-native species protocol

Pursuant to condition 14, you have submitted:

- Invasive Plant Management Plan (ref: IPM251046, dated 29/04/26)

The information submitted pursuant to condition 14 is considered acceptable and is hereby approved. However, please be aware that condition 14 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

Thereafter the development shall be undertaken in accordance with the approved scheme.

Condition 15: Footway specification

Pursuant to condition 15, you have submitted:

- Section 278 works general arrangement (ref: 22055-DCE-XX-XX-D-C-140 rev C06)
- Section 278 works site clearance and excavation (ref: 22055-DCE-XX-XX-D-C-141-C05)
- Section 278 works surfacing and kerbing (ref: 22055-DCE-XX-XX-D-C-142 rev C06)
- Section 278 construction details (ref: 22055-DCE-XX-XX-D-C-143 C04)

The information submitted pursuant to condition 15 is considered acceptable and is hereby approved. However, please be aware that condition 15 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

No dwelling shall be occupied until the approved scheme.