

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:	2025/44/92917/W
Site Address:	Land off, Edgerton Road, Edgerton, Huddersfield, HD3 3AA
Description:	Discharge conditions 7 (Arboricultural Method Statement) and 8 (LEMP) on previous permission 2024/92167 for variation of condition 1 (plans) on previous reserved matters approval 2017/90190 pursuant to outline permission 2014/93014 for erection of residential development comprising of 41 dwellings plus associated works (within a Conservation Area)
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: 26-Nov-2025

Officer report

Application: 2025/92917

Site: Edgerton Road, Edgerton, Huddersfield, HD3 3AA

Proposal: Discharge conditions 7 (Arboricultural Method Statement) and 8 (LEMP) on previous permission 2024/92167 for variation of condition 1 (plans) on previous reserved matters approval 2017/90190 pursuant to outline permission 2014/93014 for erection of residential development comprising of 41 dwellings plus associated works (within a Conservation Area)

Condition 7: Arboricultural Method Statement

7. Before first occupation, the developer shall provide written and/or photographic evidence to the Local Planning Authority to demonstrate that the arboricultural supervision specified in section 3.1.2 of the Arboricultural Method Statement, reference (JCA 11854e/JC/TT-Rev 1) was undertaken. The development shall not be brought into use until this evidence has been approved in writing by the Local Planning Authority.

Reason: *To protect trees in the interest of visual amenity and to accord with Policies LP24 and LP33 of the Kirklees Local Plan.*

In support of Condition 7 the following documents have been submitted:

- Photo 1
- Photo 2
- Photo 3
- Photo 4
- Photo 5
- Photo 6
- Photo 7
- Photo 8
- Photo 9
- Photo 10
- Photo 11
- Photo 12
- Photo 13
- Photo 14

Consultation Response

KC Trees (informal): The photos are accepted and a site visit has been undertaken. The tree protection fencing is acceptable.

Assessment

Section 3.1.2 of the Arboricultural Method Statement sets out the below:

Once installed, the appointed arboriculturalist will be invited on site to inspect the protective fencing and ground protection, ensuring that it is located in the correct position and that it has been constructed in accordance with this Method Statement. No other work, including soil stripping, excavation, or the bringing onto site of materials or machinery, shall commence until the barrier is installed and confirmed to be acceptable by the appointed arboriculturalist

In this case, KC Trees have visited the site to inspect the fencing and ground protection in situ. The Officer has confirmed that the protective measures are acceptable and in accordance with the Method Statement.

As such the information submitted can be supported. The condition has no ongoing requirements and therefore can be discharged in full.

Notwithstanding the above, condition 5 imposed on the Reserved Matters states:

5. With the exception of works to trees on Plot 38, which are not approved, the development shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference (JCA 11854e/JC/TT-Rev 1). These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: *To protect trees in the interest of visual amenity and to accord with Policies LP24 and LP33 of the Kirklees Local Plan.*

A note of this condition on the decision notice, given its relevance to condition 7, is recommended.

Condition 8: LEMP

8. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority prior to the commencement of the development (including any demolition, ground works and site clearance). The LEMP shall include details of all habitats created as part of the approved scheme, including installed habitat boxes, and shall refer to the possible presence of non-native invasive plant species. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.*
- b) Ecological trends and constraints on site that might influence management.*
- c) Aims and objectives of management.*
- d) Appropriate management options for achieving aims and objectives.*
- e) Prescriptions for management actions.*
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) Details of the body or organization responsible for implementation of the plan.*
- h) Ongoing monitoring and remedial measures.*

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: *To ensure all adverse ecological impacts of construction of the scheme are compensated for within the final design, and that all habitats created as mitigation are managed in an appropriate manner thereafter, in order*

to ensure the approved scheme is acceptable under the requirements of Chapter 11 of the National Planning Policy Framework.

In support of Condition 8 the following document has been submitted:

- Landscape and Ecological Management Document (revised and dated: March 2025)

Consultation Response

KC Landscape (informal) – Response Received 20/11/2025

Provided the LEMP is updated to reflect the latest landscape plans and still includes the five-year replacement planting requirement for any failures or losses, we are happy to proceed with discharging the condition.

Assessment

The component parts of the condition are considered as follows:

a) Description and evaluation of features to be managed

The introduction sets out the management principles and maintenance prescriptions for the site, along with the features to be planted/maintained. These include; existing trees/hedgerows and new areas of native planting, including trees and wildflower meadows.

b) Ecological trends and constraints on site that might influence management.

Section C.13 identifies invasive and ecological considerations that could affect the management of the site. This includes Japanese Knotweed and other invasive species. C.13.2 identifies potential constraints in relation to the woodland understory and paragraph C.13.3 identifies the need to monitor and ensure availability of bird and bat boxes. Appendix 4 (Operational schedules) also sets out the restrictions for each species.

c) Aims and objectives of management.

Section B of the document sets out the management aims and objectives. This includes ensuring that the landscape vision is met and ensuring chemical and invasive species control.

d) Appropriate management options for achieving aims and objectives.

The management plan sets out the long term aims and objectives for the site so that all stakeholders and relevant parties can understand how it is intended that the landscape components be developed and established.

e) Prescriptions for management actions.

Part C of the report sets out the management operations/action plan for the various landscape elements on the site.

f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

The work schedule for each specie has been set out within Part C of the submitted report (including its management and maintenance for five years) and Appendix 4.

g) Details of the body or organization responsible for implementation of the plan.

The management agents for the scheme would be Trust Green.

h) Ongoing monitoring and remedial measures.

The document sets out that *“the operations described in this Plan cover an initial 5-year period from commencement. Longer term management will need to be reviewed at the end of this period to ensure that the management principles and objectives are being met. At this point the Management Prescriptions will be reviewed and revised to respond to conditions on site to develop the plan in perpetuity. Until amendments to the Plan have been formalised the Management Operations will continue in accordance with those for year 5”*.

With regards to the latter part of Condition 8, which reads:

“The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery”.

Officers note that no legal agreement in relation to ecology or landscaped areas were included within the Unilateral Undertaking secured as part of the Outline application (2014/93014). All landscape and ecology measures are to be provided on site. The LEMP sets out the management and maintenance of such species within the site, for a period of at least 5 years, as set out within the condition. Compliance and adherence to the LEMP has been suitably secured by this condition and therefore Officers do not consider it reasonable, necessary or appropriate to secure any further legal or funding mechanism for this.

The submitted details have been reviewed by KC Landscape and Planning Officers and have been considered acceptable for the purposes of Condition 8. However, as the condition has an ongoing requirement it cannot currently be discharged in a full. A note of the ongoing requirement is recommended to be included on the decision notice.

Recommendation: Approve details.

Report Dated: 26/11/2025

Decision Notice Text

Condition 7: Arboricultural Method Statement

Pursuant to Condition 7, you have submitted the images titled:

- Photo 1
- Photo 2
- Photo 3
- Photo 4
- Photo 5
- Photo 6
- Photo 7
- Photo 8
- Photo 9
- Photo 10
- Photo 11
- Photo 12
- Photo 13
- Photo 14

The submitted information is deemed acceptable for the requirements of Condition 7 and is hereby approved. The condition has no ongoing requirements and therefore can be discharged in full.

Notwithstanding the above, you are reminded of the associated ongoing requirements of condition 5 imposed on 2024/92167, which reads:

5. With the exception of works to trees on Plot 38, which are not approved, the development shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, reference (JCA 11854e/JC/TT-Rev 1). These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: *To protect trees in the interest of visual amenity and to accord with Policies LP24 and LP33 of the Kirklees Local Plan.*

Condition 8: LEMP

Pursuant to Condition 8, you have submitted:

- Landscape and Ecological Management Document (revised and dated: March 2025)

The submitted information is deemed acceptable for the initial requirements of Condition 8 and is hereby approved.

Notwithstanding the above, please note that Condition 8 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The approved plan will be implemented in accordance with the approved details.