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APPLICATION TO DISCHARGE CONDITIONS 6, 14 AND 16 ON LAND AT COLDERS LANE, MELTHAM, HOLMFIRTH, HD9 5JL FOR ERECTION OF 2 DETACHED DWELLINGS WITH INTEGRAL GARAGES

LPA REF: 2022/91423

Dear Sir or Madam,

This application seeks to discharge conditions 6, 14 and 16 on the above planning application.

Condition 6 states:

Details of all proposed and existing boundary treatments for the boundaries of each plot shall be submitted to and approved in writing by the Local Planning Authority before the dwelling to which it relates is first brought into use, and the approved boundary treatments erected or constructed before the dwelling to which it relates is first occupied, and thereafter retained.

Reason: *To ensure that the development provides an adequate level of privacy for the occupiers of the new dwellings and neighbouring properties in the interests of residential amenity, and to accord with the aims of Policy LP24(b) of the Kirklees Local Plan and Principle 6 of the Housebuilders Design Guide SPD.*

Submission to discharge this condition:

A proposed site plan is enclosed with this application. This provides details in the form of: stone walling, metal fencing and gateways to the front of the dwellings, 1.1 m high glazed balustrades to the rear of the dwellings to delineate the patio and stepped garden areas, hit and miss wooden boundary fencing to the sides and rear, ranging from 1.2 to 1.8 m high.

Condition 14 states:

A post development condition survey of Colders Lane (that part of the lane that has been covered by the approved pre-condition survey), shall be undertaken by the developer and submitted to the Local Planning Authority on completion of development and prior to first occupation of either dwelling. This

will identify any damage to the highway caused during construction, including a list of repairs that are required to return the highway to the condition it was prior to the commencement of development (as recorded in the pre commencement survey photographs submitted 4th August 2022) and a method statement for carrying out the repairs. All repair works identified in the approved report shall be undertaken in accordance with the approved method statement before any dwelling is occupied.

Reason: *To ensure that Colders Lane can be maintained in, or restored to, the condition recorded before the commencement of development in the interests of the safety and convenience of other road users and users of the Public Right of Way, and to accord with the aims of Policies LP20 and LP21 of the Kirklees Local Plan.*

Submission to discharge this condition:

A pre- and post-road condition survey has been carried out and is detailed in the accompanying document which shows before and after photos for all relevant aspects of Colders Lane. These photos illustrate that the road surface has been improved in the interim, meaning that it is in better condition than before the development took place.

Condition 16 states:

A Biodiversity Enhancement and Management Plan (BEMP) to ensure that a biodiversity net gain is achieved post-development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is brought into use. The BEMP shall include the following:

- i) Description and evaluation of features to be managed and enhanced;*
 - ii) Extent and location/area of proposed enhancement works on appropriate scale maps and plans;*
 - iii) Ecological trends and constraints on site that might influence management;*
 - iv) Aims and Objectives of management;*
 - v) Appropriate management Actions for achieving Aims and Objectives;*
 - vi) An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);*
 - vii) Details of the management body or organisation responsible for implementation of the BEMP;*
 - viii) Ongoing monitoring programme and remedial measures; and*
- The approved BEMP will be implemented in accordance with the approved details and all features thereafter retained as such.*

Reason: *To ensure that appropriate ecological enhancement of the site is delivered in accordance with Policy LP 30 of the Kirklees Local Plan, Principle 9 of the Housebuilders' Design Guide SPD and the requirements of Chapter 15 of the National Planning Policy Framework.*

Submission to discharge this condition:

A Technical Note: Biodiversity Enhancement and Management Plan accompanies this application in order to discharge this particular condition.

We hope that this information is sufficient to discharge the above conditions. However, please contact us if you have any questions or matters to discuss.

Yours faithfully,

Nick Willock MRTPI MRICS

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