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:	**2026/44/90471/E**
Site Address:	11 , Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN
Description:	Discharge of details reserved by conditions 8 (CEMP), 10 (boundary retaining wall), 12 (planting), 13 (Biodiversity Enhancement Plan) on previous permission 2024/91934 for demolition of existing dwelling and erection of four dwellings
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE OF CONDITIONS SPLIT DECISION

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.

John Holmes

AUTHORISED OFFICER

Date: 23-Sep-2026

Officer Report
Reference No. 2026/44/90471/E
Site Address: 11 , Wood Street, Skelmanthorpe, Huddersfield, HD8 9BN
Proposal: Discharge of details reserved by conditions 8 (CEMP), 10 (boundary retaining wall), 12 (planting), 13 (Biodiversity Enhancement Plan) on previous permission 2024/91934 for demolition of existing dwelling and erection of four dwellings.

Representations have been received from Denby Dale Parish Council stating they refer to Kirklees Officers although raise concern relating to deteriation of the dry stone wall.

A third party representation has also been received, which raises objection. Setting out that the CEMP is not being adhered to / has not been approved and works have commenced. Details of non compliance with the proposed CEMP is set out in the representation received.

The representations received are taken into account within the assessment of the details submitted to discharge conditions 8, 10, 12 and 13.

Assessment
Condition 8 - CEMP
8. Prior to the commencement of development (including demolition and ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include a timetable of all works, details of point(s) of access for construction traffic, vehicle sizes and routes, times of vehicle movements, parking for construction workers, predevelopment road condition surveys, wheel washing facilities within the site and hours of working. The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.
Reason: *This pre-commencement condition is necessary to ensure the site can be made safe and accessible in the interests of highway and pedestrian safety in accordance with Policies LP21 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.*

Assessment of Condition 8

The applicant has submitted a document titled 'Construction Management Plan' (dated 7th July 2026, rev. 01) in support of condition 8. The information contained within the Construction Management Plan covers all of the points mentioned in the wording of condition 8, however, it should be noted that the wording requires a post construction highway condition survey and this will still need to be carried out after construction has been completed. With this, KC Highways Development Management are satisfied that the submitted Construction Management Plan is suitable for the discharge of condition 8.

Taking account of the response of the Highways Team and the submitted detail it is considered that condition 8 can be discharged insofar as it relates to the submitted construction management plan.

Any non compliance with a scheme so approved by condition would be an enforcement matter, and refusal to discharge a condition on the basis of potential non compliance with the scheme would not be reasonable by the LPA.

Condition 10 – Boundary Retaining Wall

10. Before the development commences, the proposed demolition of existing private boundary retaining wall adjacent to Wood Street and design of the of new substitute retaining Wall shall be submitted (via submission of an AIP) and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.
***Reason:** This pre-commencement condition is necessary to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.*

Assessment of Condition 10

Condition 10 is still pending consideration. A further response will be issued at a later stage once KC Highways Structures have reviewed the submitted information.

Condition 12 – Replacement Planting

12. Development shall not commence until a replacement planting plan and maintenance schedule following the guidance in BS 8545:2014. has been submitted to and approved in writing by the Local Planning Authority. This plan should include replacement planting to mitigate the loss of T4, which would

consist of 3 no. Sycamores, using the space available so that they have space to develop into good quality trees in the future.
Reason: *This detail is required prior to development commencing on site to protect the future amenity and canopy cover of the site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.*

Assessment of Condition 12

Condition 12 is still pending consideration. A further response will be issued at a later stage once KC Trees have reviewed the submitted information.

Condition 13 – Biodiversity Enhancement Management Plan

13. No works shall take place until a Biodiversity Enhancement Management Plan has been submitted to and approved in writing by the local planning authority. The plan must include the following:
- *1no bat boxes*
- *1no bird boxes*

Reason: *This pre-commencement condition is necessary in the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.*

Assessment of Condition 13

The applicant has submitted a document titled 'Biodiversity Enhancement Plan' dated 5th February 2026 in support of condition 13. The management plan has been reviewed by KC Ecology who have confirmed that it is acceptable in line with the requirements of the condition. Taking account of the submitted Biodiversity Enhancement Management Plan and response of the Ecology Team it is recommended that condition 13 be discharged on the basis of the submitted detail.

Decision Notice Text

Condition 8 - CEMP

The following information has been submitted:

- Construction Management Plan (dated 7th July 2026, rev. 01)

The submitted details are considered acceptable for the purposes of Condition 8 and therefore the condition is part discharged insofar as it relates to the submitted Construction Management Plan. It is a requirement of this condition that upon completion of the development, post-development road condition

surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

This condition cannot, therefore, be fully discharged until completion of the development, post-development road condition surveys and a schedule of remedial works are submitted to, and approved in writing by, the Local planning Authority.

Condition 10 – Boundary Retaining Wall

Condition 10 is still pending consideration. A further response will be issued at a later stage once KC Highways Structures have reviewed the submitted information.

Condition 12 – Replacement Planting

Condition 12 is still pending consideration. A further response will be issued at a later stage once KC Trees have reviewed the submitted information.

Condition 13 – Biodiversity Enhancement Management Plan

The following information has been submitted:

- Biodiversity Enhancement Plan (dated 5th February 2026)

The submitted details are considered acceptable for the purposes of Condition 13 and this condition is satisfied and discharged on this basis.