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:	2018/44/90527/W
Site Address:	Land off, Carr Top Lane, Golcar, Huddersfield, HD7 4JB
Description:	Discharge conditions 2, 3, 5, 6, 7, 9, 10, 11 on previous permission 2017/91173 for reserved matters application for erection of 16 dwellings pursuant to outline permission 2015/90507 for residential development (within a Conservation Area).
Recommending Officer:	Adam Walker

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.

David Wordsworth

AUTHORISED OFFICER

Date: 16-Apr-2019

2018/90527 - Officer Report

This application relates to the approval of reserved matters for the erection of 16 dwellings on land off Carr Top Lane, Golcar – 2017/91173. The application seeks to discharge conditions as follows:

Condition 2

2. No development shall take place until sample of the stone and slate to be used for the dwellings, and the materials to be used in the retaining structures, have been submitted to and approved in writing by the local Planning Authority, and the development shall be constructed of the approved materials.
Reason: *In the interests of visual amenity and to accord with Policy BE5 of the Kirklees Unitary Development Plan.*

Assessment

Officers have previously informally agreed the facing materials and construction has begun using these materials. The developer has provided confirmation of the facing materials which are accepted under the terms of the condition.

Condition 3

3. No site clearance, preparatory work or development shall take place until an arboricultural method statement (in accordance with British Standard BS 5837) for the protection of trees and/or hedgerows including appropriate working methods has been submitted to and approved in writing by the local planning authority. The method statement for the protection of retained trees and/or hedgerows shall be carried out as approved. In this condition retained trees and/or hedgerows means those to be retained in accordance with the approved plans.
Reason: *To safeguard mature and protected tress in accordance with Policy NE9 of the Kirklees Unitary Development Plan*.

Assessment

An Arboricultural Method Statement (ref 13478-A/AJB – Revised Feb 2018) has been submitted.

The submitted Arboricultural Method Statement has been reviewed by the KC Trees Officer and is considered acceptable.

Condition 5

5. Before any materials are brought on site or development commences, the developer shall erect protective chestnut paling or similar fencing around all trees, shrubs or hedges to be retained, to the branch spread of individual trees or groups of trees/shrubs. The applicant shall obtain the Local Planning

Authority's written confirmation that the fence is satisfactory and shall maintain such fencing unaltered until the development is completed
Reason *To safeguard mature and protected trees in accordance with Policy NE9 of the Kirklees Unitary Development Plan*

Assessment
The KC Trees Officer has stated that the Arboricultural Method Statement provided is acceptable for this condition.

Condition 6

6. Prior to development commencing details of all boundary treatments, including that to separate the site from 1 and 1A Carr Top Lane, and the domestic curtilages of plots 9-13 from the wooded bank adjacent to Brook Lane, and the boundary treatments implemented in accordance with the approved details
Reason: *In the interests of visual and residential amenity, and to accord with Policy BE5 of the Kirklees Unitary Development Plan.*

Assessment

Drawing number 2748/1 Rev J (Landscape Management Plan) has been submitted which shows the proposed boundary treatment.

The proposal is as follows:

- 1.2 metre high stone wall to the entrance from Carr Top lane
- 1.8 metre high timber fence to the rear and sides of all plots.
- 1.2m high timber post and rail fence to the entrance way.

The surrounding area is characterised by stone boundary walls which are typically quite low in height although there are some higher stone boundary walls where they form highway retaining structures. High timber fencing is not prevalent in the area although there are a small number of examples where it exists in the immediate vicinity; some of these examples appear quite incongruous within this setting.

The site sits prominently on the hillside when viewed from across the valley.

In this context I have significant concerns with the amount of 1.8m timber fencing that is being proposed and how this would sit within the landscape. It would give an overly suburban appearance to the development that is at odds with the prevailing character of the area. As such I consider that this aspect of the boundary treatment proposals should be reconsidered and a more sympathetic form of boundary treatment proposed, for example a mixture of lower fencing, stone walls and soft landscaping such as hedgerows.

I am of the opinion that the boundary treatment around the entrance would harmonise with the area.

Condition 7

7. Prior to any development commencing details of bio diversity enhancement measures for the entire site, shall be submitted for the approval of the Local Planning Authority. The approved measures shall be implemented in accordance with an agreed timescale, and subsequently retained for the lifetime of the development.
Reason: *To accord with the guidance contained in part 11 of the National Planning Policy Framework "Conserving and enhancing the natural environment".*

Assessment

Drawing number 2748/1 Rev J (Landscape Management Plan) has been submitted.

As per condition 23 on 2018/90528, acceptable details have not been provided in respect of biodiversity measures and the condition cannot be discharged at this time.

Condition 9

9. Internal adoptable roads

No development shall take place until a scheme detailing the proposed internal adoptable estate roads have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.
Reason*: To ensure that suitable access is available for the development, and accord with Policy T10 of the Kirklees Unitary Development Plan*

Assessment

HDM have confirmed that a scheme has been designed and submitted to the Council's Section 38 department which has subsequently been approved.

Details submitted under the terms of this condition are:

- Drawing number 22604_02_020_01 Rev J (Section 38 Agreement Plan)
- Drawing number 22604_02_070_01 Rev K (General Arrangement)
- Drawing number 22604_02_080_06 Rev K (Flow Control Chamber S07 Construction Details)
- Drawing number 22604_02_080_07 Rev E (Storage Manholes S4, S5 & S6 Construction Details)
- Drawing number 22604_02_070_02 Rev G (Manhole Schedule)

- Drawing number 22604_02_080_02.1 Rev C (Highway Construction Details Sheet 1 of 2)
- Drawing number 22604_02_080_02.2 Rev C (Highway Construction Details Sheet 2 of 2)
- Drawing number 22604_02_080_02.1 Rev D (Drainage Construction Details Sheet 1 of 2)
- Drawing number 22604_02_080_02.2 Rev D (Drainage Construction Details Sheet 2 of 2)
- Drawing number 22604_02_070_04 Rev G (Gully Catchment Areas)
- Drawing number 22604_02_070_06 Rev F (Flood Routing Plan)
- Drawing number 22604_02_080_04 Rev B (Attenuation Crate Construction Details)
- Drawing number 22604_02_110_01 Rev F (Longitudinal Sections)
- Drawing number 22604_02_070_03 Rev J (Impermeable Catchment Area Plan)
- Drawing number 22604_02_110_03 Rev C (Section 38 Typical Cross-Section Through Road 2)
- Drawing number 22604_02_100_02 Rev A (Section 38 Street Lighting Layout)
- Drawing number 22604_02_060_01 Rev H (Surface Finishes & Kerbing)
- Drawing number 22604_02_020_01 Rev G (Highway Setting Out)

Condition 10

10. Method of storage/access for waste

Before development commences details of storage and access for collection of wastes from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.
Reason: *In the interests of amenity and highway safety and to accord with Policy T10 of the Kirklees Unitary Development Plan.*

Assessment

HDM comments: The submitted dwg (ref MI1074-003 Rev F – Planning Layout) indicates a suitable arrangement for the provision of storage and collection of waste from the premises and is considered acceptable.

Condition 11

11. Retaining walls

Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction details for all new retaining walls adjacent to existing/ adoptable highways including any modifications to the existing highway retaining walls on C556 Brook Lane and Carr Top Lane and the supporting embankment

shall be submitted to 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: *In the interests of highway safety and visual amenity, and to accord with Policies T10 and BE5 of the Kirklees Unitary Development Plan.*

Assessment

HDM comments: A design and checklist certificate has been submitted and approved in writing by the Council's Structures section.

Details submitted under the terms of this condition are:

- Drawing number 22604_05_010_01 Rev J (AIP Retaining Wall 1 General Arrangement)
- Drawing number 22604_05_010_03 Rev D (AIP Retaining Wall 2 General Arrangement)
- Design calculations pack (dated 12/2/18)

Report Dated: 25/3/19