

**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: 2018/44/91097/W

Site Address: Broad Lane Farmhouse, 38, Broad Lane, Upperthong,
Holmfirth, HD9 3JS

Description: Discharge conditions 5, 7, 8 on previous permission
2015/91303 for partial demolition and rebuilding of
existing buildings with extensions and alterations to
form 3 dwellings (Listed Building)

Recommending Officer: John Ritchie

**DECISION – details for condition 5 acceptable (report dated 30th April
2018)**

**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.**

Teresa Harlow

AUTHORISED OFFICER

Date: 30-Apr-2018

2018/91097 - Officer Report

This application relates to planning permission for the demolition and rebuilding of existing buildings to form three dwellings at Broad Lane Farmhouse, 38 Broad Lane, Upperthong – 2015/91303. The application seeks to discharge conditions as follows:

5. Details of the external and internal boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority before works to construct the roof structures of any of the dwellings commences. The boundary treatment so approved shall be provided before the first dwelling is occupied and shall thereafter be retained as such.

Reason: To preserve the significance of the designated heritage asset and in the interests of visual amenity and to accord with Policies BE1 and BE2 of the Kirklees Unitary Development Plan and guidance in the National Planning Policy Framework.

Assessment

The submitted proposals show:

- A 0.9m high drystone wall topped by a 0.9m high hit and miss fence around the site boundary including the boundary to Broad Lane.
- A 0.9m high drystone wall at the site entrance
- A 1.8 m high hit and miss fence between the rear boundaries of the properties.

This has been discussed with the Conservation & Design officer due to the proximity of listed buildings. Concerns are raised about the stone wall and fence on the frontage to Broad Lane. Whilst there is a similar arrangement on 52 Broad Lane this has been in situ for some time. The site levels are raised above the highway and it is considered that a 0.9 wall section above the existing retaining wall will be more in keeping with the setting of the listed building.

7. Details of the bin storage and collection arrangements to serve the dwellings shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied. The bin storage and collections points shall be provided before the development is first brought into use and thereafter retained free from obstruction.

Reason: To ensure that adequate bin storage and collection arrangements are provided in the interests of amenity and highway safety and to accord with Kirklees Unitary Development Plan Policies BE1 and T10.

Assessment

The submitted plans show bin storage areas but not collection points. The Highways Officer has requested further details of points which are adjacent to or close to the entrance but which will not obstruct the access. Given the narrow access it is difficult to see how permanent access points can be provided at this point. In such circumstances the applicant has been asked to detail the proposed arrangements on bin collection days.

8. An electric vehicle recharging point shall be installed within the dedicated parking area for each of the approved dwellings (one recharging point per dwelling) before the dwelling to which the recharging point relates is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.

Reason: To accord with the guidance contained in Part 4 of the National Planning Policy Framework “Promoting sustainable transport” and to encourage low carbon forms of transport in accordance with Part 11 of the National Planning Policy Framework.

Assessment

This condition does not require the submission of details for discharge.

Decision Text

Condition 5 (Boundary treatment)

You have submitted the following:

- Drawing 14/D92/10 rev C Site/Location Plan
- Drawing 14/D92/21 Boundary Details

These details are acceptable for the purposes of condition 5 except for the proposed combined fence and wall on the Broad Lane frontage. The fence in this location is considered to be harmful to the setting of the nearby listed buildings. The ground levels at this point are at the level of the retaining wall and this should be retained or replaced. It is suggested that the wall could extend to a height of 0.9metre high above the height of the existing or replacement wall to contain activities within the garden and retain privacy from road level.

These details can be submitted as part of the current application and a fresh application and fee will not be required.

Condition 7 (Bin Collection Points)

You have submitted the following:

- Drawing 14/D92/10 rev C Site/Location Plan

The submitted details are not acceptable to discharge condition 7. They show bin storage areas, however bin collection points need to be shown which will allow the bins from all three dwellings to be collected from a point close to or adjacent to the Broad Lane carriageway edge. Bin collection points should be sited such that the bins can be collected without obstructing the proposed access or Broad Lane. In accordance with my e-mail of 23rd April 2018 I would be grateful to receive details of the proposed arrangements. These details can be submitted as part of the current application and a fresh application and fee will not be required.

Condition 8 (Electric Vehicle Charging Points)

This condition is a requirement for the provision and retention of such facilities as specified in the condition and is on-going for the lifetime of the development. The condition does not require the submission of further details for discharge.

Report Dated: 23 April 2018

2018/91097 - Officer Report

This application relates to planning permission for the demolition and rebuilding of existing buildings to form three dwellings at Broad Lane Farmhouse, 38 Broad Lane, Upperthong – 2015/91303. The application seeks to discharge conditions and a split decision was issued on 23rd April.

The remaining issue related to condition 7 as follows:

7. Details of the bin storage and collection arrangements to serve the dwellings shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied. The bin storage and collections points shall be provided before the development is first brought into use and thereafter retained free from obstruction.

Reason: To ensure that adequate bin storage and collection arrangements are provided in the interests of amenity and highway safety and to accord with Kirklees Unitary Development Plan Policies BE1 and T10.

Assessment

The submitted plans showed bin storage areas but not collection points. The Highways Officer requested further details of points which are adjacent to or close to the entrance but which will not obstruct the access. These have now been supplied and considered acceptable by the Highways officer.

Decision Text

Condition 7 (Bin storage and collection points)

You have submitted drawing no 14/D92/10 rev D Site/ Location plan. This is acceptable for the purposes of condition 7. The condition requires that the agreed scheme is retained for the lifetime of the development therefore it cannot be completely discharged at the present time.

Report Dated: 27-April-2018

2018/91097 - Officer **Report**

This application relates to planning permission for the demolition and rebuilding of existing buildings to form three dwellings at Broad Lane Farmhouse, 38 Broad Lane, Upperthong – 2015/91303. The application seeks to discharge conditions and split decisions were issued on 23rd & 27th April 2018.

The remaining issue relates to condition 5 (Boundary Treatment) as follows:

5. Details of the external and internal boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority before works to construct the roof structures of any of the dwellings commences. The boundary treatment so approved shall be provided before the first dwelling is occupied and shall thereafter be retained as such.

Reason: *To preserve the significance of the designated heritage asset and in the interests of visual amenity and to accord with Policies BE1 and BE2 of the Kirklees Unitary Development Plan and guidance in the National Planning Policy Framework.*

The submitted proposals show:

- ☐ A 0.9m high drystone wall topped by a 0.9m high hit and miss fence around the site boundary including the boundary to Broad Lane.
- ☐ A 0.9m high drystone wall at the site entrance
- ☐ A 1.8 m high hit and miss fence between the rear boundaries of the properties.

This has been discussed with the Conservation & Design officer due to the proximity of listed buildings. Concerns are raised about the stone wall and fence on the frontage to Broad Lane. Whilst there is a similar arrangement on 52 Broad Lane this has been in situ for some time. The site levels are raised above the highway and it is considered that a 0.9 wall section above the existing retaining wall will be more in keeping with the setting of the listed building.

The applicant has now submitted an amended plan showing a 0.9 metre high wall on top of the existing retaining wall to the frontage of Broad Lane. The omission of the previously proposed fence is now acceptable.

Decision Text

Condition 5 (Boundary Treatment)

You have submitted the following:

- Drawing 14/D92/10 rev E dated 30 April 2018.

This is acceptable for the purposes of condition 5. The condition requires that the agreed treatment is completed and retained therefore it endures for the lifetime of the development and cannot be completely discharged at the present time.

30 April 2018

Report Dated: