

**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: 2020/44/93278/E

Site Address: adj, 43, Mortimer Street, Healey, Batley, WF17 8BW

Description: Discharge conditions 3 (materials) and 5 (boundary planting) on previous permission 2020/90097 for reserved matters application pursuant to outline permission 2019/91604 for erection of two semi-detached dwellings and formation of shared private drive and turning area

Recommending Officer: Louise Bearcroft

DECISION – DISCHARGE OF CONDITIONS 3 & 5 APPROVED

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.

Paul Dowd

AUTHORISED OFFICER

Date: 26-Nov-2020

Discharge conditions 3 (materials) and 5 (boundary planting) on previous permission 2020/90097 for reserved matters application pursuant to outline permission 2019/91604 for erection of two semi-detached dwellings and formation of shared private drive and turning area

Condition 3

Condition 3 Wording:

Notwithstanding the details in the 'materials schedule' samples of all facing and roofing materials shall be inspected by and approved in writing by the Local Planning Authority before works to construct the superstructure of the dwellings commence. Thereafter the development shall be constructed of the approved materials and be retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

Officer Assessment

Details have been submitted in email correspondence of the proposed facing and roofing materials.

The proposed roofing tile is Marley Modern Roof Tile in smooth grey. This would preserve the visual amenity of the surrounding area and is considered acceptable.

A number of options have been presented for the facing brick:

- Forterra Woodstock blend reserve
- Forterra Worcester Red Mutli Worrn
- Ibstock Leicester Red Stock

Officers preferred option is Ibstock Leicester Red Stock facing brick, which would preserve the visual amenity of the surrounding area.

The Ibstock Leicester Red Stock facing brick facing and Marley Modern Roof Tile in smooth grey are considered acceptable for the purposes of satisfying condition 3, provided the development is constructed in accordance with these approved materials.

Condition 5

Condition 5 Wording:

Notwithstanding condition 4, details of the treatment/planting to the western boundary shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the dwellings commence. Thereafter the works comprising the approved scheme shall be implemented in accordance with the approved details and be retained.

Reason: In the interests of visual amenity and to protect the amenity of occupiers of neighbouring residential properties and to accord with Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

Officer Assessment

The boundary treatment details are provided on plan entitled 'Existing and Proposed Block Plans' drawing ref 385-B02-Rev C.

Further details of the boundary treatment to the western boundary were requested, to ensure the amenity of occupiers of neighbouring residential properties would be protected from the proposed use of the new access road.

On the western boundary it is proposed the existing hedge will be trimmed and privet (*Ligustrum ovalifolium*) gap planting to thicken the hedge. Beyond this hedge in the northern part of the site, it is proposed to erect a retaining wall of a maximum height of 0.90m. *Ligustrum ovalifolium* is a semi-evergreen shrub with an eventual height of approximately 3m and a spread of 3m. This would provide over time a relatively dense boundary which would mitigate against the potential impact on residential amenity which could arise from the proposed use of the new access road. Subject to the hedge being maintained at a height of around 2 metres, it is considered the details on plan Ref 385-B02 Rev C are acceptable.

Recommendation: Discharge conditions 3 and 5.

Decision Notice Text

Condition 3

The details of the facing and roofing materials; Ibstock Leicester Red Stock brick and Marley Modern Roof Tile in smooth grey, are considered to be acceptable for the purposes of satisfying condition 3, provided the development is constructed in accordance with these approved materials and retained.

Condition 5

The boundary treatment details on plan entitled 'Existing and Proposed Block Plans' drawing ref 385-B02-Rev C are acceptable for the purposes of satisfying condition 5, provided the development is undertaken in accordance with the approved details and the hedge is retained and maintained at a height of 2 metres.

Report Dated: 24th November 2020

