

**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: 2020/44/94068/W

Site Address: Green View House, 34, Greenhead Road,
Huddersfield, HD1 4EZ

Description: Discharge condition 3 on previous permission
2020/91591 for erection of extensions, demolition and
refurbishment of existing vacant care home and coach
house to create care facility (class C2), external and
internal alterations and erection of activities cabin
(Class C2) (within a Conservation Area)

Recommending Officer: Stuart Howden

DECISION - REFUSED

**I hereby authorise the refusal 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: 14-Jan-2021

Officer Report - Discharge of Conditions Application

The application seeks to discharge condition 3 (meshing details) on previous permission 2020/91591 for erection of extensions, demolition and refurbishment of existing vacant care home and coach house to create care facility (class C2), external and internal alterations and erection of activities cabin (Class C2) (within a Conservation Area). Planning permission for 2020/91591 was approved on 17th August 2020.

Condition 3: Meshing Details

Wording

3. Prior to the installation of expanded metal mesh cladding on the hereby approved external staircase, specific details of the mesh to be installed including its final colour shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be installed prior to external stair being first brought into use and retained thereafter.

Reason: In the interest visual amenity and to protect the character and appearance of the Greenhead Park/New North Road Conservation Area and Greenhead Park and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in Chapters 12 and 16 of the National Planning Policy Framework.

Officer Assessment

The condition requesting specific details of the mesh to be installed on the external staircase was requested to ensure that a lightweight material was used for the meshing so that the staircase was not overly prominent.

Whilst Condition 3 requests details of the colour of the mesh, Drawing No.B111 Revision B which was approved under planning application 2020/91591 outlined that the colour of the meshing would be RAL9011 (Graphite Black), therefore the colour has already been approved and to change this would require a variation of condition application. However, full details of how the meshing would appear were not submitted alongside the planning application and without this information officers could not ascertain how heavy the meshing would appear and therefore Condition 3 was attached.

An annotated plan (Drawing No.B111 Revision C) has been submitted alongside this discharge of condition application. This plan displays vertical metal bars in a RAL9011 colour on the external staircase. Clarity was requested regarding the metal bars, notably whether there were any pictures or manufacturer's specification details of how this would appear. A stock photo was submitted to Officers on 13th January 2021 from the applicant's agent which displayed metal bars around a staircase and the applicant's agent noted the means of enclosing the stair case would be similar to this photograph.

From the information submitted in support of this Discharge of Condition application, Officers consider that Condition 3 should not be discharged. This is because meshing is not proposed on the external staircase under this application, but vertical metal bars instead. As the submitted details do not relate to meshing, it is not possible to discharge this condition.

That said, Officers also consider that the use of vertical metal bars as displayed in the information submitted alongside this application would cause detrimental harm to the visual amenities of the locality and would not protect the character and appearance of the Greenhead Park/New North Road Conservation Area and Greenhead Park. This is because the relatively thick bars would create a heavy structure around the staircase and this would appear highly obtrusive from the public domain.

The applicant is advised to provide details of meshing within a future discharge of application if they wish to discharge condition 3. Such meshing should be lightweight and the application should include pictures or/and manufacturing specification details of the meshing. This can be accepted under this application no. 2020/91591 if it is provided within 21-days of the date of the decision letter.

Decision Text

Refuse - Condition 3 (Meshing details)

The application provides details of vertical metal bars surrounding the external staircase rather than meshing, and as Condition 3 of 2020/91591 specifically requests details of meshing to enclose the external staircase, Condition 3 of 2020/91591 cannot be discharged.

In addition to this, the use of the vertical metal bars as detailed in this discharge of condition application, would result in a heavy structure around the staircase that would appear highly obtrusive from the public domain, thereby causing detrimental harm to the visual amenities of the locality and would not protect the character and appearance of the Greenhead Park/New North Road Conservation Area and Greenhead Park.

Given the above, Condition 3 of 2020/91591 cannot be discharged and the application is **refused**.

The applicant is advised to provide details of meshing within a future discharge of application if they wish to discharge condition 3. Such meshing should be lightweight and the application should include pictures or/and manufacturing specification details of the meshing. This can be accepted under this application no. 2020/91591 if it is provided within 21-days of the date of the decision letter.

Report Dated: 13/01/2021

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