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:	**2022/44/90742/E**
Site Address:	rear of, 59/61, Station Road, Skelmanthorpe, Huddersfield, HD8 9BA
Description:	Discharge condition 3 on previous permission 2007/93753 for erection of 2 semi detached dwellings with integral garages
Recommending Officer:	Callum Harrison

DECISION – APPROVE DISCHARGE OF CONDITION 3

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 29-Jun-2022

Officer Report

Application: 2022/90742 - rear of, 59/61, Station Road, Skelmanthorpe, Huddersfield, HD8 9BA

Proposal: Discharge condition 3 on previous permission 2007/93753 for erection of 2 semi detached dwellings with integral garages

Assessment

Condition 3 – Materials

Condition 3 reads as follows:

'3. No development shall take place until a sample facing brick and roofing tile 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 Policies D2(vi) and BE2 of the Unitary Development Plan.'

The agent has submitted:
Materials sheet (no ref, no date, received 1st March 2022).
Photos of sample materials (no ref, no date, received 1st March 2022).
A letter from Kirklees Council discharging conditions 10-14, dated 11th January 2010.
A letter from Kirklees Council which states work has lawfully commenced, dated 2nd September 2011.

The submitted information outlines the proposed materials to be as follows:

Facing Brickwork to Plot 1&2:	TBS Old Pluckley blend
Roof Coverings:	Cedral Thrutone Smooth Blue Black slate
Windows and doors:	Black UPVC windows and Black external doors

Officers firstly must address the timing of the submission of the information. The condition is pre-commencement condition. This information should have been submitted prior to works commencing. However, the applicant has received a formal letter from Kirklees Council stating that a lawful start has been made. As this condition does not go to the heart of the application either, this application can be considered valid.

Notwithstanding the timing of the submission post the commencement of development, the submitted materials are considered acceptable. The proposed TBS Old Pluckley blend is a red brick which matches that used in the wider area. The Smooth Blue Black slate would represent a good quality finish to the dwellings, as would the Black UPVC windows and Black external

doors. In light of the above, the proposed materials are accepted. Condition 3 can therefore be considered discharged for the sake of the pre-commencement condition. As per the condition wording, the development shall now be constructed of the approved materials.

Decision Text:

Condition 3 – Materials

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Officers firstly must address the timing of the submission of the information. The condition is pre-commencement condition. This information should have been submitted prior to works commencing. However, the applicant has received a formal letter from Kirklees Council stating that a lawful start has been made dating to 2011. Also, as this condition does not go to the heart of the application either, this application can be considered valid.

Notwithstanding the timing of the submission post the commencement of development, the submitted materials are considered acceptable. The proposed TBS Old Pluckley blend is a red brick which matches that used in the wider area. The Smooth Blue Black slate would represent a good quality finish to the dwellings, as would the Black UPVC windows and Black external doors. In light of the above, the proposed materials are accepted. Condition 3 can therefore be considered discharged for the sake of the pre-commencement condition. As per the condition wording, the development shall now be constructed of the approved materials.