# 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: | **2022/44/91913/E** |
| Site Address: | rear of, 2, Spencer Street, Skelmanthorpe, Huddersfield, HD8 9BE |
| Description: | Discharge conditions 5 (boundary treatments), 8 (bin store) on previous permission 2021/94109 for reserved matters application pursuant to outline permission 2021/90105 for erection of one detached dwelling |
| Recommending Officer: | Elenya Jackson |

**DECISION – APPROVE DISCHARGE OF CONDITIONS**

**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: 20-Mar-2023**

**Officer Report**
**2022/91913**
**rear of, 2, Spencer Street, Skelmanthorpe, Huddersfield, HD8 9BE**

Discharge conditions 5 (boundary treatments), 8 (bin store) on previous permission 2021/94109 for reserved matters application pursuant to outline permission 2021/90105 for erection of one detached dwelling

Condition 5 (Boundary Treatment)

5. Notwithstanding the submitted plans and information, before development commences on the superstructure of the dwelling hereby approved, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the dwelling is first brought into use and thereafter retained.
**Reason**: In the interests of visual amenity and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and Chapters 12 and 13 of the National Planning Policy Framework.
Condition 8 (Bin Storage)
8. Before development commences on the superstructure of the new dwelling, 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 interest of highway safety, to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 of Housebuilders Design Guide Supplementary Planning Document.
**Assessment Condition 5**

The following has been submitted:

- DRAWING 2 rev: C Proposed Site Plan received 1.06.2022
- DRAWING 1 Proposed plans, elevations, Existing site plan & Block Plan received 1.06.2022

The details submitted have the location of the proposed boundary treatment highlighted in red around the site and indicate a 1.8m close boarded timber fence would enclose the site with an opening along the northern elevation to allow access to the site.

The submitted information is acceptable for the initial purpose of condition 5.

**Assessment Condition 8**

The following has been submitted.

- DRAWING 2 rev: C Proposed Site Plan received 1.06.2022
- DRAWING 1 Proposed plans, elevations, Existing site plan & Block Plan received 1.06.2022
- DRAWING 2 rev: E Proposed Site Plan received 15.03.2023

KC Highways DM were informally consulted on this application. It is acknowledged that the proposed bin storage would be situated approximately 32m away from Spencer Street. On 15.03.2023 it was requested that additional plans were provided which indicate where the bins would be presented on collection day. This information was provided on 15.03.2023 and is acceptable.

**Decision notice text**

**Condition 5 (Boundary Treatment)**

The following has been submitted:

- DRAWING 2 rev: C Proposed Site Plan received 1.06.2022
- DRAWING 1 Proposed plan, elevations, Existing site plan & Block Plan received 1.06.2022

In conclusion, it is considered that the proposed details in the circumstances, be acceptable for the site and for this development, and can be approved. Subject to the boundary treatment being installed before the dwelling is first brought into use and thereafter retained, the condition will be complied with.

Please note that this approval does not grant consent for the developer to carry out works on, in, under or over land that is not in his ownership, for which the consent of the landowner will have to be sought.

**Condition 8 (Bin Storage)**
The following has been submitted.

- DRAWING 2 rev: C Proposed Site Plan received 1.06.2022
- DRAWING 1 Proposed plans, elevations, Existing site plan & Block Plan received 1.06.2022
- DRAWING 2 rev: E Proposed Site Plan received 15.03.2023

In conclusion, it is considered that the proposed details in the circumstances, be acceptable for the site and for this development, and can be approved. Subject to the bin storage and collection arrangements being implemented and thereafter retained, the condition will be complied with.