

**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:	2023/44/90557/E
Site Address:	58, Enfield Drive, Carlinghow, Batley, WF17 8DR
Description:	Discharge condition 4 on previous permission 2022/91935 for erection of single storey infill extension and front porch, alterations to convert integral garage to extend living space, erection of detached garage, alterations to existing retaining walls and formation of vehicular access
Recommending Officer:	Nina Sayers

DECISION – DISCHARGE CONDITION 4

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.

Emma Thompson

AUTHORISED OFFICER

Date: 14-Apr-2023

Officer Report

Site Description

Site address – 58, Enfield Drive, Carlinghow, Batley, WF17 8DR

Proposal – Discharge condition 4 on previous permission 2022/91935 for erection of single storey infill extension and front porch, alterations to convert integral garage to extend living space, erection of detached garage, alterations to existing retaining walls and formation of vehicular access.

Assessment

Condition 4 – Structures

Condition 4 is as follows:

4. Prior to works commencing on the retaining wall and garage, details of the siting, design and materials to be used in the construction of retaining walls/structures adjacent to a highway shall be submitted to and approved in writing by the Local Planning Authority. The construction of the hereby approved retaining wall and garage shall commence only on completion of the retaining structures/walls in accordance with the approved details or in accordance with an alternative timescale agreed in writing by the Local Planning Authority and thereafter retained as such. Reason: This is a pre-commencement condition to ensure that new structures do not compromise the stability of the highway and in the interest of highway and pedestrian safety and to accord with Policy LP21 of the Kirklees Local Plan.

The applicant has submitted a site plan – “HD-S22-1208-A5 Rev.1” and proposed sections – “HD-S22-1208-A4 Rev.1” which detail the location and design of the retaining structure.

KC Highways Structures were consulted on the proposed retaining wall and submitted details. They confirmed the design of the retaining wall is not applicable for technical approval, and as such the details submitted are sufficient for the discharge of condition in this instance.

The details submitted are considered acceptable for Condition 4 can be discharged.

Summary

The details are beyond the remit of Highway Structures consideration, as such Condition 4 can be discharged.

Decision notice text

Condition 4 - Structures

The applicant has submitted a site plan – “HD-S22-1208-A5 Rev.1” and proposed sections – “HD-S22-1208-A4 Rev.1” which detail the location and design of the retaining structure.

KC Highways Structures have been consulted on the proposed retaining wall and submitted details. They confirmed the design of the retaining wall is not applicable for technical approval, as such, the details submitted are sufficient for the discharge of condition in this instance.

We accept the information provided so Condition 4 can be discharged.