

**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:	2023/44/92049/E
Site Address:	77, Latham Lane, Gomersal, Cleckheaton, BD19 4AP
Description:	Discharge conditions 3 (materials) 4 (boundary treatments) 11 (integral bat box) and 12 (planting) on previous permission 2023/90506 for erection of detached dwelling with integral garage
Recommending Officer:	Nicole Helliwell

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.

Julia Steadman

AUTHORISED OFFICER

Date: 29-Sep-2023

Officer Report

Reference No. 2023/44/92049/E

Site Address: 78, Latham Lane, Gomersal, Cleckheaton, BD19 4AP.

Proposal: Discharge of conditions 3. (materials) 4. (boundary treatments) 11. (integral bat box) and 12. (planting) on previous permission no.2023/90506 for erection of detached dwelling with integral garage

Assessment

Condition 3 – External Walling and Roofing Materials

3. Before any development commences on the superstructure of the dwelling hereby permitted, samples of all external walling and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: *In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principle 13 in the Council's Housebuilders Design Guide SPD, and the aims of Chapter 12 of the National Planning Policy Framework.*

Assessment of Condition 3

The applicant has submitted a 'Materials Schedule' dated 6th July 2023 (reference no. 22-1185) and 'Proposed Plans and Elevations' (drawing no. 21.1185/(AL)02, revision A, dated 12th August 2023) that detail the walling and roofing materials as well as images. This information is considered sufficient to discharge this condition.

The proposed walling materials would be Branshaw Yorkstone coursed dressed stone with the feature walls constructed in Branshaw Yorkstone Sawn Ashlar building masonry. Given that the dwellings located along Latham Lane and in the surrounding area are predominantly faced in stone, it is considered that the walling materials proposed would be acceptable. Furthermore, the materials document confirms that the roofing materials would be natural grey slate of a similar size, colour and finish to the properties in the surrounding area. Therefore, these details are deemed to be acceptable for the purposes of the condition and therefore condition 3 can be discharged. This is subject to the development being completed using the approved materials.

Condition 4 – Boundary Treatments

4. 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 to accord with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.*

Assessment of Condition 4

The applicant has submitted 'Site Block & Location Plans As Proposed' dated February 2023 (drawing no. 22-1185/(AL)01, revision C) which detail the location, height and materials of the proposed boundary treatments. This information is considered sufficient to discharge this condition.

The proposed boundary treatment would comprise a dry stone wall to the front of the application site. The wall would measure 1.2m in height and would be constructed in natural stone with flat coping. The proposed boundary treatment would be in keeping with the existing wall at the opposite site of the road and would not cause any significant harm to visual amenity. These details are deemed to be acceptable for the purposes of the condition and therefore condition 4 can be discharged. This is subject to the hereby approved boundary treatment being completed in accordance with the approved detail and thereafter retained.

Condition 11 – Integral Bat Box and Sparrow Nest Box

11. Before any development commences on the superstructure of the dwelling hereby permitted, a plan detailing the positioning and location of an integral bat box (Schwegler Bat Wall System 3FE) and Sparrow Nest Box shall be submitted to and approved in writing to the local authority.

Reason: *To provide an enhancement to biodiversity in line with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Council's Housebuilders Design SPD, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.*

Assessment of Condition 11

The applicant has submitted 'Proposed Plans and Elevations' (drawing no. 21.1185/(AL)02, revision A, dated 12th August 2023). The plans detail the location of the bat and sparrow nest boxes to be installed and are acceptable for the purposes of Condition 11. This condition will be discharged by the installation of the bat boxes and sparrow nest box prior to occupation of the development, and its retention thereafter.

Condition 12 – Planting

12. All planting at the site should comprise native species (to include as much fruit bearing species as possible), with a planting schedule to be submitted to and approved in writing to the local authority.

Reason: *To provide an enhancement to biodiversity in line with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Council's Housebuilders Design SPD,*

the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Assessment of Condition 12

The applicant has submitted 'has submitted 'Site Block & Location Plans As Proposed' dated February 2023 (drawing no. 22-1185/(AL)01, revision E) which details new native planting proposed within the grounds of the property, in addition to a planting schedule.

These details are deemed to be acceptable for the purposes of the condition and therefore Condition 12 will be discharged by the provision of the approved planting in accordance with the schedule set out on drawing no. 22-1185/(AL)01, revision E.

Decision Notice Text

Condition 3 - External Walling and Roofing Materials

The following has been submitted:

- Materials Schedule (reference no. 22-1185, 6th July 2023)
- Proposed Plans and Elevations (drawing no. 21.1185/(AL)02, revision A, dated 12th August 2023)

It is considered that the proposed walling and roofing materials are acceptable for the purposes of condition 3. However, condition 3 can only be fully discharged when the proposal is constructed and maintained in accordance with the details approved.

Condition 4 - Boundary Treatments

The following has been submitted:

- Site Block & Location Plans As Proposed (drawing no. 22-1185/(AL)01, revision C, dated February 2023)

In conclusion, it is considered that the proposed boundary treatment details are acceptable for the purposes of condition 4. However, condition 4 can only be fully discharged when the proposal is constructed and maintained in accordance with the details approved.

Condition 11 - Integral Bat Box and Sparrow Nest Box

The following has been submitted:

- Site Block & Location Plans As Proposed (drawing no. 22-1185/(AL)01, revision C, dated February 2023)

The bat boxes and Sparrow Nest Box to be installed is acceptable for the purposes of condition 11. This condition will be discharged by their installation prior to occupation of the development, and retention thereafter.

Condition 12 – Planting

The following has been submitted:

- Site Block & Location Plans As Proposed (drawing no. 22-1185/(AL)01, revision E, dated February 2023)

The submitted details are considered acceptable for the purposes of the condition 12 and therefore the condition will be discharged by the provision of

the approved planting in accordance with the schedule set out on drawing no. 22-1185/(AL)01, revision E.

Dated: 28/9/2023