

**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:	2023/44/93141/W
Site Address:	The Gables, Lower Wellhouse Road, Wellhouse, Huddersfield, HD7 4ES
Description:	Discharge condition 6 (windows/doors) on previous permission 2021/92018 for erection of extension and alterations to existing barn to form two dwellings (within a Conservation Area)
Recommending Officer:	Lucy Taylor

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: 11-Jan-2024

Officer Report – Discharge of Conditions Application

The Gables, Lower Wellhouse Road, Wellhouse, Huddersfield, HD7 4ES.

The application seeks to discharge condition 6 (windows/doors) on previous permission 2021/92018 for erection of extension and alterations to existing barn to form two dwellings (within a Conservation Area).

Condition 6: Windows/Doors

No works to install new windows and doors shall take place until design and joinery details (at 1/5 scale) have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details shall be retained thereafter.

Reason: *In the interest of visual amenity and conserve and enhance Wellhouse Conservation Area in accordance with LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

Assessment

The supporting information submitted by the applicant, including:

- Eurocell Profiles Accreditations
- Material Properties – Eurocell Profiles
- Eurocell Technical Specifications – Colours and finishes
- Eurocell Technical Specifications – Min / max sizes
- Eurocell Technical information Slim rebate sash cement
- Eurocell Technical information standard sash cement
- Eurocell Technical specifications – System overview
- Eurocell Technical information Tilt and turn casement
- Eurocell Modus (main profiles, beads, PVC-U ancillaries, aluminium extrusions, miscellaneous components & PVC-U mouldings)
- Modus System guide
- Modus Trade brochure

This condition was imposed as part of application 2021/92018 in the interests of visual amenity and to conserve and enhance the Wellhouse Conservation Area, in accordance with policies LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

The submitted details are not considered to sufficiently satisfy condition 6. The supporting information is vague and cannot be applied to any of the specific window and/or doors which would be installed as part of the development granted under application 2021/92018. As requested in the condition, details of design and joinery should be submitted in plan form (at 1/5 scale). These plans should show the design and joinery details for each window and door to be installed as part of the development.

Informal consultation has been undertaken with KC Conservation and Design, whereby the Council's Conservation and Design Officer reiterated the above, making the following comments on this discharge of conditions application:

- Submitted Eurocell brochure is not the information that the condition asks for. The submitted information is not relevant and it is not possible for Officer's to relate the submitted information to any of the specific windows and/or doors.
- The submitted information is not clear with regard to which windows and/or doors it relates to, and the brochure sets out several different options and it is not clear which option relates to each of the fenestration details.

Therefore, given the above concerns and that the submitted information does not sufficiently satisfy the requirements of condition 6, it is recommended that a refusal be issued pursuant to condition 6. The applicant would then need to submit a new Discharge of Conditions application.

Recommendation: Refuse discharge of conditions

Decision Notice Text

You have submitted:

- Eurocell Profiles Accreditations
- Material Properties – Eurocell Profiles
- Eurocell Technical Specifications – Colours and finishes
- Eurocell Technical Specifications – Min / max sizes
- Eurocell Technical information Slim rebate sash cement
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- Eurocell Technical specifications – System overview
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- Eurocell Modus (main profiles, beads, PVC-U ancillaries, aluminium extrusions, miscellaneous components & PVC-U mouldings)
- Modus System guide
- Modus Trade brochure

The submitted details do not satisfy the requirement for condition 6. The supporting information cannot be applied to any of the specific window and/or doors which would be installed as part of the development granted under application 2021/92018. The brochure sets out various options and it is unclear as to which option each of the fenestration details relate. Details of design and joinery have not been submitted in plan form (at 1/5 scale), as required by condition 6.

Such plans are required to show the design and joinery details for each window and door to be installed as part of the development.

Without this information we cannot conclude that the submitted information would ensure a scheme in the interests of visual amenity or conserve and enhance the Wellhouse Conservation Area, contrary to Policies LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Report Dated: 11.01.24