



Kirklees Council
Planning and Development Service
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Date: 15-Feb-2024
Our Ref: 2023/93794

Dear Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Dishcharge conditions 4 (materials), 6 (boundary treatments), 9 (bat box), 10 (retaining walls), 11 (structural dilapidation survey), 12 (slope stability analysis of embankment) on previous permission 2023/91195 for erection of two semi-detached dwellings with integral garaging and associated external works
Land Adj to 80, Greenhill Bank Road, Holmfirth, New Mill, HD9 1ER
Application Number: 2023/93794**

I write with reference to your application to discharge the conditions for the above development as submitted on 22-Dec-2023.

Condition no.4 - materials

The application has been submitted with an accompanying document titled 'Discharge of condition information' Within this document the following is specified in relation to condition no.4 and the intended materials of construction:

- Blue Slate (Elterdale Grey Green)
- Traditional Course Natural Stone (Quintanar Sandstone or Similar)
- K Rend (with a variety of colours detailed)

It is considered further information is required to enable the full consideration of the submitted scheme, in particular the following is considered necessary:

- Location of the materials to be used, whilst drawing 02revC shows one area of the building(s) to the rear which appears to be render, it is not clear if this is the only part of the building intended to be rendered.
- Intended render colour(s) to be used and where
- Surfacing finishes

At this time this condition cannot be discharged, and the further information listed above is necessary to enable a full assessment in relation to the visual impact of the submitted scheme.

Condition no.6 – boundary treatments

The following has been submitted in relation to this condition:

- Drawing 01RevC

It is considered further information is required to enable the full consideration of the submitted scheme, in particular the following is considered necessary:

- Reference to a fence 'circa' 1.5m needs to specify exactly what the height of the fence will be.
- How the existing wall will be made good in particular the materials of construction in particular and the total height of the intended boundary treatment.
- Height of the timber post and rail fence

At this time this condition cannot be discharged, and the further information listed above is necessary to enable a full assessment in relation to the visual impact and impact upon the openness of the Green Belt of the submitted scheme.

Condition no.9 – bat box

You have submitted a scheme to discharge this condition, set out in submitted drawing 02revC which details that a Schwegler 1wi bat box would be located at the eaves level of the north eastern elevation of the pair of dwellings. The positioning and location of the bat box is acceptable.

This condition shall be discharged upon the completion of the submitted scheme prior to the development being brought into use, whereby there is an ongoing requirement for its retention thereafter.

Conditions 10, 11 and 12 – Retaining walls, structural dilapidation survey and slope stability analysis.

The following documents have been submitted in relation to these conditions:

- Drawing MDL-9591-SK-01 titled 'Site Plan'
- Drawing 09
- Drawing MDL-9591-RW-001Rev01
- Approval in Principle (AIP) dated 20th December 2023
- Garden Wall Calculations document

Following on from the initial response of the Highways Structures Team, further information was submitted, specifically the following:

- Structural Condition and Dilapidation Report (dated 20th January 2024)
- Approval in Principle (AIP) dated 8th January 2024



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There are ongoing discussions taking place relating to the submitted details, the initial response of the Council's Structures Team is that the submitted details do not satisfy the requirements of these conditions. Therefore these conditions are **not discharged**.

Further information has been submitted (drawing MDL-9591-RW-001Rev02, Garden Wall Calculations document, Rev01 and an Agreement in Principle document, Rev3, dated 14th February 2024) The Council's Structures Team have been consulted and are aware of the further submitted information.

Conditions 10, 11 and 12 cannot be discharged at this time. Following review of the additional submitted information received on 14th February 2024, these conditions will be reassessed and a further letter, advising as to whether the requirements of these conditions have been satisfied and whether the conditions are discharged, will be provided.

Other issues

It is noted a Phase II assessment of land quality (ref: C3582/23/E/5443, dated 26th July 2023) has been submitted as part of this application. As this application does not seek to discharge condition no.7 of the permission (which relates to the requirement to submit further information in the event of unexpected contamination being encountered) it is not considered the submitted Phase II assessment is relevant to the consideration of this application.

Yours faithfully

Mathias Franklin
Head of Planning and Development