

**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: 2018/44/92938/W

Site Address: Land at, Forest Road, Dalton, Huddersfield, HD5 8EU

Description: Discharge of conditions 3, 5, 6, 7, 10, 13, 15 and 16 of previous permission 2016/90951 for erection of 27 dwellings and ancillary works

Recommending Officer: Adam Walker

DECISION – Discharge of Conditions – Partial Approval (conditions 3, 13, 15 and 16 only)

I hereby authorise the approval of this application to discharge conditions for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Victor Grayson

AUTHORISED OFFICER

Date: 31-Jan-2020

Officer Report

Discharge of conditions 3, 5, 6, 7, 10, 13, 15 and 16 of previous permission 2016/90951 for erection of 27 dwellings and ancillary works

The following report relates to conditions 3, 13, 15 and 16 only. The remaining conditions are subject to ongoing negotiations.

Condition 3

3. A sample of the artificial stone and roof tile to be used for the facing materials of the development shall be submitted to (or left on site for inspection) and approved in writing by the Local Planning Authority before works to construct the superstructure of any dwelling commences. The development shall be constructed of the approved materials and thereafter retained as such.

Reason: *In the interests of visual amenity and to accord with Policies BE1, BE2 and D2 of the Kirklees Unitary Development Plan.*

Assessment:

It was initially proposed to use Marshalls Cromwell Pitched Face Yorkstone (buff colour) as the walling material.

Whilst there are a varied mixture of materials in the surrounding area, concerns were raised with the proposed stone. It was considered that its colour would introduce a further material palette that would not harmonise particularly well with the darker natural stone found within the surrounding area and would look somewhat stark on a development of this scale on this prominent hillside location.

In response the applicant has proposed an alternative artificial stone that is darker in colour and would be more in keeping with the surrounding area. The proposed material is Marshalls Cromwell Pitched Weathered:
<https://www.marshalls.co.uk/commercial/product/cromwell-stone-walling#gallery-text-4>

It was initially proposed to use a Sandtoft Calderdale Edge roof tile in grey. It was considered that a tile with a thinner leading edge would be more appropriate and in response an alternative roof tile was proposed – Forticrete SL8 in slate grey. This is considered to be a better quality tile that would sit more comfortably in this location.

Condition 13

13. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities

and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction. Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10.

Assessment:

The applicant has provided plan number 4183-40 site compound plan which has been annotated in red with the route for construction traffic. These details are considered acceptable to the council's Highways Development Management team.

Condition 15

15. Notwithstanding the submitted information, prior to development commencing a method statement detailing how construction of the development will be carried out whilst protecting badgers and nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved method statement at all times.

Reason: To mitigate the impacts of the construction of the development on biodiversity and to accord with guidance in the National Planning Policy Framework. This is a pre-commencement condition so that such matters are addressed at an appropriate stage of the development process.

Assessment:

An Ecological Management & Mitigation Plan has been submitted. The council's Ecology Unit has confirmed that this is acceptable for the purposes of the condition.

Condition 16

16. Details of a scheme for the provision of bat and bird boxes within the development and details of how boundary treatment will make provision for the free movement of hedgehogs across the site shall be submitted to and approved in writing by the Local Planning Authority before the completion of the first dwelling. The development shall be carried out in accordance with the approved details and thereafter the bat and bird boxes and boundary treatment measures for hedgehogs so provided shall be retained.

Reason: To mitigate the impacts of the development on biodiversity and to accord with guidance in the National Planning Policy Framework.

Assessment:

The council's Ecology Unit advised that the Ecological Management & Mitigation Plan that was submitted with the application should be amended to provide some clarification and further detail on the proposed scheme.

The applicant has submitted a revised Ecological Management & Mitigation Plan (version 2, dated 22/03/2019) which now provides sufficient detail for the details to be agreed.

Report Dated: