

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:	2024/44/91595/E
Site Address:	8, Heaton Road, Upper Batley, Batley, WF17 0AT
Description:	Discharge conditions 3 (boundary treatments), 4 (evc) on previous permission 2023/92859 for demolition of existing dwelling and erection of one detached dwelling (Within a Conservation Area)
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE CONDITIONS 3 and 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: 02-Aug-2024

Officer Report

Reference No. 2024/44/91595/E

Site Address: 8, Heaton Road, Upper Batley, Batley, WF17 0AT

Proposal: Discharge conditions 3 (boundary treatments), 4 (evc) on previous permission 2023/92859 for demolition of existing dwelling and erection of one detached dwelling (Within a Conservation Area)

Assessment

Condition 3 – Boundary Treatments

3. Within 6 months of the decision, 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 interest of visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and Chapters 12 and 13 of the National Planning Policy Framework.

Assessment of Condition 3

The applicant has submitted a Boundary Treatment Plan (reference no. 2037-D-20-050, dated February 2024) and a document titled 'Boundary Treatment Details' (reference no. 20237-D-20-052, dated May 2024) which details the location, height and materials of the proposed boundary treatments.

The proposed boundary treatments would comprise hit and miss fence with gate access. The fence would have a maximum height of 1.8m and would be constructed in timber. A brick wall is also proposed to the front of the application site. The wall would measure 1m in height and would be constructed in Chatsworth Antique Brick to match the appearance of the approved dwelling. Furthermore, a retaining wall would be installed to the rear of the property. The wall would be 1.6m in height and would be faced in porcelain tiles. The proposed boundary treatments would have limited visibility from public vantage points and would not cause any significant harm to visual amenity. 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 hereby approved boundary treatments being completed in accordance with the approved details and thereafter retained.

Condition 4 – Electric Vehicle Charging Points

4. Within 6 months of the decision, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles at the premises must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities

for charging electric vehicles must be installed before occupation and retained for use thereafter. Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES)

Assessment of Condition 4

A Boundary Treatment Plan (reference no. 2037-D-20-050, dated February 2024) has been submitted as part of the application to discharge Condition 4. The document shows the proposed installation of a 7kw Single phase EV charger at the new dwelling. The information is acknowledged and accepted, however as the EVCP has not yet been installed and needs to be retained to comply with the condition, KC Environmental Health recommend that the condition remains in perpetuity.

Decision Notice Text

Condition 3 – Boundary Treatments

The following has been submitted:

- Boundary Treatment Plan (reference no. 2037-D-20-050, dated February 2024)
- Boundary Treatment Details (reference no. 20237-D-20-052, dated May 2024)

In conclusion, it is considered that the proposed boundary treatment details are acceptable for the purposes of condition 3. However, condition 3 can only be fully discharged when the boundary treatments are constructed and maintained in accordance with the details approved.

Condition 4 – Electric Vehicle Charging Points

The following has been submitted:

- Boundary Treatment Plan (reference no. 2037-D-20-050, dated February 2024)

KC Environmental Health accept the proposals for the EVCP given in the documents provided. As the EVCP has not yet been installed and needs to be retained to comply with the condition, Officers recommend the condition remains in perpetuity. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

Dated: 17/06/2024

