Kirklees Council
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Date: 12-Aug-2024
Our Ref: 2024/91602

Dear Sir

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

Discharge conditions 1-20 on previous permission 2022/91343 for conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works
156, Upper Road, Batley, WF17 7BJ
Application Number: 2024/91602

I write with reference to your application to discharge the conditions for the above development as submitted on 05-Jun-2024.

Conditions 3, 9, 10, 11, 12, 15 and 16 can be discharged at this time.

Conditions 1, 2, 4, 5, 6, 7, 8, 13, 14, 17, 18, 19 and 20 cannot be discharged and must remain.

Condition 1 – Timescale

This condition is a compliance condition and cannot be discharged. Condition 1 must remain.

Condition 2 – Plans

This condition is a compliance condition and cannot be discharged. Condition 2 must remain.

Condition 3 – Materials

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The proposed materials are:

- Walls – Marshalls Fairstone Traditional Pitch Faced Walling in silver birch
- Render – K Rend Ivory
- Roofing – R Redland Cambrian Slate - Slate Grey Pre-Weathered

Officers are therefore satisfied with the details provided which are sufficient for the purposes of discharging condition 3. The development shall be carried out in accordance with the approved details.

Condition 4 – Render

This condition is a compliance condition and cannot be discharged. Condition 4 must remain.

Condition 5 – Boundary Treatment

There is no detail provided of where this fencing will be located and therefore officers require a site plan detailing the location of the proposed boundary treatment before condition 5 can be discharged. Condition 5 must therefore remain.

Condition 6 – Parking surfacing

This condition is a compliance condition and cannot be discharged. Condition 6 must remain.

Condition 7 – Turning Facilities

This condition is a compliance condition and cannot be discharged. Condition 7 must remain.

Condition 8 – Construction Access

No details of the routing of the construction traffic to and from the site, or details of the times of use of the access, have been provided. KC Highways Development Management have been consulted and have commented that routing should be via the A638 Halifax Road from the south, all other turning movements into the site will be extremely difficult for larger vehicles. Timing should avoid the peak AM and PM hours for traffic 8.00 to 9.30 and 16.00 to 18.00.

Additional information is required in order to discharge condition 8. Condition 8 must remain.

Condition 9 – Waste

Details of where bins are to be stored and the location of bin presentation points are provided on the Proposed Site Plan ref: DWG-0121 and DWG-0122. The planning

statement outlines that "*the bins for the collection date will be brought to the kerbside location the day of the collection in line with the rest of the Streetscene for residential collection of household, recycling and garden waste. They will then be returned to the locations marked on the plans attached for each of the dwellings*."

The details submitted are sufficient for the purposes of discharging condition 9. The approved details shall be provided before first occupation of the dwellings and shall be retained thereafter.

Condition 10 – Phase I Report

A Phase 1 report by RB Geotechnical, date June 2024 (ref: RBG271) was submitted. It is noted that this report is the same as that submitted, and considered acceptable, under 2023/90041.

The information submitted is sufficient for the purposes of condition 10 and condition 10 can therefore be discharged.

Condition 11 – Phase II Report

The applicant has provided a Phase II Interpretative Report by RB Geotechnical, dated April 2024 (ref: RBG312). Officers accept this Phase II report. Condition 11 can therefore be discharged.

Condition 12 – Remediation Strategy

No remediation strategy has been submitted as part of the application to discharge Condition 12. However, the Phase II Interpretative Report by RB Geotechnical, dated April 2024 (ref: RBG312) has identified contamination at the site and we consider remediation necessary to make the site safe for occupation. For these reasons, we recommend that Condition 12 remain until further notice.

Condition 13 – Remediation

Condition 13 must remain until all groundworks are completed.

Condition 14 – Validation Report

No validation report has been received as part of the application to discharge Condition 14. Therefore, it is unclear how officers can consider the discharge of Condition 14 at this time. For these reasons, Condition 14 must remain until further notice.

Condition 15 – Electric Vehicle Charging Point

The applicant has submitted a Proposed Site Plan (drawing no. DWG-0121) and a planning statement in order to discharge condition 15. These documents confirm that a

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Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) will be installed at each residential unit that has a dedicated parking space.

The submitted information is considered sufficient for the discharge of condition 15. The buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Condition 16 – Noise

The applicant has submitted a Noise Impact Assessment authored by ENS dated 24 June 2024 ref: NIA/10591/22/10730/v1/Upper Road, Batley . The findings of the report are accepted and therefore condition 16 can be discharged. The applicant is reminded that the development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Condition 17 – Bat box

This condition is a compliance condition and cannot be discharged. Condition 17 must remain.

Condition 18 – Bird box

This condition is a compliance condition and cannot be discharged. Condition 18 must remain.

Condition 19 – Permitted Development Rights (extensions)

This condition is a compliance condition and cannot be discharged. Condition 19 must remain.

Condition 20 – Permitted Development Rights (openings)

This condition is a compliance condition and cannot be discharged. Condition 20 must remain.

Yours faithfully

Mathias Franklin
Head of Planning and Development

«Address»

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