DISCHARGE OF CONDITIONS

location	Clay Hall, 58 Lumb Lane, Almondbury, Huddersfield, HD4 6SZ
application	Discharge of Condition Application (2021/62/92999/W & 2021/65/93000/W) - Alterations to Attached Barn to Extend Living Accommodation (Listed Building).
client/applicant	Mr J Poyner
date	July 2024

PAUL MATTHEWS ARCHITECTURAL Ltd

ARCHITECTURE | PLANNING | DESIGN

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This discharge of conditions application is for the two remaining conditions that formally require to be discharged following the 2021/62/92999/W planning approval.

The formal approval can be found within Appendix A of this statement.

We, Paul Matthews Architectural Ltd, are agents working on behalf of the property owner.

This application is to formally discharge condition 4 of the decision notice. This, we understand is the only outstanding pre-condition preventing works formally commencing on site. The 2021/65/93000/W listed building decision notice did not contain any pre-conditions.

This application should then conclude the LPA involvement in this site.

Condition 4 states;

4. *No development shall commence until a bat method statement, to be overseen by an appropriately competent person acting as an ecological clerk of works, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be informed by up-to-date bat activity surveys (no older than two appropriate survey seasons prior to submission). The appointed person shall undertake all activities, and works shall be carried out, in accordance with the details of the approved method statement throughout construction.*

Reason: *to ensure that elements of the herby consented development with the potential to result in the damage or destruction of bat roosts are undertaken in a manner that avoids an offence under the Conservation of Habitats and Species Regulations 2017. This condition is pre-commencement in order to protect species of principle importance, which is a requirement of Local Plan Policy LP30 and the policies within Chapter 15 the National Planning Policy Framework.*

A Bat Method statement, prepared by Middleton Bell Ecology accompanies this formal application.

Naturally should the Local Authority Planning Department require any further information relating to this discharge of condition application please contact Paul Matthews Architectural Ltd.

We respectfully ask for contact from the case officer prior to the formal determination of this application.

APPENDIX A

2021/62/92999/W Planning Approval

Planning Application Decision Notice

To: Farrar Bamforth Associates
51, Trinity Street
Huddersfield
HD1 4DN

For: J Poyner

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2021/62/92999/W

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

ALTERATIONS TO ATTACHED BARN TO EXTEND LIVING ACCOMMODATION (LISTED BUILDING)

At: CLAY HALL, 58, LUMB LANE, ALMONDBURY, HUDDERSFIELD, HD4 6SZ

In accordance with the plan(s), documents and application submitted to the Council on 30-Jul-2021, except as amended or specified, details of which can be found in the table below and subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP01, LP02, LP24 and LP35 of the Kirklees Local Plan, the adopted SPD on House Extensions and Alterations and Policies within Chapters 12 of the National Planning Policy Framework.

3. The external stone plinth of the replacement conservatory extension hereby approved shall in all respects match those used in the construction of the existing building. The materials of construction shall thereafter be retained as such.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 and LP35 of the Kirklees Local Plan, the adopted SPD on House Extensions and Alterations and Policies within Chapter 12 of the National Planning Policy Framework.

4. No development shall commence until a bat method statement, to be overseen by an appropriately competent person acting as an ecological clerk of works, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be informed by up-to-date bat activity surveys (no older than two appropriate survey seasons prior to submission). The appointed person shall undertake all activities, and works shall be carried out, in accordance with the details of the approved method statement throughout construction.
Reason: to ensure that elements of the herby consented development with the potential to result in the damage or destruction of bat roosts are undertaken in a manner that avoids an offence under the Conservation of Habitats and Species Regulations 2017. This condition is pre-commencement in order to protect species of principle importance, which is a requirement of Local Plan Policy LP30 and the policies within Chapter 15 the National Planning Policy Framework.

NOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. All UK species of bat are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended). This protection extends to direct impacts to individual bats, including disturbance while occupying a roost, and impacts to roosts, including damage, destruction or obstruction of access to a roost. Therefore, if at any stage bats are found, then work must cease immediately and the applicant is advised to seek the advice of a licensed bat worker.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Location Plan	Location Plan. Drawing No. 21/D34-OS Map. Revision: -.	-	30/07/2021
Plans – Proposed Site/Block Layout	Site Survey. Drawing No. 21/D34/01. Revision: -.	-	29/07/2021
Plans – Existing Elevations	Existing Elevations. Drawing No. 21/D34/03. Revision: -.	-	29/07/2021
Plans – Existing Floor Plans	Existing Floor Plans. Drawing No. 21/D34/02. Revision: -.	-	29/07/2021
Plans - Grouped Plans and Elevations	Proposed Plans & Elevations. Drawing No.21/D34/04. Revision: -.	-	29/07/2021
Supp Info – Bat Survey	Bat Survey Report. Dated 23rd July 2018. Prepared by: Middleton Bell Ecology.	-	29/07/2021
Supp Info – Conservation/Heritage Assessment	Heritage Statement. Farrar Bamforth Associates Ltd. July 2021.	-	29/07/2021

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer following consultation with the Ecology Officer added a pre-commencement condition to ensure that the scheme minimised the impact on bats.

Building Regulations

- Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Please contact Kirklees Building Control on 01484 221550 or via e-mail to building.control@kirklees.gov.uk, alternatively visit www.kirklees.gov.uk/pbc for more information.

Site Notice

- The application has been publicised by notice(s) in the vicinity of the site. Please would you now remove the notice(s) and responsibly dispose of to avoid harm to the appearance of the local area.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "***submitted to and approved in writing by the Local Planning Authority***".

- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.

- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.

- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.

- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.

- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Amendment(s) to Approved Plans

- This permission relates to the plans and documents listed on this decision notice. Should the proposal change significantly, a new application will be required.

- If however the change proposed is small, such as an altered window or door, you can apply for the change to be considered as a non-material amendment. The forms and supporting guidance for non material amendments are available online at the Planning Portal's website at www.planningportal.gov.uk, alternatively the forms can also be found at www.kirklees.gov.uk/planning.

Highways Structures

- It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority