

**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:	2024/44/92186/W
Site Address:	adj, 2, Bank End Lane, Almondbury, Huddersfield, HD5 8ES
Description:	Discharge of details reserved by conditions 4 (materials), 11 (floor levels), 12 (boundary treatment) on previous permission 2024/90054 for erection of dwelling and associated alterations
Recommending Officer:	Katie Chew

DECISION – Discharge of Conditions 4, 11 and 12 - Approved

**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.**

Kirsty Nicholls

AUTHORISED OFFICER

Date: 13-Aug-2024

Officer Report:

Application: 2024/92186

Application Site: Adj, 2, Bank End Lane, Almondbury, Huddersfield, HD5 8ES

Proposal: Discharge of details reserved by conditions 4 (materials), 11 (floor levels), 12 (boundary treatment) on previous permission 2024/90054 for erection of dwelling and associated alterations.

Assessment:

Condition 4 (Materials)

4. No development above foundation levels shall take place until samples of the proposed external walling stone and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the details so approved.

Reason: *To ensure the satisfactory appearance of the development on completion in the interests of visual amenity, to accord with Policies LP24 of the Kirklees Local Plan, Principles 2 and 13 of the Housebuilders Design Guide SPD, as well as Chapter 12 of the National Planning Policy Framework.*

Assessment

The applicant has submitted a Block Plan, Drawing No. (20)002, received 5th August 2024 and a Covering Letter, Dated 25th July 2024, authored by Orange Design Studio, received 5th August 2024. These documents outline details of the proposed external materials to be used within the previously approved dwelling. These include natural 140mm coursed stone from Calder Stone/Masonry, and Marley Duo Edgemere interlocking grey roof tiles.

Undertaking a review of materials used within properties in the immediate area, there is a mix of materials include natural stone, brick, pebbledash and render. Officers therefore consider that the proposed materials would not appear incongruous in this location and would be similar in appearance and colouring to walling used within the adjacent housing estate that has recently been constructed to the west of the application site, and therefore Condition 4 can be discharged. However, it is noted that there is an ongoing requirement within Condition 4 stating that *“The work shall thereafter be undertaken in accordance with the details so approved”*. Therefore, this condition remains in perpetuity until these works have been completed in accordance with the hereby approved details.

Condition 11 (Floor Levels)

11. Development shall not commence until a scheme detailing the finished slab and floor levels of the dwelling hereby approved together with corresponding existing and finished ground levels related to Ordnance Datum or an identifiable temporary datum has been submitted to and approved in writing by the Local

Planning Authority. The construction of the dwelling shall thereafter be carried out in accordance with the details so approved before the dwelling is first occupied and retained.

Reason: *In the interests of visual amenity and the amenity of neighbouring occupiers to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework. This is a pre-commencement condition to ensure the ensuing development is undertaken in the interests of residential amenity of adjacent land and buildings and visual amenity.*

Assessment

The applicant has submitted a Block Plan, Drawing No. (20)002, received 5th August 2024. The Block Plan shows that the finished floor level as 125.00, which is 0.15 higher than the existing ground level of the application site. This is considered to be acceptable and therefore the submitted details are considered to provide appropriate details of finished floor levels. Therefore, provided that the construction of the dwelling be thereafter carried out in accordance with the details so approved before the dwelling is first occupied and retained thereafter, condition 11 would be satisfied. The condition must therefore remain in perpetuity.

Condition 12 (Boundary Treatments)

12. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works comprising the approved scheme have been completed. The scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason: *In the interests of residential amenity of neighbouring occupiers, visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.*

Assessment

The applicant has submitted a Block Plan, Drawing No. (20)002, received 5th August 2024 and a Covering Letter, Dated 25th July 2024, authored by Orange Design Studio, received 5th August 2024. These documents outline that boundary treatment to be installed to the west of the site is to be a combination of 140mm coursed stone retaining wall (from Calder Stone/Masonry), with a close boarded timber fence up to 2m above ground level. To the northern and eastern boundaries there is to be a 2m close boarded timber fence, and to the south the existing low boundary wall is to be retained.

Officers consider the proposed boundary treatments to be of a scale, size and design that would be appropriate in this location, and sympathetic and reflective of existing boundary treatments used throughout the immediate area.

Therefore, these details are deemed to be acceptable for the purposes of this condition and therefore Condition 12 can be discharged. This is subject to the hereby approved boundary treatments being completed in accordance with the approved details and retained thereafter. Therefore, this condition remains in perpetuity.

Recommendation: Approve Discharge of Conditions.

Decision Text

Condition 4 (Materials)

You have submitted the following details:

- Block Plan, Drawing No. (20)002, received 5th August 2024.
- Covering Letter, Dated 25th July 2024, authored by Orange Design Studio, received 5th August 2024.
- Email from applicant's agent on the 9th August 2024, outlining the where the proposed walling stone is to be sourced from.

The submitted details meet the requirements of Condition 4 and are considered to be acceptable, to enable the discharge of this condition. However, this condition will only be discharged in full once the development has been completed in the materials hereby approved, and as such, the condition remains in perpetuity.

Condition 11 (Floor Levels)

You have submitted the following details:

- Block Plan, Drawing No. (20)002, received 5th August 2024.

The submitted details meet the requirements of Condition 11 and are considered to be acceptable, to enable the discharge of this condition. However, this condition must remain in perpetuity until the development has been completed in accordance with the details so approved, prior to the dwelling being first occupied. Once completed, the floor levels shall be retained thereafter.

Condition 12 (Boundary Treatments)

You have submitted the following details:

- Block Plan, Drawing No. (20)002, received 5th August 2024.
- Covering Letter, Dated 25th July 2024, authored by Orange Design Studio, received 5th August 2024.
- Email from applicant's agent on the 9th August 2024, outlining the where the proposed walling stone is to be sourced from.

The submitted details meet the requirements of Condition 12 and are considered to be acceptable, to enable the discharge of this condition. However, there is an ongoing requirement that the scheme shall thereafter be retained and maintained for the lifetime of the development. As such, the condition remains in perpetuity.

Report dated: 9th August 2024.