

**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:	2024/44/92295/W
Site Address:	Stubbin, Shaw Lane, Holmfirth, HD9 2PY
Description:	Discharge condition 13 (landscaping) on previous permission 2023/90103 for erection of one dwelling including formation of new access and associated landscaping
Recommending Officer:	Lucy Taylor

DECISION – DISCHARGE OF CONDITION 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.

John Holmes

AUTHORISED OFFICER

Date: 09-Oct-2024

Stubbin, Shaw Lane, Holmfirth, HD9 2PY

The application seeks to discharge condition 13 (landscaping) on previous permission 2023/90103 for the erection of one dwelling including formation of new access and associated landscaping.

Condition 13 – Landscaping

Before the dwelling hereby approved is substantially completed, full details shall be submitted to and approved in writing by the Local Planning Authority for the hard and soft landscaping of the site, including a schedule of new or retained boundary treatments, and measures to enhance the biodiversity of the site. The landscaping and ecological enhancements thus approved shall be implemented within the first planting, sowing or landscape management season following the substantial completion of the dwelling and before first occupation or as specified within the approved landscaping plan, and shall be retained as such.

Reason: *In the interests of visual amenity, to ensure appropriate ecological enhancement is delivered in accordance with the aims of Policies LP24(h) and LP30 of the Kirklees Local Plan, Policy 1(4) and 13 of the Holme Valley NDP, Principle 9 of the HDG SPD and Chapter 15 of the National Planning Policy Framework.*

Assessment:

The supporting information submitted by the applicant, including:

- Landscaping Layout, Dwg No. 22132 – 0404 – P01

The condition was imposed in the interests of visual amenity and to ensure appropriate ecological enhancement is delivered.

The Landscaping Layout drawing submitted for this application, shows a similar balance of hard and soft landscaped areas as shown on the Site Layout plan, which formed part of application 2023/90103.

The extent of hard surfacing in relation to on-site parking and patio areas is considered to be as shown on the Site Layout plan submitted for application 2023/90103, with flower beds shown to be incorporated to the frontage of the driveway on the submitted Landscaping Layout.

The areas shown as soft landscaped on the Site Layout plan submitted for application 2023/90103, are shown to be soft landscaped on the submitted Landscaping Layout, with lawn either side of the dwelling and a low maintenance wildflower meadow sown on the banking to the rear.

One area to the front of the dwelling, annotated as banking on the submitted Site Layout plan for application 2023/90103, is shown to be 'flowerbed' and 'retaining rockery planted with alpines' on the submitted Landscaping Layout.

With regards to boundary treatments, the officer's report for application 2023/90103 set out that *"It is considered that no new boundary treatments (other than to the highway boundary) are likely to be required. For the avoidance of doubt, since the retention or renewal of boundary treatments is not clearly indicated within the plans and supporting documents, it is recommended that this form part of a landscaping scheme, to be conditioned."*

The submitted Landscaping Layout demonstrates the retention of rockery planted with alpines and mature planting to two of the boundaries.

To the front of the site, the vehicle entrance is annotated to have a 'drystone wall' to one side and 'retaining wall faced with drystone wall' to the other side. The Site Layout plan submitted for application 2023/90103 annotated 'reduce stone wall to 900mm high along frontage'. As such, given walls form a splay into the site, it is considered that this design of boundary treatments to the front is acceptable, in keeping with the appearance of vehicle accesses serving dwellings within the immediate vicinity of the site.

A new laurel hedge is proposed along the rear boundary of the site. This is considered to be an acceptable form of boundary treatment to be added to the rear boundary of curtilage at the site.

The officer's report for application 2023/90103 concluded that the proposed landscaping, as shown on the submitted Site Plan, *"would allow the retention of most of the highway boundary wall and would achieve a suitable balance of hard and soft landscaping within the site. It is considered that it would respect the appearance of the local landscape and townscape and would respect the setting of the Hincliffe Mill Conservation Area..."*

Given the comparative assessment of the previous Site Layout plan and Landscaping Layout plan submitted for this discharge of conditions application, with regard to the balance of hard and soft landscaping and boundary treatments, it is considered that the same conclusion is drawn with regard to the landscaping, achieving a suitable balance of hard and soft landscaping within the site, respecting the appearance of the local landscape and townscape and respecting the setting of the Hincliffe Mill Conservation Area.

With regard to ensuring appropriate ecological enhancements, the officer's report for application 2023/90103 sets out *"As the submitted documents do not contain a comprehensive scheme for the landscaping of the site or a detailed schedule of ecological enhancement measures, it is recommended that this should be conditioned..."*

The submitted Landscaping Layout shows flowerbeds to be incorporated to the front of the site, a low maintenance wildflower meadow sown on the banking and a new laurel hedge along the rear boundary. These landscaped features are considered adequate to provide appropriate levels of ecological enhancement at the site, with it also noted that existing hedging around the

site is to be retained, as well as the retention of existing rockery areas, planted with alpines.

Therefore, based on this assessment, it is considered that the submitted Landscaping Layout (Dwg No. 22132 – 0404 – P01) provides details to allow the discharge of condition 3, provided the construction of the dwelling be thereafter carried out in accordance with the details submitted and the walls at the vehicle entrance of the site be at a height of 0.9 metres, for reasons of visibility.

Decision Notice Text

I refer to the above reference discharge of conditions application and can confirm the following: -

Condition 13 – Landscaping

You have submitted the following details:

- Landscaping Layout, Dwg No. 22132 – 0404 – P01

Provided that development is carried out in accordance with the submitted details, condition 3 is satisfied. It is a requirement of this condition that the landscaping and ecological enhancements be implemented within the first planting, sowing or landscape management season following the substantial completion of the dwelling and before first occupation and the approved details be retained.