

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:	2024/44/92888/W
Site Address:	Century View, Phase 2, Swallow Lane, Golcar, HD7 4NB
Description:	Discharge of details reserved by conditions 18 (EVCP), 19 (landscape), 20 (waste arrangements), 21 (bat and bird boxes) and 22 (boundary treatments) of permission 2023/92749 for variation condition 2 (plans and specifications) of previous permission 2020/94096 for erection of 21 dwellings and associated work
Recommending Officer:	Liz Chippendale

DECISION – Discharge of Condition – Split decision

I hereby authorise the split decision of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nicholas Hirst

AUTHORISED OFFICER

Date: 07-Oct-2025

Reference: 2024/92888

Description: Discharge of details reserved by conditions 18 (EVCP), 19 (landscape), 20 (waste arrangements), 21 (bat and bird boxes) and 22 (boundary treatments) of permission 2023/92749 for variation condition 2 (plans and specifications) of previous permission 2020/94096 for erection of 21 dwellings and associated work

Site address: Century View, Phase 2, Swallow Lane, Golcar, HD7 4NB

Consultee Response

K.C Environmental Health – provided the following comments pursuant to condition 18:

In support of the discharge of condition 18, data sheets and installation guides have been submitted in relation to 7.4kW type 2 wall charger units. We accept the type of unit to be provided. The condition requires the installation and retention of each unit at dwellings with dedicated parking and therefore remains in perpetuity.

K. C Waste Strategy – provided the following comments pursuant to condition 20:

The WCA can confirm that the proposed arrangements are acceptable and that Condition 20 can be discharged.

Public representations

No representations were received.

Assessment

Condition 18 (EVCP)

18. Prior to the installation of electrical systems, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space*
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings*

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.

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 and Chapters 2, 9 and 15 of the National Planning Policy Framework*

The following details have been submitted:

- Wall Charge 2 socketed datasheet
- EU Declaration of conformity for Sync EVEVS7xWC2Wall Charger 2 – 7.4k.w Socket
- Wall charger 2 installation guide
- EV Charging solutions and accessories product catalogue 2023

The proposed facilities for the charging of electric vehicles are considered acceptable to K.C. Environmental Health and planning officers. It is therefore recommended that the details be approved.

The condition has an ongoing requirement, preventing full discharge, a note of which is recommended to be included on the decision notice.

Condition 19 (Landscape)

19. Notwithstanding the submitted plans, prior to works associated with the provision of hard and / or soft landscaping commencing, a landscaping strategy with management and maintenance details shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details of tree planting to mitigate the loss of trees. The approved landscaping plan shall be implemented prior to the hereby approved development being brought into use. All planted materials shall thereafter be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: *In the interests of preserving the local ecological value, the visual amenity and character of the surrounding area and to accord with Policies LP24, LP30 and LP63 of the Kirklees Local Plan.*

The following details have been submitted:

- Soft Landscape plan reference: 4127-2100 Rev N

The technical landscape specification is considered acceptable, including an acceptable level of mitigatory tree replanting.

The management and maintenance details are limited, lacking the detail typically expected. However, given the proposal has limited landscaped areas, the submitted details are on balance considered acceptable although reference is made to maintenance works for '12 months'. This is contrary to the condition,

which explicitly references a five year period for management and maintenance.

Given the clear requirement of the condition, subject to a note that clearly sets out the requirement for a five year maintenance period (and other ongoing requirements), it is considered that the details are acceptable and may be approved.

Condition 20 (Waste Arrangements)

20. Where implementation of the development hereby approved is to be phased and / or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of those residential units. The temporary arrangements so approved shall be implemented prior to first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: *To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.*

The following details have been submitted:

- Construction management plan reference: JHY-1356-CMP (Rev C)

The submitted plan indicates that the development will be constructed in one phase. Where dwellings become occupied prior to the completion, the temporary bin collection point will be available.

The details are considered satisfactory for the purpose of condition 20. As such, condition 20 is recommended for discharge.

Condition 21 (bat and bird boxes)

21. Prior to the occupation of any of the hereby approved dwellings, a bat and bird box strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include the siting of five bird boxes and five bat boxes within the development, including their location, height, and type. The approved bat and bird boxes shall be installed prior to the occupation of the dwelling on which it is to be sited, and shall thereafter be retained.

Reason: *In the interests of preserving the biodiversity of the site, in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework*

The following details have been submitted:

- Site layout plan reference: JHY-1354-200 Rev M

The submitted plan shows the location of 5 no. integrated bat boxes and 5 no. integrated bird boxes at a height of 4.65m from ground level on various dwellings within the site. The locations and heights proposed are considered acceptable.

However, the plan does not include details of the proposed type of bat/bird boxes which is an explicit requirement of condition 21.

Officers are therefore unable to recommend discharge of condition 21 based on the details submitted.

Condition 22 (boundary treatments)

22. Prior to the occupation of any of the hereby approved dwellings, notwithstanding the submitted plans, details of the proposed boundary treatment within and on the edge of the site shall be submitted and approved in writing by the Local Planning Authority before any dwelling is first occupied. This shall include the retention (or repair/rebuild) of the existing stone boundary wall to the site's south and west boundaries, the provision of hedgehog holes for garden fences, and internal art stone with timber fence boundary walls as shown on plan ref. '1956.01 Rev. AA' The development shall then be completed in accordance with the approved details before the dwelling to which the boundary treatment relates is first occupied and thereafter retained.

Reason: *In the interests of visual amenity in order to ensure that character of the area is safeguarded in accordance with Policy LP24 of the Kirklees Local Plan*

The following details have been submitted:

- Materials Plan reference: JHY-1354-201 Rev D
- Proposed boundary treatments reference: 1956.B.01

The proposed submitted details show the retention and repair/build where necessary, of the existing stone boundary wall to the site's south and west boundaries. A 1.8m feather edged timber fence is proposed in front of the wall where indicated to enclose rear gardens. These details are considered acceptable.

The submitted details for the proposed internal walls are proposed as 'brick wall with timber screen'. Condition 22 specifies that the internal walls are to be

artificial stone with a timber fence as shown on *plan* ref. '1956.01 Rev. AA'. Furthermore, no details of hedgehog holes are provided for rear garden fences.

As the submitted details do not accord with the specifications within the condition, the submitted details cannot be recommended for approval.

Summary

The information submitted for conditions 18, 19, and 20 is recommended to be approved.

For the reasons given in this report, the details submitted pursuant to conditions 21 and 22 cannot currently be approved because amended and/or further details are required.

To work proactively with the applicant, it is recommended that the applicant be given six weeks to submit further details pursuant to conditions 21 and 22.

Recommendation: Split Decision, with additional time to submit further information

Report Dated: 03/10/2025

Recommended Decision Notice Text

Condition 18 (EVCP)

The following details have been submitted pursuant to condition 18:

- Wall Charge 2 socketed datasheet
- EU Declaration of conformity for Sync EVEVS7xWC2Wall Charger 2 – 7.4k.w Socket
- Wall charger 2 installation guide
- EV Charging solutions and accessories product catalogue 2023

I can confirm that the submitted details are acceptable for the initial requirement of condition 18 and are hereby approved.

Notwithstanding the above, be aware that condition 18 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance:

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 19 (landscape)

The following details have been submitted pursuant to condition 19:

- Soft Landscape plan reference: 4127-2100 Rev N

The first requirements of the condition are that a landscape specification be provided, along with a management and maintenance strategy.

The submitted landscaping specification is considered acceptable. The management and maintenance strategy, while of limited detail, is on balance also considered acceptable as it is commensurate to the extent of landscaping. Conversely, the management and maintenance strategy only reference a 12 month monitoring period. This is contradictory to the requirement of the condition, which explicitly requires a five year monitoring period. Therefore, notwithstanding the submitted details, you are required to undertake the submitted management and maintenance strategy for a period of five years.

Subject to the above, the submitted details are considered acceptable for the initial requirements of condition 19 and are hereby approved.

As above, you are reminded that condition 19 has ongoing requirements which must be adhered to, to ensure ongoing compliance. These are:

The approved landscaping plan shall be implemented prior to the hereby approved development being brought into use. All planted materials shall thereafter be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Condition 20 (waste arrangements)

The following details have been submitted:

- Construction management plan reference: JHY-1356-CMP (Rev C)

The submitted plan indicates that the development will be constructed in one phase. Where dwellings become occupied prior to the completion, the temporary bin collection point will be available.

The details are considered satisfactory for the purpose of condition 20. As such, condition 20 is recommended for discharge.

Condition 21 (bat and bird boxes)

The following details have been submitted:

- Site layout plan reference: JHY-1354-200 Rev M

The submitted plan shows the location of 5 no. integrated bat boxes and 5 no. integrated bird boxes at a height of 4.65m from ground level on various dwellings within the site. The location and heights of the bat and bird boxes are considered acceptable.

However, the submission does not include details of the proposed type of bat/bird boxes proposed, which is an explicit requirement of condition 21.

Accordingly, the submitted details cannot be approved.

Condition 22 (boundary treatments)

The following details have been submitted:

- Materials Plan reference: JHY-1354-201 Rev D
- Proposed boundary treatments reference: 1956.B.01

The proposed submitted details show the retention and repair/build where necessary, of the existing stone boundary wall to the site's south and west boundaries. A 1.8m feather edged timber fence is proposed in front of the wall where indicated to enclose rear gardens. These details are considered acceptable.

However, the submitted details for the proposed internal walls are proposed as 'brick wall with timber screen'. Condition 22 specifies that the internal walls are to be artificial stone with a timber fence as shown on *plan* ref. '1956.01 Rev. AA'. Furthermore, no details of hedgehog holes are provided for rear garden fences; likewise, this is an explicit requirement of the condition.

As the submitted details do not accord with the specifications within the condition, the submitted details cannot be approved.

The submission of further information

Further details are required to discharge conditions 21 and 22. If the requested details are provided within six weeks of the date of this letter, they will be accepted as part of this application. Please quote 2024/92888 and send the details directly to liz.chippendale@kirklees.gov.uk.

After six weeks, a fresh Discharge of Condition application will be required to submit further details for consideration.