

**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:	<b>2024/44/92978/W</b>
Site Address:	Land adjacent to, 152, Somerset Road, Almondbury, Huddersfield, HD5 8HY
Description:	Discharge of details reserved by conditions 7 and 8 (materials), 10 (access) on permission 2024/91673 for variation condition 2 (plans) on previous permission 2023/91327 for erection of detached dwelling.
Recommending Officer:	Katie Chew

**DECISION – DISCHARGE OF CONDITIONS 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: 05-Dec-2024**

## Officer Report

**Application:** 2024/92978

**Application Site:** Land adjacent to, 152, Somerset Road, Almondbury, Huddersfield, HD5 8HY.

**Proposal:** Discharge of details reserved by Conditions 7 & 8 (materials) 10 (access) of permission 2024/91673 for the variation of condition 2 (plans) on previous permission 2023/91327 for erection of detached dwelling.

### **Assessment:**

#### Condition 7 (External Dormer Materials)

*“7. A scheme detailing the external materials to be used in the construction of the dormer windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above first floor level. The development hereby approved shall not be brought into use until it is completed in accordance with the approved scheme which shall be retained thereafter.*

**Reason:** *In the interests of visual amenity and to ensure that the materials of construction are appropriate to the site and the wider context and to accord with Policies LP1, LP2, LP11 and LP24 of the Kirklees Local Plan, Principle 2 of the Housebuilders Design Guide SPD, and Chapter 12 of the National Planning Policy Framework”.*

The applicant has sought to submit Planning Conditions information, Rev B authored by Studio J Architects Ltd, in support of discharging Condition 7. This document outlines that the external dormer materials are to be clad in Envello Shadow Line+ in the colour Burnt Cedar by Millboard. Officers consider this material to be similar to that submitted within the original approval (app ref: 2023/91327) and is deemed to be acceptable in this location. The submitted details are therefore recommended to be approved. It is noted that Condition 7 does state that the development shall not be brought into use until it is completed in accordance with the approved scheme which shall be retained thereafter. This condition therefore remains in perpetuity.

#### Condition 8 (External Materials)

*“8. Notwithstanding the plans submitted, a scheme detailing the external materials of construction of development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority prior to the construction of the building above slab level. The submitted scheme shall include details of the natural stone, white render and natural grey slate roofing tile to be used, as well as all the colour finish of all rainwater goods, doors and windows. The areas of the dwelling where natural stone and render is intended to be used shall be accurately demonstrated. The development hereby approved shall not be brought into use until it is completed in accordance with the approved scheme which shall be retained thereafter.*

**Reason:** *In the interests of visual amenity and to ensure that the materials of construction are appropriate to the site and the wider context and to accord with Policies LP1, LP2, LP11 and LP24 of the Kirklees Local Plan, Principle 2 of the Housebuilders Design Guide SPD, and Chapter 12 of the National Planning Policy Framework”.*

The applicant has sought to submit Planning Conditions information, Rev B authored by Studio J Architects Ltd, in support of discharging Condition 8. This document outlines that the external walling materials are to comprise of 140mm split face tumbled walling stone from Abacus Stone Sales. Roof material is to be Cobrana standard slate grey supplied by JT Atkinson. Downpipes and rainwater goods are to comprise of black uPVC, windows are to be black uPVC units, bi-fold doors will comprise of black aluminium and the front door is to be black composite in a style to match the existing street scene. Officers consider these materials to be similar to those submitted within the original approval (app ref: 2023/91327) and that they would be visually acceptable in this location.

The submitted details are therefore recommended to be approved. It is noted that Condition 8 does state that the development shall not be brought into use until it is completed in accordance with the approved scheme which shall be retained thereafter. This condition therefore remains in perpetuity.

#### Condition 10 (access)

*“10. Notwithstanding the details of access to the site from Somerset Road shown on approved landscape plan ref MIL-001-05 P04, the point of access to Somerset Road is not approved. Before any dropped crossing is formed into the site from Somerset Road, and before first occupation of the dwelling, a revised scheme shall be submitted to, and approved in writing by, the Local Planning Authority which details the point of access into the site. The development shall not be brought into use until the approved scheme has been completed which shall be retained thereafter.*

**Reason:** *To ensure that access into the site can be provided to accord with Policy LP21 of the Kirklees Local Plan, Chapter 9 of the National Planning Policy Framework, and Principle 12 of the Council’s adopted Housebuilders Design Guide SPD”.*

The applicants have sought to submit drawing no. 772-001-Rev H ‘Proposed Plans’, which shows the proposed site access with a disabled parking space marking upon the highway (which previously blocked this access) moved away from the front of the site. This view is further supported by a letter which has also been produced by Studio J Architects which confirms the above.

Given the above, the Council’s Highways team have confirmed they have no objection to the discharge of this condition on the basis of the submitted detail. Officers concur with this conclusion but note that the condition has an ongoing requirement in that the development cannot be brought into use until the approved access/scheme has been completed, and once finalised, retained as such thereafter.

## **Decision Letter Text:**

### **Condition 7 (External Dormer Materials)**

You have submitted the following details:

- Planning Conditions information, Rev B authored by Studio J Architects Ltd, received 4th December 2024.

The submitted information is considered to be acceptable to satisfy the requirements of Condition 7 and therefore Condition 7 is discharged. It is a requirement of this condition that the development is not be brought into use until it is completed in accordance with the approved scheme therefore this condition will remain in effect until all works comprised within the measures specified above have been carried out in full. Once completed, the measures are required to be retained thereafter. This condition therefore remains in perpetuity.

### **Condition 8 (External Materials)**

You have submitted the following details:

- Planning Conditions information, Rev B authored by Studio J Architects Ltd, received 4th December 2024.

The submitted information is considered to be acceptable to satisfy the requirements of Condition 8 and therefore Condition 8 is hereby approved. It is a requirement of this condition that the development is not be brought into use until it is completed in accordance with the approved scheme therefore this condition will remain in effect until all works comprised within the measures specified above have been carried out in full. Once completed, the measures are required to be retained thereafter. This condition therefore remains in perpetuity.

### **Condition 10 (Access)**

You have submitted the following details:

- Drawing no. 772-001-Rev H 'Proposed Plans', received 26th November 2024.

The submitted information is considered to be acceptable to satisfy the requirements of Condition 10 and therefore Condition 10 is hereby approved. It is a requirement of this condition that the development is not be brought into use until it is completed in accordance with the approved scheme therefore this condition will remain in effect until all works comprised within the measures specified above have been carried out in full. Once completed, the measures are required to be retained thereafter. This condition therefore remains in perpetuity.

Report Dated:

4th December 2024.