

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:	2024/44/93269/W
Site Address:	89-91, Lamb Hall Road, Longwood, Huddersfield, HD3 3TH
Description:	Discharge of details reserved by condition 5 (materials) on previous permission 2023/93600 for erection of donkey stable and alterations to elevations of the host (Listed Building) including use of associated land with installation of ground level solar panels.
Recommending Officer:	Joshua Merriman

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: 16-Jan-2025

DISCHARGE OF CONDITIONS

Reference No. 2024/93269

Site Address: 89-91, Lamb Hall Road, Longwood, Huddersfield, HD3 3TH.

Proposal: Discharge of details reserved by conditions 5 (materials).

As part of the application, in relation to conditions 8, 9 & 10 (windows and doors) the following is stated upon the submitted application form:

8. - *Confirmation of all windows to be timber*

9. - *Refer to attached drawings HD-0044-PLN-201-A, HD-0044-PLN-202-A, HD-0044-PLN-203-A, HD-0044-PLN-204-A*

10. - *Confirmation of all windows to use traditional window stays and closers*

These conditions are worded as follows:

8. *Notwithstanding the submitted details, any replacement windows and doors shall be constructed in timber only.*

Reason: *For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP24, and LP35 of the Kirklees Local Plan, Policies within Chapters 2, 4, 12, and 16 of the National Planning Policy Framework and Council duties under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

9. *Notwithstanding the submitted details, any replacement windows and / or doors shall be of an exact match to the existing ones in respect of materials, joinery details, thickness of glazing and finish.*

Reason: *For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP24, and LP35 of the Kirklees Local Plan, Policies within Chapters 2, 4, 12, and 16 of the National Planning Policy Framework and Council duties under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

10. *Notwithstanding the submitted details, the replacement windows shall not have friction hinges or trickle vents. Windows shall make use of traditional window stays and closers.* **Reason:** *For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP24, and LP35 of the Kirklees Local Plan, Policies within Chapters 2, 4, 12, and 16 of the National Planning Policy Framework and Council duties under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

The merits of the application have previously been assessed under reference 2023/93600 and permission has been granted for the erection of donkey stable and alterations to elevations of the host (Listed Building) including use of associated land with installation of ground level solar panels.

Any intended deviation from the requirements of conditions 8, 9 and 10 would require an application for variation of condition under S73 of the Town and

Country Planning Act (1990) to be submitted / considered by the LPA. These conditions cannot be revisited as part of this application.

As such, only condition 5 of previous permission 2023/93600 for erection of donkey stable and alterations to elevations of the host (Listed Building) including use of associated land with installation of ground level solar panels is being considered by this application given this is the only condition upon the decision which requires discharging (albeit with potential condition 11 could require a scheme for discharge were contamination to be found).

ASSESSMENT

Condition 5 (Materials)

5. Development shall not commence at site until details of the brick, timber doors and the natural stone pavers has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the development has been completed in accordance with the materials approved by this condition which shall thereafter be retained.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24 & LP35 of the Kirklees Local Plan and policies within Chapters 12 and 16 of the National Planning Policy Framework.

Assessment of Condition 5

The following has been submitted:

- Application Forms
- HD-0044-PLN-Condition-A-30

The submitted documents provide details of the brick, timber doors, and natural stone pavers proposed at the application site. The submitted detail is considered to satisfy the information requirement of the condition. Following an informal consultation with KC Conservation, these have been deemed as acceptable.

Therefore, taking account of the response of the Conservation Team, and the details provided it is considered the proposed scheme is acceptable and condition 5 can be discharged on the basis the development is undertaken in accordance with this scheme.

It is therefore concluded that the scheme submitted for the discharge of Condition 5 is acceptable, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

DECISION LETTER TEXT

Condition 5:

You have submitted the following: -

- Application Forms
- HD-0044-PLN-Condition-A-30

It is considered that the scheme submitted is sufficient to satisfy condition no.5 for and therefore this condition is discharged. It is a requirement of this condition that the scheme be completed before the development is brought into use and retained thereafter.