

**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:	2024/44/93355/W
Site Address:	Land Adjacent, 19, Fields Rise, Kirkheaton, Huddersfield, HD5 0LZ
Description:	Discharge condition 6 (boundary treatment) on previous permission 2022/91334 for erection of detached dwelling and demolition of single storey extension (modified proposal)
Recommending Officer:	Molly Storer

DECISION – APPROVE DISCHARGE OF CONDITION 6

**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.**

Sarah Longbottom

AUTHORISED OFFICER

Date: 30-Jan-2025

Officer Report

This application relates to planning permission 2024/93355. Which seeks to discharge condition 6 (boundary treatment) on previous permission 2022/91334 for erection of detached dwelling and demolition of single storey extension (modified proposal).

Condition 6 – boundary treatment

6. Prior to the installation of new boundary treatment over 1 metre in height at the site outlined in red on Dwg. No. 01 A other than that specified by condition 5, details of the new boundary treatment shall be submitted to and approved by the Local Planning Authority. The new boundary treatment shall be installed in accordance with the approved details and retained thereafter.

Reason: *In the interests of visual amenity to ensure that new boundary treatment over 1 metre in height is in keeping with the character of the local area and in the interests of highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan, Policies in Chapters 9 and 12 of the National Planning Policy Framework and Principle 2 of the Kirklees Housebuilders Design Guide SPD.*

Assessment of Condition 6

The application has been submitted with a plan under reference number 417004RevC titled Boundary Treatment Plan.

The plans detail that there will be a 1.8m high boarded timber fence erected between No.19 Fields Rise and the new dwelling. This will separate the properties and then will run at 1.8m along the rear boundary and for part of the way around the side boundary between the rear garden and the footpath adjacent to the highway (Fields Way).

The other part of the fence to the side, wrapping around the front of the property and the footpath around the adjacent to the highway (Fields way and then Fields Rise) will be limited to 1.2m.

The proposed fencing is typical of that located within domestic curtilages and the footpath and green buffer will remain between the fence and the highway to provide a visual break. It is also concluded that the step down from a 1.8m fence to the rear and side to a 1.2m fence for the rest of the side and front elevations will create a design which is not visually obtrusive. Therefore it is acceptable from a visual amenity perspective.

Due to being located on a corner plot, highway safety must be considered. For this reason Highway officers were consulted on the application and stated that due to the fence being set back from the highway by more than 2.4m the fence would not be within the visibility splay when turning from Fields Way onto Fields Rise. As such, the fence would not obstruct visibility and would be acceptable from a Highways perspective.

Providing that the 1.2m and 1.8m high fence referred to on plan number 417004RevC be installed in accordance with the approved details and retained thereafter, the condition will be satisfied.

Decision Text

APPROVE

Condition 6

You have submitted the following information:

- Application form
- Drawing number 417004RevC titled 'Boundary Treatment Plan'

The details provided within drawing number 417004RevC are considered sufficient in relation to visual amenity and highway safety. Condition 6 can be discharged provided the fencing and specifications referred to on plan number 417004RevC is installed in accordance with the approved details and retained thereafter.

Report Dated: 30th January 2025