

**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>2025/44/91623/W</b>
Site Address:	Land adj, 105, Highgate Lane, Lepton, Huddersfield, HD8 0HQ
Description:	Discharge of details reserved by condition 4 (landscaping and boundary treatment) on previous permission 2022/92816 for demolition of detached garage and erection of two detached dwellings and associated landscaping.
Recommending Officer:	John Holmes

**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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 09-Jul-2025**

## **DISCHARGE OF CONDITIONS – Application ref: 2025/91623**

The merits of the application have previously been assessed under reference 2022/92816 and permission granted for:

- Variation of conditions 2 (plans) and 3 (materials) on previous permission 2021/90749 for demolition of detached garage and erection of two detached dwellings and associated landscaping

The applicant is now seeking to discharge Condition 4 of permission 2022/92816.

### **ASSESSMENT**

#### Condition 4

The wording of this condition is as follows:

Prior to the first occupation of either of the dwellings hereby approved, and notwithstanding the hard landscaping details in Drawing No. 001-21-PL01 Revision A, a hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for hard landscaping the site shall include:

- details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps; and
- the position, height and materials of means of enclosure/boundary treatments.
- Timetable for the hard landscape scheme to be implemented

The development shall be undertaken in accordance with the approved details and timetable for implementation and shall be retained as such thereafter.

**Reason:** To ensure the creation of a pleasant environment for the development, in the interests of residential amenity and to comply with Policy LP24 of the Kirklees Local Plan, Principle 2 of the Kirklees Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

As part of this application the following has initially been submitted:

- Drawing 001-21-PL01RevA
- Application Form

Within the submitted drawing details of tarmac driveways, access and parking areas are detailed. Areas to be surfaced with sandstone paving, and an image example of the paving is also provided. The plan also sets out the use of a 1.8m high timber (close boarded) fence to the south east, north east and north west boundaries. No boundary treatment is shown in relation to the south western (front) boundary.

The information requirement of this condition sets out the following:

- details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps; and
- the position, height and materials of means of enclosure/boundary treatments.
- Timetable for the hard landscape scheme to be implemented

To enable the discharge of the condition, further information in relation to pavements, reduced-dig areas and crossing points and timetable for hard landscaping scheme to be implemented in relation to the initially submitted scheme is required to be provided.

In an email dated 2<sup>nd</sup> July the applicants' agent was contacted requesting the following:

- Confirmation in relation to the boundary treatment to the south western (front) boundary.
- That consideration is given to reducing the scale of the boundary treatments to the north western and south eastern (side) boundaries to the front of the dwellings
- Submission of the further outstanding information.

As a result a further plan has been submitted, drawing no PL01RevB. This has amended / reduced the size of the boundary treatments beyond the front elevations of the dwellings to either 1.2m high fencing, or soft landscaping (hedgerow). In addition confirmation of the timetable for completion of the works by July / August 2025 is included in the updated plan.

Within an email dated 3<sup>rd</sup> July 2025 it is confirmed that areas annotated 'Soft Landscaping as Existing' would be reduced dig areas and that pavements and crossing points would remain as existing. This is considered to be acceptable for the requirement of the condition given the access arrangements have been considered acceptable by the Highways Team and have not required any further amendments (and subsequent amendments in terms of hard / soft landscaping). In addition, given the location of existing soft landscaping in proximity to mature trees it is considered this is acceptable in terms of the requirement for reduced dig areas.

It is therefore concluded that, on the basis of the submitted information, the scheme ensures the creation of a pleasant environment for the development, acceptable impact upon residential amenity and complies with Policy LP24 of the Kirklees Local Plan, Principle 2 of the Kirklees Housebuilders Design Guide SPD and policies within Chapter 12 of the NPPF.

## **DECISION LETTER TEXT**

### Condition 4

You have submitted the following: -

- Drawing PL01RevB.

- Application Form
- Email dated 3<sup>rd</sup> July

The details submitted for this condition are considered to be acceptable. It is a requirement of this condition that the development be undertaken in accordance with the approved details, timetable for implementation and that they are retained thereafter.