

**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:	2026/44/90173/W
Site Address:	30, Lightridge Road, Fixby, Huddersfield, HD2 2HF
Description:	Discharge of details reserved by conditions 5 (floor levels), 9 (footway) on previous permission 2024/91852 for erection of 3 detached dwellings and detached gym associated with one dwelling, with associated highways, landscaping and external works
Recommending Officer:	John Holmes

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.

Emma Thompson

AUTHORISED OFFICER

Date: 10-Feb-2026

DISCHARGE OF CONDITIONS – Application 2026/90173 - 30, Lightridge Road, Fixby, Huddersfield

A previous application (ref: 2025/92333) for discharge of conditions 3,4,5,8,9,11,13 was a split decision with condition no.9 (highways) not being discharged.

The merits of the application have previously been assessed under applications 2024/91852 & 2025/92333 and permission granted for erection of 3 detached dwellings and detached gym associated with one dwelling, with associated highways, landscaping and external works

The applicant is now seeking to discharge Condition 9 of consent 2024/91852. In addition they are seeking to re discharge condition 5 (floor levels)

ASSESSMENT

Condition 5

Development shall not commence until a scheme detailing the finished slab and floor levels of the dwellings hereby approved together with corresponding existing and finished ground levels related to Ordnance Datum or an identifiable temporary datum has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwellings shall thereafter be carried out in accordance with the details so approved for the dwelling(s) before occupation of dwelling(s) and shall be thereafter retained.

Reason: *In the interests of visual amenity and the amenity of neighbouring occupiers to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework. This is a pre-commencement condition to ensure the ensuing development is undertaken in the interests of residential amenity of adjacent land and buildings and visual amenity.*

The following has previously been submitted and approved for discharge.

- Cover Letter
- Drawing (20)001revC

The previously approved finished floor levels of plot 2 would be 165.75 (AOD), plot 1 would be 165.25 (AOD) and plot 3 would be 164.60 (AOD). The annexe building would be 164.60 AOD. These were considered to be of a similar level as that of the surrounding land levels and would not see an excessive building up of land in order to accommodate each dwelling. The visual amenity / character of the locality and residential amenity of neighbouring occupiers was not considered to be significantly impacted upon on the basis of the submitted scheme.

The submitted scheme is now seeking to re-discharge this condition on the basis of the following:

- Drawing (20)001RevD

This would see plot levels amended from that as approved such that plot 2 would be 166.05 (AOD), plot 1 would be 165.50 (AOD) and plot 3 would be 164.90 (AOD). The annexe building would be 164.60 AOD.

The proposed levels set out in drawing (20)001RevD are not considered to be significantly greater than that as approved and would not have a material impact which is greater than that of the approved scheme.

It is therefore recommended that condition no.5 is discharged.

Condition 9

Development shall not commence until a detailed scheme for the provision of a minimum 2.0m wide footway to the full site frontage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes and visibility splays including measures to ensure no obstruction(s) shall be within the visibility splays. The approved scheme shall be completed before the occupation of the first dwelling on site and retained thereafter.

Reason: *This is a pre-commencement condition in the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

The following has been submitted:

- Drawing 24014/S278/008revA
- Drawing 24014/S278/007revC
- Drawing 24014/S278/006revC
- Drawing 24014/S278/005revB
- Drawing 24014/S278/004revB
- Drawing 24014/S278/003
- Drawing 24014/S278/002revB
- Drawing 24014/S278/001RevD

The submitted detail sets out the extent of works to the existing highway and the creation of adoptable footway / carriageway. Details of demolition of existing structures and creation of associated drainage infrastructure is set out in the

submitted detail. Road Markings are detailed as well as the intended pavement construction and curbing, longitudinal and cross section information is provided as well as details of the finished intended surface levels.

The Council's Highways Development Management Team have been consulted, stating the following:

Drawing No's 24014/S278/001 to 24014/S278/008 inclusive and (20)001 Rev D has been submitted by the Developer and has now received technical approval from the Council's Highway Design team.

As a result, the condition can now be discharged.

Taking account of the response of Highways Development Management Team it is considered the scheme as put forward for the purposes of discharging condition no.9 is acceptable in this case and therefore condition no.9 is recommended to be discharged.

DECISION LETTER TEXT

Condition 5

The following has been submitted:

- Drawing (20)001revD

The submitted scheme is considered to satisfy the requirements of condition no.5 and this condition is discharged. The construction of the dwellings shall thereafter be carried out in accordance with the details so approved for the dwelling(s) before occupation of dwelling(s) and shall be thereafter retained.

Condition 9

The following has been submitted:

- Drawing 24014/S278/008revA
- Drawing 24014/S278/007revC
- Drawing 24014/S278/006revC
- Drawing 24014/S278/005revB
- Drawing 24014/S278/004revB
- Drawing 24014/S278/003
- Drawing 24014/S278/002revB
- Drawing 24014/S278/001RevD

The submitted scheme satisfies the requirements of condition no.9 and this condition is therefore discharged. It is a requirement of this condition that the approved scheme be completed before the occupation of the first dwelling on site and retained thereafter.