

**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:	2026/44/90980/W
Site Address:	adj, 5, Fernside Avenue, Almondbury, Huddersfield, HD5 8NR
Description:	Discharge of details reserved by conditions 3 (materials), 9 (boundary treatments), 11 (insulation) on previous permission 2023/91887 for demolition of existing building and erection of two dwellings
Recommending Officer:	John Holmes

DECISION – DISCHARGE OF CONDITIONS – SPLIT DECISION

I hereby authorise the partial 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: 05-Jun-2026

DISCHARGE OF CONDITIONS

The merits of the application have previously been assessed under reference 2023/91887 and permission granted for demolition of existing building and erection of two dwellings

The applicant is now seeking to discharge Condition conditions 3 (materials), 9 (boundary treatments), 11 (insulation).

ASSESSMENT

Condition 3 (materials)

This condition states the following:

Samples of all facing and roofing materials shall be left on site for the inspection of, and approved in writing by, the Local Planning Authority, before work on the superstructure of the new build commences and the development shall be completed using the approved materials.

Reason: *In the interests of visual amenity, to ensure that the development conserves the setting of the Listed Buildings 1-3 Fernside Avenue and to accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan, Principle 13 of the Housebuilders' Design Guide SPD and Chapter 16 of the National Planning Policy Framework.*

The following has been submitted:

- Document titled 'Materials Schedule' rev1

The submitted details sets out the intention for 'Beckstone Natural Light Weathered Burford' reconstituted stone walling (tumbled finish) for the walls and 'Greys Artstone; Reproduction Stone Slate, Natural Weathered' for the roof.

The development is for two dwellings which are attached to a listed building. The case officer report sets out the following in relation to consideration of the materials:

The details state the elevations are to be constructed in natural stone with ashlar surrounds to openings to match the existing. Conditions requested by Conservation & Design are: (i) that a sample walling panel should be prepared for inspection; (ii) that the roofing materials be natural stone slates (not artificial as requested) and (iii) that the windows on the south-eastern elevation should be conditioned to be constructed in timber, but there can be a relaxation to the north-western elevation. It is considered that mandating the use of natural stone slates and details of pointing would be disproportionate since the new development does not directly adjoin a Listed Building, and even artificial stone slates (for which details can be conditioned) would be an improvement on the flat concrete tiles that were approved for the 2017 proposal. Similarly, it is considered that non-traditional window

materials (such as grey UPVC or aluminium) would not give rise to a discordant appearance. Given the sensitivity of the site it is recommended however that gutters are supported by corbels or brackets, not fixed to a fascia board, and are of traditional profile, and that gable ends are terminated with a mortar joint not bargeboards, in the interests of ensuring that they harmonise with the traditional appearance of no. 5 as well as the listed 1-3 and do not give rise to a jarringly modern feature.

The submitted details do not set out the intention for corbels, fixtures of rainwater goods and how the gable would be treated with a mortar finish. These constitute part of the facing materials and this detail would need to be submitted. This condition cannot, therefore, be discharged in the absence of submission of these details.

Notwithstanding this additional detail which is required, the approved [plans](#) are annotated to state the walls would be Natural stone facing with ashlar surrounds to openings to match existing. Given the setting of the building with regard to the grade II listed building it is considered the use of reconstituted stone walling would be unacceptable and would read as a unsympathetic material which does not suitably integrate with the building to which it would tie into.

Therefore it is concluded that, whilst the use of the artificial stone slates to the roof can be concluded as acceptable and to accord with the approach detailed in the original application, the use of reconstituted stone would not be a suitable material of construction and therefore this condition is recommended to remain.

Condition 9 (Boundary Treatments)

This condition states the following:

Notwithstanding the details on the approved site plan, details shall be submitted to and approved in writing by the local planning authority before any new dwelling is first occupied of the boundary treatments for the site, including any existing boundary fences or walls to be retained. The approved boundary treatments, including those forming the boundaries to the garden plots of the new dwellings, shall be erected or installed before any new dwelling is first occupied and thereafter retained as such.

Reason: *In the interests of visual amenity, to protect the privacy of existing and future residents, and to accord with the aims of Policy*

LP24(b) of the Kirklees Local Plan and Principle 5 of the Kirklees Housebuilders Design Guide SPD.

The following has been submitted:

- Drawing 26-040/ (AL)01

This drawing details that a 1.8m high fence would be erected around the rear amenity spaces, and also between the rear of plot 1 and 2 as well as between plot 1 and the adjoining dwelling to the south west.

The proposed boundary treatments are considered to be an appropriate approach which will see a suitable siting and design that will integrate with the surroundings, and ensure there is privacy able to be maintained for occupiers of the proposed dwellings.

It is therefore recommended this condition is discharged.

Condition 11 (Insulation)

This condition states the following:

Before development commences, details of insulation, on-site micro-generation, or other measures to be incorporated into the development to reduce carbon emissions associated with it shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.

Reason: *This is a pre-commencement condition to ensure that the proposed development contributes to the Council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP26 of the Kirklees Local Plan and Principle 18 of the Kirklees Housebuilders Design Guide SPD.*

The following has been submitted:

- Energy Performance Document authored by Vison Energy (V1)

The submitted document details a number of performance figures, including U values, details space and water heating, ventilation details, provides a prediction in relation to Solar photo voltaic energy production.

It is considered that the measures set out in the submitted document are sufficient for the development in this case given the scale of the proposal in this case and the extent of the measures set out. It is therefore considered that this condition is satisfied and is recommended to be discharged on the basis of the submitted detail.

DECISION LETTER TEXT

Condition 3 (materials)

The following has been submitted:

- Document titled 'Materials Schedule' rev1

The submitted details does not set out the intention for corbels, fixtures of rainwater goods and how the gable would be treated with a mortar finish. These constitute part of the facing materials and this detail would need to be submitted. This condition cannot, therefore, be discharged in the absence of submission of these details.

Notwithstanding this additional detail which is required. The approved [plans](#) are annotated to state the walls would be Natural stone facing with ashlar surrounds to openings to match existing. Given the setting of the building with regard to the grade II listed building it is considered the use of reconstituted stone walling would be unacceptable and would read as a unsympathetic material which does not suitably integrate with the built for to which it would tie into.

Therefore it is concluded that, whilst the use of the artificial stone slates to the roof can be concluded as acceptable and to accord with the approach detailed in the original application, the use of reconstituted stone would not be a suitable material of construction and therefore this condition is recommended to remain.

Condition 9 (Boundary Treatments)

The following has been submitted:

- Drawing 26-040/ (AL)01

The submitted details are considered acceptable to the Local Planning Authority and this condition is therefore satisfied and discharged upon its completion. It is a requirement of this condition that the approved boundary treatments, including those forming the boundaries to the garden plots of the new dwellings, shall be erected or installed before any new dwelling is first occupied and are thereafter retained as such.

Condition 11 (Insulation)

The following has been submitted:

- Energy Performance Document authored by Vison Energy (V1)

The submitted details are considered acceptable to the Local Planning Authority and this condition is therefore satisfied and discharged upon its completion. It is a requirement of this condition that the approved measures

be incorporated into the development during construction and shall thereafter be retained as such