

Objection to discharge of Condition 6

Application 2026/44/92497/W - proposed external walling for the detached dwelling and garage approved under permission 2024/62/92647/W

Application	2026/44/92497/W
Proposal	Discharge of Condition 6 (external walling)
Site	Land at Occupation Lane, off Birkby Road, Huddersfield, HD2 2ES
Applicant	Longwood Property Management (UK) Ltd
Agent	Northlight Architectural Consultants
Submitted by	<div></div> , <div></div>
Date	14 September 2026

The submitted material is described as 'Calder Light Buff Cast Ashlar Stone', while approved drawing 24.002/(AL)02 Rev B specifies 'Walls - Natural stone; Timber cladding'. The discharge should be withheld unless the Council first establishes, with a properly identified sample and written reasons, that the proposed product complies with the operative approval.

Scope of this representation

This document principally addresses Condition 6: the dwelling's walling material, the adequacy of the submitted evidence and the timing of the application. It also records the closely related natural-stone boundary-wall context and Condition 7 concern because those matters directly illustrate the approved material character and the availability of reclaimed stone. Trees, boundaries, rights of way, drainage, access safety and earlier complaints remain reserved for the appropriate planning or civil process.

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Grounds of objection

1. Apparent conflict with the operative approved drawing

Condition 2 requires the development to be carried out in accordance with the approved plans. Drawing 24.002/(AL)02 Rev B contains the proposed materials schedule and identifies the wall material as natural stone, with timber cladding in the locations shown.

The August 2026 External Materials Schedule now identifies the external walling product as GB Architectural Cladding Products Ltd, Calder Light Buff Cast Ashlar Stone. A manufactured cast product is not, on its face, the natural stone expressly stated on the approved drawing. At minimum this is an apparent inconsistency that must be resolved before Condition 6 is discharged.

2. A discharge application should not vary the permission

The present application asks only whether the details reserved by Condition 6 are acceptable. It should not be used indirectly to replace or vary a material description fixed by an operative approved drawing. If the applicant wishes to substitute cast stone for approved natural stone and that substitution is not within the scope of the existing permission, the change should be pursued through the correct planning route, with the opportunity for appropriate publicity and representations.

3. The submitted evidence is insufficiently defined

The schedule provides a product name, a photograph of a sample and a general technical brochure. It does not clearly record a site-approved benchmark panel showing the final combination of product, coursing, dimensions, joint profile, mortar colour and workmanship. These features materially affect whether the finished elevations resemble natural local stone or a uniform manufactured cladding product.

- Require the exact product code, unit sizes, colour range and texture, not only the general product family.
- Require a labelled site sample or sample panel showing representative variation, coursing, corner treatment, joint profile and mortar.
- Record the date the sample was placed on site, the officer who inspected it and the date and basis of any approval.
- Explain in writing how the chosen cast product is considered to comply with the approved description 'natural stone'.

This objection does not ask the Council to decide a private boundary dispute. It asks for a planning decision on whether the submitted external walling detail is the material approved by the permission.

Condition wording and timing evidence

Condition 6

'No development above foundation levels shall take place until all samples of the proposed external walling stone have been submitted to and approved in writing by the Local Planning Authority.'

Chronology requiring a site check

Date	Evidence	Relevance
24 Aug 2026	Dated photographs show a completed suspended floor deck/substructure and low blockwork approximately at adjoining-driveway level.	The precise relationship to approved foundation, DPC and finished-floor levels requires Council verification.
7 Sep 2026	Condition 6 application received and validated.	This was 14 days after the photographs.
14 Sep 2026	Council record showed the application as undecided.	No written approval was shown on the public record at the date of this representation.

The photographs do not by themselves prove the precise approved foundation level or conclusively establish a breach. They do, however, raise a strong prima facie timing and compliance issue. The Council should inspect, identify the construction stage reached before 7 September 2026 and keep that finding on a separate enforcement record. Any later discharge should not be recorded or described as though written approval existed before the photographed works.

Requested determination

- Withhold or refuse discharge on the present evidence because the submitted cast product appears inconsistent with the approved natural-stone specification.
- Require a genuine natural-stone sample and full product detail consistent with drawing 24.002/(AL)02 Rev B, or explain the lawful basis for treating the proposed cast product as compliant.
- If the cast-stone substitution would vary the permission, require the applicant to use the proper variation procedure rather than resolving the change through this discharge application.
- Inspect and record the construction stage and the chronology of sample submission, inspection and approval.
- Open or update a separate Condition 7 compliance record concerning the dismantled wall and the location, preservation and intended reuse of its natural stone.

Submitted by:

14 September 2026

Document comparison

The issue is visible by comparing the material description on the operative approved drawing with the product proposed in the new discharge submission.

OPERATIVE APPROVED DRAWING	CONDITION 6 SUBMISSION														
<div><p>Materials specified on drawings should only be used in accordance with the specification. The contractor must ensure that the materials are of the correct type and quality and are suitable for the intended use. This drawing is intended to be used as a guide only and does not constitute a contract. The contractor must ensure that the materials are of the correct type and quality and are suitable for the intended use.</p><p>PROPOSED MATERIALS SCHEDULE</p><table><tr><td>Walls</td><td>Natural stone Timber cladding</td></tr><tr><td>Roof</td><td>Green flat roof</td></tr><tr><td>Window</td><td>Aluminium framed double glazed units Glazed roof lanterns</td></tr><tr><td>Doors</td><td>Aluminium framed double glazed door units</td></tr></table></div>	Walls	Natural stone Timber cladding	Roof	Green flat roof	Window	Aluminium framed double glazed units Glazed roof lanterns	Doors	Aluminium framed double glazed door units	<div><p>Client: Longwood Property Management (UK) Ltd Revision: 1</p><p>Introduction</p><p>This schedule has been prepared for submission to Kirklees Council in support of an application for the discharge of planning condition no.6 - Application Number: 2024/029247/W. Samples of the below materials will be left on site for inspection, prior to the construction of the above ground works.</p><table><tr><th>Element</th><th>Proposed Material</th><th>Image</th></tr><tr><td>External Walls (see proposed elevations for locations)</td><td>GB Architectural Cladding Products Ltd. Calder Light Buff Cast Ashlar Stone Refer to technical brochure for further information</td><td></td></tr></table></div>	Element	Proposed Material	Image	External Walls (see proposed elevations for locations)	GB Architectural Cladding Products Ltd. Calder Light Buff Cast Ashlar Stone Refer to technical brochure for further information	
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Drawing 24.002/(AL)02 Rev B	External Materials Schedule, August 2026, Rev 1														
Quoted material description: 'Walls - Natural stone; Timber cladding'	Quoted proposed product: 'Calder Light Buff Cast Ashlar Stone' , by GB Architectural Cladding Products Ltd.														

Why the distinction matters

The approved wording is not merely 'stone appearance' or 'stone-coloured cladding'; it says natural stone. The submitted schedule expressly says cast ashlar stone. The Council should therefore determine the discrepancy openly and on evidence, rather than treating the two descriptions as automatically interchangeable.

The applicant's own schedule also states that samples would be left on site for inspection before construction of above-ground works. The decision record should identify the sample inspected and when that inspection took place.

Requested audit trail: sample location and date placed on site; inspecting officer and inspection date; exact product and finish; approved coursing, joints and mortar; and written reasons for compliance with 'natural stone'.

Construction-stage evidence

Both photographs below carry embedded image metadata dated 24 August 2026 at approximately 15:21, 14 days before the Condition 6 application was received.



Photo 1 - wider view. Completed suspended floor deck/substructure and low perimeter blockwork beside the access drive.



Photo 2 - close view. Floor units/substructure and corner blockwork, with the adjoining driveway level visible.

Evidential qualification: these images show the physical stage reached, but they do not contain a surveyed datum. The Council should compare the photographed work with the approved foundation, DPC and finished-floor levels before reaching a formal breach finding.

Original files retained: 26800121-63B3-4F60-A7A3-2724F08E90F0_1_102_o.jpeg and 25382D24-BEBF-4FFA-8463-97D966510E46_1_102_o.jpeg. The originals should be supplied if the Council needs metadata verification.

Local material character and setting

The existing boundary walls beside the access are formed from irregular natural local stone and continue directly into the stone walls serving Woodview Farm along the drive. They read as a continuous historic feature and contribute strongly to the established rural-lane and former-farmhouse character. Their varied sizes, weathering, colour range and traditional dry-stone coursing are materially different from the pale, uniform cast-ashlar sample proposed in the discharge submission.



Photo 3. Existing dry-stone wall beside the development and access.



Photo 4. Continuation and lane context.

Why this has planning relevance

I purchased Woodview Farm in significant part because of its history as the former farmhouse, its natural-stone walls, mature greenery and the distinctive character of this part of Occupation Lane. That personal history explains the importance of the setting to me, but the planning point is objective: these are physical features that define the area's established character and appearance.

Replacing the approved natural-stone expression with a noticeably uniform manufactured cast product would introduce a materially different finish beside the surviving historic walls. It would weaken the visual continuity between the new dwelling, the access walls and Woodview Farm and would contribute to the gradual loss of the lane's rural character. The vegetated wall margins are also part of the mature green setting, although detailed tree and ecological matters are reserved for their separate application.

The key comparison is not simply whether the sample is buff coloured. It is whether its material, texture, variation, coursing and weathering will genuinely preserve the natural-stone character required by the approved drawing and visible throughout the immediate setting.

Existing wall removal and ability to rebuild

This is a related but separate compliance issue. Condition 6 controls the external walling sample for the dwelling. Condition 7 controls the proposed 900mm boundary wall and expressly depends upon stone reclaimed from the existing wall. The Council should not conflate the two conditions, but it should not ignore the physical loss of the very natural-stone material that Condition 7 requires to be reused.

Condition 7 states: 'The 900mm high stone boundary wall as shown on the approved plan no. 24.002/(AL)01 Rev B Site Plan as Proposed, shall use reclaimed natural stone from the existing boundary wall, which is to be demolished, where possible. If additional materials are required, the materials shall be of natural stone which in all respects match those used in the construction of the existing dry stone boundary wall.'



Photo 5 - 16 March 2026. A substantial length is damaged or dismantled, with natural stone displaced into irregular piles.



Photo 6 - 26 March 2026. Surviving wall lengths are reduced and disordered after progressive site works.

The photographs record substantial dismantling and damage, displaced stone and surviving sections left in a reduced condition. I also directly witnessed reclaimed stone being removed from the site. If that stone has not been carefully retained and remains unavailable, the obvious question is how the developer intends to rebuild the approved wall using the reclaimed material required by Condition 7.

The words 'where possible' should not allow a developer to make reuse impossible through its own handling or removal of suitable stone. The applicant should be required to identify the present location, quantity and condition of every stockpile, demonstrate that suitable stone has been segregated and preserved, and confirm how and when it will be returned for construction of the approved wall. Any shortfall should be made up only with genuinely matching natural stone, as Condition 7 requires.

This evidence also reinforces the Condition 6 character objection: the existing local material is irregular, weathered natural stone, while the proposed dwelling sample is a pale and comparatively uniform cast product. The two should not be treated as visually or materially equivalent without a reasoned site assessment.

The wall and excavation concerns were reported to the Council contemporaneously in March 2026, with photographs. The email chronology records an urgent report on 5 March, referral to Planning Enforcement and Building Control on 6 March, further warnings between 9 and 24 March, confirmation of referral to Enforcement on 11 March, and correspondence with the Development Management Compliance Team on 25 and 26 March. This history is included to show that the wall condition and loss of material were raised while the evidence could still be inspected and preserved; the detailed safety and complaints issues remain outside the determination of Condition 6.

Requested action on Condition 7: inspect the remaining wall and stored stone; obtain a dated stone inventory, storage photographs and transport or disposal records; require return and reuse of suitable reclaimed stone; and record the outcome under a separate compliance case.

Evidence and source schedule

The representation is based on the operative permission documents, the current discharge submission, the Council's public record and dated photographs of the construction and wall condition.

Ref	Source	Point supported
S1	Decision notice for permission 2024/62/92647/W	Exact wording of Condition 6 and the approved-plans framework.
S2	Approved drawing 24.002/(AL)02 Rev B	Proposed materials schedule states 'Walls - Natural stone; Timber cladding'.
S3	External Materials Schedule, August 2026, Rev 1	Proposes Calder Light Buff Cast Ashlar Stone and refers to on-site inspection before above-ground works.
S4	Kirklees online record for 2026/44/92497/W, checked 14 Sep 2026	Application received/validated 7 Sep 2026; public record showed no decision.
S5	Photographs 1-2, embedded metadata 24 Aug 2026	Physical construction stage before submission of the discharge application.
S6	Photographs 3-4	Visual context of the existing natural-stone walls and rural-lane setting.
S7	Condition 7 and photographs 5-6, dated 16 and 26 Mar 2026	Existing-wall dismantling, displaced stone and the need to prove preservation and availability of reclaimed material.
S8	Council email chronology, 5-26 Mar 2026	Contemporaneous reporting, referral to Enforcement and opportunity to inspect and preserve wall evidence.

Requested action: place this representation and its photographs on application 2026/44/92497/W, take the Condition 6 grounds into account before determination, refer the distinct Condition 7 matters to Planning Enforcement for a recorded response, and confirm receipt and publication to the objector.