

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2016/62/94282/W

Site Address: 301, Woodhead Road, Holme, Holmfirth, HD9 2QE

Description: Demolition of existing bungalow and erection of new dwelling with detached garage

Recommending Officer: William Simcock

DECISION – Full Conditional Permission

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 04-Oct-2017

Officer Report

Site Description

301 Woodhead Road is a small bungalow with a footprint of 9.4 by 7.8m. It is situated on the south side of Woodhead Road and is set within a large curtilage, the house being set back approximately 25m from the highway boundary. There is a driveway and access to the highway. The property is at the eastern end of a row of individually-designed dwellings, mostly detached, on large plots, which form a short ribbon of development extending north-eastwards from the village of Holme. To the south-east, north-east and north-west is open countryside. There is a general downward slope away from the highway to the south-east and the land rises gently along Woodhead Road towards Holme village.

Description of Proposal

The proposal is for the demolition of the existing bungalow and the erection of a new bungalow with a detached garage. The proposed dwelling would measure a maximum of 15.4m north-west to south-east and 16.4m south-west to north-east. It is to be located near the middle of the site, closer to the north-eastern boundary than the south-western one, and approximately 20m from the highway boundary. It would contain 3 bedrooms, a living-dining room, a kitchen and a study. It would have a hipped roof; the height to roof apex would be 6.6m compared with 5.7m for the existing dwelling. Proposed materials are to be stone and render.

The detached garage would be located 1.5m from the south-western boundary, closer to the front than the rear, measuring 8.35 x 6.2m and 4.4m in height. The existing access to the site is to be widened by approximately 4m.

History of negotiations/amendments received

25, 28-Sep-2017 Negotiations with agent over materials. Agent accepted that stone could be used for three main elevations of the dwelling.

22-May-2017 Agent was reminded of the need for a bat emergence survey to be undertaken before the application determined. Final bat survey submitted on 03-Jul-2017.

Agent was advised to apply for a Certificate of Lawful Development for a scheme of extensions that would potentially be a "fallback" position. Application was made 21-Jun-2017.

Relevant Planning History

2017/92154: Certificate of lawful development for proposed extensions, garage and outbuilding. Certificate granted.

Representations

Final publicity date Expires: 02-Feb-2017.

One letter of representation made by a local resident (303 Woodhead Road).

Summary of issues raised:

- The property is in an area of natural beauty on the edge of the Peak National Park.
- The current property blends into the landscape well. The new dwelling would look out of place.
- The proposed will have a much larger footprint especially with the double garage.
- The proposed materials are at odds with those of other properties in the local area.
- The access improvement works would result in the removal of a mature evergreen tree.

Ward Councillor Nigel Patrick requests a Committee decision and site visit.
Reason:

“This comes down to size of new build and given the size of extensions to adjoining properties it would be in keeping. I am asking for a site visit so the Committee members can see it in situ and see the size of the adjoining properties most of which have been extended.”

09-Aug-2017 – Cllr Patrick confirms he does not wish the application to be taken to Committee if it can be approved under delegated powers.

Holme Valley Parish Council – Support the application.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- KC Ecology – Approve subject to conditions.
- Peak Park – No objection subject to conditions.
- Highways (informal response) – No objections.

- Conservation & Design (informal response) – No objections subject to natural materials.

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is within the Green Belt on the UDP Proposals Map. It is also approximately 40m from the boundary of the Holme Conservation Area and 120m from the boundary of the Peak Park. It is also on land designated as Green Belt on Kirklees Publication Draft Local Plan.

It is considered that the development would in principle support the aims of the Equality Act by providing more accessible accommodation for a person with disabilities.

Kirklees Unitary Development Plan:

- **BE1** – Design principles
- **BE2** – Quality of design
- **BE11** - Materials
- **BE12** – Space about buildings
- **T10** – Highway safety
- **T19** – Parking standards.

Kirklees Publication Draft Local Plan (PDLP):

- PLP 21: Highway safety and access
- PLP 22: Parking
- PLP 24: Design
- PLP 35: Historic environment

- PLP 57: The extension alteration or replacement of existing buildings [in the Green Belt]

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Core planning principles
- Section 7 – Requiring good design
- Section 9 – Protecting Green Belt land
- Section 11 – Conserving and enhancing the natural environment.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Appropriateness within the Green Belt
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations

1 – Principle of development: The site is within the Green Belt on the UDP Proposals Map.

The following NPPF policies are deemed relevant:

- Core Planning Principles – in particular that planning decisions should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Requiring good design – planning decisions should aim to ensure that developments will function well, add to the overall quality of the area, optimise the potential of the site to accommodate development and create safe and accessible environments;
- Protecting Green Belt Land – Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances, which will not exist unless the potential harm to the Green Belt, and any other harm, is clearly outweighed by other considerations;

- Conserving and enhancing the natural environment – biodiversity should be preserved and where possible enhanced.
- Conserving and enhancing the historic environment – heritage assets and their settings should be conserved or enhanced.

Within the UDP, the following Policies are considered relevant:

Policies BE1 and BE2 require that development should respect visual and residential amenity, contribute to a sense of local identity, take into account the topography of the site, promote a healthy environment, and incorporate existing or proposed landscaping features as part of the development. BE11 states that natural stone should be used as a walling material where this is the predominant material within the area. Policy T10 requires that development should not be allowed to create or materially add to highway safety problems, while Policy T19 states that development should provide parking in accordance with UDP (appendix 2) standards unless they can be reduced without highway safety being affected. New dwellings (including those formed by conversion) should also adhere to the minimum distance standards in Policy BE12 unless other considerations such as changes in level indicate that these can be relaxed.

2: Green Belt issues

The NPPF advises that the construction of new buildings is usually inappropriate in the Green Belt unless it is for a limited range of uses, including agriculture, forestry and outdoor recreation. The replacement of a building is not, however, necessarily inappropriate within the Green Belt, provided it is in the same use and “not materially larger” than that which it replaces (paragraph 89). The Draft Local Plan policy PLP 57 reiterates this advice and also states that it must not result in a greater impact on openness in terms of the treatment of outdoor areas including hardstandings, curtilage and means of access, and that design and materials should be sympathetic to the Green Belt. This policy has not attracted objections and so can be given considerable weight.

The nearest comparable policy in the UDP, D8, was not saved.

The proposal would replace a bungalow with a footprint of approximately 110 sqm with one of 182 sqm and the roof would be higher. The replacement dwelling is clearly materially larger and in addition there would be a large double detached garage. The proposal would appear not to accord with advice in NPPF paragraph 89.

The architect has suggested that the extensions that could be erected under permitted development rights – comprising two separate side extensions and a rear extension – would give rise to a greater increase in built footprint and would also have a greater impact on the openness of the Green Belt. There is no formal national planning guidance on the amount of weight that can be

placed on a permitted development “fall-back” position in such circumstances. However, an approach that has been adopted by some appeal Inspectors in the past is that the fall-back position is material so long as 3 tests are applied. These are: (i) the lawfulness of the fall-back position; (ii) the similarity between the fall-back position and the development; and (iii) the likelihood of the fall-back scheme occurring.

An application for a Certificate of Lawfulness for an alternative scheme incorporating two substantial side extensions, a rear extension, and two separate outbuildings – a garage and a therapy room – has been made and granted. This means that the alternative scheme would be permitted development and can be accepted as lawful for the purposes of determining the current application. The extensions would have a total footprint of approximately 102 square metres on a dwelling with an existing footprint of about 74 square metres. The two proposed outbuildings forming part of the alternative scheme would add a further 73 square metres.

So, the fall-back position would give rise 175 square metres of additional built development.

The footprint of the proposed replacement dwelling would be approximately 197 square metres and the proposed detached garage a further 52. This amounts to 249 square metres in total, also a net increase of 175 square metres.

The proposed new dwelling would have a greater maximum height (6.6m at the ridge) than the existing dwelling (5.9m maximum height) or the extensions shown as part of the Certificate of Lawfulness scheme. But since the new dwelling would have a hipped roof, the impact this would have on the overall bulk or cubic capacity of the building would be limited.

In terms of built footprint, it has been demonstrated that there is almost no difference between the two schemes, and the difference in bulk would be minor at most. The proposed new dwelling would however be neater and more consolidated than the fall-back option which would have a sprawling and untidy appearance, and it is considered that the latter would be far more detrimental to the openness of the Green Belt.

Going back to the three tests referred to above, it is noted that the developer has not provided any costings for the two schemes, or a structural survey of the property to provide an indication of how practical the development extensions would be; this would help to give an idea of the likelihood of it being implemented. The building appears to be structurally sound and since the “fall-back” extensions and outbuildings would all be single-storey and built on a gently-sloping site there would appear to be no obvious reason why it would not be practical to build them. It is also noted that the proposed extensions have flat or very low-pitching roofs which would involve less labour than constructing a traditional dual-pitch or hipped roof and would help to keep costs down. It is considered unlikely that construction costs would be significantly higher than they would be for demolition, site clearance, and the

construction of a new dwelling. So it is considered on the balance of probabilities that the three tests are met.

In conclusion, planning officers' assessment is that whilst the development would in principle be inappropriate in the Green Belt in that it would be materially larger than the building it replaces, it is considered that a high degree of weight must be placed on the permitted development fallback position which is a scheme that could be implemented and would be materially more harmful to the openness of the Green Belt than the proposed new dwelling. The impact on openness caused by the proposed new dwelling would still be material, but as it would be within established residential curtilage and would not involve extending a ribbon of built development further out into open countryside, it would not undermine the purposes of including land within the Green Belt.

It is considered that these factors amount to very special circumstances which in this instance are sufficient to outweigh the presumption against inappropriate development in the Green Belt.

Regarding PLP 57, there would be some increase in the amount of hard surfacing but this would not have a profound effect on visual amenity because most of the existing soft landscaping and boundary treatments (including at the front) would remain, so it is considered to be compatible with the aims of this policy.

Permitted development rights should however be removed for extensions (Class A-B) and outbuildings (Classes E), so as to avoid any additional development that could cumulatively harm the openness of the Green Belt. Subject to this it would comply with the aims of Green Belt policy in the NPPF and PLP57.

3: Design issues

The proposed dwelling would have an asymmetrical built form and the new windows would mostly be of modern design and proportions. The roof style would however be similar to the existing house in that it would be a single hipped structure. The plot is situated at the end of a row of mostly individually-designed dwellings which lack a strong uniformity in architectural style. In this context the new dwelling would not appear out of place, and furthermore having only one storey and a hipped roof would ensure that it would not be excessively prominent when viewed from outside the site.

It was originally proposed that only the north-western (roadside) elevation would be coursed stone and the rest is rendered. Officers' view is that as it is situated at the end of a row (303-309) in which the houses are mostly faced in natural stone, stone should be used at least for the front and side elevations. This would conform to the requirements of Policy BE11 and ensure that it does not adversely affect views into the Conservation Area. The applicant has agreed to accept this. Roofing materials are described as "slate" on the

planning statement and it should be conditioned that they are natural blue slate or artificial stone slate.

It is considered that the garage is visually appropriate in terms of its design and siting. It would be set into the slope of the ground rather than raised above it. The architect has proposed that the garage walls be either timber boarding or rendered block; it is considered that the latter would be preferable as long as stone is used for the front (north-east) elevation in order to make it visually tie in to the house. The architect has agreed to these measures and they can be conditioned.

The development would at its closest point be about 50m from the boundary of the Holme Conservation Area. It is considered given the nature, location and scale of the development that it would have no adverse impact on the setting of the Conservation Area (taking into account the access works and garage) subject to appropriate materials as specified above. No Listed buildings or structures are close enough to be affected.

The Peak Park Authority were consulted and have no objections in terms of impact upon the Park's setting provided that natural stone walling and ideally a natural stone slate roof are used, that floor levels should not be raised in relation to site boundaries, and that the existing landscaping features and boundary treatments are retained as far as possible. Planning Officers' view is that the impact of the proposed development on the wider landscape would be minor as the proposed dwelling is to be single-storey with a hipped roof, and the impact would not be negative subject to conditions on materials as set out above. The floor levels shown on the plans are similar to existing ground levels and should be conditioned so as to ensure that it is not too prominent. Again, the development would allow the retention of most of the existing landscaping and boundary treatments.

In conclusion it is considered that subject to the above conditions, the development would conserve visual amenity and would accord with Policies BE1-2 and the relevant parts of the NPPF.

4: Residential Amenity

Most of the habitable room windows would face front or rear. The exceptions are the south-west facing windows to bedroom 2, which would face the boundary with no. 303 at a distance of about 10m, and one of the lounge windows which would face the north-eastern boundary with undeveloped land at a distance of 8m. The boundary drystone wall with no. 303 would appear not to be high enough to prevent all mutual overlooking (based on the plans supplied it would appear to be about 1.5m above proposed floor level). It is noted that the occupant of the neighbouring property has not expressed any concerns about potential loss of privacy and that furthermore a single-storey side extension with clear-glazed side-facing windows could be built under permitted development rights. It is considered on balance that in view of the very minor shortfall on this side, the bedroom windows would not be intrusive

and that no additional screening is necessary. It is recommended that the bathroom window, also in the south-western elevation, should be obscurely glazed as this is only 9.5m from the boundary.

In the case of windows facing the north-eastern boundary, including the kitchen and the aforementioned living room, screening is considered unnecessary as the windows would face land which in the applicant's ownership and is unlikely to be developed in the foreseeable future because of the site's Green Belt status. The south-west facing bathroom window can be obscurely glazed, which can be controlled by condition.

The overall scale and proximity of the dwelling to boundaries would not be such as to cause overbearing impact or loss of light. The proposed garage would be quite close to the boundary with a neighbouring dwelling to the south-west, but would be approximately 5.5m from the nearest point on the rear elevation of this property, which is also set at a higher level. It would still leave no. 303 with a largely open aspect to the south and south-east. The garage is larger than a typical double garage, but this sort of relationship, with a garage built on or very close to a neighbouring boundary, is not particularly unusual in Kirklees. It is considered, taking these factors into account, that the overall bulk and height of the garage and dwelling would not be overbearing.

In conclusion there would be no detrimental impact on residential amenity and it would accord with the aims of Policy BE12.

5: Highway issues

The proposed dwelling would be larger than the one it replaces and therefore it is possible that it could, in the long-term, give rise to more vehicular journeys than the small bungalow it replaces as it is more likely to be occupied by a multi-car family. This could however also be said of a scheme of large extensions done under permitted development rights, including the fall-back position already set out.

The widening and re-alignment of the access would improve the arrangements from a safety point of view by providing better sight lines but as it is a replacement dwelling this is not considered essential and it does not need to be imposed as a condition.

There would be room to park two vehicles within the curtilage even if the garage were not used. Therefore it would comply with the aims of Policy T10 and T19 subject to the standard condition on parking spaces and other areas to be used by vehicles being formed and retained.

6: Other issues

Ecology:

Following the bat scoping survey, the Council requested a bat emergence survey which was conducted on two nights in May and June this year. This revealed that the building has an active bat roost for at least one male brown long-eared bat. A European Protected Species (EPS) license or Bat Low Impact License will be required. The report also recommends mitigation measures. In line with the report and the Ecology Officer's advice, the submission of an ecological design strategy should be required, as well as a condition dealing with the licensing arrangements referred to above.

Drainage:

The site is not known to be at risk of flooding. It is proposed that foul sewage is to be disposed of by means of an existing septic tank which is to be refurbished. As the proposal is to replace one dwelling with another it is considered that no further details are required.

It is proposed that a soakaway is to be used for surface water drainage. As is standard practice, percolation tests will be required by condition to ensure that it does not create localised flooding problems elsewhere.

Housing issues:

The erection of a new dwelling would in principle contribute to meeting housing demand but as it is replacing an existing habitable dwelling very little weight should be placed on this. The proposal is however considered acceptable on its own planning merits as set out in detail in parts 1-5 of the Assessment above.

7 – Representations:

Some of the issues raised, such as visual amenity, have already been addressed in the main part of the Assessment, but are highlighted here together with other issues raised and officer responses.

- The property is in an area of natural beauty on the edge of the Peak National Park. The current property blends into the landscape well. The new dwelling would look out of place.

Response: It is noted that the Peak Park Authority have no objection in principle, and it is considered it would have no negative impact on the wider landscape subject to suitable conditions.

- The proposed will have a much larger footprint especially with the double garage.

Response: This issue has been examined in depth above. The permitted development fall-back position is a material consideration which in this instance should be afforded considerable weight.

- The proposed materials are at odds with those of other properties in the local area.

Response: The use of stone for the majority of the development has been accepted by the applicant after negotiation and this can be controlled by condition.

- The access improvement works would result in the removal of a mature evergreen tree.

Response: It is considered that the tree has very limited amenity value.

Ward Councillor Nigel Patrick: "This comes down to size of new build and given the size of extensions to adjoining properties it would be in keeping."

Response: It is noted that some other properties in the row have large extensions but only very limited weight has been placed on this factor in assessing the appropriateness of the development within the Green Belt as it is standard practice to assess each individual proposal on its own merits.

Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation – CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2016/94282

Officer Recommendation: CONDITIONAL FULL PERMISSION

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies BE1 and BE2 of the Unitary Development Plan.

3. The finished floor level of the dwelling and garage hereby approved shall be in accordance with the details shown on the proposed site plan (04) and section (05).

Reason: To ensure the development is in character with its surroundings, to avoid adverse impacts to adjacent land/property and in accordance with the aims of Policies BE1-2 of the Unitary Development Plan.

4. Notwithstanding the details on the approved plans and application form, the front and side walls of the new dwelling shall be externally faced in regular coursed natural stone which shall be of a type to match the stone used on buildings in the vicinity of the site. The roofing materials for the dwelling and garage shall be either blue slate, stone slate, or artificial stone slate of a type, colour and texture to match the natural stone slate used on buildings in the vicinity of the site.

Reason: In the interests of visual amenity, to ensure that the proposed development conserves the setting of the Holme Conservation Area and views into the Peak District National Park and to accord with Policies BE1 and BE2 of the Unitary Development Plan and chapter 12 of the National Planning Policy Framework.

5. Notwithstanding the details on the approved plans and application form, the north-eastern elevation of the proposed garage shall be externally faced in regular coursed natural stone of a type to match in all respects that used on the new dwelling. The remaining elevations of the garage shall be given an external coat of render, of a colour to match the stonework on buildings within the vicinity of the site, before the garage is first brought into use.

Reason: In the interests of visual amenity, to ensure that the proposed development conserves the setting of the Holme Conservation Area and views into the Peak District National Park and to accord with Policies BE1 and

BE2 of the Unitary Development Plan and chapter 12 of the National Planning Policy Framework.

6. Prior to the superstructure of the hereby approved dwelling commencing a scheme detailing foul, surface water and land drainage, (including percolation tests if soakaways are to be used) has been submitted to and approved in writing by the Local Planning Authority. The site shall be developed with separate systems of drainage for foul and surface water on and off site. Construction works shall not start on the dwelling until the approved drainage arrangements have been provided on the site to serve the development and thereafter retained.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being and the reduction of flood risk and to accord with Policy BE1 and chapter 10 of the National Planning Policy Framework.

7. Demolition of the existing bungalow shall not commence until an ecological design strategy (EDS) addressing mitigation and enhancement aimed at roosting bats has been submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Extent and location/area of proposed works on appropriate scale maps and plans.
- c) Type and source of materials to be used where appropriate, e.g. make and model of bat boxes.
- d) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- e) Details of initial aftercare and long-term maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To secure the ecological protection and enhancement measures outlined in the submitted ecological report in accordance with Chapter 11 of the National Planning Policy Framework.

8. Demolition of the existing building shall not commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead;
- b) written confirmation from Natural England of Site Registration under the Low Impact Bat Class Licence; or
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the proposed development has an acceptable impact on local ecology and in accordance with Chapter 11 of the National Planning Policy Framework.

9. The development shall not be occupied or brought into use until all areas indicated to be used for the parking and manoeuvring of vehicles on the

proposed site plan have been laid out with a hardened and drained surface. This shall be in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance, unless run-off water from the hardstanding is to be directed to a soakaway following the submission and approval of percolation tests as required by condition (6). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for the parking and manoeuvring of vehicles.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and in accordance with Unitary Development Plan Policy T10.

10. The window in the south-west (side) elevation indicated as "bathroom" on the approved site plan shall be non-opening or top-opening only and shall be fitted with obscure glazing before the development is first occupied or brought into use. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), windows of this type shall be retained at all times.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy BE12 of the Unitary Development Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, B and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority within the land edged in red on the approved location plan.

Reason: So as to retain adequate planning control over the site in the interests of preventing further extensions or outbuildings which could cumulatively harm the openness of the Green Belt, and to accord with the aims of Policy PLP 57 of the Examination Draft Local Plan and chapter 9 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			23-Dec-2016
Location plan			23-Dec-2016
Site plan with levels as existing	NDP/348/SP		23-Dec-2016
Elevations as proposed	01		23-Dec-2016
Elevations as proposed	02		23-Dec-2016
Garage elevations as proposed	03		23-Dec-2016

Plan Type	Reference	Version	Date Received
Proposed site plan	04		23-Dec-2016
Proposed section	05		23-Dec-2016
Planning statement			23-Dec-2016
Bat scoping survey			23-Dec-2016
Bat emergence survey			03-Jul-2017

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer requested the applicant submit a bat survey and mitigation statement to ensure the scheme minimised the impact on biodiversity and also requested the applicant apply for a Certificate of Lawful Development to ascertain whether there existing a permitted development fall-back position for extensions that would provide justification for the alternative of the proposed new dwelling.

DATE OF RECOMMENDATION:

04-OCT-2017
