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:	2017/62/90965/W
Site Address:	Bridge Work Wear, 8, Scar Lane, Milnsbridge, Huddersfield, HD3 4PE
Description:	Erection of basement and ground floor extension to shop and first and second floors to create 2 flats (within a Conservation Area)
Recommending Officer:	William Simcock

DECISION – conditional full 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.

Teresa Harlow

AUTHORISED OFFICER

Date: 05-Mar-2018

Officer Report

Site Description

Bridge Work Wear, 8 Scar Lane, consists of commercial premises at ground floor (originally 3 separate units, now a double-fronted school wear shop and a single workwear shop at the end) with office space and storage above. It is built in stone and grey slate. The site also includes some vacant land on the corner with Lipscomb Street adjacent to the side elevation of the property which is informally used for parking, and the servicing yard behind is also in the same ownership. Lipscomb Street is residential, the adjoining property to the east on the corner with Market Street is also in retail use, and there is a large modern supermarket building opposite.

Description of Proposal

The proposal is for the erection of a three-storey side extension to create an extension to the shop at ground floor with storage in the basement, and 2 x 1-bedroom flats above.

The proposed extension would be 9.7m wide and would have a gable facing Scar Lane. Height to eaves on the frontage would be 8.35m, this being approximately 1m higher than that of the existing building. The windows would mostly face front and rear. On the side elevation (towards Lipscomb St) there would be one window and three false windows (recesses designed to look like apertures that have been blocked up). Two parking spaces would be formed in the rear yard with access to Lipscomb Street and some landscaping between the parking spaces and the road.

History of negotiations/amendments received

10-Nov, 12-Dec: Amended plans received in response to officer concerns about design and parking arrangements.

22-Feb-2018: Final amended layout with parking and turning space.

28-Feb-2018: Amended elevations deleting fascia sign to Lipscomb Street for the avoidance of doubt and so that this elevation could be properly assessed.

Relevant Planning History

2008/92883 – Demolition of existing building and erection of 2 flats and 1 shop with a flat over. Approved, not implemented.

Representations

Final publicity date Expires: 18-Aug-2017

Letters of representation from 6 local residents, all either objecting or making comments.

A summary of the comments received is set out below:

- Parking problems;
- Overlooking from windows;
- Parking area is too close to my house (1 Lipscomb St);
- Last time there was work with a digger is caused damage to my house – what contingency plans are there should this issue occur again?
- It will cause extra strain on an outdated sewerage system;
- More noise pollution;
- What is going to happen to the gable end wall of no. 1 Lipscomb Street, which is in disrepair as a result of an older building being demolished?

Consultation Responses

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

- Highways – Acceptable subject to conditions (based on provision of 1 parking spaces for each two-bedroom flat)
- Environmental Health – Acceptable subject to conditions.
- Ecology – Standing advice applies.
- Conservation & Design – Acceptable subject to conditions.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). 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 Examination in Public began in October 2017. 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. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local

Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is within Milnsbridge Local Centre and Conservation Area on the UDP Proposals Map and part within, part on the edge of, a district centre on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **BE1** – Design principles
- **BE2** – Quality of design
- **BE5** – Development within Conservation Areas
- **BE12** – Space about buildings
- **EP4** – Noise-sensitive and noise-generating development
- **B5** – Extensions to business premises
- **S1** – Town and local centres
- **T10** – Highway safety
- **T19** – Parking.

Kirklees Publication Draft Local Plan (PDLP):

PLP 21: Highway safety and access
PLP 22: Parking
PLP 24: Design
PLP 35: Historic environment
PLP 52: Protection and improvement of environmental quality.

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
- Chapter 1 – Building a strong, competitive economy
- Chapter 2 – Ensuring the vitality of town centres
- Chapter 11 – Conserving and enhancing the natural environment
- Chapter 12 – Conserving and enhancing the historic environment.

Other policy documents:

Milnsbridge Conservation Area appraisal.

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on local economy and function of District Centre

3) Impact on visual amenity (including any heritage considerations)
4) Impact on residential amenity
5) Impact on highway safety
6) Other matters – e.g. trees/ecology (e.g. bats)
7) Representations

1 – Principle of development: The site is within Milnsbridge Local Centre and Conservation Area on the Unitary Development Plan proposals map. On the Publication Draft Local Plan, the existing premises form part of Milnsbridge District Centre but the site of the proposed development is just outside it.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area. In this context preservation means not harming the interests of the building as opposed to keeping it unchanged.

Within the NPPF, it will be assessed having regard to the advice to drive sustainable economic development and to support existing business sectors in “Core planning principles” and “Building a strong competitive economy” and the promotion of the vitality and viability of town centres as set out in “Ensuring the vitality of town centres”. Also of relevance are Chapter 11 (any potential pollution impacts should be assessed at the planning stage) and Chapter 12 (in determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. If harm would result this should not be allowed without a proportionate justification).

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. Other UDP Policies of relevance include BE1 and BE2 (development should be visually attractive and contribute to a sense of local identity), BE5 (development should contribute to preservation and enhancement of Conservation Area), T10 and T19 (development should not create or materially add to highway safety problems and provide adequate parking to serve the development) and EP4 (impact of noise-generating on noise-sensitive development to be considered at the planning stage).

Policies PLP21, 22, 24, 35 and 52 are relevant and may in principle be granted considerable weight but they cover generally similar concerns to the UDP policies already listed.

2 – Impact on local economy and function of District Centre: Retail is in principle an appropriate use within Town, Local and District Centres. The proposed development would be just outside the District Centre boundary on the Publication Draft Local Plan, but as it would represent the expansion of an existing business it is considered that it would be unreasonable to demand a

sequential test. It would enhance the viability of an existing business and would indirectly benefit other businesses (such as cafes and convenience retail stores) in Milnsbridge Centre by promoting linked trips.

One of the NPPF Core Planning Principles is to promote mixed use developments and paragraph 24 (in Chapter 2) states that residential development can play an important role in ensuring the vitality of centres.

The extension to the shop and the new flats would both contribute to this aim.

The development would therefore, in principle, benefit the local economy and would amount to sustainable development subject to an assessment of heritage, environmental, amenity and transport issues, to be assessed below.

3 –Impact on visual amenity: Milnsbridge Conservation Area Appraisal identifies the strong industrial heritage of the area and the predominant use of stone as being among its defining features. Chapter 7 of the Appraisal states that “The proposed conservation area is aiming to preserve and enhance the essence of the strong industrial character and diversity of Milnsbridge.” The lower part of Scar Lane, including the application site, is not identified as an area of opportunity for improvement, nor is it deemed to be a “gateway” or an “important vista”, although in the case officer’s opinion it has some significance in the views it offers into the commercial centre of Milnsbridge to people approaching from the west.

This part of the Conservation Area is characterised by two- and three-storey buildings forming continuous rows. The commercial buildings on Market Street and the part of Scar Lane that leads into it show considerable variation in height, proportions and roof style. Lipscomb Street, which is residential, has a more uniform character. There are however industrial buildings further up Lipscomb Street and near the junction of Savile Street and Market Street that are up to six storeys in height. Directly opposite the site is a large modern supermarket building and car park that make no positive contribution to the character of the Conservation Area.

The application site itself is neutral in its impact on the Conservation Area but the servicing yard and wall bounding it to the north has a shabby, neglected appearance, and detracts from its character. It is considered that the principle of erecting a new building is acceptable, as it would represent a continuation of an existing row in a part of the Conservation Area which is densely built-up. Furthermore there is evidence that a building formerly stood on the site.

It would not be any nearer the Lipscomb Street carriageway boundary than nos. 1-3 on the east side of Lipscomb Street. The development would have a gable facing Scar Lane and a roof pitching towards Lipscomb Street, which would mirror the existing roofs of the terraced houses on the west side of Lipscomb Street.

Planning officers expressed some concerns about the original design. This was on the grounds of its overall height and mass, in that it would have a greater eaves height than the existing building, and its proportions, in that the window and floor levels in the old building and the extension would have been out of alignment and would have related awkwardly to each other.

On the latest amended plans the height, mass and number of floors are unchanged, but the treatment of the front elevation has been amended so that there would be two large windows, each roughly twice as high as its own width, extending over the first and second floor, with the second floor level about half way between cill and lintel. The cill has also been raised so that there would be some space between it and the strong course. In many respects the development would represent a continuation of the existing row – it would have a horizontal emphasis at ground floor and a vertical emphasis above ground floor, it would continue the string course, and the first floor window cills would have the same height and the same architectural detailing as those on the existing building.

It is considered that the height and massing of the building now proposed would not in itself be out of keeping or visually overbearing. It would be seen in the context of rising land both to the west and to the north, and of a three-storey building to the north-east (57-61 Market Street) which can clearly be seen through the existing gap in the urban fabric. Its roof ridge would in fact be below those of the existing dwellings on Lipscomb Street. It is noted that there would be a disjuncture between the roof of the new development and that of the existing building, but it is also noted that there is a disjuncture between the existing building and the gable roof of the off-licence immediately to its right; the latter has its floor and eaves height set lower so that there is a valley between the gable and the school wear shop. The new extension would represent a continuation of this stepped progression in heights, except that instead of a valley the junction would be formed by a triangle of stone wall up to 1.2m high above the existing eaves. There are other examples of similar junctions between buildings – for instance, between nos. 63 and 69 Market Street. More generally, it is not difficult to find examples of buildings within Milnsbridge centre that have been built abutting or tied in to each other with a sharp discontinuity between adjoining floor, eaves or cill levels – for example between 5 and 7 Morley Lane, 57 and 59 Market Street, or either side of the bank on the corner of Market Street and George Street.

The amended window design gives the building a somewhat industrial appearance – the large front windows are reminiscent of the high windows on older textile mills such as those on Savile Street nearby. It is considered that they represent a good design solution in an area of mixed uses and show respect for the industrial heritage of the area.

As for the side elevation, windows that were on the original plan have been removed to allow the internal floorspace to be reconfigured so there would not need to be habitable room windows facing 2-4 Lipscomb Street at close quarters, but so as to avoid having a mostly blank wall facing Lipscomb Street, the new plans incorporate three false windows. It is considered that

this would break up the monotony of this elevation. There would still be a substantial amount of blank wall at ground floor level on this elevation, but in this respect it would not be very different to 2 Lipscomb Street and its elevation to Scar Lane. The string course would add visual interest and prevent it being too monotonous.

There are a large number of windows facing rear which are arranged in an asymmetrical pattern but this elevation is considered less sensitive than the other two and it is considered it would respect the character of the area.

The latest plans show an opaque panel within the front elevation so that the floorplate between the first and second floor apartments is not visible from outside. A more conventional design solution would be to set the floorplate back from the window to leave a small void, but this would not be compatible with the need to provide sound insulation for the dwellings and so the design solution chosen represents the best practical one aesthetically.

The previous revisions showed the extension to have large fascia signs on both street elevations. These would have to be assessed under the Control of Advertisement Regulations and so they cannot be granted consent under the terms of this application, but officers have concerns about the principle of a large commercial sign facing on to a residential street and so for the avoidance of doubt, this has now been deleted.

To sum up, whilst it is would be accurate to say that the commercial centre of Milnsbridge consists overwhelmingly of Victorian or very early 20th Century buildings of usually two, sometimes three storeys in height, it is notable that the main commercial streets have been developed sporadically, often with little regard for the proportions or massing of the buildings they adjoin, and that the development immediately bordering the commercial centre contains a mix of residential and industrial buildings as recognised in the Conservation Area Appraisal. It is considered that in this context the proposed building would not be excessive in scale, that it would show respect for its surroundings, and that it would contribute to the enhancement of the Conservation Area by helping to strengthen and re-assert the traditional character of the area at a point where it is somewhat undermined by the presence of a large modern supermarket building.

It should be subject to the following conditions:

1. Stone sample to be supplied and approved;
2. Gable to be terminated with a stone coping or a mortar joint, not bargeboards;
3. Gutters to be supported by corbels not fixed to a fascia board;
4. Opaque black panel where shown on plan to disguise the floorplate.
5. False windows in west elevation - masonry to be recessed by at least 25mm.

Subject to this it is considered that the development would comply with the aims of Policies BE1-2, BE5, PLP 24 and 35, and the relevant parts of the NPPF.

4 – Impact on residential amenity: All habitable room windows would face south and comply with the standards in BE12. On the latest plans there would be no habitable room windows in the north elevation. The only side-facing window would be non-habitable (a staircase) and can be obscurely-glazed, which can be conditioned. The development would be 13.5m from the facing habitable room windows in 2 Lipscomb Street which is in excess of the recommended minimum distance and it is considered it would not have overbearing impact on this property.

Environmental Services have recommended a condition is attached specifying measures to be taken to protect residents from traffic noise. The applicant accepts this can be the subject of a condition, rather than decided at this stage.

Gross internal floorspace would be 37.5 square metres for the first floor flat and 51.3 square metres for the second floor flat. They are both within nationally described space standards for a single-storey, single-bedroom dwelling.

It is concluded that the development would provide adequate privacy, space about buildings, and an acceptable level of amenity for both existing and future occupants and that subject to the above conditions it would comply with the aims of Policies BE12 and EP4.

5 – Impact on highway safety: The latest amended plans provide 2 parking spaces in addition to a turning area within land owned by the applicant. It is considered that the access and parking arrangements are safe.

For new dwellings consideration should be given to providing parking taking into account UDP appendix 2 requirements, which are 1 per unit for a single-bedroom flat. Parking can sometimes be reduced or dispensed with altogether in town centres or locations with a frequent bus service to Huddersfield Town Centre. The agent has questioned the need to provide parking for the flats, on the basis that if permission is granted, the applicant will make it a condition of the lease that tenants are not allowed to bring cars. Such a condition might be difficult to enforce through the planning system. Highways Development Management initially requested a minimum of 1 per dwelling on the basis that each was to have 2 bedrooms. These have since been changed to 1 bedroom dwellings with the same floorspace, although it is noted that subject to Building Regulations it would be possible to make them 2 bedroom apartments notwithstanding the details submitted for purposes of planning approval.

Shops in local centres are often able function without staff or customer parking. But the proposed retail unit would be rather large for a shop in a local centre, and there is no formal public car parking in Milnsbridge, although there is a possibility that the supermarket car park opposite would be used for linked trips involving the school wear and work wear shop.

It is considered that owing to the location and the frequency of the bus service, it is likely that the dwellings would be occupied by people who are not dependent on the use of a car. It is noted also that there are waiting restrictions (no parking during the daytime Mon-Fri) on Market Street and the lower part of Scar Lane, which become double yellow lines after the junction with Lipscomb Street, although cannot be guaranteed that people will always obey parking restrictions, especially in places outside the larger town centres in Kirklees where there is generally not much active enforcement. It is possible to park legally on the north side of Scar Lane further up, but it would not be in the best interests of highway safety to encourage this.

Taking into account the concerns raised by the Highways Officer it is considered on balance that the provision of two parking spaces in total is reasonable and should be required by condition. These could be allocated by the developer for either residents, visitors, an employee or some combination of these.

Subject to the condition that the parking and turning areas are surfaced and retained before the development is brought into use, it is considered that the development would not create or materially add to highway safety problems and would accord with the aims of T10 and T19.

6 – Other matters:

Biodiversity:
The site is in the bat alert layer. The external condition of the building does not indicate that it has any bat roost potential, and in any case it is noted that the roof space has been insulated to form part of the storage/office space on the first floor, so there is no enclosed roof void that bats could enter. The standard precautionary note will be added to the decision notice.

Drainage:
The site is not within an area known to be at risk from flooding. The development would be able to make use of the existing mains drainage. Owing to the limited space within the site and proximity to existing buildings, it is unlikely that soakaways would be workable here and so mains drainage, in general the least sustainable option, can be accepted. It is considered that the parking spaces do not necessarily need to be permeable as they would be on a plot formerly occupied by a building and so they would make no additional contribution to run-off.

Sustainable transport:

The Environmental Health Officer has recommended that the developer install 1 electric charge point for each dedicated parking unit or 1 per 10 unallocated parking spaces. As the parking spaces are to be unallocated this does not apply. Details of cycle parking have not been provided although the applicant's agent has in principle agreed that consideration can be given to this. Details of cycle storage can therefore be conditioned, along with refuse storage, both of which can easily be incorporated in the space available.

7 – Representations:

Concerns relating to privacy and parking issues have been addressed in the main part of the assessment but are highlighted below together with responses to other issues raised.

A summary of the comments received is set out below:

- Parking problems;

Response: This issue has been examined at length in part (5) of the Assessment and it is considered that subject to suitable conditions the development would not create or materially add to parking or other highway safety problems.

- Overlooking from windows;

Response: The amended plans show that no windows would overlook those in neighbouring properties.

- Parking area is too close to my house (1 Lipscomb St);

Response: It is considered that there is nothing particularly unusual about the relationship between the parking spaces and the adjacent dwelling, 1 Lipscomb Street, and there is a high wall between them in any case.

- Last time there was work with a digger it caused damage to my house – what contingency plans are there should this issue occur again?

Response: This is considered to be a private civil matter and it would not be appropriate to seek to control it through the planning system.

- It will cause extra strain on an outdated sewerage system;

Response: It is considered that it would be difficult to substantiate a refusal on these grounds as two small additional dwellings would only make a very small contribution to sewage over and above the existing dwellings in the area. This issue would be further assessed in any allied application for Building Regulations approval.

- More noise pollution;

Response: The shop is not a use that by its nature is likely to generate a high level of noise. The level of noise associated with the development would be no more than is normal in a densely built-up urban area.

- What is going to happen to the gable end wall of no. 1 Lipscomb Street, which is in disrepair as a result of an older building being demolished?

Response: The gable end wall would not be affected by the works. The additional income stream resulting from the development could provide an opportunity to carry out repairs but this is not explicitly stated in the heritage statement.

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: 2017/90965

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, in the interests of the character and appearance of the Milnsbridge Conservation Area, residential amenity and highway safety and to accord with Policies BE1, BE5, T10 and BE2 of the Unitary Development Plan, PLP21, PLP24 and PLP35 of the Publication Draft Local Plan.

3. Samples of all facing materials, including those for the heads and cills of doors and windows, shall be submitted to or inspected on site by, and approved in writing by, the Local Planning Authority, before work on the superstructure of the development commences and the development shall be implemented using the approved materials. Roofing materials shall be natural blue slate to match that used on the existing building.
Reason: In the interests of visual amenity in the interests of the character and appearance of the Milnsbridge Conservation Area, and to accord with Policies BE1, BE5,
and BE2 of the Unitary Development Plan, PLP24 and PLP35 of the Publication Draft Local Plan.

4. Gable ends shall be terminated with either a stone coping or a mortar joint and not with bargeboards.
Reason: To ensure that the development conserves and enhances the character and appearance of the Milnsbridge Conservation Area and to accord with the aims of Policy BE5 of the Unitary Development Plan, PLP35 of the Publication Draft Local Plan and chapter 12 of the National Planning Policy Framework.

5. An opaque black panel shall be fitted where shown on the section (drawing 655-02 Rev E) to disguise the floorplate between the first and second floor apartments, before either apartment is first occupied or brought into use, and thereafter retained.
Reason: To ensure that the development conserves and enhances the character and appearance of the Milnsbridge Conservation Area and to

accord with the aims of Policy BE5 of the Unitary Development Plan, PLP35 of the Publication Draft Local Plan and chapter 12 of the National Planning Policy Framework.

6. All false windows shown on the western elevation shall be formed using coursed stone recessed by a minimum of 25mm from the external face of the side wall.
Reason: To ensure that the development conserves and enhances the character and appearance of the Milnsbridge Conservation Area and to accord with the aims of Policy BE5 of the Unitary Development Plan, PLP35 of the Publication Draft Local Plan and chapter 12 of the National Planning Policy Framework.

7. Gutters shall be supported by corbels and not fixed to a fascia board.
Reason: To ensure that the development conserves and enhances the character and appearance of the Milnsbridge Conservation Area and to accord with the aims of Policy BE5 of the Unitary Development Plan, PLP35 of the Publication Draft Local Plan and chapter 12 of the National Planning Policy Framework.

8. The window in the proposed west (end) elevation shall be non-opening or top-opening only and shall be fitted with grade 5 obscure glazing before the development is first 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: To ensure that neighbouring residential properties do not suffer loss of amenity arising from loss of privacy and to accord with the aims of Policy BE12 of the Unitary Development Plan and PLP24 of the Publication Draft Local Plan.

9. Before any new apartment is first brought into use, all areas indicated to be used for the parking and turning of vehicles on the listed plans shall have been laid out with a hardened and drained surface, and individual parking spaces marked out. 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 of vehicles.
Reason: In the interests of traffic safety, to ensure adequate space within the site for vehicle movements and parking and in accordance with Unitary Development Plan Policy T10 and T19, and Policies PLP21 and 22 of the Publication Draft Local Plan.

10. Before any new apartment is first brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of facilities for the storage and collection of wastes associated with the development. The approved facilities shall be provided before either of the new apartments is first occupied or brought into use. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 2015 (or any Order revoking or re-enacting that Order) these facilities shall be so retained and kept free of obstructions to their use for the storage and collection of wastes.
Reason: In the interests of highway safety and visual amenity, in accordance with the aims of BE1 and T10 of the Kirklees Unitary Development Plan and PLP21 and 24 of the Publication Draft Local Plan.

11. Before any new apartment is first brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of secure cycle storage facilities associated with the development. The approved facilities shall be provided before either of the new apartments is first occupied or brought into use and thereafter retained.
Reason: To encourage the use of low-impact methods of travel in accordance with the aims of the chapter 10 of the National Planning Policy Framework, Policy T19 of the Kirklees Unitary Development Plan, and PLP20 of the Publication Draft Local Plan.

12. Before work commences on any part of the development above ground floor level, a report specifying the measures to be taken to protect the occupiers of the proposed apartments from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority. The report shall:
(i) Determine the existing noise climate;
(ii) Predict the noise climate in bedrooms (night-time) and other habitable rooms of the development;
(iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).
All works specified in the approved report shall have been carried out in full before either apartment is first occupied and such works shall be thereafter retained.
Reason: To ensure that future residents have adequate protection from traffic noise and a satisfactory means of ventilation in the interests of residential amenity, and to accord with the aims of Policy EP4 of the Unitary Development Plan, PLP52 of the Publication Draft Local Plan, and the Core Planning Principles and Chapter 11 of the National Planning Policy Framework.

NOTE – DISPLAY OF ADVERTISEMENTS
The granting of planning permission does not grant consent for the display of any advertisements or signs on the proposed building, notwithstanding that these may be shown on the approved plans, nor does it imply that it will be granted in the event of an application being made. It is the developer's responsibility to ensure that where express consent is required under the Planning (Control of Advertisements) Regulations, such consent is obtained before any signage is installed or displayed on or at the premises.

NOTE – CONSTRUCTION NOISE
To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration,

repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays.
In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE – BATS
There is the potential for a bat roost to be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			14-Jul-2017
Heritage statement			14-Jul-2017
Floorplans as existing and proposed, location plan and site plan	655-01	F	22-Feb-2018
Elevations as existing and as proposed, section as proposed	655-02	F	28-Feb-2018
Contextual elevations	655-03	G	28-Feb-2018

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 undertook negotiations with the applicant to secure amended plans to ensure that the development conserved and enhanced the character of the Milnsbridge Conservation Area

and to ensure that adequate parking and turning space would be provided in the interests of highway safety.

Report Dated: 28-Feb-2018