

**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: 2017/62/93033/E

Site Address: Littletown Junior Infant And Nursery School, Bradford Road, Littletown, Liversedge, WF15 6LP

Description: Erection of 2.1m gates and 0.7m railings on top of existing wall

Recommending Officer: Olivia Roberts

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.

Julia Steadman

AUTHORISED OFFICER

Date: 14-Nov-2017

Officer Report

Site Description

The application relates to Littletown Junior Infant and Nursery School which is located on Bradford Road in Littletown, Liversedge. The school is set back from the access road with play areas located to the front and rear of the building. Boundary treatment on site comprises of stone walls which run along all boundaries of the site. Existing railings run along the top of the stone wall on a section of the south western boundary. Railings are also located on top of the stone walls which are located within the site.

Description of Proposal

The application seeks planning permission for the erection of a 2.10 metre high gate and 0.70 metre high railings which will be located on top of an existing boundary wall.

The proposed gate will measure 2.10 metres in height by 2.00 metres in width and will replace the existing gate. It will be located on the east side of the south western boundary of the site and will serve the main access to the school. The gate will be metal, hot dipped galvanised and painted black to match the existing fencing and railings.

The proposed railings will be located on the stretch of the south western boundary wall located directly adjacent to the proposed gate. The railing will be 0.70 metres in height and will have a length of 10.90 metres. The top of the fencing will sit in line with the top of the proposed access gate. The metal hooped top railings will be hot dipped galvanised and painted black to match the proposed gate and the existing railings and fencing.

History of negotiations/amendments received

No amendments were sought or received during the process of the application.

Relevant Planning History

No relevant planning history on site.

Representations

Final publicity date Expires: 07 November 2017.

No representations received.

Parish/Town Council comments – not applicable.

Consultation Responses

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

K.C. Highways Development Management – Informal discussion, due to the scale and design of the proposals and the nature of the surrounding area, no concerns were raised.

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 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 Unallocated on the UDP Proposals Map and on the Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

- **D2** – Unallocated land

- **T10** – Highway safety
- **BE1** – Design principles
- **BE2** – Quality of design

Kirklees Publication Draft Local Plan (PDLP):

- **PLP 21** – Highway safety and access
- **PLP 24** – Design

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.

- Chapter 7 – Requiring good design
- Chapter 11 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”. All these considerations are addressed later in this assessment.

The general principle of extending and making alterations to a building are assessed against Policies BE1 and BE2 of the UDP and advice within Chapter 7 of the National Planning Policy Framework regarding design. These require, in general, balanced considerations of visual and residential amenity, highway safety and other relevant material considerations.

2 – Impact on visual amenity:

As the proposed gates and fencing will be located on a small section of the site boundary, it is unlikely that the development will have a significant impact on visual amenity. Furthermore, the proposed gates and fencing will not have a significant impact on the visual amenity of the highway, Bradford Road. The design and proposed finish of the proposal is thought to be in keeping with the character and style of the host building and will match the existing railings that run along the top of the existing boundary walls on site. The proposal is therefore considered to be in line with Policies BE1, BE2, BE13, BE14 and D2 of the UDP, Policy PLP24 of the PDLP, and Chapter 7 of the NPPF.

3 – Impact on residential amenity:

As the proposed development will be located to the front of the school on the south western boundary, it is unlikely that it will have an impact on the residential properties located to either side of the site. The overall impact on residential amenity is acceptable and therefore compliant with policies D2 and BE14 of the UDP.

4 – Impact on highway safety:

Due to the proposed gates and fencing being located on along Bradford Road, there is the potential that the development could have an impact on highway safety. K.C. Highways Development Management has been informally consulted and has no objections to the proposals due to the design and scale of the proposed development. The proposals are therefore considered to accord with the aims of Policy T10 of the UDP.

5 – Other matters:

5.1 Ecology -

The site is located within the Council's GIS bat alert layer however, it is not identified on the map as having bat roots and is not within 200 metres of woodland. In addition, the dwelling is well sealed and unlikely to have any significant bat roost potential. Furthermore, as the proposals include the erection of gates and fencing, the development will not impact on the building

or any bats that are potentially in the area. The proposals are therefore thought to comply with the aims of Chapter 11 of the NPPF.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations received.

7 – 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 – Approve

Decision Authorisation - Delegated Powers

Application Number: 2017/93033

Officer Recommendation: Approve

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 D2, BE1, BE2, and T10 of the Kirklees Unitary Development Plan, Policy PLP24 of the Publication Draft Local Plan, as well as the aims of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: 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 the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	14-0088		20/09/2017

Plan Type	Reference	Version	Date Received
Littletown Junior, Infant and Nursery Proposed Gate and Railings	14-0088		20/09/2017

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.

As submitted plans were considered to be acceptable, no changes were sought.

Report Dated:

13/11/2017