

**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: 2018/62/90403/E

Site Address: Springfield Farm, 15, Moorside, Cleckheaton, BD19
6JH

Description: Erection of detached dwelling (modified proposal)

Recommending Officer: Sarah Longbottom

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation contained in the Strategic Planning Committee agenda dated 27 September 2018, Committee Update and Committee Decision Authorisation annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 09-Oct-2018

Decision Authorisation – Committee Decision

Committee: Strategic Planning Committee

Date of Committee: 27 September 2018

Application Number: 2018/90403

Officer Recommendation: Delegate Approval of the application and issuing of the Decision Notice to the Head of Strategic Investment in order to complete the list of conditions including those within the report.

Committee Decision: Delegate Approval of the application and issuing of the Decision Notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within the report.

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 Kirklees Unitary Development Plan and Policy PLP 24 of the Kirklees Publication Draft Local Plan.

3. No development shall commence on the superstructure of the dwelling until samples of facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the details approved.

Reason: In the interests of visual amenity and to accord with Policy BE1 of the Kirklees Unitary Development Plan, Policy PLP 24 of the Kirklees Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

4. 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 extensions or buildings included within Classes A to E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, and to preserve the openness of the surrounding Urban Greenspace, in accordance with Policies BE1 and BE2 of the Kirklees Unitary Development Plan, Policy PLP 24 of the Kirklees

Publication Draft Local Plan and Chapter 12 of the National Planning Policy Framework.

5. Prior to the development being brought into use, the approved vehicle parking area shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or superseded; and thereafter retained.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Policy T10 of the Kirklees Unitary Development Plan and Policy PLP 24 of the Kirklees Publication Draft Local Plan.

6. Turning facilities shall be retained within the first 10 metres of the access to the car park to Katie's Kinder Care Nursey to the north of the application site. The turning facilities shall thereafter be made available for use at all times by any vehicles and shall be kept free from obstruction to such use.

Reason: In the interests of highway safety and to achieve a satisfactory layout, in accordance with Policy T10 of the Kirklees Unitary Development Plan and Policy PLP 21 of the Kirklees Publication Draft Local Plan.

7. Prior to occupation of the dwelling an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Thereafter the electric vehicle charging point shall be retained.

Reason: In the interest of sustainable transport and to accord with policy guidance in the National Planning Policy Framework.

8. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the site is safe and stable to accommodate development, in accordance with Policy G6 of the Kirklees Unitary Development Plan, Policy PLP 53 of the Kirklees Publication Draft Local Plan and Chapter 15 of the National Planning Policy Framework.

9. No development on the superstructure of the dwelling shall take place until an Ecological Design Strategy (EDS) addressing landscaping (hedgerow) and provision of a sparrow terrace nest box 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) Review of site potential and constraints
- c) Detailed design(s) and/or working method(s) to achieve stated objectives
- d) Extent and location/area of proposed works on appropriate scale maps and plans
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- g) Persons responsible implementing the works
- h) Details of initial aftercare and long term maintenance
- i) Details for monitoring and remedial measures
- j) Details for disposal of any wastes arising from works

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

Reason: To secure ecological enhancement measures appropriate to the site, in accordance with Policy PLP 30 of the Kirklees Publication Draft Local Plan and guidance contained within Chapter 15 of the National Planning Policy Framework.

NOTE No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1 March and 31 August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on the site.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Location Plan	101		26.02.18
Existing and Proposed Site Plan	102	A	10.09.18
Proposed Floor Plans	103	A	10.09.18
Proposed Elevations	104	A	08.10.18

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 Planning 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 included adequate off street parking and internal service vehicle turning provision.

Report Dated:

08.10.18