

**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: 2018/62/93687/W
Site Address: land adj, 34, Cliff Road, Holmfirth, HD9 1UY
Description: Erection of detached dwelling with integral garage
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: 26-Jul-2019

Officer Report

Site Description

The application site comprises a steeply sloping parcel of land located on the east side of the highway. It is bounded by a drystone retaining wall to the highway with a pedestrian gateway. It measures approximately 25m west to east, being higher at the eastern end, and an average of 18m north to south.

The land is mostly rough grass with a few small mature trees. The upper part, enclosed by another drystone wall, shows signs of having been cultivated as a garden. At the south-west corner is a small stone outbuilding recessed into the banking.

The site occupies a location near the edge of Holmfirth that has been sporadically developed as a ribbon along Cliff Road, dominated by old, vernacular style terraced houses on the western or lower side and more modern, detached and individually-designed dwellings on the eastern side.

Description of Proposal

The proposal is for the erection of a single detached dwellinghouse.

It would measure 7.4 east to west by 13.3m north to south. It would be 3-storey at the front, incorporating a double garage and basement store, and with stepped access to the front door, two-storey at the rear. A would allow space for parking, turning and access. There would be a small amount of landscaping at the front but most of the amenity space set behind the line of the two existing dwellings either side of the plot.

The development would involve an overall reduction in ground levels.

History of negotiations/amendments received

10-Jan-2019: Improved ecological statement submitted.

17-Apr-2019: Site plan with sight lines added.

17-Apr-2019: Ecological design strategy submitted.

17-Apr-2019: Drawing showing existing and proposed sections submitted.

13-June 2019: Site plan annotated to show sight lines.

13-June 2019: Construction management plan submitted.

17-Jul-2019: North-south section submitted.

None of these were subject to new publicity since it was considered that they did not raise significant new planning issues.

Relevant Planning History

Pre-application advice – 2017/20316: Officers advised that the erection of single dwelling would be likely to prove acceptable in principle but there would be concerns about a 3-storey dwelling especially if elevated above street level and with a central projecting gable.

Representations

Final publicity date expires: 03-Jan-2019.

One letter of representation received. Does not object in principle but raises the following concerns:

- There is a window in the elevation overlooking the garden of a neighbouring property, which would affect privacy.
- Is there any assurance that the structural integrity of our property will not be harmed by digging out?
- What are the plans for traffic and parking during construction?

Holme Valley Parish Council comments – Support the application

The amended plans/ additional information was not re-publicised as this did not alter the proposed design of the dwelling or its siting within the plot. The issues raised in the representation received are assessed/addressed below.

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 Development Management – No objection subject to condition.
- Planning: Conservation and Design – No objection.
- Ecology Officer – No objection subject to condition.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is without designation in the Local Plan.

It is adjacent to land designated Green Belt in the Local Plan (to the east).

Kirklees Local Plan (LP):

- **LP 21:** Highway safety and access
- **LP 22:** Parking
- **LP 24:** Design
- **LP 28:** Drainage
- **LP 30:** Biodiversity and geodiversity
- **LP 35:** Historic environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 24th July 2018, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment.

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development: Under the NPPF and Local Plan there is no presumption against the development of greenfield sites in principle.

The site is unallocated in the Local Plan and is not under any protective designation for heritage or ecology purposes.

Of particular relevance within the NPPF are:

- Making effective use of land;

- Achieving well-designed places – 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;
- Meeting the challenges of climate change flood risk and coastal change – opportunities should be taken to reduce the causes and impacts of flooding, and prevent new and existing development from being put at unacceptable risk from, or contributing to unacceptable levels of, pollution or land instability;
- Conserving and enhancing the natural environment – biodiversity should be preserved and where possible enhanced;
- Conserving and enhancing the historic environment.

Turning to the Local Plan, LP24 deals with design and amenity issues in new development. This states that the form, scale, layout and details of all development should respect and enhance the character of the townscape, heritage assets and landscape, provide a high standard of amenity for future and neighbouring occupiers including appropriate distances between buildings, and achieve high levels of sustainability.

Other than LP24, the most relevant policies in the Local Plan are LP21-22 (highway safety and parking), LP28 (drainage), LP30 (Biodiversity and geodiversity) and LP35 (Historic environment). These will all be taken into account along with any other material considerations.

2 –Impact on visual amenity: The type of development on the east side of Cliff Road north of the development site consists mainly of two-storey terraced houses in short rows, some built very close to the highway boundary, others with a substantial front yard, but all elevated above the highway level by (usually) the equivalent of a full storey. Closer to the site are two detached houses, one incorporating a garage as an understorey, one a full three storeys in height. South of the application site the dwellings are a mix of styles, but are generally old, again mostly elevated above the highway or with understorey garages.

At pre-application stage officers advised that the erection of single dwelling would be likely to prove acceptable in principle, but there would be concerns about a 3-storey dwelling especially if elevated above street level and with a central projecting gable.

On the actual submission, ground levels have been reduced further and the design simplified. The pre-application scheme also showed a double garage sited forward of the dwelling – this element was judged unacceptable and forms no part of the current scheme.

The proposed dwelling has a simple rectilinear built form without projecting elements at the front. The window design and positioning imitates the local vernacular architecture. The proposed dwelling would be set back much further from the highway than its near neighbours, 30-36 Cliff Road, but the established development lacks uniformity of style and does not display a clearly defined building line.

It is considered that in this context, the siting, scale and height proposed would fit into the existing pattern of development.

The site is very steep but the proposed dwelling has been designed so as to minimise visual impact and relate sensitively to the local topography – the plans shown a reduction in ground levels on most parts of the site, with no land-raising. As it would be seen in the context of rising land behind it is considered that it would not be unduly prominent. The formation of the new retaining walls and a parking area would have a visual impact, but the excavation has been kept to the minimum practicable. The sections indicate that finished garden levels are approximate, and so as a precaution, in the interests of both visual and residential amenity, details should be submitted, which can be conditioned.

It is considered that the overall scale of the development in terms of built footprint to plot size ratio, would be appropriate for a single detached dwelling in this area. It is anticipated that the site would contain a balance of hard and soft landscaping. The ecological design strategy (see part 5 below) contains some landscaping measures for the rear of the site but does not comprise a comprehensive landscaping scheme. It is considered that further details should be submitted to ensure there is a satisfactory balance of hard and soft landscaping for the parts of the site that are visible from Cliff Road.

The proposed development is close to no. 45 Cliff Road, a Listed Building (grade II) but it is considered that its setting would be unharmed. This is taking into account the Council's duty in S66 of the Listed Buildings and Conservation Areas Act and Policy LP35 of the Local Plan. A condition should be imposed requiring a sample of stone to be inspected, as is standard, of roofing materials since these are unspecified. It should also be conditioned that gutters are supported by corbels, no bargeboards at the gable ends, and natural stone cills, lintels, jambs and mullions are used, since although it is not a conservation area it is in a semi-rural setting in which vernacular and traditional building styles predominate.

Subject to this, it would accord with the aims of LP24 and 35.

3 – Impact on residential amenity: Since the revoking of the UDP, the specific space about buildings standards in Policy BE12 no longer applicable, but careful consideration must still be given to the provision of open space and separation from established development and neighbouring land, so as to

ensure that the development does not compromise amenity and that future occupants would have a satisfactory standard of living.

It is considered that the internal layout of the new dwelling and the amount of space within the curtilage would be satisfactory for future occupants, and they would enjoy adequate levels of natural light.

To the north is an existing dwelling (no. 34) that has two windows facing the site, at upper ground floor and first floor. These appear to be primary habitable room windows as there are no corresponding rear facing windows. Part of the land to the south is occupied as a residential garden. Potential impact on privacy and other amenity issues must therefore be considered.

The dwelling would be set behind the rear elevation of no. 34, so that it would not obstruct the outlook from any existing windows in this property. It could have some impact on light to, or outlook from, no. 34's rear garden, but as it would be positioned so that the side wall would be 5m or more from no. 34's curtilage boundary, it is anticipated any such impacts, including blocking of direct sunlight, would be slight, and would not amount to a significant loss of amenity. The sections indicate that the ground floor window in the northern side elevation of the new dwelling would be below the level of the stone footpath boundary wall. From observations on site it appears likely that this will be the case, although the 3-D visual suggests that it may not. Garden levels, although below existing ground levels in most places, would be high enough to allow overlooking of no. 34's curtilage and it is anticipated that some additional screening would be required.

The south-facing windows in no. 34 would overlook the front part of the curtilage of the new dwelling but most of the usable amenity space would be at the rear so this is not judged to be a serious concern.

To the south of the site is land used as residential garden space for another existing dwelling. It is considered that there would, again, be no significant impact on amenity from the dwelling itself, provided that measures are taken to protect privacy. There is to be one ground floor side-facing window in this elevation, for which there is at present no screening. The plans and sections indicate that differences in ground level would not by themselves be sufficient to prevent overlooking, and so again screening will be required.

The architect has proposed that natural screening be retained at the boundaries and as part of the landscaping scheme but that an element of screen fencing will be needed as a privacy measure. A condition requiring further details (with the option of obscure glazing if it turns out that screening would not be high enough to be effective) can be used.

In conclusion, subject to the levels being adhered to and details of additional screening and other privacy measures, the development would accord with the aims of LP24(b).

4 – Impact on highway safety: Cliff Road is substandard in terms of width and alignment and also lacks footways. It is not ideally suited to serve any further development. Permission was refused to develop an adjacent plot (2005/94643, to the south), on the grounds of the inadequate local highway network, and poor visibility, in addition to aesthetic concerns over the front elevation. Since this time, an updated Manual for Streets has allowed local planning authorities to take a more flexible approach to fitting in small new residential developments into a location with a substandard highway network and so this earlier refusal cannot be construed as ruling out development here.

The upper part of Cliff Road (north of no. 38), is fairly straight and is easily wide enough to allow two vehicles to pass each other; further down, it narrows and has more bends which restrict vision. The visibility splay that would be achieved in each direction would be about 8.5m to the north and 13.5m to the south. This is substantially less than the standard visibility splay for a road with a 30 or 40mph speed limit. In many circumstances (at least for a classified road) the local planning authority would be justified in requesting a speed survey to calculate the appropriate visibility splays. However, it is noted that the volume of traffic is low and that the average speed of vehicles heading south past nos. 36-34, or approaching the site from the south, is likely to be very low because of the narrowness of the road, the curvature of the bend and the presence of cars parked at the side of the road on the outside of the bend. A visibility splay should normally be drawn starting 2.4m back from the carriageway boundary not 2.0m as shown here, but again, given the nature of the road and the likely traffic speeds at this point, a 2.4m set-back is not considered crucial, and in fact it might be an advantage for emerging drivers to be positioned slightly further forward so as to be able to see further around the bend in each direction. To maximise inter-visibility, it is however recommended as an additional measure that there be no obstructions to visibility over 1m in height within a 2m strip back from the carriageway edge, as the drawings indicate.

Taking into account the current Highway Officer's comments it is considered that no further survey work is required in this instance, and that with the access improvements and visibility splays shown (the formation of which should be conditioned) it would not give rise to any material increase in highway safety problems.

Pre-application, Highways Officer's advice was that any future development should provide internal turning so that vehicles would be able to enter and leave in forward gear. The current plans show a substantial forecourt for the turning and manoeuvring of vehicles. It is noted that there are several examples of houses (including one recently built) that lack internal turning as well as garages and raised parking spaces that take access direct to the highway, but as vehicles backing out of an access with limited visibility would give rise to increased potential for accidents, it is considered that the provision and retention of this area for turning and manoeuvring should be conditioned. The retention of the integral garaging should also be conditioned, for the same reason.

In conclusion, subject to the above conditions it would not create or materially add to highway safety problems and would accord with the aims of LP21-22.

5 – Other matters:

Ecology:

The site is within a semi-rural location but not within or adjacent to an area designated as being of national or local ecological importance. It consists mainly of semi-improved grassland, seedling trees and scrub. There are no suitable bat roosting features on the site. There are features that may support breeding birds, but the ecological survey concludes that the site is of limited value in its present form. The eastern end of the site is very steeply sloping and covered with scattered native trees, which it is anticipated would remain, allowing this part of the site to continue to function as a wildlife corridor. The report makes the following recommendations:

- Given that the site is within a rural area and is adjacent to good habitat, a scheme that is sympathetic to nature conservation should be considered. This would include providing permanent bat roosting features in the south or west walls of the dwelling and the addition of a sparrow terrace on the north elevation would enhance the site for this species.
- Some of the larger trees on the boundary must be maintained where possible and should be afforded a root protection zone in accordance with BS5837 (2012). The land on the east border should remain undisturbed to provide a contiguous section of habitat along the valley. This will allow wildlife to pass through the site and the zone can be left to regenerate naturally or could be underplanted with native hedgerow species (blackthorn, hawthorn).
- Ground clearance should be undertaken outside the bird nesting season (February to August)

An Ecological Design Strategy has been submitted providing further details on enhancement measures – this is considered to be satisfactory in terms of detail and scope, and its implementation can be conditioned (for the avoidance of doubt, new hedging is to be along the eastern boundary, not the western.)

Drainage:

It is proposed that drainage of the site is to be by means of a soakaway. This is generally encouraged as being the more sustainable option, subject to tests which would be within the remit of the Building Regulations. No further drainage details will therefore be required at this stage, but a condition should be added, in accordance with the aims of Policy LP28, to the effect that soakaways must be used unless they are found to be impracticable. The agent has agreed to this approach, and that percolation tests will be carried

out early in the development process but after the commencement of excavations. It should also be conditioned that the areas to be used by vehicles are given permeable surfacing unless arrangements can be made to direct the run-off to a soakaway within the curtilage.

Public rights of way:

There is a public right of way (PROW) HOL/152/10 to the rear of the site but some 15m away from the site boundary so it is anticipated that the development would not affect it in any way. The footpath immediately to the north between the development site and no. 34 is not recognised as a PROW on the definitive map and does not in any case appear to be heavily used.

Construction management:

The Highways Officer did not raise any concerns about the parking or manoeuvring of vehicles during the development process, or recommend a construction management plan. Given the low traffic speeds and volumes as previously observed, any potential for increased highway safety risk from parking or access during construction is considered to be low (works within the highway are covered by separate legislation in any case). But in the interests of ensuring “the safe and efficient flow of traffic...on the surrounding highway network” as advised in LP21(a) the case officer considered it advisable to ask for further details of how parking and access would be managed. The agent provided details of this. Briefly, the excavator would have to work within the highway in the initial phase and would stack excavated material within the site. Once the excavator is able manoeuvre internally, wagons would cart away the waste, and as soon as an area is cleared (that would later become the driveway and forecourt) vehicles would be able to park and materials be stacked there, and in the garage base area once the floor is laid.

Based on this, and the size of the proposal (one dwelling) it is on the whole considered unlikely that long-term parking on the public highway would be needed. In the event of this being necessary, vehicles could be parked on the eastern side of the road north of no. 36 – this is not ideal as it would not leave room for two vehicles to pass each other, but given that the carriageway has good alignment along this stretch it is unlikely to have a significant impact on overall safety. There is also a small lay-by near no. 34 which could fit perhaps 3 cars or small vans off the main carriageway (4-5 is almost certainly an overestimate).

It is considered that whilst there is some potential for inconvenience to other road users, the potential for significant obstruction to the flow of traffic is very low and no conditions relating to construction parking or access are necessary.

Refuse storage and collection:

The plans incorporate an internal storage area for refuse bins. It is considered that as there is plenty of room to store refuse bins without it obstructing turning space, the formation and retention of this facility does not need to be conditioned. The plans do not show a formal collection area, so presumably

bins would have to be placed within the visibility splay on collection day, or elsewhere on the public highway. However, given that most existing properties on Cliff Road will have to have their bins placed on the carriageway to be emptied on collection day, it is considered that this is not a serious concern and that any impact on the safety or convenience of road users would at most be very minor.

Electric Vehicle Charging Point

In accordance with the West Yorkshire Low Emissions Strategy and Policies LP24 and LP51 of the Local Plan it is necessary to impose a condition requiring the installation of a EVCP before the dwelling is first occupied and thereafter retained. This is so as to support ultra low emission vehicles in the interests of air quality.

6 – Representations:

Concerns about residential amenity have been addressed in the main part of the assessment but are highlighted below together with responses to other issues raised.

- There is a window in the elevation overlooking the garden of a neighbouring property, which would affect privacy.

Response: A condition will be incorporated into the decision which will provide for full details of screening and other privacy measures.

- Is there any assurance that the structural integrity of our property will not be harmed by digging out?

Response: The impact of development works upon the structural integrity of neighbouring land or buildings is a private civil matter and has therefore not been taken into account as a planning consideration. This is in accordance with para 179 of the NPPF.

- What are the plans for traffic and parking during construction?

Response: Highways Development Management have not requested a construction management plan but the applicant has provided one at the case officer's request. Working within the highway requires, by law, the consent of the Council acting as Highway Authority and this provides a further safeguard that any short-term obstruction to the highway will be safely managed.

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: 2019/90248

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 LP24, LP35, LP30, LP21, LP22 of the Local Plan and Policies of the National Planning Policy Framework.

3. External walling materials for the dwelling and for any new retaining walls shall be regular coursed natural stone. Samples of the stone to be used in external facing, and of the roofing materials to be used, 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.

Reason: In the interests of visual amenity and to accord with Policy LP24(a) of the Local Plan.

4. Gutters shall be supported by corbels and shall not be fixed to a fascia board.

Reason: In the interests of visual amenity, to ensure that the development harmonises with its surroundings, and to accord with Policy LP24(a) of the Local Plan.

5. Gable ends shall be terminated with a mortar joint and without bargeboards.

Reason: In the interests of visual amenity, to ensure that the development harmonises with its surroundings, and to accord with Policy LP24(a) of the Local Plan.

6. All windows and doors shall have natural stone heads, cills, jambs and mullions.

Reason: In the interests of visual amenity, to ensure that the development harmonises with its surroundings, and to accord with Policy LP24(a) of the Local Plan.

7. Finished floor levels of the new dwelling shall not exceed the levels shown on the approved drawings received 23rd May 2019, related to the temporary datum shown on the drawings. Notwithstanding the levels shown on the submitted sections, details of finished external ground levels within the site shall be submitted to and approved in writing by the Local Planning Authority before the new dwelling is first occupied. All of the works thus approved shall be carried out before the new dwelling is occupied and shall be retained thereafter.

Reason: For the avoidance of doubt as to finished ground levels at the rear, to ensure the development is in character with its surroundings and to avoid adverse impacts on adjacent land and property, and in accordance with the aims of Policy LP24(a & c) of the Local Plan.

8. Excavations for the foundations of the new dwelling shall not commence until a scheme detailing surface water drainage (including percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. Before the dwelling is first occupied, the approved drainage scheme shall have been provided on the site to serve the development and it shall thereafter be retained.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being and to accord with LP28 of the Local Plan, and Chapter 14 of the National Planning Policy Framework.

9. Before the new dwelling is first occupied, full details shall be submitted to and approved in writing by the Local Planning Authority of any new or retained screen walls or fences to the side boundaries of the plot, or any other measures to protect occupiers of the proposed and existing dwellings from mutual overlooking from gardens and windows. The details shall include the location of fences or other privacy measures, and shall indicate how they relate to finished ground levels within the site and outside it. The approved walls, fences, and any other privacy measures shall be erected, constructed, or incorporated into the design of the dwelling before the dwelling is first occupied and thereafter retained. If obscure glazing and/or non-opening or restricted opening windows are to be used for the side elevations, windows of this type shall be retained thereafter, 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) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification).

Reason: To ensure that the development safeguards the privacy of future and existing residents and to accord with the aims of Policy LP24(b) of the Local Plan and paragraph 127(f) of the National Planning Policy Framework.

10. Before the dwelling is first brought into use, the access shall be formed in accordance with the details shown on the proposed site plan, the visibility splays (the stippled area on the proposed site plan), shall be formed and cleared of all obstructions to visibility above the level of the adjacent carriageway. The access and visibility splays shall thereafter be retained as such. In addition all land within 2m of the carriageway edge across the full

width of the visibility splays shall be cleared of all obstructions to visibility over 1m in height above the adjacent carriageway and thereafter retained as such.

Reason: To ensure that safe access arrangements and intervisibility for road users are provided and maintained, and to accord with the aims of Policy LP21 of the Local Plan.

11. Prior to the development being brought into use, the areas to be used for the parking and manoeuvring of vehicles as indicated on the block plan 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 (ISBN 9781409804864) as amended or superseded. These shall thereafter be retained and kept clear of all obstructions to their use for the parking and turning of vehicles.

Reason: To achieve a satisfactory layout in the interests of highway safety, to mitigate flood risk and to accord with the aims of Policies LP21-22 of the Local Plan.

12. 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) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), the garages shall be retained as such and shall not be converted to living accommodation.

Reason: To ensure that there is room for vehicles to park within the site at all times without obstructing turning space in the interests of highway safety and to accord with the aims of Policies LP21-22 of the Local Plan.

13. The development shall be carried out in full accordance with the recommendations in the Ecological Design Strategy dated 2nd April 2019. In particular:

- Retained trees on the eastern site boundary shall be given protection to BS.5837 (2012) before excavation commences and this shall be maintained throughout the process of development;
- The bat roosting and bird nesting features referred to in parts 1.2 and 2.0 of the report shall be provided before the dwelling is first occupied and thereafter retained;
- No external lighting shall be installed, including at any time in the future, except in accordance with the details in Table 3.1 of the Ecological Design Strategy;
- The tree and hedgerow planting as detailed in part 3.2 and on the "Guidance notes" diagram at the end of the report shall be undertaken in the first planting season following the commencement of development. For the avoidance of doubt, the new hedgerow referred to in the Ecological Enhancement Strategy shall be planted on the eastern, not western, boundary of the site, as shown on the diagram. The approved planting shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of

similar size and species unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the proposals provide suitable ecological enhancements in accordance with Policy LP30 of the Local Plan and Chapter 15 of the National Planning Policy Framework.

14. Notwithstanding the details contained within the Ecological Design Strategy, further details shall be submitted to and approved in writing by the Local Planning Authority before the new dwelling is first occupied of the landscaping treatment of the areas within the plot to the front and sides of the new dwelling. The approved landscaping shall be undertaken in the first planting season following the substantial completion of the development. The approved planting shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure that areas that are visible from the public highway have an adequate balance of soft and hard landscaping in the interests of visual amenity and to accord with the aims of Policy LP24(a) of the Local Plan.

15. One electric vehicle recharging point shall be installed within the dedicated parking area or garage for the approved dwelling before it is first occupied. 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. The electric vehicle charging points so installed shall thereafter be retained.

Reason: In accordance with the aims of Policy LP24(d(v)) of the Local Plan and government guidance on air quality mitigation, outlined within the Planning Practice Guidance and Chapter 14 of the National Planning Policy Framework, so as to promote infrastructure which encourages modes of transport with low impact on air quality.

Footnote: Works within the highway. The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Footnote: The development will require substantial regrading of the existing site and construction of retaining walls. The developer is advised that where a site might be affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			19-Nov-2018
Location plan			19-Nov-2018
Proposed block plan			19-Jun-2019
Plans, elevations and sections as proposed, with levels added			23-May-2019
Ecological assessment			06-Feb-2019
Indicative treatment of rear garden – 3-D drawing			17-Apr-2019
Ecological design strategy			17-Apr-2019
Construction management plan and supporting photographs			06-Jun-2019
Proposed on-site parking details for construction			06-Jun-2019

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 details of levels and amended plans clarifying the access arrangements in the interests of visual and residential amenity and highway safety. The applicant also submitted an ecological design strategy so as to reduce the need for the submission of further details post-decision.

Report Dated: 25-Jul-2019

