

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No: 2019/44/90044/E

Site Address: Busker Lane, Scissett, Huddersfield, HD8 9JU

Description: Discharge conditions 13, 17, 20, 22, 23 on previous permission 2017/90077 for erection of 85 bed care home with associated car parking and landscaping

Recommending Officer: John Ritchie

DECISION – APPROVE DISCHARGE OF CONDITIONS

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 28-Feb-2019

2019/90044 - Officer Report

This application relates to planning permission for the erection of an 85 bed care home at Busker Lane, Scissett – 2017/90077. The application seeks to discharge conditions as follows:

13. Development shall not commence until a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the measures so approved and thereafter the artificial lighting shall be operated in accordance with the approved scheme.

Reason: *In order to ensure the approved scheme is acceptable under the requirements of Chapter 11 of the National Planning Policy Framework.*

Assessment

The condition refers to chapter 11 of the previous NPPF relating to conserving and enhancing the natural environment. The details have been reviewed by the KC Biodiversity officer. The proposal requires amendments to the light strength and colour, subject to which it would be acceptable.

17. A detailed scheme showing full details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building hereby approved:

- a) CCTV; and,*
- b) Security lighting.*

The approved scheme shall be adhered to therein after and implemented prior to the occupation of the building.

Reason: *In the interests of the amenity of the nearest occupiers and in the interest of good design, in accordance with Policies BE1 and BE2 of the Kirklees Unitary Development Plan.*

Assessment

The submitted details have been reviewed by the Police Architectural Liaison Officer (PALO). With regard to the specific issues identified in the condition CCTV is required to cover points of entry to the building and the car park with a direct line of sight. External lighting would be expected above all access doors and in inaccessible positions to criminal attack. Specifications of lighting levels are expected.

In meeting the requirements of conditions 13 and 17 there is a balance to be made between the demands of crime prevention and biodiversity. It is considered that subject to the amendments suggested by the Biodiversity Officer and in the absence of any fundamental objections from the PALO the proposed scheme is acceptable.

20. The development shall not be occupied until details of bin storage areas have been submitted to and approved in writing by the Local Planning

Authority. The development shall then be carried out in accordance with the approved details and thereafter maintained.

Reason: *In the interests of the amenity of the nearest occupiers and in the interest of good design, in accordance with Policies BE1 and BE2 of the Kirklees Unitary Development Plan.*

Assessment

The submitted details are acceptable to the Highways Officer.

22. Prior to the erection of any building, full details of the proposed crossing point along Busker Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved crossing point shall be implemented and approved prior to the occupation of the building hereby approved.

Reason: *In the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10.*

Assessment

The details are acceptable to the Highways Officer

23. Prior to occupation of the building an electric vehicle recharging point shall be installed, details of the location shall be submitted to and approved in writing by the Local Planning Authority. 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 vehicles charging point approved shall be installed prior to the occupation of the building and thereafter be retained.

Reason: *To accord with the guidance contained in Part 4 of the National Planning Policy Framework "Promoting sustainable transport" and to encourage low carbon forms of transport in accordance with Part 11 of the National Planning Policy Framework.*

Assessment

The submitted details are acceptable to the Environmental Health Officer.

DECISION TEXT

Condition 13 Illumination)

You have submitted the following:

- Drawing no 1414 152 revision External works 2

This is acceptable for the purposes of condition 13 subject to the use of 'warm white' lighting for the bollard lighting at the east of the site. This is required as the choice of 4000K colour temperature lighting in direct line of sight to the adjacent woodland (also part of the Kirklees Wildlife Habitat Network) is likely to have a negative impact on bat

populations. These impacts occur because invertebrate prey are attracted to the cooler temperature lighting, which is compounded by some bat species actively avoiding the area that is lit. The use of 'warm white' will avoid much of the negative effects.

Condition 17 (Security)

You have submitted the following

- Drawing no 1414 152 revision External works 2

These details are acceptable for the purposes of condition 17 subject to the amendments requested to meet the requirements of condition 13. The condition requires the approved scheme to be completed and retained.

Condition 20 (Bin Storage Areas)

You have submitted the following:

- Drawing No 1414 150 revision G External Works

These details are acceptable for the purposes of condition 20 and the occupation of the dwellings. The condition requires the approved details to be provided and retained.

Condition 22 (Crossing point)

You have submitted the following:

- Drawing no SCP/18412/D01 revision B General Arrangement
- Drawing no SCP/18412/D03 revision A Drainage Arrangement

These details are acceptable for the purposes of condition 22 and the erection of the buildings. The approved crossing point shall be implemented prior to the occupation of the building hereby approved.

Condition 23 (Electric Vehicle Charging Point)

You have submitted the following:

- Drawing no 1414 152 revision A External Works 2

These details are acceptable for the purposes of condition 23. The condition requires the approved charging points to be provided before the occupation of any unit and retained thereafter.

Report Dated:

26 February 2019
