

**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: 2019/62/90144/W

Site Address: land adj, 83, Common End Lane, Lepton,
Huddersfield, HD8 0AF

Description: Erection of detached dwelling

Recommending Officer: William Simcock

DECISION – Full Conditional 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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 27-Mar-2019

Officer Report

The site comprises a long rectangular plot of land, oriented south-west to north-east, on a backland site within a village location which was until recently used as part of a domestic garden associated with 83 Common End Lane. The surroundings consist of low-density residential properties. It is accessed by a shared tarmac driveway serving 3 existing dwellings. Further to the south-west and south-east is woodland. Land is generally higher to the north and there is a downward slope to the south-west within the plot, which becomes steeper near the lower end.

Description of Proposal

The proposal is an outline application for the erection of a single detached dwelling, with all matters reserved except access.

The development plot, not including the proposed access track, is approximately 18m in width and 75m in length. The dwelling would be constructed at the north-eastern end of the plot and at the western end of the access track.

The new dwelling would make use of the same access point to the adopted highway as no. 83 but this would be widened to improve visibility. A new access track is to be formed leading from the dwelling which would go around the back of no. 83's garage and rejoin the existing shared driveway near the junction with Common End Lane. An informal access track has already been formed along this course but has not been laid out or surfaced.

A bin collection area would be provided close to the junction with the adopted highway.

History of negotiations/amendments received

07-Feb-2019: Additional plans showing levels above and below gabion wall at north-western boundary.

21-Feb-2019: Amended plans clarifying access arrangements and showing sight lines and refuse bin collection point.

20-Mar-2019: Topographical survey plans and amended site plan showing modifications to proposed retaining wall in rear garden.

None of the above was readvertised because it was considered they did not raise substantial new planning issues.

Relevant Planning History

2016/91761 – Outline application for erection of detached dwelling. Granted. Expires 02-Oct-2019. This was for a smaller plot that did not include all the area now designated as garden.

Representations

Final publicity date expires: 06-Mar-2019

One representation made by a member of the public. A summary of the comments received is set out below:

- Concerns about water drainage and it is unclear what method is to be used.
- Foul sewage – it may not be possible to connect to mains.

Kirkburton Parish Council comments –

- The Parish Council is very concerned about access and highway safety. The access is very narrow and already has 3 drives on it. The exit on to the road at the bottom is close to a sharp bend which results in poor sightlines. If minded to approve, the PC requests that Highways check the safety, particularly at the egress.

Comments from Ward & Parish Councillor Alison Munro:

- It is a shared driveway from the access and egress onto Common End Lane to below number 79 Common End Lane. I am concerned this will cause an additional burden on the driveway for this stretch of the drive and will make access and egress busier when sightlines are not the best.
- In the meantime does previous outline planning permission for the site carry weight?

Consultation Responses

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

Statutory:

- The Coal Authority – No objection subject to condition.

Non-statutory:

- KC Highways Development Management – no objections subject to conditions.
- KC Ecology – No objection subject to condition.
- Arboricultural Officer (informal response only) – Proposed retaining wall is too close to south-eastern boundary and protected trees.

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 on the Kirklees Local Plan. It is adjacent to Urban Green Space (to the south-west).

It is considered that the development does not raise access issues or other issues under the Equality Act.

Kirklees Local Plan (LP):

- **PLP 21:** Highway safety and access
- **PLP 22:** Parking
- **PLP 24:** Design
- **PLP 28:** Drainage
- **PLP 30:** Biodiversity and geodiversity
- **PLP 33:** Trees
- **PLP 52:** Protection and improvement of environmental quality.
- **PLP53 –** Contaminated Land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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.

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

Assessment

1 – Principle of development: The site is without designation in the Local Plan, although there is an area Tree Preservation Order on adjacent land. There is therefore no presumption against residential development in itself, and any

such proposals will be assessed on their own merits according to the following policies.

There is an extant outline permission for the erection of a dwelling. This is a material consideration although the site boundaries were somewhat different. The relevant policy considerations for the development are set out above.

2 – Impact on visual amenity: Policy PLP24 states that the form, scale, layout and details of development respects and enhances the character of the townscape and landscape.

The proposed dwelling would be seen in the context of a number of other large, individually designed and mostly modern houses. It is considered that the design and layout of the proposed dwelling, its layout and orientation compared to its neighbours (especially no. 83 Common End Lane), its size relative to the plot, height, and design details, would all be in harmony with its surroundings. Although it would result in a low-density form of development, this would be appropriate given the low-density nature of its surroundings and it is considered to make effective use of land in accordance with the aims of NPPF chapter 11, paragraph 122.

Further details of landscaping would be required (including landraising or terracing works) as well as samples or details of proposed walling and roofing materials.

Subject to these factors being controlled by condition it would conserve the visual amenity of the area and accord with the aims of PLP24(a) and NPPF chapter 10.

3 – Impact on residential amenity: The adjacent dwelling, no. 83, has one primary ground floor habitable room window facing the development site, but its main aspect is to the rear (south-west) and not towards the application site. The two dwellings would be separated by about 6m (measured from side wall to side wall). No. 85a is at a higher level and there is a minimum distance of 11m from habitable room windows in this property (the conservatory) and the common boundary. The other near neighbouring property, 91, is set within a large curtilage and is too far away to be significantly affected by the bulk or mass of the dwelling.

It is considered that given the scale and siting of the dwelling in relation to its neighbours, it would avoid giving rise to an overbearing impact, undue loss of light, or loss of privacy.

Most of the windows in the proposed dwelling would face south-west or north-east where they would not overlook neighbouring property or land at close quarters. It is considered that the windows would maintain a satisfactory degree of separation from 85a Common End Lane to the north-east (the main living accommodation would be 12m away at its closest and at the ground

floor there would only be a workshop attached to the garage, which being at a lower level than no. 85a would not be intrusive).

The utility room window, which is at ground floor side facing north-west, would be about 1m from the plot boundary. It would look out across a 4m residential driveway, on the opposite side of which is a dense evergreen hedge screening no. 91's garden. It is considered that in the circumstances the possibility of overlooking of amenity space is very limited but it might be perceived as intrusive by users of the driveway and the screen hedge might not be retained permanently, and so it should be either obscurely glazed or permanent screen fencing should be installed on this boundary, which can be conditioned.

The games room window (above the garage, facing south-east) would be 10m from the boundary with no. 83, which on balance is considered acceptable as it would only overlook parking / turning space. The first-floor side-facing windows would only be to non-habitable rooms. It is recommended that a condition requiring them to be obscurely-glazed and non-opening should be imposed.

It is also recommended that a condition is imposed that no additional windows be formed in the south-east side elevation at ground floor as these could be intrusive to no. 83. As the plans do not indicate whether permanent screening is to be formed on the north-western boundary, the same condition should as a precaution be applied to the north-western side.

Any land-raising that the applicant may consider necessary in order to form a raised garden, can be assessed on its merits in the context of an application for approval of details reserved by condition. The case officer has viewed the site from the public footpath and has observed that while natural ground levels appear to be roughly similar across the development plot and no. 89, this dwelling has some decking constructed near the south-western boundary raised by approximately 1.5m above natural ground level. It is considered that modest land-raising, in the context of large and spacious plots, would not in itself be harmful to the amenities of neighbouring properties provided that suitable screening is installed. Proposed levels, and screening to site boundaries, can both be addressed by means of a condition.

In conclusion, the development, subject to suitable conditions, would provide a satisfactory standard of living to future residents and would not adversely affect the living conditions of existing residential properties, and would thereby comply with the aims of PLP24(b).

4 – Impact on highway safety: Common End Lane is of substandard width and has poor alignment. It is therefore not ideally suited to take further residential development. Outline permission has however already been granted (2016) for a single detached dwelling with the same, or very similar, access arrangements. In both cases the plans show the access modified by being widened to the left (to the north-west) from its existing layout. This would

result in an improved alignment, with emerging drivers having better visibility to the north-west, and also ensuring that they would emerge further away from the restricted bend to the south-east. It is considered that, with these arrangements, the intensification in the use of the access by one additional dwelling would not create or materially add to highway safety problems.

It is proposed that a new driveway would be formed to serve the dwelling, which would join the existing shared driveway serving nos. 79-83 about 12m below the junction with the public highway. This aspect of the proposal is considered satisfactory.

The proposal incorporates a double garage which is of standard depth (6m). It should be conditioned that this is retained as such, since parking on the driveway would restrict the space available for turning and could result in vehicles having to back out on to the public highway.

In conclusion, subject to the access being formed and the parking and access arrangements being retained thereafter, the development would not create or materially add to highway safety problems and would accord with the aims of PLP21 and 22.

5 – Other matters:

Drainage:

The site has not been identified as being at risk of flooding. The agent has stated that disposal of surface water by watercourse will be considered as an option but there does not appear to be one available in the vicinity. PLP28 states that on greenfield sites, typical greenfield run-off rates should not be exceeded, but this approach is usually not applied strictly for single dwellings. In accordance with the drainage hierarchy principle, the developer should demonstrate that no alternatives to mains drainage (i.e. soakaways) are practicable if mains drainage is to be used. This can be conditioned.

The application form states that drainage of foul sewage is to be via the mains. However, the agent has subsequently decided that a septic tank will be the most practicable option and is exploring whether it will be possible to use the existing one belonging to no. 83. The details of this should be conditioned to make sure that sewage can be disposed of without polluting the environment.

Ecology:

The site is in the bat alert layer but is not under any other form of special protection from the point of view of ecology. There are no existing structures on site that are likely to have bat roost potential and more generally the site would appear to have limited ecological value. There is however scope for enhancement in this semi-rural location and so a condition will be attached requiring details of enhancement measures (bat roosting and bird nesting opportunities).

Coal mining legacy:

The site is in a Coal Referral Area. The coal mining risk assessment has been carried out to a high standard and the Coal Authority is not minded to resist the granting of planning permission, subject to intrusive site investigations before development commences. This can be conditioned.

Public rights of way:

There is a Public Right of Way running close to the south-western boundary of the site but on the basis of a site visit the actual line of the path is several metres away from the boundary and it is considered that its setting would not be affected. The standard cautionary note should be added.

Trees:

There are no trees within the site that are covered by a Tree Preservation Order or are deemed worthy of one. The formation of the access track would involve the loss of some of the existing soft landscaping and might involve the removal of some small trees that are close to the access route – the principle of this has however already been accepted in the assessment of the 2016 outline permission. The applicant proposes some raising of land near the south-western end of the site, which on the original plans was to be achieved by building a gabion wall along the south-western and part of the south-eastern boundary. This has been modified on the case officer's advice because of concerns about the impact on protected trees on adjacent land. The details of any terracing or other earth-works required can be determined by the submission of details at a later stage.

Refuse collection:

There is space shown within the curtilage for the storage of refuse containers and a designated collection area within the widened access. The carry distance would be more than that which normally recommended as a maximum but it would not be significantly different to other houses served by the same informal road.

Fire safety:

Since it would be impossible for a fire tender to conveniently access the site and turn, other arrangements would be needed. The location of a dry-riser is shown on the plan. The architect has requested that alternative methods be considered. Details of this will in any case need to be conditioned and the condition can be worded to give flexibility, as long as satisfactory arrangements are in place before the dwelling is occupied.

6 – Representations: The issues of drainage and highway safety have been examined in the main part of the Assessment but are highlighted here together with other issues raised.

Concerns about water drainage and it is unclear what method is to be used.

Response: It appears unlikely that watercourse disposal will be practicable; the details can however be dealt with by a condition.

Foul sewage – it may not be possible to connect to mains.

Response: The agent is currently exploring options and it can be conditioned (see part (5) above).

Kirkburton Parish Council: The access is very narrow and already has 3 drives on it. The exit on to the road at the bottom is close to a sharp bend which results in poor sightlines. If minded to approve, the PC requests that Highways check the safety, particularly at the egress.

Comments from Ward & Parish Councillor Alison Munro: It is a shared driveway from the access and egress onto Common End Lane to below number 79 Common End Lane. I am concerned this will cause an additional burden on the driveway for this stretch of the drive and will make access and egress busier when sightlines are not the best.

Response: The development proposal has been referred to Highways Development Management for comment. Highway safety issues have been examined in detail in part (4) above.

In the meantime does previous outline planning permission for the site carry weight?

Response: In principle substantial weight can be placed upon this factor, but assessing the application on its own merits in the light of the development plan and other material considerations it is considered acceptable.

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: 2019/90144

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 Policy PLP24 (as modified) of the Kirklees Local Plan.

3. Samples of all facing and roofing materials 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 dwelling commences and the development shall be implemented using the approved materials.

Reason: In the interests of visual amenity and to accord with the aims of Policy PLP24(a) (as modified) of the Kirklees Local Plan.

4. Notwithstanding the details on the approved plans, development shall not commence until the scheme of details of finished floor levels of the dwelling, together with corresponding finished ground levels and of surface and land drainage associated with any works, including of any new retaining walls or structures to be formed within or on the boundary of the plot, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details so approved. The works relating to the property shall be completed before it is first occupied, and shall thereafter be retained as such.

Reason: To ensure the development is in character with its surroundings, to avoid adverse impacts on adjacent property and harm to protected trees outside the site, and in accordance with the aims of Policy PLP24(a & b) (as modified) and PLP33 of the Kirklees Local Plan. *This information is required pre-commencement to ensure the satisfactory appearance of the development upon completion and to ensure that no works will be carried out which could adversely affect the health or viability of mature protected trees on adjacent land.*

5. Before the hereby approved dwelling is first occupied, a scheme detailing landscaping, tree/shrub planting, including the indication of all existing trees and hedgerows on and adjoining the site, details of any to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The

scheme shall detail the phasing of the landscaping and planting. The development and the works comprising the approved scheme shall be implemented in accordance with the approved phasing. The approved landscaping scheme 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 there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with the aims of PLP24(a&i) (as modified) of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Before the hereby approved dwelling is first occupied, details of the proposed screen fences, walls and other boundary treatments, including any existing boundary treatments to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be erected or constructed before the hereby approved dwelling is first occupied and thereafter retained.

Reason: In the interests of visual amenity, to ensure that the development provides adequate privacy for existing and future residents, and to accord with the aims of Policy PLP24(a&b) (as modified) of the Kirklees Local Plan.

7. Prior to the development being occupied or brought into use, the amended access to Common End Lane as shown on the approved plans shall be formed, and the driveway, other areas to be used by vehicles, and the area for the storage of wastes within the curtilage as shown on the approved plans shall be surfaced and drained. Any new hard surfacing shall be constructed 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, unless satisfactory arrangements have been made and approved under condition (8) to direct surface water to a soakaway, watercourse, or sustainable urban drainage system. These shall thereafter be retained as such, kept clear of obstructions and available for the parking and manoeuvring of vehicles at all times.

Reason: To achieve a satisfactory layout in the interests of highway safety, to ensure that the development does not contribute to flood risk arising from increased water run-off, and to accord with the aims of Policies PLP21-22 (as modified) and Policy PLP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

8. Development shall not commence until a scheme detailing surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The site shall be developed with separate systems of drainage for foul and surface water on and off site. Construction works shall not start on the dwelling until the approved drainage

arrangements have been provided on the site to serve the development. These shall thereafter be retained throughout the lifetime of the development.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being and the reduction of flood risk and to accord with the aims of Policy PLP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework. *This information is required pre-commencement to ensure that appropriate methods of drainage are incorporated into the proposal at the early stages of development.*

9. If a method other than connection to existing mains drainage is to be used for the disposal of foul sewage, full details of this shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved arrangements shall be installed before the hereby approved dwelling is first occupied and thereafter retained.

Reason: To ensure that foul sewage can be disposed of in a way that avoids pollution of the environment and dangers to human health, and to accord with the aims of Chapter 15 of the National Planning Policy Framework. *This information is required pre-commencement to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site.*

10. Before development commences, a programme of intrusive site investigations pertaining to ground conditions and coal mining legacy shall be undertaken, and a report setting out the results and any necessary remedial and mitigating measures, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. All approved remedial and mitigating measures shall be implemented in accordance with the approved timetable.

Reason: To ensure the safety and stability of the development, in accordance with Policy PLP53 of the Kirklees Local Plan, paragraphs 178 and 179 of the National Planning Policy Framework. *This information is required pre-commencement to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site.*

11. Before work commences on the superstructure of the hereby approved dwelling, details shall be submitted to and approved in writing by the Local Planning Authority of one artificial bat roost feature and one artificial bird nesting feature, to be installed integral to the hereby approved dwelling. These shall be installed before the hereby approved dwelling is occupied and thereafter retained.

Reason: To ensure appropriate ecological enhancement is delivered in accordance with the aims of Policies PLP24(h) and PLP30 (as modified) of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. One electric vehicle recharging point shall be installed within the dedicated garage parking area of the hereby 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 point so installed shall thereafter be retained.

Reason: In accordance with the aims of Policy 24(d & v) (as modified) of the Kirklees Local Plan and government guidance on air quality mitigation, outlined within the Planning Practise 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.

13. 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), the integral garages shown on the approved plans shall be retained as such and shall not be converted to living accommodation.

Reason: To ensure that adequate space is retained within the site at all times for the turning of vehicles so that they will not need to reverse on or off the public highway, and to accord with the aims of Policy PLP21-22 (as modified) of the Kirklees Local Plan.

14. All first-floor windows in the north-west and south-east side elevation on the approved plans shall be non-opening (or shall be non-opening or top-opening only in the case of the bathroom window in the north-west elevation) and shall be fitted with be obscure glazing to give a grade 5 degree of obscurity before the dwelling is first occupied. 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: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy PLP24(c) (as modified) of the Local Plan.

15. The utility room window in the north-west elevation shall be non-opening or top-opening only and shall be fitted with be obscure glazing to give a grade 5 degree of obscurity before the dwelling is first occupied, unless the Local Planning Authority gives its confirmation that the boundary treatments approved under the terms of condition (6) are sufficient to prevent loss of privacy arising without these measures. 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, or the boundary treatment if approved as an alternative under this condition, shall be retained at all times.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy PLP24(b) (as modified) of the Local Plan.

16. 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) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external main south-east or north-west side walls of the dwelling at ground floor level at any time.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy PLP24(b) (as modified) of the Local Plan.

17. Before the hereby approved dwelling is first occupied, notwithstanding the details on the approved plans, details of a dry riser or an alternative means of providing adequate access to the site for the Fire and Rescue Service shall be submitted to and approved in writing by the Local Planning Authority. This shall include evidence that the scheme has been designed in consultation with, or in accordance with standards published by, the West Yorkshire Fire and Rescue Service. The approved measures shall be installed in accordance with the approved details before the dwelling is first occupied and shall be so retained thereafter.

Reason: To ensure that suitable and convenient access can be provided for the fire service in the event of an emergency, in the interests of the safety and well-being of future occupants of the dwelling and occupants of neighbouring properties, and to accord with Policy PLP21 (f) (as modified) of the Kirklees Local Plan and the aims of paragraph 127(a&f) of the National Planning Policy Framework.

Footnote – Public Rights of Way (PRWO)

The public right of way adjacent to the south-western boundary of the site Kirk 63 may not be obstructed or informally diverted at any stage before, during or after development works. For further information please contact PROW at publicrightsofway@kirklees.gov.uk

Footnote – sewage disposal

With regard to condition (10) above, the developer will need to complete a Foul Drainage Assessment Form (FDA1) as part of the application for approval of details reserved by condition.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			24-Jan-2019

Plan Type	Reference	Version	Date Received
Location plan	3.1	A	24-Jan-2019
Site plan as existing	3.3		24-Jan-2019
Site plan as proposed	3.4	A	20-Mar-2019
Ground floor plan	3.5		24-Jan-2019
First floor plan	3.6		24-Jan-2019
Attic plan	3.7		24-Jan-2019
Roof plan	3.8		24-Jan-2019
NE elevation as proposed	3.9		24-Jan-2019
SE elevation as proposed	3.10		24-Jan-2019
SW elevation as proposed	3.11		24-Jan-2019
NW elevation as proposed	3.12		24-Jan-2019
Proposed section through retaining wall	3.14	A	07-Feb-2019
Driveway and gated access proposals	3.16	A	04-Mar-2019
Proposed topographic survey	3.17		20-Mar-2019
Topographic survey	181218/TOP		20-Mar-2019
Geological Desk Study	J3542/16/EDS		24-Jan-2019
Coal & Brine report	MDJ/EZR/CLA288/8		24-Jan-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 undertook negotiations with the applicant to secure amended plans clarifying the access arrangements and the extent of proposed groundworks and retaining structures in the interests of highway safety and visual amenity.

Report Dated: 26-Mar-2019

