

**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: 2019/62/94029/W

Site Address: Land at Manchester Road, Linthwaite, Huddersfield,
HD7 5QA

Description: Demolition of existing buildings, erection of 5
dwellings and associated works

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: 21-Feb-2020

Officer Report

Site Description

The site comprises a roughly rectangular plot of land extending from the north side of Manchester Road northwards for about 75m. It is steeply sloping except for a near level gravel-surfaced area near the Manchester Road frontage which provides vehicular access both to the site itself and to the backs of 1312-1328 to the west. The access to Manchester Road is in the south-east corner of the site. This also provides vehicle access to the rear of 1312-1318 Manchester Road. On the lower part of the site, several buildings have been erected in a mix of materials including timber, blockwork and brick with felt or metal roofs which are or have been until recently in use as livery stables. Most of these do not appear to be recent and judging by aerial photographs have been in place since at least 2000.

To the east and west, the neighbouring plots consist of open grazing land. Immediately to the south is a small piece of rough grazing land, then a strip of scrub and trees and beyond this a recreation ground and the River Colne. The southern frontage of Manchester Road opposite the application site is continuously built up. On the northern frontage the site forms part of a gap 130m wide between two terraced rows.

Description of Proposal

The proposal is for the demolition of the existing buildings on site and the erection of 5 no. townhouses. These are to be arranged in a single continuous row oriented east-west. The houses are to be two-storey, four-bedroom, with one bedroom in the roof space, but are to be moulded to the local topography so that they would only have a two-storey aspect to the south; viewed from the front they would appear as single-storey.

A shared driveway would be formed leading down from the existing access to parking spaces located mostly to the front of the new build (2 per dwelling) and leading to a turning area to the west.

History of negotiations/amendments received

04-Feb-2020: Additional statement submitted concerning parking and climate change.

Relevant Planning History

2017/94326 – Outline permission for demolition of existing buildings and erection of 4 dwellings (with scale, appearance and landscaping as reserved matters). Approved 28th February 2018.

Representations

Final publicity date expires: 24-Jan-2020

No representations made.

Consultation Responses

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

- KC Highways Development Management – Acceptable subject to details of refuse collection arrangements.
- KC Ecology – No response
- Health and Safety Executive – no objections

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 within the Strategic Green Infrastructure Network and Green Belt on the Kirklees Local Plan.

It is considered that the scale and nature of the proposal do not raise Equality Act considerations.

Kirklees Local Plan (LP):

- **LP 1:** Presumption in favour of sustainable development
- **LP 7:** Efficient and effective use of land and buildings
- **LP 21:** Highway safety and access
- **LP 22:** Parking
- **LP 24:** Design
- **LP 28:** Drainage
- **LP 30:** Biodiversity and geodiversity
- **LP 31:** Strategic Green Infrastructure Network
- **LP 33:** Trees
- **LP 59:** Brownfield sites in the Green Belt

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 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flood risk and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 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: There is an extant outline planning permission on this site (see “Relevant Planning History” above), which can be regarded as a material consideration, but since that time the UDP has been superseded and replaced by the Local Plan. The application will therefore be assessed in full having regard to the Local Plan policies and any other changes in the policy context.

Policy LP1 of the Local Plan states that when considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. LP1 goes on further to stating that:

“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”

Chapter 5 of the NPPF clearly identifies that Local Authority’s should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 68 of the NPPF recognises that “small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the

development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

Although the Local Planning Authority can demonstrate a five year land supply, it is noted that the development of this plot would be contribute to the housing supply in the district. However the provision of housing needs to be balanced against all policies and material planning considerations considered below.

- LP7 - encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and appropriate housing densities to ensure that land is used efficiently.
- LP21 – that proposals must ensure the safe and efficient flow of traffic and safe access.
- LP22 – appropriate parking to be provided given the type of development and the accessibility of the site.
- LP24 – the form, scale, layout and details of development must respect and enhance the character of the townscape and landscape, provide a high standard of amenity for future and neighbouring occupiers including appropriate distances between buildings and a high level of sustainability.
- LP28 – Sustainable urban drainage systems to be used where possible.
- LP30 – Development to incorporate biodiversity enhancement measures.
- LP58 – Garden extensions in the Green Belt
- LP59 – Brownfield sites in the Green Belt.

Under Chapter 11 of the NPPF, planning decisions should support development that makes “efficient use of land” taking into account the need for different types of housing, local market conditions, infrastructure, the prevailing character of the area, the desirability of promoting regeneration or change, and the importance of securing well-designed, attractive and healthy places. The advice in Chapter 12, “Achieving well-designed places”, should also be taken into account, in particular that 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.

Also of relevance is Chapter 14 (opportunities to be taken to prevent development contributing to flooding) and 15 (any potential pollution impacts should be assessed at the planning stage, and biodiversity should be enhanced where possible.)

1A: Appropriateness within Green Belt

Chapter 13 of the NPPF advises that the construction of new buildings is generally inappropriate unless it is for a limited range of specified uses, including agriculture and outdoor recreation, or constitutes “limited infilling in villages”. Paragraph 145 provides further exceptions, notably where the proposal is redevelopment of a previously developed site (meaning, land which is or was occupied by a permanent structure, and its curtilage), provided it would not have a greater impact upon the openness of the Green Belt and the purpose of including land within it than the existing development.

The principle of residential development has been accepted (the previous permission for 4 dwellings mentioned above). Since then, the UDP has been superseded and replaced by the Local Plan. Similar principles still apply in the determination of Green Belt redevelopment applications, but the proposal will be assessed on its own merits.

Under Policy LP59, the redevelopment of a brownfield site will normally be acceptable provided that the extent of the existing footprint is not exceeded and does not result in the loss of land of a high environmental value.

The site is to be treated as “previously-developed” since stabling is not an agricultural use, and the development area of the site can be regarded as being within the curtilage of the existing buildings. The buildings can be regarded as “permanent” from a planning point of view since even though they are built largely in lightweight materials, they clearly have a degree of permanence in that they are not designed to be easily moved or disassembled, have concrete bases and are structurally sound. The proposed dwellings would have a smaller footprint than the cumulative footprint of the buildings proposed to be replaced (304 sq.m proposed vs 546 sq.m existing) and would result in a more consolidated layout. Even though they would be of more permanent and substantial construction, and of greater height than the buildings on site at present, it is considered that overall the development would have a lesser impact on the openness of the Green Belt and the purposes of including land within than the existing development (subject to the condition below).

The hatched area to the north of the development, which it is intended will be restored to a semi-natural state through tree-planting, has been excluded from the residential curtilage of dwellings by proposed condition – in accordance with Policy LP58 of the Local Plan. It is recommended that, as with the previous permission, the development is subject to a condition that permitted development rights are removed for extensions and outbuildings to prevent further development adversely affecting the openness of the Green Belt, given that the demolition of existing buildings is required in order for the current proposal to be considered acceptable.

Subject to this it would thereby comply with the aims of NPPF paragraph 145 and those of LP59.

1B: Appropriateness within Strategic Green Infrastructure Network

Under Policy LP31, development proposals should ensure:

- i. The function and connectivity of the green infrastructure network is retained or replaced;
- ii. New or enhanced green infrastructure is designed and integrated into the development scheme where appropriate;
- iii. The scheme integrates into existing and proposed cycling, bridleway and walking routes, particularly the Core Walking and Cycling Network, by providing new connecting links where opportunities exist;
- iv. The protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network.

The development, as set out above, would result in a reduction of the overall development footprint on site and the northern part of the site would remain underdeveloped. There is a public right of way running east-west alongside the northern boundary (COL/88/80) but it is considered that there would be little value in creating new links to it here, since there are already linking north-south footpaths from Manchester Road within 100m of the site entrance to the east and west.

The development is therefore considered to be appropriate in principle under LP31. Implications for trees and biodiversity will be considered in detail later in the Assessment.

1C: Housing density and effective use of land.

Net densities are generally high along the Manchester Road frontages. For instance, density for 1312-1342 is approximately 90 per hectare. Net development density for the new proposal would be approximately 43 per hectare, taking the application site as a whole it is only around 17 dwellings per hectare but this includes a large swathe of undeveloped Green Belt land. As the site is backland and would be seen in the context of extensive undeveloped land, a lower net density than on the road frontages would be appropriate. It is considered that the density achieved, net 43 per hectare, would be compatible with the aims of LP7 which recommends that densities should normally be 35 per hectare or above, having regard to the need to be sympathetic to local character.

2 –Impact on visual amenity: It is considered that the proposed dwellings would be appropriate for the area in terms of scale, layout and design details, and would not give rise to the appearance of overdevelopment of the site. The east-west orientation of the row would reflect the prevailing pattern of development along Manchester Road. The proposed dwellings would be sympathetically sited having regard to the topography of the site – the build technique would involve cut-and-fill with average ground levels remaining the same as before. The front approach would be dominated by parking spaces, but there would be gardens at the rear and some soft landscaping to the

sides, and it is considered that the site layout as proposed would provide an acceptable balance of hard and soft landscaping.

There is a terrace of listed weavers' cottages on the opposite side of Manchester Road. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities must, where a development proposal would affect a Listed Building or its setting, have special regard to the desirability of preserving the building and its setting, and any features of interest it possesses. Taking a precautionary approach, the development was advertised as affecting the setting of a Listed Building.

Given the separation distance (about 34m) and the height relationship between the two sites, it is the view of planning officers that there would be no impact upon the setting of the Listed Buildings.

It is considered that the proposal would respect and harmonise with the character of the area and would accord with LP24a.

This however is subject to conditions that materials are inspected and approved before work on the superstructure commences, and that the finished floor level is restricted to that shown on the sections.

3 – Impact on residential amenity: The layout of the proposed dwellings, which would have an outlook to the north and south, would not adversely affect any established dwellings or land that is likely to have development potential.

Aggregate floor area is approximately 137sqm, the recommended minimum in the Nationally Described Space Standards for a 3-storey dwelling with 5 bed spaces being 103sqm. It is considered that floorspace and outlook would provide an acceptable standard of living for future occupiers. It is considered that the proposed dwellings would have adequate outdoor amenity space.

Manchester Road experiences high traffic levels. If a new dwelling were proposed on the frontage, an acoustic survey and mitigation measures would be required to establish that residents would have adequate protection against noise. It would also be appropriate in those circumstances to consider how air quality matters would be addressed, given the traffic levels along Manchester Road. But the proposed dwellings would be considerably set back and below highway level so that the ground would provide a barrier. It is extremely unlikely that the dwellings would be affected by high noise levels either in habitable rooms or in garden areas.

The development would therefore accord with the aims of Policy LP24(b) and LP52. It is considered that no specific conditions are required relating to residential amenity in particular.

4 – Impact on highway safety: The gradient and the visibility at the site access are considered to be suitable. A turning head has been demonstrated. The plans (including Section A-A) indicate that there would be no significant excavation works or changes to ground level at the upper end of the site, adjacent to Manchester Road, and it is therefore considered it would have no impact upon the stability of highway land.

The proposed dwellings would each consist of four bedrooms, with two off-street parking spaces each and an additional two visitor spaces. Three spaces per dwelling will often be more appropriate for a house with 4 or more bedrooms, but this will depend on locational and other factors. A statement justifying the level of parking provision has been supplied. The site is of better than average accessibility (see “Climate Change” below) and the proposed houses are said to have been designed for a modern family consisting of 2 adults and 3 young children with the bedroom sizes reflecting that intended use. Taking all relevant facts into account, it is considered that the level of parking provision is acceptable and that the spaces shown are also adequate in terms of layout and dimensions. It is considered that the layout would not prejudice safe or convenient vehicular access for the established dwellings that already use the access point to Manchester Road.

The development is therefore considered acceptable in highway safety terms and that subject to all parking spaces and the other areas to be used by vehicles being provided and thereafter retained, the development would accord with the aims of LP21-22. As the site would be accessed from Manchester Road it is considered necessary to require details of the construction access, routing of construction vehicles and details of constructions workers parking and facilities. This is so as to avoid highway safety issues during the period of construction.

5 – Other matters:

Climate Change:

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target; however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The applicant did not submit any supplementary statement with the initial application to explain how the proposed development would help to address or combat climate change effects. The supplementary statement submitted in February contained some recommendations about construction methods (a “fabric first” approach) considering for example U-values, reducing the effects of thermal bridging, and airtightness, which if implemented are expected to

result in improved energy performance. Such measures would however normally fall under the remit of Building Regulations rather than Planning.

The site entrance is roughly 600m from Slaithwaite Local Centre which provides a range of shops and services, and 130m from the nearest bus stop which offers a frequent service to Huddersfield Town Centre. The site is also about 850m from Slaithwaite railway station. It is considered that the site is of better than average accessibility by public transport. Being situated on a main road leading into the Town Centre which lacks steep gradients, this may also make cycling an attractive option for reaching Town Centre and other local destinations.

The property curtilages also contain sufficient space for bicycle storage including the setting up of secure sheds if desired by future occupiers. Finally, an electric vehicle charge point can be installed for each dwelling, in accordance with the aims of LP24(d)(v) – this can be conditioned.

It is considered that the development would make a contribution to combatting climate change and the Council's 'net zero' target as set out above, and can therefore be regarded as acceptable under LP24(d) and NPPF Chapter 14.

Drainage:

The site has not been identified as at risk from flooding. The application form states that mains drainage is to be used both for foul sewage and surface water. Policy LP28 states that Sustainable Drainage Systems will normally be used to achieve a 30% reduction in run-off rates on brownfield sites. In practice this approach is not always adopted for minor developments (especially where the proposal is only for one or two dwellings) but given the size of the site and as it is for 5 dwellings, it is considered appropriate to attempt to achieve a reduction in run-off rates in line with the recommendations in LP28 or as far as is reasonably practicable. This can form the basis of a condition. It is generally required that permeable surfacing is used for parking spaces unless the site as a whole is going to be drained by sustainable methods, or for other reasons this would be impractical and the standard condition on parking and turning areas should incorporate this.

Given the difference in levels between the site and Manchester Road it would not be possible to dispose of foul/surface water to that sewer unless a pumped solution was put forward. Again it is considered this can be assessed by the submission of details reserved by condition.

Ecology:

The site is adjacent to Wildlife Habitat Network and is within the Bat Alert Layer. Consulted on the previous application, the Ecology Officer decided that the proposal was acceptable subject to conditions on mitigation and enhancement. The applicant has re-submitted a bat and ecological survey dated December 2017 (or two years before the submission of the current application) and this is considered adequate in the circumstances. The survey finds negligible bat roost potential but some potential to act as foraging grounds and as a bird habitat. The report recommends the installation of bat

boxes and a scheme for ecological enhancement of the undeveloped northern part of the site. These recommendations can be incorporated into a condition. It is also recommended that the condition on checking for nesting birds before demolition should be re-imposed, as recommended by the Ecologist for the earlier outline application. The scheme, as conditioned would provide for biodiversity enhancement in accordance with Policy LP30 of the Local Plan and Chapter 15 of the NPPF.

Refuse collection:

The site provides refuse bin storage in two shared areas – one for Plots 1-2, to the west of Plot 1, the other on the highway boundary, for the remaining three dwellings. These are perhaps not ideally situated from the point of view of the convenience of future residents, in view of the distance they would have to walk to dispose of refuse, but the storage points for 3-5 at least have the advantage that future occupants would not have to push bins uphill on collection day. The only significant flaw in the arrangement is that there is no obvious pathway by which No. 1 & 2's bins could be wheeled to the collection point – if the parking spaces were occupied it could be difficult or impossible to manoeuvre them out. This situation can be remedied by providing a hard-surfaced pathway from the bin stores to link up with the main shared path. The collection point is on the highway boundary, which would allow refuse workers to collect the bins without refuse vehicles having to enter the site. The arrangements are considered acceptable and in accordance with LP24d(vi), subject to a condition on the provision of the storage and collection areas, and the provision of appropriate pathways as set out above.

Hazardous installations:

The site is within the Outer consultation zone for a hazardous installation. The Health and Safety Executive have raised no objections to the scheme and it is considered that the development would not expose future residents to undue safety risks and no specific conditions are required.

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: 2019/94029

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, to retain the openness of the Green Belt, in the interests of highway safety and to accord with Policies LP24, LP21 and LP59 of the Kirklees Local Plan.

3. Samples of all facing and roofing materials shall be left on site for the inspection and approval in writing by, the Local Planning Authority, before work on the superstructure of the dwellings 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 LP24(a) of the Kirklees Local Plan.

4. Before development (other than demolition) commences, notwithstanding the details on part (11) of the application form, details shall be submitted to and approved in writing by the Local Planning Authority of a scheme detailing foul, 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). None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development. This shall thereafter be retained throughout the lifetime of the development.

Reason: To limit the contribution that the development may make to flood risk arising from increased run-off having regard to the future impacts of climate change, and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the Local Plan. This is a pre-commencement condition to ensure that safe and sustainable drainage arrangements are incorporated into the development during construction.

5. Before any new dwelling is first brought into use, all areas to be used for the access, parking and turning of vehicles as shown on the approved plans shall be laid out with a hardened and drained surface. Parking spaces shall be formed in accordance with the Communities & 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 any successor guidance before the dwelling is first occupied, unless arrangements have been made under condition (4) for run-off water to drain to a soakaway or sustainable urban drainage system within the curtilage, or to a watercourse, or if for other reasons it can be demonstrated that this would be impracticable. Thereafter these areas shall be retained as such, free of any obstruction.

Reason: To ensure a satisfactory layout in the interests of highway safety, to ensure that the development does not contribute to flood risk through increased run-off, and to accord with the aims of and to accord with the aims of Policies LP21-22 and Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6. Notwithstanding the details on the approved plans, an amended plan showing proposed refuse storage and collection arrangements, demonstrating clear hard-surfaced routes by which refuse containers belong to Plots 1 & 2 can be wheeled to the shared collection point from the storage area without encountering parked vehicles or other obstacles, shall be submitted to and approved in writing by the Local Planning Authority before work on the superstructure of the development commences. The arrangements thereby approved shall be laid out and provided in full accordance with the approved details before any new dwelling is first occupied and thereafter retained as such.

Reason: To ensure that satisfactory arrangements for the separation, storage and collection of wastes are provided within the site to serve the development in the interests of the convenience of future occupiers without the risk of conflict with parking and access arrangements, and in accordance with the aims of Policies LP21 and LP24d(vi) of the Kirklees Local Plan.

7. Finished floor levels shall not exceed those shown on the approved sections (plan 1294/P/002).

Reason: To ensure that the development harmonises with its surroundings in accordance with the aims of Policy LP24(a) of the Local Plan, and to ensure that it would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development, in accordance with the aims of the National Planning Policy Framework – Protecting Green Belt land and Policy LP59 of the Kirklees Local Plan.

8. No works to, or demolition of, buildings or structures shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before demolition works commence and provided the Local Planning Authority with written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the local planning authority before demolition works commence.

Reason: To avoid direct impacts to birds, their eggs, nests and young and a consequential offence under section 1 of the Wildlife and Countryside Act

1981 (as amended) and to comply with Policy LP30 of the Kirklees Local Plan.

9. Before work commences on the superstructure of the new dwellings, an ecological design strategy (EDS) shall be submitted to and approved in writing by the Local Planning Authority detailing the inclusion of integral bat roost features in new dwellings, habitat creation as outlined in Preliminary Bat Survey & Ecology Walkover (reference 1064) and the restoration of land to the north of the development site to a semi-natural state following the demolition of the stables and removal of the pony paddock and menage. 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 and make and model of bat boxes.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.

All works forming part of the approved EDS shall be implemented in accordance with the approved timetable and thereafter retained.

Reason: To ensure that the biodiversity value of the Strategic Green Infrastructure Network and the adjacent Wildlife Habitat Network are conserved and enhanced, to accord with the aims of Policies LP30 and 31 of the Kirklees Local Plan and the National Planning Policy Framework – Conserving and enhancing the natural environment.

10. One electric vehicle recharging point shall be installed within the dedicated parking area of each hereby approved dwelling before the dwelling to which it relates 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) 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.

11. All of the existing stable buildings shown on plan 1294/TOPO ('Existing topographical plan') shall be permanently removed from the site before any of the new dwellings is occupied or brought into use.

Reason: To ensure that the development would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development, to ensure that an acceptable EDS can be implemented, and to accord with the aims of the National Planning Policy

Framework – Protecting Green Belt land; Conserving and enhancing the natural environment, and Policies LP59 and LP30 of the Kirklees Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, B, or E of Part 1 and Class A Part 2 of Schedule 2 to that Order shall be carried out within the site without full planning permission having been obtained from the Local Planning Authority.

Reason: To ensure that the development would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development and to accord with the aims of the National Planning Policy Framework – Protecting Green Belt land and Policy LP59 of the Kirklees Local Plan.

13. The hatched area on the site layout plan ref 1294/P/001 shall not be incorporated into the residential curtilage of any of the approved dwellings.

Reason: To ensure that the development would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development, and to accord with Policy LP58 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

14. Prior to development, including demolition, commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Thereafter the construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that appropriate arrangements are in place to avoid an adverse impact on highway safety for the duration of any development taking place on the site.

Note – Drainage. Regarding condition (4), the developer should demonstrate that the most sustainable methods of drainage reasonably practicable have been adopted, having regard to the drainage hierarchy principle within Planning Practice Guidance – Flood risk and coastal change, and the presumption in Policy LP28(a&b) of the Local Plan that existing run-off rates will be reduced or not exceeded.

Construction Site Working Times – Footnote

It is recommended that noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists, or is likely to occur or recur. Failure to comply with a notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-221000 who can advise further on this matter

NOTE: 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			13-Dec-2019
Location plan	1294-SPL		13-Dec-2019
Upper ground floor site layout and elevations	1294-P-001		13-Dec-2019
Proposed house type – floor plans and elevations	1294/P/101		13-Dec-2019
Proposed roof layout and site sections	1294/P/002		13-Dec-2019
Existing topographical plan and site section A-A	1294/TOPO		13-Dec-2019
Design & access and Green Belt statement	1294-DAS		20-Dec-2019
Preliminary Bat Survey and Ecology Walkover	1064		13-Dec-2019
Supplementary statement	1294-L-001-1a		04-Feb-2020

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 an additional statement to justify the level of parking provided and to explain what measures had been taken to combat climate change. No amended plans were requested as these were not considered necessary.

Report Dated: 20-Feb-2020