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:	2020/60/90861/W
Site Address:	adj, 16, Dean Street, Oakes, Huddersfield, HD3 3EU
Description:	Outline application for erection of one dwelling
Recommending Officer:	Katie Chew

DECISION – Grant Outline Consent

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: 02-Oct-2020

Officer Report

Site Description

Adjacent 16 Dean Street, Oakes, Huddersfield, HD3 3EU

The application site relates to a piece of land which is currently occupied by two single storey garages, an area of hardstanding for off street parking and vegetated area to the side. The existing garages are somewhat run down and dilapidated.

Properties in the local area are mainly constructed from natural stone and render. Dwellings are of a high density and off-street parking is limited. It also noted that Dean Street and Wellington Street are permit only parking areas.

Description of Proposal

The application seeks outline planning permission for the erection of one dwelling house. This application seeks to agree principle, access and layout, with scale, appearance and landscaping to be reserved for future consideration under a reserved matters application.

The submitted details show a two bedroomed dwelling (for 4 person occupancy) with parking for 2 vehicles in tandem to the west, and adjacent to that a drive for no. 16 Dean Street which would provide a further 2 parking spaces. Amenity space is provided to both the front and rear of the proposed dwelling.

History of negotiations/amendments received

Contact was made with the applicant's agent to try and reduce the scheme to a more acceptable scale and size as the original scheme was deemed to constitute overdevelopment. The amended scheme is now considered to constitute a good layout and accord with Policy LP24 (a) of the Kirklees Local Plan, and Chapter 12 of the NPPF.

Relevant Planning History

2019/90102 – Certificate of lawfulness for proposed erection of garage and formation of access. Certificate of Lawfulness Operations refused 16th October 2019. An appeal has been lodged but it has not yet been determined.

2019/91661 – Outline application for the erection of 2 dwellings. Refused 3rd October 2019. This application was refused as:

1. The proposed layout, by reason of the proximity of the proposed dwellings to surrounding dwellings, would have a detrimental impact on the amenities of existing residential occupiers such that they would no longer enjoy a good standard of amenity. The layout would result in undue overbearing and overshadowing of the single aspect dwellings

on Wellington Street to the north of the site and to adjacent dwellings located along Dean Street and no. 42 Baker Street. The proposal would therefore cause a harmful impact on residential amenity which would be contrary to Policy LP24 (b) of the Kirklees Local Plan and Policies in Chapter 12 of the National Planning Policy Framework.

2. The proposed development would lead to the loss of off-street parking for no. 16 Dean Street as the proposed drive to serve no. 16 is of substandard width at 2.5 metres. This would be insufficient to be practically used to park vehicles and then allow for the driver or passengers to exit or enter the vehicle. The proposal would therefore lead to a loss of off street parking in an area where on street parking is over subscribed. The proposal would therefore have an unacceptable impact on highway safety and fail to accord with Policies LP21 and LP22 of the Kirklees Local Plan.

3. The proposed layout, in relation to plot size and taking into account its relationship with surrounding development, would represent a cramped form of development constituting an overdevelopment of the site. It would fail to add to the overall quality of the area or result in a scheme that is visually attractive as a result of good layout. The proposal would therefore fail to accord with Policy LP24 (a) of the Kirklees Local Plan and Policies in Chapter 12 of the National Planning Policy Framework.

91/04890 – Erection of 2 storey extension and detached double garage. Conditional Full Permission 30th December 1991.

Representations

Final publicity date expires:

Neighbour Letters – Expired 14th April 2020.

6 objections have been received to date; these comments have been summarised below:

- There would be a loss of natural light and overshadowing into neighbouring properties garden areas.

Officer note: This has been discussed further into the report within the residential amenity section.

- Concerns in respect of overlooking;

Officer note: This has been discussed further into the report within the residential amenity section.

- An application was refused here previously;

Officer note: Whilst it is acknowledged that a previous application was refused at this site, application2019/91661 was for the construction of 2 dwellings and therefore does differ in terms of what is being proposed this time.

- The area is densely populated already;

Officer note: Noted.

- Concerns in regards to noise.

Officer note: The Council's Environmental Health officers were consulted on the application and raised no concerns in respect to potential noise pollution. If the application is approved and noise pollution does become a problem, please contact the Council's Environmental Health team who would be able to look into this matter.

Officer note: We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters only, details of which are outlined above.

Consultation Responses

KC Environmental Health - Comments received 11th May 2020. In an application of this nature it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. A condition requiring charging points is therefore necessary. A condition and footnote are also recommended which relate to construction site working times.

KC Highways Development Management – Comments received 9th June 2020. Highways have no objections to the proposals subject to a number of conditions and footnotes, these are discussed below.

The proposals appear to require a change in the existing access and would require a dropped kerb to be moved to be in alignment with the proposed new access with the redundant crossing removed and the kerb line reinstated. This would need to be done under a s184 agreement and should be included as a footnote.

No visibility splays were provided for the proposed access however it is doubtful that visibility splays of any useful distance can be obtained due to the narrow width of the highway and footway adjacent to the site. It is also suspected that road speeds will be considerably below the posted speed limit due to the width restrictions and parked vehicles. Highways are happy to accept the proposed new access without visibility splays providing that any

boundary treatments (walls, hedges etc.) are kept below 1m in height to assist in visibility for road safety reasons, this should be conditioned.

The proposed parking areas do not allow for any manoeuvring space to allow vehicles to turn on site and so reversing would be required. There are however other off street parking facilities on Baker Street that have no turning and so the process of reversing to park has been established locally. However, they would like to see a swept path analysis that shows vehicles can safely enter/exit the access from Baker Street in both forward and reverse gears and if there are parked vehicles on Baker Street. This swept path may be required to inform the design width of the access and therefore should be conditioned.

Highways support the amount of parking spaces proposed although they would like to see a drawing which indicates clearly that the specified 3m x 6m spaces can be achieved in a tandem configuration, this should be conditioned.

Highways would also like to see a construction access management plan provided prior to commencement in order to show that safe access for all users of Baker Street will be maintained for the duration of the construction, again this should be conditioned.

As no details have been provided in respect of waste storage and collection, the location of bin storage and collection presentation location should be clearly shown on a drawing. The presentation point should be in such a location that it is accessible to a cleansing operative but not where it will cause an obstruction to the access, parking area, footway or highway for road safety reasons. This should also be conditioned.

Finally, the parking areas will need to be surfaced and drained in line with national guidance on permeable surfacing. This should be added as a footnote.

Planning Policy Background

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 application site is unallocated in the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP3 – Location of new development**
- **LP7 – Efficient and Effective use of Land and Buildings**

- **LP11 – Housing Mix and Affordable Housing**
- **LP21 – Highways and Access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP30 – Biodiversity**
- **LP51 – Protection and Improvement of Local Air Quality**

National Polices and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. In this instance the chapters of most relevance include:

- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Other Guidance Documents

- National Design Guide
- Kirklees Highways Design Guide

Summary of Principal Planning Issues

The following matters are considered in the assessment below -

1) Principle of development
2) Scale, design and visual impact of the proposed development
3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
4) Impact on highway safety
5) Other matters

Principle of Development:

The site is without notation in the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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.

The application site forms a brownfield piece of land which is currently occupied by two single storey garages which have served as off street parking to no. 16 Dean Street. The application would provide 1 residential dwelling

and therefore it is appropriate to consider the Local Planning Authorities overall housing position.

As set out in the Authority Monitoring Report (AMR), the assessment of the required housing (taking account of under-delivery since the Local Plan base date and the required 20% buffer) compared to the deliverable housing capacity, windfall allowance, lapse rate and demolitions allowance shows that the current land supply position in Kirklees is 5.32 years supply.

As the Kirklees Local Plan was adopted within the last five years the five year supply calculation is based on the housing requirement set out in the Local Plan (adopted 27th February 2019). 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".*

The application site comprises of a small plot surrounded predominantly by residential dwellings, and although the Local Planning Authority can demonstrate a five year land supply, it is noted that the development of this plot would contribute to the housing supply in the district. In this case, the principle of development is considered to be acceptable and the proposal shall now be assessed against all other material planning considerations, including design, visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

Impact on Visual Amenity:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24 states that all proposals should promote good design by ensuring the following:

'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape' and that *'extensions are subservient to the original building, are in keeping with the*

existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers'.

The application proposal is submitted in outline with layout and access included for consideration. The plans show a detached property within a narrow plot of land, the dwelling will provide 2 bedrooms, car parking will be provided for 2 cars, and garden spaces will be created to both the front and rear of the property. Whilst scale has not been applied for it is understood that this application will be single storey with an internal floor area of 60sqm.

The area in which the site is located has been subject of a previous planning application for residential development. Application reference: 2019/91661 was for outline approval for the erection of 2 dwellings. This application was refused as it was considered to constitute overdevelopment, impact on residential amenity and create a loss of off-street parking facilities. Whilst reasons 1 & 2 are discussed further into the report, the third reason for refusal 'overdevelopment' is discussed below.

Amendments were requested by the case officer to the original plans submitted to reduce the dwelling down from a 3 bedroomed property to a 2 bedroomed property, this has allowed additional amenity space to the front to be created, whilst also creating additional space to the east of the dwelling, and helping to reduce the amount of development and hardstanding on the site. It is considered that by pulling the proposals back in and away from the public highway and creating a new garden area to the south, reducing the overall height of the dwelling (down from 2 storeys to 1), reduction in total amount of dwellings to be provided (down from 2 to 1) and finally the reduction is bedrooms to be provided (down from 3 to 2), the proposals would not be deemed to constitute overdevelopment in this location.

No details have been submitted in respect of the proposed design or materials, although it is recommended that care is taken to try and reflect the local vernacular and use materials which reflect what currently exists within the local area.

In conclusion, it is considered that the plot can accommodate a modest dwelling which could be designed so as to contribute positively to the local character. As scale is a reserved matter, care will need to be taken to ensure that any future dwelling does not appear overbearing in nature in relation to neighbouring residential dwellings or to constitute overdevelopment of the site. As such, it is considered that the development would meet the aims of Chapter 12 of the NPPF by contributing positively to the surrounding area and would be in accordance with Kirklees Local Plan Policy LP24.

Impact on Residential Amenity:

The National Planning Policy Framework states that Local Planning Authorities should seek to achieve a good standard of amenity for all existing and future occupants of land and buildings. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'Proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

Impact on nos. 83 and 85A Wellington Street

These neighbouring dwellings are located to the north of the application site. The existing garages are located approximately 1.5m away from the boundary of these neighbouring properties. The proposals seek to remove these garages and construct a single storey dwelling located approximately 11.6m away from the southern elevation of nos. 83 and 85A and the proposed dwelling. Whilst this separation distance is not vast, this type of separation between properties can be seen through the local area and therefore is not uncommon in this location. In terms of overlooking, as there is no elevation plans or indication as to where windows may be installed within the northern elevation of the proposed dwelling only brief comments can be made on this. The applicant should take care at reserved matters stage to ensure that overlooking does not occur, whether this be through the use of obscured glazing in bathrooms, roof-lights or providing screening to the rear. This would be assessed in more detail once the Council has further information during the reserved matters stage.

In respect to overshadowing, as the proposals are for a single storey dwelling and that a rear garden is to be provided, it is considered that any overshadowing that would occur throughout the day would fall onto either the rear garden of the proposed dwelling, or the driveway of no. 16 Dean Street. Therefore it is not considered that the proposals would overshadow nos. 83 & 85A Wellington Street.

Whilst elevations are not provided within this submission the scheme is believed to be single storey in height and will seek to remove the existing single storey garages, one of which is currently located on a raised concrete platform which is also to be removed. Care will need to be taken to ensure that the proposed dwelling does not appear overbearing and that the ridge height of the property is not significantly different to the existing garages. However, it is noted that the proposed dwelling will be stepped back from the neighbouring boundaries by approximately 5.5m, this is around 4m further away to what the existing garages are. This should help ensure that the proposals do not appear overbearing in this location.

Impact on no. 42 Baker Street

This neighbouring property is located to the east of the application site, this dwelling is positioned at an angle to the site and forms a 2 storey 2 bedroomed property constructed under a permission from 1992. The rear elevation includes a bedroom and a bathroom window at first floor level and kitchen windows at ground floor level. The proposed dwelling would be constructed close to the boundary with no. 42 and at its very closest point

would only be approximately 2.1m away from no. 42. In terms of potential overlooking and loss of privacy to this neighbouring property, whilst no details have been provided in respect of habitable room windows, it may be possible for the applicant to provide windows/rooflights which would provide light into the proposed dwelling without any direct views into no. 42's habitable room windows, care would need to be taken at reserved matters stage to ensure that there is no loss of privacy or any overlooking of this neighbouring residential dwelling. Given the proposed dwelling has been identified as being single storey in height, it is not considered that the proposals would appear overbearing in comparison to the existing garages found on site. Finally in terms of overshadowing, the proposed dwelling, due to its close proximity to no. 42 will create some overshadowing towards the late afternoon/evening, this would occur within the rear garden of no. 42 and not across any habitable room windows. It is considered given the suggested scale (single storey) of the proposed dwelling, that any overshadowing that would occur with be similar to what currently exists from the single storey garages and that the overshadowing would not be significant enough to recommend refusal in this instance.

Impact on nos. 14 & 12 Dean Street

These neighbouring properties are located to the west of the application site. There is a separation distance of approximately 13.3m between the proposed dwelling and no. 14 Dean Street, and a separation distance of approximately 8.8m between the application site and no. 12 Dean Street.

It is important to note that there are no windows within the existing eastern elevation of no. 12 Dean Street, and there is just one small obscure glazed window within the first floor of no. 14 Dean Street. At ground floor level no. 14 does have windows within the eastern elevation however, views from these windows are somewhat obscured by the boundary fencing located along their boundary. Taking the above into consideration, there are no concerns in respect to overlooking or loss of privacy in respect of both of these neighbouring dwellings.

As the proposals are for a single storey dwellinghouse and are to replace the existing single storey garages, it is not considered that the proposals would be overbearing in nature in this instance. In terms of overshadowing, any overshadowing that would occur is likely to only fall onto the garden/amenity area of the proposed dwelling and on to the proposed driveway for no. 16 Dean Street. It is therefore considered that nos. 12 & 14 Dean Street will not be impacted by overshadowing or any loss of light in this location.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and paragraph 127 of the National Planning Policy Framework.

Impact on Highway Safety:

Turning to highway safety Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking.

Baker Street is a cobbled street which is relatively narrow and vehicular speeds are low. The street experiences on street parking and there are various points of access along its length. It is noted that the surrounding fully adopted roads are subject to permit parking restrictions and on street parking is the only form of parking for many dwellings.

The submitted plans demonstrate that 2 car parking spaces are proposed for the new dwelling (parked in tandem), 2 spaces are considered to provide sufficient provision for the 2 bedroomed property proposed. The proposed driveway for No. 16 Dean Street is 3m in width and is therefore considered to be appropriate in size to allow users to enter and exit their vehicle easily. The application has also been assessed by a highways officer who had no objections to the proposals subject to a number of conditions and informatives. These include details of bin storage, swept path analysis to ensure that the vehicles can easily enter and leave the driveway, appropriate surfacing and a construction management plan. Details for the swept paths may need to utilise part of the front garden area to provide workable access and lead to a wider opening than normal.

Officer note: Application 2019/91661 was previously refused partly due to the loss of off-street parking for no. 16 Dean Street as the proposed drive was to be of a substandard width at 2.5 metres. It should be noted that this has now been extended to 3m and therefore the previous reason for refusal (no. 2) is considered to have been overcome within this application.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

In conclusion the proposed development would lead to the loss of off street parking for no. 16 Dean Street however, the new proposed driveway for no. 16 is considered to be appropriate in size and location, and whilst it is noted that the proposals would result in intensification of the domestic use of the site, sufficient car parking spaces are proposed for the new dwelling and the scheme is considered to not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, and the guidance contained within the National Planning Policy Framework.

Other Matters:

<u>Air Quality</u>

In line with guidance set out in the West Yorkshire Low Emissions Strategy and to support the provision of low carbon transport infrastructure in accordance with Policy LP24 of the Local Plan there is an opportunity to provide an electric vehicle charging point for this dwelling. A condition has been recommended for this.

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.

With regard to climate change the site is located within a sustainable built up suburb of Huddersfield where there is easy access to shops and public transport. The development would utilise a brownfield site and would be constructed to modern building standards which would be aid in the properties thermal efficiency.

There are no other matters for consideration.

Conclusion:

Paragraph 11 of the NPPF advises that Local Planning Authorities should be approving development proposals that accord with an up-to-date development plan without delay. On balance, it is considered that there are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within paragraph 11 of the NPPF, and therefore planning permission should be granted.

Recommendation:

Approve with conditions.

Decision Authorisation - Delegated Powers

Application Number: 2020/90861

Officer Recommendation: Approve

Conditions and Reasons

1. Approval of the details of the scale, appearance and landscaping of the site (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before development is commenced.
Reason: No details of the matter referred to having being submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the scale, appearance and landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.
Reason: No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

3. Application for approval of any reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

5. Notwithstanding the details shown on the approved plan, prior to the erection of the superstructure of the hereby approved dwelling, a scheme detailing arrangements for access to, surfacing and the layout of the parking spaces to serve the hereby approved dwelling shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include details of sightlines adjacent Baker Street and a swept path analysis to demonstrate how vehicles can safely enter and leave the site. The approved scheme shall be implemented prior to the dwelling being first occupied and retained thereafter.
Reason: To ensure a suitable access and layout in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

6. Prior to development commencing on site, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The construction management plan shall provide details of the vehicles expected to access the site, access arrangements for deliveries including routes of access, parking for contractors and deliveries, materials storage, use of a banksman or traffic management and the use of wheel washing to maintain the highway free of mud or debris.
Reason: In the interests of the protection of highway and pedestrian safety and to accord with Policy LP21 of the Kirklees Local Plan.

7. Prior to occupation of the hereby dwelling details should be provided on a plan showing the location of bin storage and a collection presentation location. This drawing shall be submitted to and approved in writing by the Local Planning Authority. The bin storage and collection presentation location shall be completed in accordance with the details shown on the approved plan and retained thereafter.
Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

8. An electric vehicle recharging point shall be installed within the application site to serve the parking spaces shown on the Proposed Block Plan received 15th September 2020. The recharging point shall be provided prior to the first occupation of the dwelling. Cable and circuity ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32 Amps. The electric vehicle charging point so installed shall thereafter be retained.
Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). 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. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Electric Vehicle Charging Points –

- A standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW) A 32A (7kW) is however more likely to be futureproof
- Standard charging points for single residential properties that meet the requirements specified in the latest version of *"Minimum technical specification – Electric Vehicle Homecharge Scheme (EVHS)"* by the Office for Low Emission Vehicles will be acceptable. Basically,

charging points that provide Mode 3 charging with a continuous output of at least 16A (3.5kW) and have Type 2 sockets would be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: Noisy construction related activities shall not take place outside the hours of:

- 07:30 to 18:30 hours Mondays to Fridays
- 08:00 to 13:00 hours Saturdays
- With no noisy activities on Sundays or Public Holidays

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 notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Web ID	Date Received
Site Location Plan	TQRQM19150142925526	-	16.03.2020
Existing Site Plan	DWG19001	-	16.03.2020
Proposed Block Plan	01	-	15.09.2020

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Contact was made with the applicants agent to try and reduce the scheme to a more acceptable scale and size as the original scheme was deemed to constitute overdevelopment. The amended scheme is now considered to constitute a good layout and accord with Policy LP24 (a) of the Kirklees Local Plan, and Chapter 12 of the NPPF.

Report Dated:

29/09/2020