

**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:	2020/62/91919/W
Site Address:	The Co Operative Food, 19, Northgate, Almondbury, Huddersfield, HD5 8RX
Description:	Demolition of existing supermarket and erection of block of 5 flats with associated parking (within a Conservation Area)
Recommending Officer:	Emma Thompson

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 17-FEB-2025

Officer Report

Site Description

The site is an area on land located on Northgate Road, the main through route through Almondbury. A large single storey flat roofed building is situated to the rear of the site with parking to the front. The building formerly formed part of the retail chain Co-op. This has relocated to the former public house nearby. The site has been vacant for some time and is in a dilapidated state detracting from the street and character of the area.

Access into the site exists directly from Northgate Road.

To the rear of the site is Hudroyd which is a large two storey building that houses apartment accommodation. Parking and road access separates the two sites. To the north are stone terraced properties with limited amenity space between. These properties have long garden areas further to the north. Northgate Road bounds the site the west with weavers cottages opposite (one of which is listed).

The site is located within Almondbury Conservation Area.

Description of Proposal

Demolition of existing supermarket and erection of block of 5 flats with associated parking.

The application includes the demolition of the existing single storey structure formerly used for retail. A two storey building is proposed in its place, located to the rear of the site with parking and access to the front.

Ground floor:

Entrance lobby with staircase to upper floor. Cycle store accessed externally. Bin storage accessed externally.

Flat 1: 2 bedrooms with separate bathroom, and L shaped open plan kitchen/lounge.

Flat 2: 2 bedroom, 1 with ensuite and separate bathroom and open plan lounge kitchen.

Flat 3: 1 bedroom with ensuite and separate bathroom with open plan lounge/kitchen.

First floor:

L shaped to remove first floor development in the north corner.

Flat 4: 2 bedrooms, separate bathroom and L shaped open plan kitchen/lounge.

Flat 5: 2 bedrooms, 1 with ensuite and separate bathroom with open plan kitchen/lounge

The area to the site frontage includes access taken from Northgate to predominantly hardstanding that includes 12 parking spaces. There is limited shrubbery to the north western and south eastern boundaries.

Materials: Natural stone, stone surrounds and banding. Roof materials are not indicated.

History of negotiations/amendments received

Concerns were raised regarding the scale of the building adjacent to existing residential accommodation at Brickbank. As well as bin storage.

Revised plans addressed officer concerns.

Relevant Planning History

2011/92531 – Advertisement consent for illuminated sign – Refused and appeal upheld

2008/93073 – Advertisement consent for illuminated sign – Granted consent

Representations

Final publicity date Expires: The site was advertised by site notice and Neighbour Notifications. Readvertisement by way of neighbour notifications was repeated twice and has expired.

Original comments (9):

2 Support:

Conservation area and the modest development would replace the Coop building

Carefully designed, attractive and functional use of the site

3 Objection:

Overlooking windows/loss of privacy

Loss of light

Design - little contribution to conservation area

Car parking to front/large area of hardstanding

No detailing of stonework/should include coursed York stone

Comments also received on behalf of the Huddersfield Civic Society:

- Scale
- Over intensification of the site
- Out of character
- Introduction of flat roofs are inconsistent with the locality
- Should be constructed of York stone
- No room for green space due to scale
- Police security unacceptable
- Fencing prevents acceptable site lines

- Development should recognise the street frontage with dwellings fronting onto the pavement, an archway could provide access to the rear
- D&A is misleading
-

3 General comment:

Parking spaces on Northgate

A car park should be provided to include paths/green spaces

No objection to the plans but parking should be provided for Northgate properties

Readvertised October 2021

Comments:

Encourage LPA to facilitate redevelopment due to current state of the site

Readvertised February 2024:

One objection received:

- Scale, position and height
- Block light
- Impact privacy
- Car park should be at the back to be more in keeping and alleviate impact on neighbouring properties
- Too many flats

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 DM: No objections
- KC Waste: No objections
- KC Environmental Health: No objections
- KC Biodiversity Officer: No objections
- KC Conservation & Design: No objection to amended plans

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 unallocated but within Almondbury Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP1** Presumption in favour of sustainable development

- **LP2** Place Shaping
- **LP7** Efficient and effective use of land
- **LP11** Housing mix
- **LP20** Sustainable travel
- **LP21** Highways, access and safety
- **LP22** Parking
- **LP24** Design
- **LP28** Drainage
- **LP30** Biodiversity
- **LP35** Historic Environment
- **LP52** Protection and Improvement of Local Air Quality
- **LP53** Contaminated and unstable 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 December 2024, 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 2 – Achieving sustainable development
- Chapter 4 – Decision Making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Efficient Use of Land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Other Guidance Documents:

Kirklees Highways Design Guide (2019) Housebuilders Design Guide (2021)

Nationally Described Space Standards

National Design Guide - Biodiversity Net Gain Technical Advice Note (2021)

Planning Applications Climate Change Guidance (2021)

West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

Assessment

Principle:

The existing retail store is a modern single storey flat roofed building located within the Almondbury Conservation Area. It is located on the main thoroughfare through Almondbury and within its historic core settlement. The application is to demolish this building and construct a two storey block of 5 flats which would be set back from the main road frontage with parking to the front.

The existing building has been vacant for some time and is secured by fencing at the time of writing this report. It is gradually falling further into disrepair. As it makes a negative contribution to the character of the conservation area, its demolition is welcomed.

The site is without specific notation set within Almondbury Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees 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 Chapter 2 of the National Planning Policy Framework. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

Paragraph 11 of the National Planning Policy Framework (NPPF) advises that plans and decisions should apply a presumption in favour of sustainable development. It adds, within the same paragraph, that where the policies in the Development Plan, deemed most relevant to the consideration of the proposal in question are out-of-date, the default position is that planning permission should be granted unless:-

- a) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed;
- or
- b) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. In the case of applications for residential development such as this, the NPPF adds that policies will normally be considered 'out of date' if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%). As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making "Where there are no relevant development

plan policies, or the policies which are most important for determining the application are out of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer assessment in this report. The redevelopment of the site for 5 residential units would meet with the aims of Policy LP11 in so far as the site would provide modest sized accommodation adding a mixture of size and tenure to the market in the locality.

Policy LP48 of the KLP states that ‘Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

- a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or .
- b. its current use is no longer viable; or
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or
- d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and
- e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.’

The applicant is required to demonstrate only one of the criteria from a) to e) above. With regards to criteria b), the application is accompanied by a supporting statement that states that the existing site is too small for the requirements of local residents and suffers from restricted access when entering and exiting the building, particularly for those with restricted mobility. There are also limited parking facilities.

The existing user of the site has relocated to a larger premise nearby highlighting that existing provision is improved by the relocation. It is considered that there is adequate alternative provision in the locality and therefore the requirements of criterion c and d of LP48 of the Kirklees Local Plan are considered to have been met.

It is considered the erection of a well-designed residential building would be acceptable in this location for the reasons outlined.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

Visual Amenity and heritage:

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

The proposed building has been amended to take into account concerns regarding the proximity to existing neighbouring properties. The building shows a relatively square footprint with L shaped first floor removing the massing from the nearest corner to Brickbank.

The roof to the main structure is pitched with the single storey element which is tucked at the rear of the site shown as flat. The elevations are traditionally designed with mullioned windows and stone detailing. The flat roofed element is designed to mitigate impact on nearby occupants and is not considered to appear detrimental to the character of the area due to its location at the rear and scale.

The revised plans show natural stone finish which is recommended to be secured by condition in the event that planning permission be approved, to ensure it enhances the Conservation Area. It is recommended that a fair faced natural stone or similar for the coursed external walling, with ashlar stone for the window surrounds and mullions with the addition of ashlar gutter corbels. The Conservation Officer has recommended that the new dwellings at 3 and 5 Westgate are used for reference. There are no roofing materials shown on the drawings, due to the location in the Conservation Area and opposite existing Listed Buildings it is considered stone slates should be used and samples submitted for approval prior to use.

The building is set back within the plot thereby retaining subservience within the street scene.

The demolition of the existing building and the proposed sensitive redevelopment of the site would be an enhancement to the character and appearance of the Conservation Area.

Paragraph 205 of the NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 208 goes on to state that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

This application has been assessed against relevant policies in the development plan and other material considerations. As set out the redevelopment of the site will result in enhancement to the heritage asset. There will be no harm as a result of the development which has been sensitively designed. As such no public benefit need to demonstrated. It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Residential Amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The site lies within close proximity to a row of terraced properties known as Brickbank which lies to the north, to Hudroyd which is to the east and terraced dwellings to the north and south located on Northgate.

The existing site has been used for a small retail business in a single storey flat roofed building. Its replacement with a larger two storey building will have some impact on nearby residents.

Brickbank

The scheme has been amended to address officer concerns regarding the proximity to Brickbank which sits at a lower level. The original two storey building has been reduced, removing a part of the first floor level in the north eastern corner to minimise any impact and retain openness between the two sites. This reduces the number of apartments, decreasing the efficient use of the site, however, is required due to the scale and proximity to existing dwellings. Landscaping and boundary treatment is recommended to be conditioned in the event that planning permission is approved, to ensure the development sits comfortably with existing dwellings. The House Builders Design Guide sets out distances that should be met to reduce impact on nearby occupants. A distance greater than 12 metres is achieved between the rear elevation of the existing dwellings and the side of the proposed building avoiding any loss of privacy. To the north western corner of Brickbank is a small area of amenity space which appears to be maintained but having checked land registry information doesn't seem to form any function with the existing residential properties. The dwellings benefit from private amenity space to the north in the form of long garden areas. As such, there are no concerns regarding the impact on any private residential space.

Hudroyd

There are a number of apartments to the east known as Hudroyd. The building is at a slightly lower level and orientated so that only apartment numbers 23 and 25 have a directly facing elevation containing habitable room windows. The proposed ground floor of the development shows habitable room windows, some form of boundary treatment will be required at a height and material to adequately mitigate any loss of privacy to adjoining occupants. A condition is recommended to be imposed in the event that planning permission be approved, to this respect. With regards to the proposed first floor, an amended plan was received removing habitable windows to flat 5 and their replacement with roof lights. This mitigates any potential for loss of privacy to the existing occupants of Hudroyd. The bedrooms to Flat 5 will be adequately served by light and it is not uncommon to see rooflights used in this way for penthouse accommodation.

25-21 Northgate

The row of terraced dwellings to the south are adequately separated from the site. There is a very small window in the gable which from investigation serves a bathroom. There will be no loss of amenity to the occupants as a consequence.

10-16 Northgate

The properties located opposite Northgate are set adequate distance so as to avoid any impact from the development proposals. The scheme will not be overbearing or result in a loss of amenity for the occupants.

Amenity of future occupants:

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account Principle 16 of the Kirklees Housebuilders Design Guide SPD which sets out that: 'All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations' and that 'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24.'

National described space standards require the following gross internal floor area for a one storey flat:

- 1 Bedroom, 1-person dwelling set over 1 storey - 39 square metres
- 1 Bedroom, 2-person dwelling set over 1 storey - 50 square metres
- 2 Bedroom, 3-person dwelling set over 1 storey - 61 square metres
- 2 Bedroom, 4-person dwelling set over 1 storey - 70 square metres

The plans do not show 'bedspaces' and as such an assessment based on number of bedrooms has been applied. The proposed floor plans demonstrate that the five flats would have an internal floor space of approximately 60sqm (Flat 1, 2 bedroom), 61sqm (Flat 2, 2 bedroom), 63sqm (Flat 3, 1 bedroom), 61sqm (Flat 4, 2 bedroom) and 75sqm (Flat 5, 2 bedroom). Any prospective purchasers may wish to bear in mind the space standards applicable to 'bed spaces' as any 4 person dwelling should exceed the spaces achievable.

However, in general planning terms each flat would adequately meet basic lifestyle needs and provide a good standard of amenity for future occupiers. It is also noted that each of the habitable rooms would benefit from a sufficient amount of natural light which is provided in the main by proportionate window openings. Whilst amendments to include rooflights in place of windows have been received to address potential privacy issues formed by the relationship from Flat 5 to Hudroyd, these are not considered to reduce amenity to such significant level to justify refusal of the application. It is not uncommon for penthouses to incorporate rooflights to provide natural light and they are considered acceptable in this instance.

For these reasons, it is considered that the proposal would provide an acceptable standard of living for future occupants and would accord with Policy LP24(b) of the Kirklees Local Plan, Principles 6 and 16 of the Council's Housebuilders Design Guide SPD, and Paragraph 135(f) of the National Planning Policy Framework.

Highways:

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 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.

This application is for the demolition of an existing disused supermarket and the erection of a block of flats with parking and an access on to C997 Northgate, a 20mph two-way single carriageway local distributor road of approximately 7.2m width with parking bays and a footway on the side of the development site and street lighting present. There is a No Waiting 8am to 6pm TRO opposite the site, No waiting at any time TRO, a bus stop marking and permit holders/ 1 hour no return within 1 hour TRO on the side of the development site. There are bus stops within approximately 80m of the site and a zebra crossing 20m to the north west of the site.

Since the initial submission the application has been amended in that there appears to be a reduction in the number of dwellings from 6 to 5 and one of those dwellings has been reduced from 2-bedrooms to 1-bedroom (as shown on drawings 3695-03d and 3694-04b) and the bin and cycle storage has been amended. The reduction in units would reduce the trip generation at the site and the parking demand. Neither of these would be contrary to the previously submitted highways comments. The access is existing and remains as previously submitted. 12 car parking spaces are provided with the application, this would allow for 2 spaces per dwelling with two visitor spaces and this is acceptable.

The cycle storage has been changed to now be built in the premises which would increase security, however the previously submitted details relating to cycle racks etc may not be suitable for the new location and size of the room. Highways Officers requested details for storage of six cycles provided and this can be conditioned in the event planning permission is approved.

The bin storage has been changed from communal Eurobins to six wheely-bins and the storage point is located to the rear of the development site (approximately 28m from the adopted highway). Comments have been provided by the Kirklees waste strategy team and should be taken account of by the developer. It is assumed that collection would take place from the adopted highway as no other details showing that a Kirklees Refuse Truck could safely access the site have been provided. With this it is considered that the current application is acceptable on highways grounds.

The proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22

of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

Other:

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 predates 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. In this case, due to the nature of the proposal is considered adequate for the development to provide electric vehicle charge points.

Biodiversity:

Local Plan Policy LP30 requires that applications for planning permission incorporate measures which protects/enhances the ecology of the site. The scheme has been assessed by the Council's Ecologist, and providing enhancements are incorporated into the development, the proposals would comply with the objectives of Chapter 15 of the NPPF. As such a condition is imposed requiring the installation of bird boxes is recommended.

Land contamination

The proposed development is not on land that is considered to be contaminated from its historical use. However, contamination cannot be ruled out and the proposed future use is one which is sensitive to land contamination issues. A condition relating to the required actions if unexpected contamination is found is therefore necessary. The redevelopment of the site is therefore in accordance with Kirklees Local Plan Policy LP53 and the NPPF.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

Representations

For completeness all communications will be responded to below. The planning matters are grouped:

Original comments (9):

Support:

- Conservation area and the modest development would replace the Coop building
- Carefully designed, attractive and functional use of the site

Objections:

- Design/out of character/flat roof/lack contribution to the conservation area/ development should recognise the street frontage with dwellings fronting onto the pavement, an archway could provide access to the rear
Response: The details have been amended to incorporate design features. The character and appearance is considered acceptable and the Conservation Officer raises no objections.
- No detailing of stonework/should include coursed York stone
Response: The amended plans incorporate natural stone and a condition is recommended to ensure the details enhance the area.
- Scale, position and height/block light
Response: This has been fully assessed taking into account the topography of the site as well as adjoining land. The positioning of existing residential properties has been considered and amended plans received to mitigate impact.
- Impact privacy
Response: The plans have been amended to mitigate a loss of privacy. A condition is recommended regarding boundary treatment to ensure adequate screening to adjoining dwellings.
- Car park to frontage/hardstanding/car park should be at the back to be more in keeping and alleviate impact on neighbouring properties
Response: To incorporate parking at the rear would result in relocation of the building within the plot, bringing habitable room windows closer to existing residential properties opposite Northgate, potentially reducing amenity of the occupants. The existing site is hardstanding to the front and unkempt in appearance. The development is considered to result in an enhancement to the area.
- Too many flats/over intensification
Response: The redevelopment of the site takes into account efficient use of land as required by the Local Plan. The number of flats has been reduced to ensure space is maintained to existing nearby development.
- No room for green space due to scale
Response: The scale is considered acceptable taking into account the location of the site, topography and character of the area. Landscaping

details are conditioned to control hard/soft landscaping to ensure the site contributes positively.

- Police security unacceptable
Response: Comments have been received advising further on matters in relation to security. These are advisory and not material to the determination of this application.
- Fencing prevents acceptable site lines
Response: The details have been assessed by KC Highways DM and considered acceptable. Notwithstanding this, a condition is recommended requesting details of boundary treatment.
- D&A is misleading
Response: Noted. The application has been assessed on its merit taking into account the character and appearance of the existing and proposed plans. A site visit was carried out to fully assess the implications.

Other comment:

Parking spaces on Northgate

A car park should be provided to include paths/green spaces

No objection to the plans but parking should be provided for Northgate properties

Encourage LPA to facilitate redevelopment due to current state of the site

Response: The application has been assessed on its merits taking into account the existing appearance and reuse providing and contributing to a mixed type of accommodation.

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.

Decision Authorisation - Delegated Powers

Application Number: 2020/91919

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

3. Prior to construction of the superstructure of the building hereby approved, details of all external facing and roofing materials of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The use of fair faced natural stone on all elevations, with ashlar stone window surrounds and mullions, stone string courses and ashlar gutter corbels. The building shall be constructed using the approved materials and detailing and shall thereafter be retained as such.

Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the submitted details, prior to development commencing, a soft and hard landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority and shall include:

- Details of boundary enclosures, including location, heights and materials; and
- Details of soft landscaping, pavements, pedestrian accesses and steps.

Thereafter, and prior to the first occupation of the dwelling hereby approved, the development shall be constructed in accordance with the approved details and retained thereafter.

Reason: In the interests of visual and to protect residential amenity, and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework
5. Before the electrical system is installed a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:
- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space
 - One Standard Electric Vehicle Charging Point for every 10 unallocated residential parking spaces
- Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.
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.
6. Two integrated bird nesting features (No.16 Schwegler Swift Boxes or similar alternative) will be installed on the northeast elevation of the building at a height of at least 6m and not directly above doors or

windows. The boxes shall be retained hereafter. Prior to occupation, photographic evidence showing the correct installation shall be submitted to the local planning authority for approval.

Reason: To provide ecological enhancement in accordance with the requirements of Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

7. Prior to development commencing surface water drainage details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter be retained.

Reason: To achieve a satisfactory layout and appropriate drainage of the site to accord with Policies LP28 and LP24 of the Kirklees Local Plan.

8. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Policies LP21, LP22 and LP24 of the Kirklees Local Plan.

9. Before development commences, details of suitable cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation of the residential units and shall be so retained thereafter.

Reason: To comply with the Council's sustainability objectives and to meet the requirements set out in Local Plan Policy LP22 part g.

10. Before development commences, details of the management and maintenance of communal refuse storage areas by a designated private management company shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

NOTE:

All contamination reports shall be prepared in accordance with Model Procedures for the Management of Land Contamination – Contaminated Land report 11 (CLR11), National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE:

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 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:

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.

NOTE:

West Yorkshire Police encourages applicants to seek to build / refurbish a development incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED), together with Secured by Design (SBD), a crime prevention initiative operated by the Police Service and supported by the Home Office.

https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf

Applicants are encouraged to apply for Secured by Design accreditation for all new dwelling developments in order to achieve a recognised award for security standards. Please see the web link below for further information;

<https://www.securedbydesign.com/services/sbd-awards>

For specific advice and recommendations regarding this application please see:

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2020/91919&file_reference=816742

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location & Site Plan	3695-01		19 th February 2024

Plan Type	Reference	Version	Date Received
Site plan	3695-03g		12 th November 2024
Existing elevations	3695-02		19 th February 2024
Site sections	3695-08		19 th February 2024
Proposed elevations A & B	3695-05d		14 th January 2025
Proposed elevations C & D	3695-06e		14 th January 2025
Proposed ground floor plan	3695-07b		12 th November 2024
Proposed first floor plan	3695-04d		14 th January 2025
Heritage Statement			6 th July 2020
Design & Access Statement			6 th July 2020

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015/24 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 2015/24 and otherwise actively engaged with the applicant in dealing with the application. Further negotiations were considered necessary in respect of matters regarding biodiversity and refuse collection. These matters have now been resolved. Following discussions in respect of land contamination the agent has confirmed agreement to pre-commencement conditions.

Report Dated: 12/2/25

