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:	2020/62/94211/W
Site Address:	77, Hall Ing Lane, Honley, Holmfirth, HD9 6QW
Description:	Demolition of existing dwelling and erection of detached dwelling with detached garage
Recommending Officer:	Ellie Worth

DECISION – Full Conditional Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Neil Bearcroft

AUTHORISED OFFICER

Date: 07-Apr-2021

Officer report

Site description
77 Hall Ing Lane, Honley is a detached bungalow predominantly faced in brick with elements of timber cladding and render. The site consists of a driveway and small landscaped area to the front, along with private amenity space to the rear. To the rear of the site is also a detached shed. Vehicular and pedestrian access can be taken from the front boundary onto Hall Ing Lane. Boundary treatment consists of timber fencing and hedging. There is also a change in levels within the wider area, with the land sloping from the South East to the North West.

The site is set within a wider residential area, whereby the neighbouring properties vary in design and form. The site is also unallocated on the Kirklees Local Plan.

Description of development
The applicant is seeking permission for the demolition of the existing dwelling with the erection of a detached dwelling with garage. The property will measure approximately 18m in width x 13m in depth x 5.7m in overall height. The dwelling will benefit from 5 bedrooms and a detached double garage. The garden area to the rear of the property will be retained.

To the front, the double garage will be set partially underground, given the excavation proposed. This will then be adjacent to a new dry stone wall. The garage will measure 6m in width by 5.7m in depth, with an overall height of 2.5m.

The materials proposed for the new dwelling include dry stone walling at ground floor with vertical timber boarding above. The flat roofs will be constructed from GRP. The window frames will be black aluminium.

The detached garage will also be constructed from dry stone walling.

History of negotiations/amendments received
Officers have entered into discussions with the agent regarding the design, fenestration and architectural detailing on the new dwelling. Concerns were also raised regarding the size and scale of the detached garage and therefore amended plans were received on the 16th March 2021. A further plan was also received on the 18th March 2021, to include a new window for the pantry, at the request of the applicant.

Relevant Planning History
At the application site:
None at the application site.

Neighbouring properties:

2020/90736 Work to TPO(s) HO2/51 - RG – Part granted/part refused (79 Hall Ing Lane)
2020/91642 Discharge conditions 3 (materials), 6 (bat survey) 7 (ecology design strategy), 8 (lighting), 9 (Phase 1), 10 (Phase 2) on previous permission 2019/93839 for demolition of existing dwelling and erection of detached dwelling – Split decision (79 Hall Ing Lane)

2019/93839 Demolition of existing dwelling and erection of detached dwelling – Granted (79 Hall Ing Lane
2016/93338 Outline application for erection of 3 dwellings and demolition of existing dwelling – Granted (79 Hall Ing Lane)
2007/91297 Erection of dining room/entrance hall extension – Granted (75 Hall Ing Lane)

Representations
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 letter, whereby the final publicity dated expired on the 27th March 2021. In this instance, two representations have been received in objection to the scheme. A summary of the concerns raised are as follows:

- Concern regarding drainage and the impact in which it will have at neighbouring properties
- Better drainage should be installed to ensure less run off into neighbouring land
- There would be a significant amount of hardstanding to the front
- Will any replacement hedging be mature hedging?
- There is a reference to additional planting, but will this mean more softer planting overall?
- Concerns regarding the contemporary design of the dwelling
- The overall design will appear out of character for the area
- The large garage will sit forward of the main house
- The scale of the development is excessive when considering the size of the plot

Holme Valley Parish Council: In support

Whilst the amendments sought were to reduce the size and scale of the proposed dwelling and garage and to simplify its design and architectural detailing, officers considered it necessary to re-advertise the scheme via a 10 day neighbour notification letter.

Consultation responses
KC Ecology (formal): Given the condition and construction of the buildings there is limited risk to roosting bats and therefore a bat survey has not been requested. Nonetheless, conditions regarding lighting and an ecological design strategy shall be attached to the decision notice.

KC Trees (informal): No objection as the on and off site trees are of a sufficient distance from the new dwelling. However, officers would like to see

protective fencing being put up before the construction phase, to mitigate any damage to the trees or their roots.

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 on the Kirklees Local Plan.

Kirklees Local Plan (LP):
- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highways and access
- LP22 – Parking
- LP24 - Design - LP30 – Biodiversity & Geodiversity
- LP33 – Trees
- LP51 - Protection and Improvement of Local Air Quality

Neighbourhood Development Plans
Holme Valley Neighbourhood Development Plan has been formally submitted to Kirklees Council and Peak District National Park Authority. It covers the whole of the Holme Valley Parish Area. The plan has not been subject to publicity (Regulation 16, The Neighbourhood Planning (General) Regulations 2012) at this time. There are unresolved objections between the Kirklees Council and the neighbourhood plan body therefore the plan has no weight at this stage.

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. Most specifically in this instance, the below chapters are of most relevance:
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment.

Assessment
The following matters are considered in the assessment below:
1. Principle of development
2. Impact on visual amenity
3. Impact on residential amenity

4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

1.Principle of development

The site is without notation on 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. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

As the application site is already in residential use, to redevelop the site for residential purposes is considered to be acceptable. Furthermore, officers recognised that the new dwelling would have a slightly larger footprint than the existing, with the overall height also being increased. Nonetheless, it has been considered that the principle of demolishing the existing bungalow and replacing it with a two storey dwelling and detached garage, would be acceptable in principle, subject to the other material planning considerations below.

2. Impact on visual amenity

Chapter 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'.

In this case the existing property is a detached brick dwelling with elements of timber cladding and render to the front and rear. Furthermore, it has also been noted that the properties within the area all appear to benefit from different design and forms and therefore do not benefit from identical frontages. Nonetheless, the dwellings are accessed via driveways off Hall Ing Lane and are set back from the roadside.

Permission has recently been granted at no. 79 Hall Ing Lane for the demolition of existing dwelling and erection of new detached dwelling (2019/93839), whereby the property approved somewhat benefits from a

contemporary design. This establishes the principle of creating new properties within this area, which are of a substantial scale and contemporary design.

In this instance, it has been noted that the proposal would provide a large five bedroom detached property, however it is considered that it would not create a dominant or overbearing feature given the amendments made to the original plans. The design accommodates flat roofs in order to reduce the bulk and massing, and to create a more contemporary feel. Furthermore, the section plans show how the scale of the dwelling would sit comfortably between the neighbouring houses, given the sloping nature of the wider area. For these reasons, the dwelling would sit comfortably within its curtilage and therefore would not result in the overdevelopment of the site.

Turning to materials, the plans include dry stone walling at ground floor along with timber boarding above. The roofs will be GRP, with the new fenestration being of a black aluminium finish. These are considered suitable for the site and its contemporary appearance and therefore will not unduly disrupt the street scene or the character and appearance of the area.

Given that the proposed design has been reduced in scale and is considered to sit more comfortably within the site, it is not considered necessary to removed permitted development rights. The landscaped area to the front of the property will be excavated, due to its uneven surface, in order to create a sub terrain garage. This will be constructed from dry stone walling to match the host property and will be bounded in by a retaining wall to the South East. This aspect is also unlikely to appear overly prominent within the street scene given the reasons outlined above, along with the fact that the existing boundary hedging within the street's frontage will be retained.

In conclusion, the proposals are considered to be of an appropriate size, scale and design in this location, and would not appear incongruous or overly dominant in the general context of this site. The proposals therefore accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. 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'.

75 Hall Ing Lane is the neighbouring property to the North West of the application site. Officers have noted that these neighbours are situated on a slightly lower level than the application site, given the change in topography within the wider area. Nonetheless, the submitted plans show the new

dwelling to benefit from a flat roof design in order to enhance its contemporary feel, whilst also mitigating against some of the bulk and massing upon these neighbour's amenity. As such, it has been considered that any overbearing would not be undue, especially given the fact that the single storey aspect would be the closest form of development to these neighbours.

With regards to overshadowing, it has been noted that there would be some impact, especially within a morning and afternoon. However, the proposed site plan shows the built form to be in line with these neighbours and therefore any harm would not be detrimental.

The submitted elevations also show only high levelled windows to be inserted into the northern facing side elevation, which will mitigate against any overlooking. Permitted development rights for future ground floor openings within the side elevation will also be removed in order to protect these neighbour's privacy. First floor side openings will be protected under the GPDO.

The proposed double garage will be set away from these neighbours, as it will be situated to the south of the host property. The ground level will also be excavated down to match the existing driveway and hardstanding to the front of the dwelling and therefore any overbearing, overshadowing and overlooking would be minimal.

79 Hall Ing Lane was the neighbouring property to the South of the application site. It appears that the original building has now been demolished, with work starting on the 2019 permission. In this case, it has been noted that the application site is situated on a slightly lower level to these neighbours and therefore any overbearing is not considered to be undue. This is further justified on the proposed street layout, which shows the new dwelling at no. 79 to be set on a significant higher level.

With regards to overlooking, the submitted plans only show two elongated windows to be inserted at first floor in which will serve en-suites. As such, the plans show these openings to be installed with obscure glazing. At ground floor a wrap around window is also proposed, however, this would be adjacent to the retaining wall and existing boundary treatment and therefore any impact would not be detrimental. Nonetheless, officers consider it necessary to remove permitted development rights for future ground floor openings within this elevation.

Turning to the detached garage, this will be located on the excavated land and therefore would not exceed the height of the proposed retaining wall. The plans show the outbuilding to be finished in a sedum roof and therefore any overbearing and overshadowing would be neutral.

66 Hall Ing Lane is the residential property to the West of the application site. It has been noted that a sufficient separation distance of approximately 35m will be retained to these neighbours, including a highway. As such, officers do not consider the additional bulk, massing or openings contained within the

new dwelling and detached garage to have a material impact upon these neighbour's amenity.

The land to the rear of the property is designated as Green Belt.

Overall, it has been considered that the proposal would not give rise to any adverse impacts upon neighbouring residential amenity and as such, this aspect has been considered acceptable. It is therefore concluded that the proposals comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Impact on highway safety

It has been noted that the proposal has the potential to intensify the domestic use at the site, by creating a 5 bedroom property. However, in line with the council's design guide, a dwelling of this size should provide 3 off street parking spaces. In this instance, the plan shows the new dwelling to benefit from a detached garage in which will be 6m in width by 5.7m in depth. This is likely to be suitable for two parked cars.

Alongside the above, the submitted site plan shows additional hardstanding to the front of the property, including a turning area. This will be sufficient for 3 on site vehicles and therefore no concern is raised from a highway's perspective. Whilst no details of bin storage and collection have been provided, this is likely to be as existing.

With regards to visibility, a condition will be attached to the decision notice outlining that nothing shall be permitted to be planted or erected within a strip of land 2.0m deep from the carriageway edge of Hall Ing Lane along the frontage of the site which exceeds 1m in height. This condition has been considered necessary from a highway's safety perspective and therefore a condition will be attached to the decision notice accordingly.

Furthermore, it is reasonable to impose another condition to ensure the additional driveway is appropriately surfaced and drained in accordance with standard guidance to ensure the additional hard surface does not result in an increase in surface water run-off and flood risk. This would accord with Policies LP28 and LP34 of the Local Plan.

In summary, it has been considered that the proposed parking and highways arrangement at the application site would be acceptable and therefore the works proposed in considered to comply with LP21 and LP22 of the Kirklees Local Plan.

5. Other matters

Air quality

An electrical charging point should be installed at the application site in order to maximise sustainable transport solutions which includes the supporting of the transition to low emission vehicles. This is also set out within the West Yorkshire Low Emissions Strategy and Policies LP24 and LP51 of the Local

Plan and therefore a condition will be attached to the decision notice accordingly.

Foul Sewerage
The agent has confirmed that the proposed foul sewerage connection for the new property is to be tracked back to the existing main. This has been considered satisfactory and therefore the proposal is considered to comply with the aims of LP53 of the Kirklees Local Plan.

Trees
KC Trees have been informally consulted as part of this application, raising no objection to the scheme. Nonetheless, the officer wishes to see the mature trees to the rear of the site and along its boundary being protected. As such, a condition will be attached to the decision notice to state that protective fencing in accordance with British Standard BS 5837 shall be erected around all trees, a minimum of 10m from the rear boundary of the property. This has been considered reasonable in accordance with Policy LP33 of the Kirklees Local Plan.

Biodiversity
KC Ecology have been formally consulted as part of this application, given that the site is situated within the bat alert layer and is within a close proximity to the ancient woodlands. In this instance, the officers have noted that given the condition and construction of the buildings there is limited risk to roosting bats, therefore a bat survey is not requested. However, the bat roost alert note should be applied to the decision notice.

Furthermore, as the site is a residential dwelling and associated gardens, it is not anticipated any ecologically significant habitats will be lost due to the development, however as there is ancient woodland adjacent to the site there is potential for indirect effects due to new lighting which should be controlled via a condition for a sensitive lighting plan. The proposals will also need to demonstrate a biodiversity net gain post-development which should be secured with a condition for an Ecological Design Strategy (EDS). This has been considered necessary and therefore the above conditions will be attached to the decision notice, in line with Policy LP30 of the Kirklees Local Plan.

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.

Whilst no details have been submitted to the Council in respect to climate change, it has been noted that the site is in an established urban area with nearby amenities and public transport links. The new dwelling will be constructed from stone, which is considered to be a natural material, that can be easily recycled and locally sourced. Alongside this, the use of large areas of glazing to habitable rooms will reduce the use of artificial light and improve passive solar gain. A condition will also be attached to the decision notice to ensure that the new hardstanding is constructed from a permeable surface to reduce the risk of flooding and surface water run-off. For these reasons the proposal is considered to comply with the aims of Policy LP24 of the Kirklees Local Plan.

6. Representations

As a result of the above publicity, two representations have been received in objection of the scheme. A summary of the concerns alongside officer comments are outlined below:

- Concern regarding drainage and the impact in which it will have at neighbouring properties
- Better drainage should be installed to ensure less run off into neighbouring land
- There would be a significant amount of hardstanding to the front
  Comment: The above concerns have been noted; however, the development will only facilitate a new dwelling in which will replace the existing. Given that this would not intensify the site, officers do not anticipate the new dwelling to give rise to any additional surface water run-off. Nonetheless, a condition will be attached to the decision notice to ensure that the new hardstanding is of a permeable surface. This is to accord with Policy LP28 and LP34 of the KLP.

- Will any replacement hedging be mature hedging?
  Comment: This has been noted, however, officers cannot control the size of the hedging.

- There is a reference to additional planting, but will this mean more softer planting overall?
  Comment: This has been noted, however, it is not considered necessary to request additional soft landscaping at the site.

- Concerns regarding the contemporary design of the dwelling
- The overall design will appear out of character for the area
- The large garage will sit forward of the main house
- The scale of the development is excessive when considering the size of the plot
  Comment: The impact in which the new development would have upon visual amenity, has been assessed thoroughly within section 2 of the report above.

The above comments have been carefully considered in the determination of this application. However, they are not deemed to substantiate defendable reasons for refusal for the reasons outlined above.

7. 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 materials considerations. It is considered that the development is acceptable and is therefore recommended for approval.

Recommendation Approve

Decision Authorisation - Delegated Powers
Application Number: 2020/94211
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 Policies LP1, LP2, LP21, LP22, LP24, LP28, LP30, LP33 and LP34 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. Before occupation of the dwelling, one electric vehicle recharging point shall be provided in the parking area for the dwelling. 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: To encourage ultra-low emission vehicles in the interests of air quality and accord with the guidance contained in Chapter 9 and Chapter 15 of the National Planning Policy Framework, the West Yorkshire Low Emissions Strategy and Policies LP24 and LP51 of the Kirklees Local Plan.

4. The replacement dwelling hereby approved shall not be brought into use until the extended driveway and hardstanding as indicated on the approved plan has been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; 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) this shall be so retained, free of obstructions and available for parking.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

5. Nothing shall be permitted to be planted or erected within a strip of land 2.0m deep measured from the carriageway edge of Hall Ing Lane, along the full frontage of the site which exceeds 1.0m in height above the level of the adjoining highway.
Reason: To ensure adequately visibility in the interests of highway safety and to accord with policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.
6. 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 doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the south eastern and north western elevations of the dwelling hereby approved.
Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan.

7. Prior to development commencing protective fencing in accordance with British Standard BS 5837 shall be erected around all trees, a minimum of 10m from the rear boundary of the property.
Reason: In order to protect visual amenity and the long term viability of the trees and to accord with Policy LP33 of the Kirklees Local Plan.

8. Before the hereby approved dwelling is first occupied an ecological design strategy (EDS) addressing mitigation and enhancement shall be submitted to and approved in writing by the local planning authority.
The EDS shall include the following.

a. Purpose and conservation objectives for the proposed ecological works.

a. Location (shown on appropriate scale plans) of specific make and model, or design, of habitat boxes, such as bat boxes, bird boxes and hedgehog refuges. Habitat boxes to be integral to new structures where appropriate. Along with a timeframe for their installation.

b. Details of how the design of boundary treatments will not obstruct the movement of hedgehogs.

c. Planting schedule and planting plan showing the inclusion of native species of tree and shrub to be included within/at the boundary of the application area, and how this achieves the stated purpose.

d. Details of maintenance.

The EDS shall be implemented in accordance with the approved details, including approved timescales, and all features shall be retained in that manner thereafter.
Reason: To ensure the development hereby permitted provides ecological enhancement measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.

9. No outdoor lighting shall be installed on the new building or within the site outline in red on Dwg. No. 2087-01 without a Lighting Design Strategy having first been submitted to and approved in writing by the Local Planning Authority (this may form part of the Ecological Design Strategy referred to in condition 8). Any lighting shall thereafter be installed only in accordance with the approved strategy.
Reason: To ensure that the value of the site for protected species (in particular bats) is conserved and to safeguard the functions of the Kirklees Wildlife Habitat Network in accordance with Policy LP30 of the Kirklees Local Plan and Policies in Chapter 15 of the National Planning Policy Framework.

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 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 13.00hours 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 notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Note regarding birds:
Demolition of buildings and vegetation clearance should be undertaken outside of the bird breeding season, March to September inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:

Plan Type	**Reference**	**Version**	**Date Received**
Location plan	2087-01	-	18th December 2020
Existing topographical survey	DH_05_Hall Ing Lane	-	18th December 2020
Design and access statement	Dated November 2020	-	18th December 2020
Materials schedule	-	-	18th December 2020
Proposed site layout	2087-03A	-	16th March 2021

Sections	2087-04A	-	16th March 2021
Garage plans and elevations	2087-05A	-	16th March 2021
Proposed floor plans and elevations	2087-02F	-	18th March 2021

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 Planning 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. In this instance, officers have entered into discussions with the agent regarding the design, fenestration and architectural detailing on the new dwelling. Concerns were also raised regarding the size and scale of the detached garage and therefore amended plans were received on the 16th March 2021. A further plan was also received on the 18th March 2021, to include a new window for the pantry, at the request of the applicant.

Dated: 7th April 2021