

**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:	2021/62/93603/W
Site Address:	Botham Hall Care Home, 11 , Botham Hall Road, Milnsbridge, Huddersfield, HD3 4RJ
Description:	Erection of 10 bedroom extension to existing care home
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: 16 March 2022

Officer report

Site description

The application relates to Botham Hall Care Home, 11 Botham Hall Road, Milnsbridge. The building has been constructed from stone and is set over two floors with a tiled roof. Visitor and staff parking is to the front of the building and is accessed off of Botham Hall Road. To the North is a further area of hardstanding in which is used by service and delivery vehicles. Boundary treatment predominantly consists of timber and metal fencing.

The Care Home is situated 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 erection of a 10 bedroom extension to the existing care home. The extension would be stepped with both a two storey element and single storey element. The measurements of the extension are as follows:

- 13.5m in projection
- 12m in depth
- 2.9m - 5.7m in height to the eaves; 5.3m - 8.1m in overall height

Notwithstanding the application form, the extension would be finished stone with a concrete interlocking tiled roof. Additional windows would be brown UPVC/timber.

Visitor and staff parking will be retained in the existing car park to the South West.

History of negotiations/amendments received

Officers entered into discussions with the agent regarding a parking survey and therefore this was sought on the 30th November 2021. Concerns were also raised regarding the materials proposed and the impact in which the extension would have on neighbouring amenity. As such, amended plans have been sought to reduce part of the extension down to single storey, which were received on the 14th March. No details have been provided on materials however, and therefore a condition will be attached to the decision notice. Pre commencement conditions have also been agreed in writing with the agent.

Relevant Planning History

No previous planning applications on the site.

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have advertised the application via neighbour notification letters, which expired on the 25th October 2021.

As a result of the above publicity, 4 objections have been received. A summary of the concerns raised are as follows:

Highway safety and parking:

- There is already an existing concern regarding large HGV's causing a nuisance, which will be exacerbated by the expansion of the care home.
- Building on the existing hardstanding, will deprive large vehicles space to turn.
- The road is also already congested with parked cars and therefore where will the delivery and construction vehicles go?
- The traffic survey was taken in lockdown when visitors were not allowed and the roads were much quieter.

Residential amenity:

- There would be an overbearing and overshadowing impact on neighbouring amenity.
- Light pollution for neighbouring residents.
- Noise disturbance for neighbouring residents.
- The current building has no windows within the side elevation and is shielded by the trees planned to be cut down.

Visual amenity:

- The plans show the new windows to be white UPVC, whereas the existing are brown. This would not blend into the area.

General concerns:

- Children regularly play on this road and the increase in vehicles increase the risk of an accident.
- There is a colony of bats living on the site and this is the main flight path for them. No bat survey is included with the application, even though bats fly around the area every evening.
- The trees within the perimeter will overhand the extension and would provide no natural light for the residents.
- The plans are not clear as to how high the building will be in relation to neighbouring properties.
- A visual survey should be undertaken by the planning committee to appreciate the layout of the extension and the impact on neighbours.
- Rather than cutting down the trees, could these be trimmed as it would add privacy onto both sides.
- The spare parcel of land should remain wild as this makes a green corridor with the field and is a run for hedgehogs, birds and I suspect bees.
- Concern regarding odour from the proposed location of the bin store.
- Trees were removed historically by the care home to allow light into neighbouring gardens, which will now be lost by the extension.

Given that the amendments sought were to reduce part of the extension down to single storey and to omit two bedrooms, officers did not consider it

necessary to re-advertise the scheme, as there would be no greater impact on neighbouring amenity.

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 objection raised by Highways or Waste Officers, having reviewed the additional information.

KC Trees: No objection, subject to a condition being attached to the decision notice regarding the development being completed in accordance with the Arboricultural Method Statement.

KC Crime Prevention: In support of the application, however, additional security measures have been advised.

KC Environmental Health: No objection subject to conditions regarding air quality and land contamination being attached to the decision notice.

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 – Highway Safety and access
- LP22 – Parking
- LP24 – Design
- LP28 – Drainage
- LP30 - Bats
- LP33 – Trees
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of local environmental 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 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local

planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well design places
- 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 highway safety
5. Other matters
6. Representations
7. Conclusion

1. Principle of development

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. Policy LP1 goes on further to stating that: “The Council will always work proactively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”.

Alongside the above, Policy LP24 is relevant in that it states that proposals should promote good design in accordance with a specific set of considerations. All the considerations are addressed within the assessment. Subject to these not being prejudiced, this aspect of the proposal would be considered acceptable in principle.

2. Impact on visual amenity

Policies LP1, LP2 and LP24 of the Kirklees Local Plan are all relevant, as these policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development within the area and is visually attractive. With reference to extensions, it is advised within LP24(c) that these “are subservient to the original building and are in keeping with the existing building in terms of scale, materials and details and minimise the impact on residential amenity of future and neighbouring occupiers”.

These aims are also reinforced within Chapter 12 of the NPPF (Achieving well designed places) where paragraph 126 provides an overarching consideration of design stating that “the creation of high quality buildings and places are 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”.

In this case, it has been noted that the surrounding area is predominately residential in nature consisting of a variety of ages and design of dwellings. Those located to the North, are single storey, whereas the dwellings located to the East, appear to be three storey. As such, it has been considered that the extension would be adequately sized at single and two storey, in order to blend in with the surrounding development, whilst maintaining an acceptable impact upon neighbouring amenity.

In terms of design, the proposed built form would harmonise to an acceptable degree with the existing and it would benefit from a dual pitched roof. The built form would adjoin the existing care home via a link and would be significantly set back from the existing principal elevation. This would enhance the extensions secondary appearance, and would drop to single storey nearest the side boundary.

In terms of materials, concern has been raised regarding the buff brick, as the existing nursing home appears to be finished in stone. As such, a condition to ensure that the extension is built from matching materials will be attached to the decision notice. This has been considered reasonable and necessary in order to protect visual amenity.

With regards to fenestration, adequately sized windows are also proposed within the front and rear elevations, to match those that exist on the care home. One smaller window has also been proposed within the side elevation of the single storey element, which would be obscurely glazed, in order to provide some natural light into the store room. The design of this opening has been considered acceptable. However, concern has been raised regarding the finish of the window frames, as the submitted plans show white UPVC. Instead, a condition will be attached to the decision notice to state that the windows shall be fitted from a brown UPVC/timber to match the openings on the existing care home.

Overall, it has been considered that the additional built form would not have a detrimental impact on visual amenity and therefore would accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3. Impact on residential amenity

The impact of the proposal on the amenity of surrounding properties and future occupiers of the dwellings needs to be considered in relation to Policy LP24 of the Local Plan which seeks to “provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”

36, 38 and 40 Rutland Road are the neighbouring properties to the North of the application site. It has been noted that no. 36 is a detached bungalow, with no.s 38 and 40 being two storey dwellings, given the significant change in topography.

In this case, given the orientation of these neighbours with the proposed extension, it has been noted that there would be some overbearing and

overshadowing. However, amendments have been sought, in order to reduce the bulk and massing closest to these neighbours rear elevation down to single storey. Alongside this, officers have noted that a minimum separation distance of 15.3m would be retained from the nearest rear elevation at no. 40, which would not be wholly impacted by the built form, as the extension would be set back further within the site. No.s 38 and 36 Rutland Road would also retain a separation distance of 17m - 20m. Therefore, this would comply with paragraph 7.19 of the Housebuilders Design Guide, which as a general rule of thumb states that a 12m separation distance should be retained between windows of habitable rooms that face onto windows of non-habitable rooms. The existing trees and their canopies in which are shown to be retained along the Northern boundary would also mitigate some of the impact and therefore, any overbearing and overshadowing on balance would not be detrimental.

In terms of overlooking, one window is proposed within the side elevation of the single storey element. This would be obscurely glazed to serve the store, and therefore has been considered acceptable. However, as a precautionary measure a condition will be attached to the decision notice to ensure that the obscure glazing is a minimum of grade 4.

Overall, it has been considered that the impact on these neighbours amenity, given the amendments sought can be supported.

9 Redwing Crescent is the neighbouring property to the West of the application site. It has been assessed that there would be no material overbearing or overshadowing upon these neighbours amenity, as a separation distance of 12m would be retained to the nearest side elevation. This property and its outdoor amenity space is also situated on a higher level than the application site, with the nearest built form being single storey.

With regard to overlooking, it has been considered that an acceptable level of amenity would be retained, as these neighbours only benefit from three small obscurely glazed side openings and therefore any overlooking would be minimal. Any loss of privacy into these neighbours garden would also be limited, due to the separation distances proposed and the reduction in the height of the building.

As such, the impact upon these neighbours can be supported.

To the rear is designated Urban Green Space.

4. Impact on highway safety

KC Highways DM have been formally consulted as part of this application, as the proposal would add another 10 bedrooms to the presently 39-bedroom care home.

A Transport Assessment has been supplied by HDC Support Ltd. that uses TRICs data to justify the levels of parking to be provided, and also shows swept-path analysis of an 11.85m refuse vehicle entering and exiting the site.

As such, formal comments have been received by KC Waste Management, in order to ascertain how refuse is presently collected from both the care home and the residential properties on the unadopted Redwing Crescent.

In this case, it has been noted that the proposal would take up some of the hard-surfaced area used by delivery vehicles and visitors to create extra living space within the care home.

Despite this reduction, the council's waste management department raise no objection to the scheme as their collection arrangements will not be detrimentally affected. Furthermore, both an independent parking survey and surveys carried out by Highways DM officers showed that the supply of off-street parking facilities outstripped the demand, and the retained spaces remained adequate for the additional residents, visitors, and staff.

For these reasons, no concerns have been raised from a Highways perspective, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

5. Other matters

Trees

KC Trees have been formally consulted as part of this application as an Arboricultural Impact Assessment has been submitted. The statement provides assurance that the retained trees can be protected from harm during the construction.

As such, no concerns have been raised, however, a condition should be applied to ensure that the works are constructed in accordance with the Arboricultural Method Statement. This is to accord with Policy LP33 of the KLP and Chapter 15 of the NPPF.

Crime prevention

KC Crime prevention has been consulted as part of this proposal, raising no objection in principle. However, comments have been provided to the applicant regarding additional safety measures in which could be incorporated into the construction of the extension. This is to accord with Policy LP24 of the KLP.

KC Environmental Health

This site has been identified on the Councils internal mapping system as potentially contaminated land due to its previous use as a dyehouse and engineering works. As such full land contamination conditions are considered necessary. This is to accord with Policy LP53 of the KLP and Chapter 15 of the NPPF.

Air quality

In accordance with government guidance on air quality mitigation outlined within Policies LP24 and LP51 of the Kirklees Local Plan, it is considered reasonable and necessary to seek air quality enhancement as part of this application. Therefore, it has been considered reasonable to attach a

condition to the decision notice requiring the provision of an electric charging vehicular point within the existing visitor and staff car park.

Drainage

The proposal is to drain surface water to a main sewer, this is considered to be acceptable on this site which has significant level differences. In accordance with the Council's standing advice no specific condition is required. The proposal is considered to comply with the aims of chapter 14 of the NPPF.

Bats

Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers. Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

In this instance, the link in which the extension will be attached to, appeared well sealed and therefore, there is unlikely to be any impact on roosting bats as part of this proposal. Nonetheless, as a cautionary measure a note will be attached to the decision notice accordingly.

Lastly, in order to aid biodiversity net gain, a condition will be attached to the decision notice requiring the applicant to insert a bird box into the external (northern) elevation of the two storey extension hereby approved. This is to accord with the aforementioned policies.

6. Representations

As a result of the above publicity, 4 objections have been received. A summary of the concerns raised are as follows, along with officer correspondence:

Highway safety and parking:

- There is already an existing concern regarding large HGV's causing a nuisance, which will be exacerbated by the expansion of the care home.
- Building on the existing hardstanding, will deprive large vehicles space to turn.
- The road is also already congested with parked cars and therefore where will the delivery and construction vehicles go?
- The traffic survey was taken in lockdown when visitors were not allowed and the roads were much quieter.

Comment: These concerns have been noted and have been assessed by KC Highways DM and KC Waste Management. The full assessment can be found within section 4 of the report.

Residential amenity:

- There would be an overbearing and overshadowing impact on neighbouring amenity.

- Light pollution for neighbouring residents.
- Noise disturbance for neighbouring residents.
- The current building has no windows within the side elevation and is shielded by the trees planned to be cut down.

Comment: A full assessment upon the impact on neighbouring amenity can be found within section 3 of the report. However, with regards to noise disturbance, it has been considered that the scheme would not have any detrimental impact on neighbouring residents. A note will also be attached to the decision notice to outline the appropriate hours of construction.

Visual amenity:

- The plans show the new windows to be white UPVC, whereas the existing are brown. This would not blend into the area.

Comment: This concern has been noted and therefore a condition will be attached to the decision notice, to state that the new window frames shall be of a brown upvc/timber to match those that exist on the current building.

General concerns:

- Children regularly play on this road and the increase in vehicles increase the risk of an accident.

Comment: This has been noted, however, the development is unlikely to significantly increase the number of refuse or delivery vehicles attending the site.

- There is a colony of bats living on the site and this is the main flight path for them. No bat survey is included with the application, even though bats fly around the area every evening.

Comment: This has been noted, however, the development is not considered to impact upon roosting bats, as the current building appears well-sealed. The built form once construction is also unlikely to have a negative impact upon the flight path of the bats.

- The trees within the perimeter will overhand the extension and would provide no natural light for the residents.

Comment: Having reviewed the plans, it has been considered that the existing trees would not impact upon the natural light penetration into the new habitable room windows within the care home. The proposed side windows would also be fitted with obscure glazing and therefore any impact upon these would be negligible.

- The plans are not clear as to how high the building will be in relation to neighbouring properties.

Comment: The submitted plans show the extension to be no taller than the existing built form, with appropriate separation distances being retained to neighbouring properties.

- A visual survey should be undertaken by the planning committee to appreciate the layout of the extension and the impact on neighbours.

Comment: The application has been decided under delegate powers.

- Rather than cutting down the trees, could these be trimmed as it would add privacy onto both sides.

Comment: The submitted plans and Arboricultural Method Statement show the trees along the Northern boundary to be retained in order to provide an acceptable level of amenity for neighbouring properties.

- The spare parcel of land should remain wild as this makes a green corridor with the field and is a run for hedgehogs, birds and I suspect bees.

Comment: This has been noted.

- Concern regarding odour from the proposed location of the bin store.

Comment: This has been noted, however, any harm is unlikely to be greater than the existing situation, as the bin store is currently located within this area of hardstanding. Nonetheless, should residents have any concern in the future, with the bin store causing significant harm, in terms of odour, please contact the Councils Environmental Health Department.

- Trees were removed historically by the care home to allow light into neighbouring gardens, which will now be lost by the extension

Comment: This has been noted, however, the plans show the existing trees to be retained.

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 would constitute to sustainable development and is therefore recommended for approval.

Recommendation Approve

Decision Authorisation - Delegated Powers

Application Number: 2021/93603

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, LP51, LP52 and LP53 of the Kirklees Local Plan the aims of the National Planning Policy Framework.

3. Notwithstanding the submitted plans, the extension hereby approved shall be constructed from stone with a concrete tiled roof to match the materials used on the existing care home. The extension shall thereafter be retained with this finish.

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

4. Notwithstanding the submitted plans, the pedestrian door and the window frames hereby approved shall be constructed of brown UPVC or brown timber, in order to keep in with the materials used on the existing care home. The windows shall thereafter be retained with this finish.

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

5. The ground floor window within the northern facing side elevation of the extension hereby approved, to serve the store room, shall be fitted with obscure glazing, minimum grade 4 as detailed on the hereby approved plan, Dwg. No.3000-3A. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) the window shall thereafter be so retained obscure glazed.

Reason: To protect the amenity of the neighbouring properties, in accordance with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

6. The development shall be completed in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement, Mark Feather dated June 2021, ref Arboricultural and Landscape Report (ver 1). These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Local Plan and advice within the National Planning Policy Framework.

7. During the period of construction, one bird box, in the form of a Schweglar type 1FR woodcrete bird box or similar, or similar shall be incorporated into the Northern facing side elevation, at least 5 metres above ground level, and not above a door or window. The bat box provided shall be thereafter retained.

Reason: To enhance the biodiversity of the development and to accord with Policy LP30 of the Kirklees Local Plan, Chapter 15 of the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2017.

8. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to establish the exact situation with regards to land contamination and to provide necessary mitigation in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that all necessary remediation works are carried out where required at the appropriate stage of development.

9. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 8, Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to establish the exact situation with regards to land contamination and to provide necessary mitigation in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that all necessary remediation works are carried out where required at the appropriate stage of development.

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9 further Groundworks shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: In order to establish the exact situation with regards to land contamination and to provide necessary mitigation in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that all necessary remediation works are carried out where required at the appropriate stage of development.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to establish the exact situation with regards to land contamination and to provide necessary mitigation in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to establish the exact situation with regards to land contamination and to provide necessary mitigation in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

13. Before the extension hereby approved is first brought into use, one electric vehicle recharging point shall be provided within the existing customer and staff car park. 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 Policies LP24 and LP51 of the Kirklees Local Plan, Principle 18 of the Council's adopted Housebuilder

Design Guide, Chapters 9, 14 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

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

NOTE: Construction site working times

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

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.

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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	3000-5	A	10 th September

			2021
Existing elevations and floor plans	3000-1	-	10 th September 2021
Topographic survey	PN1004-001	-	10 th September 2021
Transport statement	HDC/ENG/0621 V2	-	10 th September 2021
Planning statement	Dated August 2021	-	10 th September 2021
Arboricultural and Landscape Report	Dated June 2021	-	10 th September 2021
Parking survey	Dated November 2021	-	30 th November 2021
Existing and proposed roof plans	3000-2	A	14 th March 2022
Proposed elevations and floor plans	3000-3	A	14 th March 2022
Proposed block plan	3000-4	B	14 th March 2022

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 entered into discussions with the agent regarding a parking survey and therefore this was sought on the 30th November 2021. Concerns were also raised regarding the materials proposed and the impact in which the extension would have on neighbouring amenity. As such, amended plans have been sought to reduce part of the extension down to single storey, which were received on the 14th March 2022. No details have been provided on materials however, and therefore a condition will be attached to the decision notice. Pre commencement conditions have also been agreed in writing with the agent.

Dated: 15th March 2022

