

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:	2022/62/90952/W
Site Address:	52, Gledholt Road, Gledholt, Huddersfield, HD1 4HR
Description:	Alterations to dwelling to form House in Multiple Occupancy (HMO) comprising 8 bedrooms, demolition of outbuilding and boundary wall, formation of parking spaces and erection of replacement boundary wall and fence (within a Conservation Area).
Recommending Officer:	William Simcock

DECISION – Conditional Full Permission

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

Teresa Harlow

AUTHORISED OFFICER

Date: «Current_Date»

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Officer Report 2022/90952 52 Gledholt Road HD1 4HR

Site Description

52 Gledholt Road is a large semi-detached house (the right-hand half of a pair as viewed from the street) situated on the western or left-hand side of the highway. It has substantial front and rear gardens. Access to the highway is taken via a gateway at the north-eastern corner of the curtilage and there are parking spaces at the rear. There is a dilapidated outbuilding at the rear or western end of the rear garden. Ground levels do not vary much within the site but there is a general upward trend along Gledholt Road from south to north and land is also somewhat lower west of the boundary. The dwelling is built in coursed stone. It is situated within a row of what are mainly large, detached houses dating from the late 19th or early 20th Century, some of which are occupied as family dwellings, others as Houses in Multiple Occupancy or divided into flats, but the immediate neighbouring property to the north which is a three-storey apartment building of relatively modern appearance.

It is currently vacant and undergoing renovation. The windows which were originally white-painted timber have been replaced with dark grey plastic-framed windows of similar design to the old ones, but besides this no development potentially requiring planning permission had been undertaken when the case officer originally visited the site.

Description of Proposal

The proposal is for the change of use of the dwelling house to a House in Multiple Occupancy (HMO) comprising 8 bedrooms, and associated works consisting of the demolition of the outbuilding and rear boundary wall, the erection of a replacement boundary wall and fence, and the formation of parking spaces in the rear garden. The original proposal was to create a 4-bedroom HMO and 6 studio apartments but this has been modified during the application process.

The use would of the building would comprise: storage, games room and laundry room at basement; two bedrooms, kitchen and living room at ground floor; 4 no. bedrooms at first floor; 2 no. bedrooms, a shared kitchen / living room, shared bathroom, and more storage at second floor.

8 no parking spaces arranged along the southern boundary would be formed. The dilapidated garage / store at the western end of the rear garden would be demolished to facilitate this.

It would make use of the existing vehicular access which is at the north-eastern corner of the site.

History of negotiations/amendments received

24-Jun: Amended plans turning the property into a 10-bedroom HMO.

14-Jul: Amended plans reducing the number of bedrooms.

03-Aug: Further minor changes to site layout and clarification of demolition and rebuild works.

31-Aug: Bin storage area moved.

The first two revisions (and the last) were not re-advertised, because it was considered on balance that they did not raise significant new planning issues and they represented a less intensive use. The last set of revisions was re-advertised because it represented a significant change from the original description involving demolition that would have required planning permission in itself if undertaken independently and might be perceived as affecting the amenities of neighbouring properties. The decision was therefore made to re-advertise by site notice and press advertisement in addition to neighbour notification letters so as to ensure that the Council would fulfil its obligations under Section 73 of the Town & Country Planning (Listed Buildings and Conservation Areas) Regulations (1990).

Relevant Planning History

None.

Representations

Final publicity date expires: 09-Sep-2022 (publicity by site notice and press advertisement in addition to neighbour letter on the grounds of the site being in a Conservation Area).

One representation received.

Comments made on behalf of Huddersfield Civic Society.

The society does not object to the principal of conversion subject to:

- Careful consideration of waste disposal facilities. There are a number of HMOs within the Conservation Area where waste disposal facilities are clearly inadequate and, as a result, are having a detrimental effect on the image and character of the area.
- The impact of the parking is assessed in relation to its effect on the character of the Conservation area and impact on neighbouring houses.

Consultation Responses

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

- KC Highways Development Management – No objection in principle but advise that the access is widened to 4.5m.
- KC Police Architectural Liaison Officer – No objection.
- KC Arboricultural Officer – No objection.
- KC Conservation & Design (informal response) – No objection.
- KC Waste Planning (informal response) – Offered comments on location of bin store (should not be too close to building because of fire risk).

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is within the Greenhead Park / New North Road Conservation Area on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 20** – Sustainable transport
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 33** – Trees
- **LP 35** – Historic environment
- **LP 52** – Protection and improvement of environmental quality.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 8 – Promoting healthy and safe communities
- 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

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

1 – Principle of development: The site is in the Greenhead Park / New North Road Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area.

Chapter 16 of the NPPF states that harm to heritage assets (including Conservation Areas and buildings within them) should not be allowed without a proportionate justification based on public interest.

Turning to the Local Plan, LP35 states that development proposals must preserve or enhance the significance of designated heritage assets, maintain local distinctiveness whilst allowing innovative design where it would not harm heritage assets.

The Local Plan contains no specific policies on the subdivision of existing dwelling houses to create smaller residential units. Chapter 11 of the NPPF however states that planning decisions should promote the development of under-utilised land and buildings, but this must not be at the expense of creating developments that function well and add to the quality of the area as set out in Chapter 12. It will further be assessed having regards to the aims of LP24(a) & (b), that development should conserve the character of the townscape and ensure that a good standard of amenity is maintained for existing and future occupiers, the need to promote sustainable transport, and ensuring that development does not adversely affect the safe or convenient use of the highway as set out in Policies LP21-22.

2 –Impact on visual amenity: The site lies within the Greenhead Park / New North Road Conservation Area. No. 56 Gledholt Road marks the southern extent of the Conservation Area and the western boundary of the application site marks the western extent.

The development as originally proposed would have resulted in the loss of most of the original front garden to form parking spaces. This operation, it was considered, would have detracted from the character of the Conservation Area. Whilst several other large dwelling houses in this row have already had their front gardens hard-surfaced to accommodate parking, further changes of

this nature would be undesirable since gardens form part of the character of the area as a Victorian upper-middle class suburb.

The works now proposed would only involve the loss of the rear garden, which is considered can be accepted since it is not clearly visible from the public highway and adjoins two other plots to the north and south that have also been either wholly or substantially hard surfaced.

The proposed development would involve minimal external alterations to the building itself. The window frames (originally white-painted timber, as can be observed on historic street-view images) have been replaced by dark grey UPVC frames. Whilst it is ideally preferable to retain timber windows in Conservation Areas, it is considered that in context, being situated in a row of individually designed properties, some of which have white UPVC windows, it would be difficult to resist the use of grey UPVC in this instance, and as the property is substantially set back from the road it is considered it has negligible impact on the street scene.

The outbuilding appears to date from the early 20th Century, judging by the brickwork. It appears on the 1955 historic map held by Kirklees but not the 1922 map. It is possible it may have been modified and rebuilt over the years since it does not give the appearance of being a single unified structure. It consists of a rear wall (which also forms a boundary / retaining wall) and flanking side walls in brick, with two or three separate structures enclosed within it and built in more lightweight materials, of which the larger one is a garage. It is considered that the loss of this structure would have no adverse impact upon the character and appearance of the Conservation Area since it is of poor quality aesthetically and of minimal historical interest. The removal of the outbuilding and its foundations and the regrading of land levels to form the parking spaces would result in a net reduction in ground levels of up to 500mm. Where now there stands a wall 2.85m high from ground level on no. 52's land and 3.65m high measured from ground level on the opposite side (89a Grasmere Road), following the works there would be a brick wall 1.1m high from the new ground level, with a timber fence behind it of 2.1m height overall and 1.8m high from the regraded ground within the site. It is considered that this represents a satisfactory boundary treatment and would, again, not detract from the character of the Conservation Area. The applicant has confirmed that all works are on land within his ownership and would not involve works to, or on, third-party land or buildings.

It is considered that subject to all works being implemented in accordance with the approved plans, the development would conserve visual amenity and the character of the Greenhead Park / New North Road Conservation Area thereby complying with the aims of LP24(a) and LP35, NPPF Chapter 16 and the Council's duty under Section 72 of the Act. No conditions specifically relating to visual amenity or heritage are deemed necessary.

3 – Impact on residential amenity:

Living conditions for future residents

The earliest version of the plan which showed bedrooms in the basement would have been unacceptable because of limited light and outlook, and this has now been rectified – all bedrooms are at ground floor or above. Whilst outlook for the occupants of bedrooms 7&8 would be more limited than for the other rooms since they would be reliant on rooflights only, it is considered that they would receive adequate levels of natural light. The outlook for bedroom 4 would be over the car parking spaces (including one just beneath the window) but since the ground floor of the property is elevated compared the level of the proposed car park, it is considered that its outlook and ability to receive natural light would not be severely compromised. All bedrooms, including the second-floor or attic bedrooms, would be in excess of the minimum floorspace set out in the Nationally Described Space Standards. The occupants would be provided with what is considered to be an adequate amount of shared or communal space, comprising the basement rooms, main living room and kitchen at ground floor, the smaller shared kitchen / living room at the uppermost floor, and attic storage.

Whilst the occupants of the front bedroom might experience higher than average levels of noise owing to the high levels of traffic on Gledholt Road, this would be muted by the property's substantial setback from the street, and since the proposal represents a modest intensification of an established residential use with no new build it is considered it would be disproportionate to seek to incorporate noise attenuation measures into the scheme. In conclusion it is considered that the proposal would ensure a satisfactory standard of amenity for future residents in accordance with the aims of LP24(b) and paragraph 130(a&f) of the NPPF.

Impact on neighbouring properties

With regard to no. 50 which is located to the north, it is noted that this property has side-facing windows in its southern elevation. But given that it has its main aspect to the front and rear, the side-facing windows are unlikely to be habitable rooms. Two proposed ground-floor and first-floor habitable rooms in no. 52 would have windows facing towards this property, but these are existing windows which are clear-glazed. It is concluded that the relationship would not be substantially different to what now exists.

The rear windows would look out towards no. 89a Grasmere Road. The relationship between the two properties would be changed in so far as the building would be more intensively used and because of the demolition of the old outbuilding which at present forms the boundary wall between the two properties. The distance between facing windows would be approximately 30m, which is in excess of that required for new properties in the Housebuilders' Design Guide. The applicant has confirmed that their intention is to demolish the outbuilding / retaining wall and rebuild it to a lesser height, with the main boundary treatment being a new timber fence to be erected behind the wall. The sectional drawings show that it would be high

enough to prevent mutual overlooking between no. 52's land and no. 89a Grasmere Road.

The creation of parking spaces at the rear would introduce new sources of noise (vehicular movements, doors slamming, etc) in close proximity to other residential properties. Whilst the conversion of the property to a 6-bedroom HMO and formation of parking spaces in the existing rear garden could in principle be done without planning permission, under that scenario the outbuilding and rear wall would provide a buffer and a degree of noise attenuation. It is noted however that nos. 50 and 54 also have an area dedicated to parking and turning at the rear which is also in close proximity to neighbouring properties that back on to them, and the relationship that would exist under the present proposal would not be significantly different. It is considered unlikely that the proposed development would lead to levels of noise sufficient to cause disturbance. Furthermore, the new fence would provide a degree of noise attenuation.

It is considered that the adjoining property to the south, Flats 1-4 54 Gledholt Road, would not be significantly affected given that this property is already divided into 4 flats and since there is no new build and one only one rooflight facing in their direction, which itself would not be able to overlook other windows or common areas.

It is recommended it be conditioned that the new fence is built before any part of the development is brought into use and thereafter retained, in the interests of privacy. Subject to this condition it is considered that the development would safeguard the amenities of existing residents and be in accordance with the aims of LP24(b) and paragraph 130(a&f) of the NPPF.

4 – Impact on highway safety: The development would make use of the existing access, which is about 12m from a pedestrian crossing and 50m from the heavily-used mini-roundabout at the junction with Heaton Road. The access is only 2.7m wide, whereas it is generally recommended that an access serving multiple dwellings should normally be 4.5m wide to allow two vehicles to pass, or alternatively that passing places should be formed within the shared driveway. This is unlikely to be achievable here. Extending the access further to the south would mean excavating part of the garden which is raised above highway and driveway level and would be likely to damage the roots of the adjacent mature tree, which is protected by virtue of being in a Conservation Area and is considered to be valuable to amenity. Widening the driveway close to the entrance would also result in the loss of some of the existing landscaping at the front which, as set out in part (2) of the Assessment, is something that should be avoided in the interests of maintaining the character of the Conservation Area. The site plan still indicates that the lighting column near the entrance is to be re-siting. This would have been necessary on the older version of the plans which showed an enlargement of the access (and would require the consent of the Council acting as highway authority) but on the layout now proposed this operation will not need to be undertaken.

It is acknowledged however that the use of the property as a house in multiple occupancy by 6 unrelated adults would be possible without planning permission. The proposal would mean a further two occupied bedrooms compared to this fall-back position. Whilst such a narrow access is not ideal, and might occasionally result in short-term obstruction to the highway if one vehicle were attempting to turn in to the access whilst another vehicle were emerging, it is considered that the limited intensification of the use of the site (compared to the fall-back position of a 6-bedroom HMO) would not be such as to give rise to material harm to highway safety. Gledholt Road has good alignment and there is a 2m wide footway on this side, so vehicular intervisibility for road users would appear not to be a problem.

The layout of the site would provide 1 parking space per user. This makes no allowance for visitor parking, but given the type of accommodation provided and the high accessibility of the site, it is unlikely that all 8 spaces would be in use for residents parking at any one time, so the decision on how to allocate them can be left to the developer or future management. The site is approximately 360m from bus stops on Westbourne Road (to the north) which provide a frequent service to the Town Centre, and is less than 1km from the Town Centre boundary. Future residents would therefore, it is anticipated, be able to fulfil many of their daily and weekly needs without the use of a private car and it is probable that not all future residents would be car owners.

By comparison, a recent application for the conversion of a dwelling house to a 7-bedroom HMO (2021/92920, no. 16 Gledholt Road) was approved with only three parking spaces, and furthermore the access width, as measured on site, was very similar to the proposal now being considered.

There would also be room for vehicles to turn within the site (which at present would be very difficult) and there would be enough room in front of the parking spaces (7.9m minimum) for vehicles to be steered out without difficulty.

A cycle storage rack is shown which provides space for 4 cycles. This is considered sufficient since there is also designated storage space in the basement that could be used for bicycles. Whilst a cycle shed providing secure covered storage might be preferable, it is considered it might be disproportionate to require this as a condition of granting planning permission since it relates to the conversion of an existing building rather than new build.

In conclusion, it is considered that subject to the parking spaces and associated areas to be used by vehicles being provided and marked out before the development is first brought into use, the cycle storage also provided, and thereafter retained, the development would support the aims of sustainable transport and would not give rise to any material reduction in safety or convenience for highway users, and would accord with the aims of LP20-22 and paragraph 130(f) of the NPPF.

4A Refuse collection: Standard communal provision is calculated at the rate of 180 litres per apartment for each type of waste. There is no formal method for calculating it for HMOs but in practice it is likely that applying the same standards (180 litres per room) will result in over-provision since most will have a single occupant. Applying the above calculation for the current application would give 2880 litres altogether (or 1440 litres for general waste and the same for mixed recyclables). The layout shows one 1100 Eurobin and a further three x 70 litre bins, which is considered to be an adequate amount of provision, and being discreetly located in the rear corner of the site it is not considered necessary for them to be enclosed.

The Waste Operations Manager also expressed a preference for the bin store to be located at the rear of the site – it is general policy at Kirklees not to allow communal bin stores within 5m of a building because of fire risk. The storage area has been moved towards the rear of the site, positioned against the northern boundary. Whilst less convenient for residents to use (being 20m from the side door and approximately 30m from the collection point) it is considered that this would not place an unreasonable burden on future occupants.

A bin collection area, approximately 1m wide and 3m in length, is shown on the drawing between the bin store and the highway (9m from the carriageway boundary). This would be at its closest 6m from the trunk of the tree (see part 5 below) and possible within its crown spread, but based on observations on site, no excavation would be required and it is considered that the risk of either short-term or long-term damage to the tree's health (owing to compaction etc) would be negligible.

In conclusion it is considered that the development would provide sufficient space for wastes to be separated, stored and collected, in accordance with the aims of Policy LP24(d)(vi).

5 – Other matters:

Climate change:

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

In this instance the applicant has not submitted any supplementary statement or other information to explain how the proposed development would help to address or combat climate change effects.

Provision for cyclists (see part 4 above) can be conditioned, and since the development involves an intensification of the site it is considered it would be reasonable to condition the installation of an electric vehicle charging point as advised by LP24(v). Since the development involves the reuse of an existing building and is in a sustainable location it is considered that further measures are unnecessary, and that the proposal would support the carbon reduction aims outlined above.

Drainage

The proposal would involve hard-surfacing the rear garden which, judging by historic aerial photographs, consisted mainly of soft landscaping before the recent works began. In the interests of preventing the development giving rise to additional run-off and consequent flood risk, in accordance with the aims of NPPF Chapter 14 and Policy LP28, it is recommended it be conditioned that all new or replacement hard surfacing is permeable.

Trees

There is a large mature tree on the property just in from the highway boundary. Since no access works are now to be undertaken, and the bin collection point as shown could be formed without any significant excavation, it is considered that its viability and health would be unaffected. It appears that several small trees have been recently removed from the rear garden – it is not possible to assess whether these would have met the stem diameter at which they are large enough to be protected, but it is unlikely that any would have merited a preservation order. The development is therefore considered to accord with the aims of LP33.

Ecology

The site is in the bat alert layer. Based on site observations, neither the house nor the outbuilding are likely to have bat roost potential, and even if they had roosted in the building in the past, they would have been subject to disturbance during the renovation and demolition works and it is therefore very unlikely that any remain. The curtilage of the house has very little ecological value in its present condition. It is not possible to assess what ecological value the site had before it was cleared. But it is considered that it would not be reasonable or proportionate to seek ecological enhancement in this instance, notwithstanding Policy LP30, since the proposal involves no new build.

Crime and security

The Police Architectural Liaison Officer has raised no specific concerns about the proposal but has provided informal advice on security issues which it is considered can be incorporated into the decision notice as a footnote. It is considered that the proposal would accord with the aims of NPPF Chapter 8 in that it would not give rise to undue vulnerability to crime or the fear of crime.

6 – Representations: Issues relating to heritage and waste disposal have been considered in the main part of the Assessment but are highlighted here together with officer comments:

The society does not object to the principal of conversion subject to: Careful consideration of waste disposal facilities. There are a number of HMOs within the Conservation Area where waste disposal facilities are clearly inadequate and, as a result, are having a detrimental effect on the image and character of the area.

Response: Based on current standards the waste disposal facilities shown are adequate, as explained in part 4 of the Assessment.

The impact of the parking is assessed in relation to its effect on the character of the Conservation area and impact on neighbouring houses.

Response: These issues have been thoroughly assessed in parts 2 and 4 of the Assessment 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 material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2022/90952

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, in the interests of visual and residential amenity and highway safety and to preserve the character and appearance of the Conservation Area and to accord Policies LP20, LP21, LP22, LP24 and LP35 of the Kirklees Local Plan and Policies within the National Planning Policy Framework.

3. Before the development is first brought into use, all areas to be used for the parking, turning and access by vehicles as shown on the approved site plan shall be laid out with a hardened and drained surface and the parking spaces marked out into bays. Any new or replacement hard surfacing shall be formed in accordance with the Communities & Local Government and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance before the HMO accommodation is first occupied, unless arrangements have been made for run-off water to drain to a soakaway within the curtilage. Thereafter these areas shall be maintained as such and retained free of any obstruction.

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

4. Before the development is first brought into use, all areas to be used for the storage and collection of wastes as shown on the approved site plan shall be laid out with a hardened and drained surface. These areas shall be thereafter retained and kept clear of all obstructions to the uses shown on the approved site plan.

Reason: To ensure that the development has adequate facilities for the separation and storage of wastes and to ensure that they can be collected without causing an obstruction to the public highway, so as to accord with the aims of Policies LP21 and LP24(d)(vi) of the Kirklees Local Plan.

5. A minimum of one electric vehicle recharging point shall be installed within the proposed parking area before the development is first brought into use. 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(s) so installed shall thereafter be retained.

Reason: In accordance with the aims of Policy 24(d & v) of the Kirklees Local Plan and government guidance on air quality mitigation, outlined within the Planning Practise Guidance and Chapter 14 of the National Planning Policy Framework, so as to promote infrastructure which encourages modes of transport with low impact on air quality and carbon emissions.

6. The cycle storage facilities shown on the approved site plan shall be provided before development is first brought into use and thereafter retained as such.

Reason: To ensure that all residents and visitors have access to facilities for the secure storage of pedal cycles and to promote the use of sustainable methods of transport in accordance with the aims of Policies LP20 and LP24(d)(ii) of the Kirklees Local Plan.

7. Before any part of the new development is brought into use, the new boundary fence and rebuilt boundary wall shall be erected in full accordance with the details shown on the proposed site plan and section (ref TR-A22-0303-010 Rev E and TR-A22-0303-013 A) and shall thereafter be retained as such.

Reason: To ensure that the development safeguards the privacy of existing and future occupants and to accord with the aims of Policy LP24(b) of the Kirklees Local Plan.

Note – crime and security

The Council wishes to draw the developer's attention to the advice of the Police Architectural Liaison Officer concerning security measures that it might be possible to incorporate into the development. Please note that some of these may require planning permission in their own right, and it is the responsibility of the developer or subsequent owner of the property to check whether or not this is the case before carrying out any works.

[https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2022/90952&file_referen
ce=940540](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2022/90952&file_reference=940540)

Construction Site Working Times – Footnote

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

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing

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

Bats – Footnote

There is the potential for a bat roost to 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
Application form			19-Apr-2022
Location plan	TR-A22-0303-001		19-Apr-2022
Existing site plan	TR-A22-0303-001	1	03-Aug-2022
Existing layout (floorplans)	TR-A22-0303-002	1	03-Aug-2022
Existing elevation	TR-A22-0303-003	1	03-Aug-2022
Existing section	TR-A22-0303-006	D	03-Aug-2022
Proposed site plan	TR-A22-0303-010	E	31-Aug-2022
Proposed layout (floorplans)	TR-A22-0303-011	1	03-Aug-2022
Proposed elevations	TR-A22-0303-012	1	03-Aug-2022
Proposed section	TR-A22-0303-013	A	03-Aug-2022
Design & access statement			19-Apr-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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer undertook negotiations with the applicant to secure reduction in the number of rooms in the interests of the amenities of future occupants and changes to the external layout in the interests of ensuring that there would be no adverse impact upon the character of the Greenhead Park / New North Road Conservation Area.

Report Dated: 09-Sep-2022

