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:	**2022/62/91124/E**
Site Address:	82, Carr Hill Road, Upper Cumberworth, Huddersfield, HD8 8XN
Description:	Demolition of existing dwelling and erection of replacement dwelling
Recommending Officer:	Alice Downham

DECISION – Full Conditional Permission

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

Kirsty Nicholls

AUTHORISED OFFICER

Date: 5 July 2022

Officer Report

Site Description

82 Carr Hill Road is a detached two-storey dwelling in Upper Cumberworth, with dormer windows to the first-floor front elevation. The house is constructed from stone and render, with a dual-pitched roof finished in both blue slates and concrete tiles. The property benefits from a large rear conservatory, and single- and two-storey extensions to the side and rear (part of 2007/94478). The site is relatively level, with gardens to the front and rear. There is hardstanding to the front leading to integral garages.

The site is located in a semi-rural area. The application property forms part of a ribbon development along Carr Hill Road. The neighbouring dwellings on Carr Hill Road are varied in age, size, style, and materials of construction.

The Green Belt boundary runs to the rear of the site. The site is not within a conservation area, nor are there any listed buildings or PROW within close proximity to the site.

Description of Proposal

The application seeks planning permission for the demolition of the existing dwelling and erection of a replacement dwelling.

The new dwelling would have two storeys, with living space in the attic and basement. The roof would have a dual-pitched form with a double-gabled front elevation. It would measure approximately 15.9m deep and 21.2m wide, with an overall height of 8.5m and an eaves height of 5.5m. There would be a two-storey projecting element with a gable roof form, projecting from the rear elevation by approximately 3.5m.

The dwelling would be faced in stone, with areas of render to the side and rear. The roof would be covered in blue slate. The new dwelling would have a generally traditional arrangement of openings to the front elevation, with larger areas of glazing to the rear elevation.

It is noted that the proposed new dwelling would incorporate the previously constructed single- and two-storey extensions to the side and rear (approved under 2007/94478).

The existing arrangements relating to parking and amenity space would be retained.

The development is similar to the previously approved application to extend the existing dwelling, 2007/94478. For clarity, it is noted that this permission has partly been implemented and is therefore extant.

History of negotiations/amendments received

No amendments were sought or received during consideration of the application.

Relevant Planning History

At the application site:

88/02400 – Erection of extension to form sun lounge and erection of car port. Granted conditionally.

2007/94478 – Erection of single and two storey extensions and alterations to roof. Conditional full permission.

At neighbouring properties:

99/93420 – Outline application for erection of detached bungalow. Withdrawn. (Land to rear of 82 Carr Hill Road).

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters which expired on 13th May 2022.

As a result of the above publicity, no representations have been received.

Denby Dale Parish Council were consulted and had no objections.

Consultation Responses

KC Highways Development Management – formal consultation, no objections. This will be discussed further in the "Impact on highway safety" section of this report.

KC Environmental Health – formal consultation, no objections. This will be discussed further in the "Impact on residential amenity" and "Other matters" sections of the report.

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.

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. The National Planning Policy Framework 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 under other matters.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 28** – Drainage
- **LP 30** – Biodiversity and geodiversity
- **LP 51** – Protection and improvement of air quality
- **LP 52** – Protection and improvement of environmental quality

Supplementary Planning Guidance / Documents:

Kirklees Council has adopted Supplementary Planning Documents (SPDs) for guidance on house building, house extensions, and open space, to be used alongside existing, previously adopted SPDs. These carry full weight in decision making and are now being considered in the assessment of planning applications for new dwellings. The SPDs indicate how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan and the National Planning Policy Framework, requiring development to be considerate in terms of the character of the street scene and wider area. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development.

In this case the following SPDs are applicable:

- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- Highways Design Guide (adopted 4th November 2019)
- Housebuilders Design Guide (adopted 29th June 2021)

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 National Planning Policy Framework constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving sustainable development
- **Chapter 9** – Promoting sustainable transport
- **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
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conditions
7) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in Chapter 2 of the National Planning Policy Framework. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

In terms of design, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with Chapter 12 of the National Planning Policy Framework. Policy LP24, together with the Housebuilders Design Guide SPD, suggests that proposals should promote good design by ensuring *inter alia* that the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Furthermore, it requires that proposals protect the amenity of future and neighbouring occupiers and promote highway safety and sustainability.

The site currently hosts a detached dwelling and is located on a residential street with a mix of house types. On this basis, the site is in a sustainable location for residential development and the principle of developing the site for residential use is considered acceptable.

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

2 – Impact on visual amenity:

General design considerations are set out in Policy LP24 of the Kirklees Local Plan, the Housebuilders Design Guide SPD, and Chapter 12 of the National Planning Policy Framework, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity. The site is located in a semi-rural area. The applicant property forms part of a ribbon development along Carr Hill Road. The neighbouring dwellings on Carr Hill Road are varied in age, size, style, and materials of construction. The new dwelling would have two storeys, with living space in the attic and basement. It would maintain the same set-back from Carr Hill Road as the existing dwelling.

The proposed dwelling would be faced in stone, with areas of render to the side and rear. The roof would be covered in blue slate. The stone front elevation would be the most prominent elevation. There are other dwellings close to the application site that have stone/artificial stone incorporated onto the main elevation, with render also being a predominant material within the area. In line with 2007/94478, it is recommended that the render be conditioned to be stone coloured, to ensure that the dwelling does not have a stark appearance. The materials are considered acceptable given the materials present on the existing dwelling, the character of the area, and the extant planning approval.

The roof would have a dual-pitched form with a double-gabled front elevation of traditional design. This is considered acceptable as it is considered to represent a visual improvement over the existing flat-roofed dormers present on the front elevation of the existing dwelling.

The new dwelling would have a generally traditional arrangement of openings to the front elevation, with larger areas of glazing to the rear elevation. This would relate well to the street frontage and neighbouring dwellings and would reflect the local character.

The application site is of a sufficient size to support the proposed dwelling with a parking area to the front and amenity space to the front and rear. Given that the surrounding dwellings are varied, the proposed two storey dwelling is considered acceptable and would not be out of keeping in terms of overall height. In terms of footprint and massing, the proposed dwelling would not be

out of keeping with the neighbouring dwellings, which are varied in design and size. It is noted that the proposed dwelling is similar in height and footprint to the extant permission for extensions to the existing dwelling (2007/94478). The scale is considered acceptable. However, whilst a dwelling may be acceptable, it is considered appropriate to include a condition removing permitted development rights for any additions to ensure the site does not become overdeveloped relative to the local character.

Although the proposed parking would be to the front of the dwelling, this is considered acceptable as this replicates the existing parking arrangement at the site.

The proposed dwelling, by virtue of its design and scale, is considered in keeping with the existing built development on Carr Hill Road. As such, it is considered that the proposed dwelling would sit comfortably within the existing street scene.

With the inclusion of appropriate conditions, the proposal is considered acceptable from a visual amenity perspective and would accord with the aims of Policy LP24 of the Kirklees Local Plan, Principles 2, 5, 12, 13, 14, and 15 of the Housebuilders Design Guide SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 (b), which sets out that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

KC Environmental Health were consulted and highlighted that the proposed development is within a residential area where noise from construction activities has the potential to impact the amenity of nearby residents. Therefore, a condition restricting construction working times is considered necessary.

Impact on 80 Carr Hill Road

This is the adjacent property to the east of the application site. No.80 is set significantly forward in the street scene relative to the proposed dwelling. The new dwelling would bring built development no closer to this neighbour than at present, and there would be no increase in the level or height of built development along the shared boundary. As such, it is considered that there would be no significant additional overshadowing or overbearing impacts on no.80. It is noted that there are no windows in the western side elevation of no.80. There would be one window in the eastern side elevation of the proposed dwelling; this would serve a WC at ground floor level. Given that this element of the proposal has already been constructed (under 2007/94478), it is considered that this window would not represent any additional impact on

privacy over and above the existing situation on site. To protect the privacy of the current and future occupiers of 80 Carr Hill Road, a condition is recommended removing permitted development rights for the creation of openings in the eastern side elevation of the dwelling. Officers are satisfied that the proposal would have no significant impacts on the residential amenity of 80 Carr Hill Road.

Impact on 84 Carr Hill Road

This is the adjacent property to the west of the application site. No.84 is set slightly forward in the street scene relative to the proposed dwelling. It is noted that there are windows in the eastern side elevation of no.84; these appear to serve a mix of habitable and non-habitable rooms. The new dwelling would bring built development no closer to this neighbour than at present, with a separation distance of approximately 9m being maintained by an access track. The new dwelling would have a greater overall height and would increase the level of built development towards the western boundary of the application site. Given the separation distance that would be maintained, and the extant permission (2007/94478), the overbearing impacts on no.84 are considered acceptable on balance. Given the position of the proposed dwelling slightly to the north of this neighbour, it is considered that there would be no significant overshadowing impacts. There would be windows in the western elevation of the proposed dwelling. These would consist of high-level windows to the basement gym, a staircase window on the ground-floor level, two en-suite windows and a staircase window on the first-floor level, and an attic landing window (all non-habitable spaces). A condition is recommended, requiring the en-suite windows to be obscurely glazed prior to the development being occupied, to prevent a loss of privacy. To further protect the privacy of the current and future occupiers of 84 Carr Hill Road, a condition is recommended removing permitted development rights for the creation of openings in the western side elevation of the dwelling. Therefore, there would be no additional overlooking impact on no.84 as a result of the proposed development. Officers are satisfied that the proposal would have no significant impacts on the residential amenity of 84 Carr Hill Road.

Impact on 77 & 79 Carr Hill Road

These are the neighbouring properties to the front elevation of the application site. There would be no significant impact on the amenities of 77 & 79 Carr Hill Road, given the significant separation distance that would be maintained by the amenity space/parking areas at the dwellings and the road in between (approximately 32m). Officers are satisfied that the proposal would have no significant impacts on the residential amenity of 77 & 79 Carr Hill Road.

To the rear of the property is open land designated as Green Belt on the Kirklees Local Plan. As such, there are no neighbouring properties to the rear and the likelihood of future development (which would be impacted by the scheme under consideration) is considered to be minimal.

Future occupiers of the dwelling

The application has been considered against the Government's Technical housing standards – nationally described space standard for new dwellings. The Council recognises the nationally described space standards as best practice to ensure that new homes can meet basic lifestyle needs and provide high standards of amenity for future occupiers. The dwelling would comfortably exceed the minimum gross internal area and built-in storage standards for a 2-storey, 5-bedroom, 8-person dwelling. All the bedrooms exceed the floor area for a double bedroom.

Whilst the dwelling would have a somewhat close relationship with 80 Carr Hill Road to the west, the habitable room openings have been carefully considered and are located to the front and rear elevations of the proposed dwelling. These would have an acceptable outlook and receive acceptable levels of natural sunlight, with the openings to the rear facing onto open land (designated as Green Belt in the Kirklees Local Plan).

Principle 17 of the Housebuilders Design Guide SPD sets out how all new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. However, no size criteria for amenity space is set out in the Housebuilders Design Guide SPD or Policy LP24 of the Kirklees Local Plan.

The proposed dwelling would benefit from external amenity space to the rear, which would measure approximately 35m long and 25m wide. It would be north-facing, with Green Belt land to the rear. As such, and given that the neighbouring dwellings benefit from similar generous amenity space to the rear, the garden would benefit from sunlight through the day. As discussed above, it is considered appropriate to remove permitted development rights for any additions, so extensions reducing the area of amenity space would need to be approved by the LPA. Therefore, the proposal is considered to provide a sufficient level of external amenity space for future occupiers of the property.

Having considered the above factors, it is considered that this proposal would not result in any significant adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Principle 6, 16, and 17 in the Council's Housebuilders Design Guide SPD, and Paragraph 130 (f) of the National Planning Policy Framework.

4 – Impact on highway safety:

KC Highways Development Management were consulted. The proposal would create a five-bedroomed dwelling replacing the existing property consisting of four bedrooms and a study. Off-street parking would be retained to levels above those recommended in Kirklees Highway Design Guide SPD. The development is similar in layout to the previously approved application to extend the existing dwelling (2007/94478). It is assumed that servicing and delivery arrangements will remain as per the existing.

KC Highways Development Management consider sufficient parking can be provided with suitable access arrangements, so the proposals are deemed acceptable. A condition is recommended specifying the standards for resurfacing the off-street parking area.

As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21, LP22 and LP28 of the Kirklees Local Plan, Principle 12 in the Council's Housebuilders Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Drainage

Policy LP28 of the KLP establishes a hierarchy of drainage solutions with a Sustainable Urban Drainage System being the most preferable solution and Main Sewer the least preferable option. The applicant states in the application form that the surface water is to be discharged to main sewer however no supporting justification has been provided. In any case, for an application of this scale, drainage would be addressed under a separate remit.

Biodiversity

Policy LP30 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD, the Biodiversity Guidance Note, and Chapter 9 of the National Planning Policy Framework state that biodiversity net gain is required for all development. To create this net gain, a condition to secure a bat box onto the external walls of the new dwelling is recommended. This mitigation will ensure that the proposal minimises the impact on biodiversity and provides a net biodiversity gain through good design by incorporating biodiversity enhancements. Furthermore, a footnote has been added to the decision notice to provide the applicant with advice should bats or evidence of bats be found during construction.

Carbon Budget

The proposal is a minor development for the demolition of an existing dwelling and the erection of a single dwelling. In line with the Council's objectives for promoting sustainable methods of transport as well as helping to reduce carbon emissions, a condition relating to the provision of an electric car charging point is recommended. The proposal therefore complies with Policies LP20, LP21, LP24, LP51, and LP52 of the Kirklees Local Plan, Principle 18 of the Housebuilders Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

There are no other matters considered relevant to the determination of this application.

6 – Representations:

No representations have been received.

7 – Conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions:

- Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.
- Front elevation to be finished in coursed natural stone.
- Side and rear elevations to be finished in coursed natural stone and stone-coloured render.
- Roof to be covered in blue slates.
- Removal of permitted development rights for Classes A-D
- Construction site working times.
- Removal of PD rights for creation of openings in the side elevations of the dwelling to protect privacy.
- Obscure glazing of the en-suite windows in the western elevation of the dwelling prior to use of the development to protect privacy.
- Accordance with government guidance for surfacing of the vehicle parking area to ensure highway safety and a satisfactory layout.
- Installation of a bat box.
- Details of electric vehicle charging facilities to be submitted.

Notes will also be added regarding the Council's statutory powers to control noise and nuisance, obtaining permission from the Highway Authority for works within the highway, bats, electric vehicle charging points, and notifying the applicant that neighbours do not have to grant access to their land.

8 – Conclusion:

The National Planning Policy Framework has introduced a presumption in favour of sustainable development. The policies set out in the National Planning Policy Framework taken as a whole constitute the Government's view of what sustainable development means in practice.

As set out above, 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: 2022/91124
Officer Recommendation: Approve
Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP28, LP30, LP51, and LP52 of the Kirklees Local Plan, the principles and guidance within the Council's Housebuilders Design Guide SPD, and the aims of the National Planning Policy Framework.

3. The front elevation of the dwelling hereby approved shall be externally faced in natural coursed stone. The materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan, the Principles of the Housebuilders Design Guide SPD as well as the aims of Chapter 12 of the National Planning Policy Framework.

4. The side and rear elevations of the dwelling hereby approved shall be externally faced in natural coursed stone and stone-coloured render. The materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan, the Principles of the Housebuilders Design Guide SPD as well as the aims of Chapter 12 of the National Planning Policy Framework.

5. The roofing materials of the dwelling hereby approved shall be blue slates. The materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan, the Principles of the Housebuilders Design Guide SPD as well as the aims of Chapter 12 of the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order (with or without modification)), no development included

within Classes A through D of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: In the interests of visual amenity and to avoid overdevelopment in accordance with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

7. 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.
Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 15 of the NPPF.

8. 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 (with or without modification)), no doors, windows, or any other openings (apart from any expressly allowed by this permission) shall be created in the side elevations of the dwelling hereby approved.
Reason: So as not to detract from the amenities of occupants of the neighbouring properties (80 and 84 Carr Hill Road) by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, and guidance in the National Planning Policy Framework.

9. The development shall not be occupied until the en-suite windows in the western side elevation of the dwelling hereby approved have been obscurely glazed (to a minimum Grade 4). 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 (with or without modification)), the obscure glazing (to a minimum Grade 4) shall thereafter be retained.
Reason: So as not to detract from the amenities of occupants of the neighbouring property (84 Carr Hill Road) by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, and guidance in the National Planning Policy Framework.

10. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.
Reason: In the interests of amenity and highway safety, to ensure adequate space within the site for vehicle movements and parking that is appropriately drained, in accordance with the aims of Policies LP21, LP22, and LP28 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

11. Before the new dwelling is first occupied, a bat box shall be installed on the south-eastern or south-western elevation of the dwelling hereby approved at a height of at least 4 meters and away from artificial light sources. Hereafter, the box shall be retained.
Reason: To provide ecological enhancement in accordance with the requirements of Policy LP30 of the Kirklees Local Plan, Principle 9 of the Council's Housebuilders Design Guide SPD, the Council's Biodiversity Guidance Note, and Chapter 9 of the National Planning Policy Framework.

12. Before the electrical system is installed a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.
Reason: In the interest of improving air quality and reducing greenhouse gas emissions in accordance with Policies LP20, LP21, LP24, and LP52 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

NOTE: 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: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: The property is within the Bat Alert Zone. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence for anyone to 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: 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: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

Plans and specifications schedule:

Plan Type	**Reference**	**Web ID**	**Date Received**
Location Plan	-	925542	31/03/2022
Block Plan	-	925544	31/03/2022
Existing Elevations	2170 02 – Existing Elevations	925551	31/03/2022
Existing Floor Plans	2170 01 – Existing Plans	9255547	31/03/2022
Proposed Floor Plans	2170 04 – Proposed First Floor Plan	925558	31/03/2022
Proposed Floor Plans	2170 03 – Proposed Ground Floor Plan	925554	31/03/2022
Design and Access Statement	Design and Access Statement	925561	31/03/2022

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.

No amendments were sought or received during consideration of the application.

Report Dated: 04/07/2022