

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended)**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS -  
REGULATION 3 TOWN AND COUNTRY PLANNING GENERAL  
REGULATIONS 1992 (AS AMENDED)**

Reference No: **2022/48/91941/W**

Site Address: Magdale House, Lea Lane, Netherton, Huddersfield,  
HD4 7DL

Description: Installation of single storey side extension

Recommending Officer: Ellie Worth

**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.**

Stuart Howden

***AUTHORISED OFFICER***

**Date: 03-Aug-2022**

### **Site description**

Magdale House, Lea Lane is a large, detached stone dwelling, set within a generous curtilage. Part of the dwelling is Grade II Listed with the following description (Historic England ref 1228319):

*Formerly 2 dwellings, part of group. Late C18. Hammer dressed stone. Stone slate roof. Two storeys. Central door with 4-light window to left and right, both floors, Altered part to rear is not included in the item.*

Pedestrian and vehicular access can be taken from the North West of the site onto Lea Lane. Boundary treatment consists of dry stone walling. Given the change in topography within the area, the land slopes within the site from South West to North East.

Furthermore, given the sites location within the Green Belt, it is surrounded by limited development.

### **Description of development**

The proposal is seeking planning permission for a single storey side extension. The measurements of the scheme are as follows:

3.4m in width

4.2 m in depth

2.2m in height to the eaves; 3.2m in overall height

The extension will be constructed from reclaimed stone with a stone slate roof to match the materials used on the existing building. The extension will provide a covered space for a sprinkler tank.

It appears from viewing historic mapping and previous application history that the building which it is sought to extend from is probably curtilage listed. Thus, listed building consent will also probably be required for this extension. A planning informative in relation to this will be attached. For the purposes of this application, the extension has been treated as being as an extension to a curtilage listed building.

### **History of negotiations or amendments sought**

No negotiations or amendments have been sought as part of this application.

### **Relevant Planning History**

At the application site:

- 2021/93049 – Change of use and alterations to dwelling (C3) to form residential institution (C2) (Listed Building) and installation of new boundary fencing – Granted.
- 2021/93050 – Listed Building Consent for internal and external alterations – Consent granted 2013/93739 Listed Building Consent for external alterations – Consent granted.
- 2013/93739 – Listed Building Consent for external alterations.
- 2007/91995 – Listed Building Consent for alteration and external alterations and repairs – Consent granted.

## **Representations**

The application was advertised by site notice, neighbour notification and the press.

Final publicity expires: 22nd July 2022.

As a result of the above publicity, 3 representations have been received. A summary of the concerns raised are as follows:

- The building is Grade II Listed and there are concerns regarding the extension, as it will change the shape and outlook from the building.
- Having reviewed the conditions on the attached LBC, I'm not sure the original planning application complied given the change in windows, doors, planting etc.
- Would be interested in seeing the justification for approval against every aspect of the LBC conditions.
- I will be seeking a freedom of information request about how much the council have spent on converting this house into a children's home.
- We were told that the council wanted to replicate a domestic property, but the scale of the conversion works and the railings being erected seem to be the exact opposite.
- The building will create a health and safety hazard on a dangerous corner.
- The building was not included on the original planning application and will provide an aesthetic nuisance for neighbouring properties.
- Will the building change the specified area covered for the 6 foot railings. If you want to provide a domestic residence, why is it made to look like a prison?

Holme Valley Parish Council: In support.

## **Consultation responses:**

KC Conservation and Design: No objections, although if the application is approved, conditions should be applied to ensure that the stone slate roof is laid in diminishing courses and the slate type matches the existing and that the external walling is flush pointed and not strap pointed.

KC Highways DM: Given the small scale of the extension proposed and that just one off street parking space is to be lost, officers have no objection to the proposal.

## **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 situated within the Green Belt on the Kirklees Local Plan, as well as accommodates a Grade II Listed Building, and the extension would protrude off a curtilage listed building.

## **Kirklees Local Plan**

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP21 – Highway safety
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity
- LP35 – Historic environment
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land
- LP57 – The extension, alteration, or replacement of existing buildings

### **Supplementary Planning Documents (SPD)**

- Kirklees Highways Design Guide SPD

### **Holme Valley Neighbourhood Development Plan (2020-2031)**

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

The relevant Policies to this application are:

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 3 – Conserving and Enhancing Local Heritage Assets
- Policy 11 – Improving Transport, Accessibility and Local Infrastructure
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 6 - Honley Village Centre

Key landscape characteristic of the area are:

- Wooded valleys associated with Mag Brook and Magdale.
- Glimpsed views of a wider rural backdrop are often framed by built form. The sloping topography creates a strong connection between the centre of Honley and the wider agricultural setting with strong visual links up to Oldfield. The area affords long distance views to Castle Hill.
- Stone wall field boundary treatments
- A network of Public Rights of Way (PRoW) follows the routes of local lanes or field boundaries with some giving access to Mag Brook and Honley Wood Bottom.

Key built characteristic of the area are:

- Honley's historic core is dominated by 18th and 19th century stone dwellings with distinctive yards or folds.
- The south-west of Honley has more eclectic architecture with largely 20th century residential properties in cul-de-sacs. These are generally

in-keeping with the historic townscape due to scale and use of traditional materials.

- Weaver's cottages with rows of mullioned windows are found throughout area.
- Former mill buildings associated with Mag Brook have been redeveloped for commercial or residential use and form local heritage features.

### **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 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well design places
- Chapter 13 – Protecting the Green Belt land
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

### Legislation

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 Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

### **Assessment**

The following matters are considered in the assessment below:

1. Principle of development
2. Impact on visual amenity
3. Impact on residential amenity
4. Impact on highways
5. Other matters
6. Representations
7. Conclusions

### **1. Principle of development**

#### Sustainable Development

NPPF Paragraph 11 and Policy LP1 of the Kirklees Local Plan outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The proposal would not result in a change of use on the site and therefore could be said to be acceptable in principle subject to an assessment of other relevant material planning considerations, which shall be undertaken below.

### Green Belt

The general principle of extending and making alterations to a property within the Green Belt are assessed against Policy LP57 of the Kirklees Local Plan and advice within Chapter 13 of the NPPF.

The site is within the Green Belt and therefore the main issues are:

- Whether the proposal would be inappropriate development for the purposes of the NPPF and Kirklees Local Plan.
- If inappropriate, the effect of the proposal on the openness of the Green Belt, whether there is conflict with any of the purposes of including land within Green Belts and the effect on the character and appearance of the area.
- If found to be inappropriate development, whether the harm by reason of inappropriateness and any other harm identified is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify development.

### Is the development inappropriate in the Green Belt?

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment.

Paragraph 148 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. These are set out within paragraphs 149 and 150 of the NPPF.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 149, one of the exceptions to this is the extension or alterations of a building providing that this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 echoes national Policy within the NPPF by emphasising in LP57(a) that extensions will normally be acceptable where: *"... the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings*

*will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building”.*

In this instance, officers have calculated the volume increase of the new extension, which would result in a 4% increase in when compared against the original property (this is considered to be the built form in which currently stands at the site in this instance). Therefore, given the modest scale of increase to the original built form arithmetically, as well as from a visual perspective being a relatively small single storey extension to a largely two storey building, the proposal is not considered to represent a disproportionate addition to the original building and therefore the scheme constitutes appropriate development in the Green Belt.

*The effect of the proposal on the openness of the Green Belt and on the character and appearance of the area*

Policy LP57(c) states that proposals for extensions within the green belt should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access, whilst Policy LP57(d) states that the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

When viewing the development within the area, the properties closest to the application site appear to be detached residential dwellings, defined by extensive garden space. In this case, the extension proposed would be situated closest to the highway in order to maximise its separation from the more significant aspect of the listed building if Magdale House, this being the former dwellings of No's 9-10. The extension would be relatively small in size and scale and would be somewhat screened by the boundary treatment. Materials would be to match and therefore the structure would not unduly detract from the character of the area.

Lastly, the works would be contained within the sites curtilage and would not result in any loss of garden space. As such, the impact upon openness would be minimal.

In summary, it has been considered that the proposal would not result in a disproportionate addition at the host property and would accord with Policies LP24 and LP57 of the KLP, Chapters 12 and 13 of the NPPF and Policies 1 and 2 of the HVNDP.

## **2. Impact on visual amenity and heritage**

As outlined above, the dwelling forms a Grade II Listed Building (Historic England ref: 1228319). Therefore, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of this listed building. This is reiterated in Policy LP35 of the Local Plan and

Chapter 16 of the National Planning Policy Framework regarding the historic environment.

Furthermore, LP35 states *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”*. This harm, and whether any exists and whether it is substantial or less than substantial, will be assessed and discussed later in the report.

Policy 3 of the Holme Valley Neighbourhood Plan sets out that regard to conserving the significance of the asset and the components which positively contribute to its character or appreciation as a heritage asset should be given for new proposals affecting local heritage assets.

Policy LP24 of the KLP states that good design should be at the core of all proposals. More specifically, proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. This is supported by Chapter 12 of the National Planning Policy Framework (NPPF) which sets out that, amongst other things, decisions should ensure that developments are sympathetic to local character, while not preventing or discouraging appropriate innovation or change (para.130 of the NPPF).

Policy 1 of the HVNDP relates to protecting and enhancing the landscape character of Holme Valley, and states that: *“All development proposals should demonstrate how they have been informed by the characteristics of the Landscape Character Area (LCA) in which they are located”*. The Policy goes on to note that proposals should be designed in accordance with the character and management principles in respect of landscape set out for each LCA in order to avoid detrimental impact on the LCA.

Policy 2 of the HVNDP relates to protecting and enhancing the built character of the Holme Valley and promoting high quality design. Policy 2 notes that proposals should be designed in accordance with the management principles for each LCA in respect of built character in order to avoid detrimental harm to the LCA.

In this instance, the proposal is seeking permission for a single storey side extension to house a sprinkler tank. This is essential for the running of the children's home.

The design of the extension has been considered acceptable from a visual amenity perspective, as it would be relatively small in size and scale when compared against the existing building. The extension would also be nestled to the North West of the site, in order to reduce its impact upon the more significant part of the listed building, this being the former No's 9-10. Therefore, whilst the extension would project marginally beyond the principal elevation, its discreet location is still preferable.

To the roof, a gable is proposed in order to keep in with the existing property. The extension would also be retained at single storey, in order to enhance its subservience.

In terms of fenestration, a pedestrian door is proposed within the front elevation to allow access. This would be constructed from timber with an ashlar door surround to match the design features used on the existing building.

Lastly, in terms of materials the extension would be constructed from reclaimed stone with a stone slate tiled roof to match the materials used on the host property. Such materials are supported by Conservation Officer, however, they have requested that if approved, conditions regarding the laying of the roofing materials and the pointing of the external walls should be attached to the decision notice. This is to ensure that the built form would preserve the character and significance of the Listed Building in which it will be read alongside.

Having taken into account the above, no objections are raised regarding the impact upon the significance of the Grade II Listed Building. Instead, the development would ensure that its historic features are retained. For these reasons, it has been considered that the proposal would have an acceptable visual impact and would cause limited harm to the significance of the Listed Building (this harm will be discussed in more detail below)

#### *Impact on significance*

In this case, the simple structure is subservient to the main house and complements the existing building in terms of design and materials. The addition of an extension to the building would lead to less than substantial harm to its significance, however, this harm is slight as it is set away from the 19<sup>th</sup> Century part of the building.

#### *Justification*

Paragraph 200 of the NPPF requires that the Local Planning Authority should require clear and convincing justification for any harm.

As set out within the heritage, design and access statement, justification has been provided. In this case the applicant has outlined that the sprinkler tank is an essential measure for the proposed use of the building. Its location is to ensure that the integrity of the Listed Building and its features are not diminished in any way.

Therefore, given the limited works proposed, the level of justification is considered clear and convincing for the minimal harm caused.

#### *Weighing of harm against public benefits*

Paragraph 202 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this case, the proposal would aid the running of the care home by providing the safety measures required, which will help to support the Council in providing their services. As such, the public benefits of this scheme are considered to outweigh the less than substantial (but slight) harm to the significance of the Grade II listed building.

In summary, it has been concluded that the proposal would be of a satisfactory design quality in keeping with the character of the area. The impact on the significance of the Grade II Listed Building has been assessed and concluded that the public benefits of the proposal would outweigh the harm caused. As such, the proposal would accord with LP24 and LP35 of the Kirklees Local Plan, Policies 1, 2 and 3 of the Holme Valley Neighbourhood Development Plan and Chapters 12 and 16 of the NPPF.

### **3. Impact on residential amenity**

The nearest residential property to the application site is 14-15 Woodbottom Road. This property is situated approximately 23m to the West of the application site and is separated by the highway. As such, officers are satisfied that there would be no undue overbearing or overshadowing or overlooking by the extension proposed.

Officers are also satisfied that there would be no undue noise disturbance from the tank itself, as it would be housed inside the extension. As such, the scheme would comply with Policies LP24 and LP52 of the Kirklees Local Plan, Policy 2(10) of the HVNDP and Chapters 12 of the NPPF

### **4. Impact on highway safety**

As part of the application process KC Highways DM have been formally consulted. In this case, the officer noted that as part of the previous permission, the application form confirmed that there would be 2 full time and 2 part time staff and that a total of 8 off street parking spaces were to be provided. As a result of the development proposed, one parking space would be lost.

However, given the small scale of the proposed extension and that just one of the parking spaces is to be lost, Highways Officers raise no objection to the scheme, as sufficient on-site parking would be retained. This is to accord with Policies LP21 and LP22 of the KLP, Policy 11 of the HVNDP, Chapter 9 of the NPPF and the aims of the Highways Design Guide SPD.

### **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 predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability

of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Policy 12 of the Holme Valley Neighbourhood Development Plan is also relevant which states that: *“all development is expected to be designed to contribute to the following elements of sustainability...these include the promotion of renewable energy, energy efficiency and encouraging sustainable living”*.

In this case, it has been noted that the extension would be constructed from natural materials in which can be sourced locally and easily recycled. As such, it is not considered necessary due to the type of development proposed, to request the applicant to put forward any additional measures.

#### *Bats*

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

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.

The application site lies within the bat alert layer on the Council's GIS system. As such, careful attention has been paid when looking for evidence of bat roof potential. In this instance, the property appeared well sealed around the eaves and roof area and it was judged unlikely to contain roosting bats. Even so, as a cautionary measure, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licenced bat worker sought. This is to accord with the aims of Policy LP30 of the KLP, Policy 13 of the HVNDP and Chapter 15 of the NPPF.

#### *Contaminated land*

The development is for an extension to an existing property, which is located 250 metres from historic landfill. As such, officers consider the finding of unexpected land contamination condition to be acceptable. This is to accord with Policy LP53 of the KLP and Chapter 15 of the NPPF.

## **6. Representations**

As a result of the above publicity, 3 representations have been received. A summary of the concerns raised are as follows:

- The building is Grade II Listed and there are concerns regarding the extension, as it will change the shape and outlook from the building.

- We were told that the council wanted to replicate a domestic property, but the scale of the conversion works and the railings being erected seem to be the exact opposite.
- Will the building change the specified area covered for the 6 foot railings. If you want to provide a domestic residence, why is it made to look like a prison?

*Comment: Officers have noted the concerns raised above and a full assessment upon the impact on visual amenity and the Grade II listed building can be found within section 2 of the report. With regards to the railings, there will be no amendment to these as part of this current application.*

- Having reviewed the conditions on the attached LBC, I'm not sure the original planning application complied given the change in windows, doors, planting etc.
- Would be interested in seeing the justification for approval against every aspect of the LBC conditions.

*Comment: This has been noted.*

- I will be seeking a freedom of information request about how much the council have spent on converting this house into a children's home.

*Comment: This has been noted and is a separate matter to the current planning application.*

- The building will create a health and safety hazard on a dangerous corner.

*Comment: The application has been assessed by KC Highways DM, whereby no concerns have been raised in this respect.*

- The building was not included on the original planning application and will provide an aesthetic nuisance for neighbouring properties.

*Comment: This has been noted, with a full assessment upon the impacts on visual and residential amenity being undertaken within the above report.*

## **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:** 2022/91941

**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, LP30, LP35, LP51, LP52, LP53 and LP57 of the Kirklees Local Plan, Policies 1, 2, 3, 11, 12 and 13 of the Holme Valley Neighbourhood Plan and the aims of the National Planning Policy Framework.

3. The extension hereby approved shall be constructed from reclaimed natural stone, to match the materials used on the host property. The stonework shall be laid in diminishing courses and shall be flush pointed to match the existing building. The extension shall thereafter be retained with this finish.

**Reason:** To ensure that the future development would preserve the character and significance of the Listed Building to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 12 and 16 contained within the National Planning Policy Framework.

4. The extension hereby approved shall be constructed from stone slate tiles to the roof, which shall be of a similar size and type as those that exist on the host property and shall be laid in diminishing courses to match. The extension shall thereafter be retained with this finish.

**Reason:** To ensure that the future development would preserve the character and significance of the Listed Building to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 12 and 16 contained within the National Planning Policy Framework.

5. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation

measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 within the National Planning Policy Framework.

**NOTE:** All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance: • Land Contamination Risk Management (LCRM) • BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice • Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours Mondays to Fridays 08.00 and 13.00hours, Saturdays With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

**NOTE:** The applicant is reminded that the carrying out of unauthorised work to a listed building is an offence, punishable by a fine, imprisonment or both, as detailed in Section 9 of the Planning (Listed Buildings & Conservation Areas) Act 1990. It appears that listed building consent will probably be required for the works proposed.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location plan	A01	-	7 <sup>th</sup> June 2022
Existing site plan	A02	-	7 <sup>th</sup> June 2022
Existing floor plans	A03	-	7 <sup>th</sup> June 2022
Existing elevations	A04	-	7 <sup>th</sup> June 2022
Proposed site plan	A05	-	7 <sup>th</sup> June 2022
Proposed floor plans	A06	-	7 <sup>th</sup> June 2022
Proposed elevations	A07	-	7 <sup>th</sup> June 2022
Design and access statement dated June 2022	CY330521	-	7 <sup>th</sup> June 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, the application has been considered acceptable within its submitted form and therefore no negotiations or amendments have been sought.

**Dated:** 2<sup>nd</sup> August 2022.