

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:	2022/62/91969/W
Site Address:	33, Foster Avenue, Crosland Moor, Huddersfield, HD4 5LN
Description:	Erection of two storey side and single and two storey rear extensions
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.

John Holmes

AUTHORISED OFFICER

Date: 08-Sep-2022

Officer report

Site description

33 Foster Avenue, Crossland Moor is a two storey semi-detached dwelling constructed from pebble dash render with a tiled roof. The dwelling benefits from a small garden to the front and private amenity space to the rear. Pedestrian access can be taken from the northern boundary onto Foster Avenue. At the time in which the site visit was undertaken, it was evident that the dwelling does not benefit from any existing on-site parking. Boundary treatment consists of timber fencing and hedging.

The site is situated within a wider residential area, whereby the neighbouring properties consist of two storey dwellings to the west, alongside semi-detached bungalows to the east. The site is unallocated on the Kirklees Local Plan.

Description of development

Planning permission is sought for the erection of a two storey side and single / two storey rear extensions. The measurements of the proposal are as follows:

Two storey side extension:

- 3.3m in projection
- 6.2m in width
- 5m in height to the eaves; 7m in overall height

Two storey rear extension:

- 7m in width
- 3.3m in projection
- 5.3m in height to the eaves; 7.5m in overall height

Single storey rear extension:

- 7m in width
- 2.1m in projection
- 2.8m in height to the eaves; 3.5m in overall height

The extensions would be finished in a pebble dash render and a tiled roof to match those that exist on the host property. The additional windows and doors would be constructed from UPVC. Internally, the works would provide additional living accommodation, taking the property from a 3 to a 5 bed.

Two onsite parking spaces are also proposed to the front of the dwelling.

History of negotiations/amendments required

Amendments have been requested due to an anomaly between the set back of the two storey side extension on the proposed floor and elevations plans. As such, final amended plans were received on the 2nd September 2022.

Relevant Planning History

At the application site:

2021/94494 Erection of two storey side and single and two storey rear extensions – Refused and appeal dismissed.

2020/92418 Erection of two storey side and single and two storey rear extensions - Refused 2019/94063

HHPD extension for a 6m projection – Permitted development

Neighbouring sites:

2001/90018 Erection of ground floor extension – Granted (35 Foster Avenue)

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 the 29th July 2022.

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

Consultation responses

None were considered to be necessary as previous Highways comments as part of 2021/94494 are considered to be relevant to the consideration of this case.

Policy

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

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 21 – Highway safety
- LP 22 – Parking
- LP 24 – Design
- LP 28 – Drainage
- LP 34 – Conserving and enhancing the water environment

Supplementary planning documents (SPD)

- House Extensions and Alterations
- Highways Design Guide

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 12 – Achieving well designed places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding

Assessment

The following matters are considered in the assessment below:

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

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

Background

The previously refused applications 2020/92418 and 2021/94494 are material considerations and will be addressed as part of this report. The most recent application was refused for the following reasons:

1. The two storey side extension, by reason of its size, scale and location would appear discordant and incongruous in the street scene and would fail to relate to or respect the host dwelling’s original form being an unsympathetic form of development that would harm the character and appearance of the area and the host building. Furthermore, the cumulative scale and mass of the proposed side and rear extensions combined would not appear subservient to the host. This would be contrary to the aims of Policy LP24 (a and c) of the Kirklees Local Plan, Principles 1 and 2 and Paragraphs 5.20 and 5.80 of the Council’s House

Extensions and Alterations SPD and the advice within Chapter 12 of the National Planning Policy Framework.

2. The siting, scale and design of the two storey side extension would be overbearing and dominant in addition to overshadowing habitable room windows in the western elevation of the neighbouring dwelling, No. 27 Foster Avenue, to the detriment of residential amenity of the occupants contrary to Policy LP24 (b) of the Kirklees Local Plan, Principles 3, 4 and 5 of the Council's House Extensions and Alterations SPD and Paragraph 130 (f) of the National Planning Policy Framework.

The application was also subsequently appealed and the appeal was dismissed, with the Inspector concluding that:

"The proposed two storey side extension would cause significant harm to the character and appearance of the host dwelling and the surrounding area. Consequently, it would fail to accord with Policy LP24 of the LPSP where it seeks to protect character and appearance. There would also be a conflict with the SPD and the National Planning Policy Framework (the Framework) in the same respect"

As a result, the application has been amended to incorporate a smaller two storey side extension, which is set back and down from the host property and also benefits from a hipped roof, in order to further enhance its subservience.

2. Impact on visual amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 126 provides a principal considering concerning design which states: *"The creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of the development in the local area, thus retaining a sense of local identity.

Policy LP24 states that all proposals should promote good design by ensuring the following: *"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape..."*

and

'...c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details..."

With regard to the House Extensions and Alterations SPD, Key Design Principles 1 and 2 are relevant which state:

- Principle 1 - that *“extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”*
- Principle 2 - that *“extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”*

Section 5 of the House Extensions and Alterations SPD also provides guidance for specific types of extensions and alterations which will be referred to.

In this case, it has been considered that the works proposed would significantly intensify the bulk and massing at the application site. However, with regards to the rear extension, the single storey aspect has already been granted under a Larger Homes Extension, (HHPD). As such, the works would not result in the overdevelopment of the site, in terms of the space the extensions occupy within the plot.

Two storey side extension

Section 5.3 of the aforementioned SPD relates to side Extensions, with Paragraph 5.15 stating that: “Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch materials and detailing.”

Furthermore, in terms of the two storey side extension, Paragraph 5.19 of the SPD states that these ‘can have a significant effect on the character of the original house and the street’ and that ‘adequate space between buildings should be retained to provide a sense of space which is important to the character of an area.’ Paragraph 5.20 of the SPD goes further to states that these such extensions should

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property;
- and be set back at least 500mm from the front wall of the house.

In this case, the plans show the two storey side extension to have a projection of 3.3m, which would allow a separation distance of 1m to the boundary, along with 4.3m to the nearest elevation at no. 27. The extension, given the amendments sought would also be set back from the front wall of the house by 0.5m. Therefore, the works would comply with the guidance set out within the SPD.

In terms of design, the extension would benefit from a hipped roof in order to take away some of the bulk and massing. Whilst this would have some visual impact on the application site and the neighbouring property, as it is read as a

pair of semi-detached dwellings, officers have noted that there are a mixture of hip and gable roofs along Foster Avenue. Therefore, the extension is not considered to appear incongruous within the street scene.

With regards to fenestration, the plans submitted show two windows within the front elevation and two windows and bi-folds within the rear elevation. Such openings have been considered acceptable, as they would be in keeping with those that exist on the host property.

Materials would be rendered with a tiled roof to match.

Having taken into account the above, it has been noted that the amendments sought as part of this new submission, have overcome the concerns raised by officers and the Inspectorate. For instance, the main concern raised by Officers was the overall size and design of the extension proposed, as it would appear as a continuation to the host and would not appear subservient. Similar concerns were also raised by the Inspectorate who also drew attention to the previous scheme's failure to comply with the SPD.

Single and two storey rear extension

Section 5.1 of the SPD relates to rear extensions and Paragraphs 5.1 to 5.2 state the following:

“Rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings. Rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended. This should include consideration of the following:

- Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained;*
- Being set behind the original building, and not projecting beyond the sides;*
- and*
- Maintaining external access to the rear garden.*

As a general rule, a rear extension should:

- respect the original house and garden in terms of its size and scale;*
- use appropriate materials which match or are similar in appearance to the original house; and*
- not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.”*

Paragraphs 5.8 and 5.9 of the SPD relate specifically to two storey rear extensions and state the following:

“Two-storey rear extensions will be considered based on the extent of overshadowing, loss of privacy and outlook. Generally, two-storey rear extensions should:

- be proportionate to the size of the original house and garden;*
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);*

- *not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;*
- *not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;*
- *be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and not adversely affect habitable room windows where they adjoin a neighbour's boundary.*

Larger extensions may be acceptable in certain circumstances if this can be justified, such as where neighbouring houses have already been extended, and will be considered on a case-by-case basis."

In this case, it has been noted that the rear extension would be proportionate to the size of the dwelling, with the ground floor aspect falling under the remit of permitted development. At first floor, the works would have a projection of 3.3m which is slightly larger than what is outlined above. The separation distance to the nearest side boundary would also fall short of the guidance, at 0.1m, however, this was deemed acceptable as part of the previous assessment for the 2021/94494 application, as the HHPD extension establishes the principle of a larger ground floor extension so close to the boundary. These neighbours also benefit from a similar flat roof extension and therefore there would be no undue impact upon no. 35's habitable rooms.

Furthermore, from a design perspective, the rear extension would benefit from a hipped roof in which would also take away some of bulk and massing. At ground floor a lean to is proposed. Whilst the extension has not been set down from the host property, its roof form and siting to the rear will allow for it to be read as a secondary addition.

The materials for the extension would consist of render and matching roof tiles, which would harmonise with the existing and proposed side extension.

In terms of fenestration, additional windows have been proposed. These include matching windows at first floor and at ground floor, along with a bi-folding door. Two roof lights are also proposed within the lean to, to allow for additional passive solar gain. These openings have been considered acceptable and therefore can be supported by officers.

As such, it has been noted that the works would result in additional bulk and massing at the site, however, weight has been afforded to the Inspectorates decision, whereby it was assessed that the first floor element *"would sit above a proposed large single storey rear extension which it is advised already benefits from prior approval. It would also be in a location that is visually much less sensitive. In these circumstances it would not represent a harmful addition to its host dwelling or the surrounding area"*.

Therefore, whilst cumulatively the extensions would result in large additions to the dwelling, on balance, they are not considered to dominate the existing dwelling and would ensure that an acceptable level of garden space is retained. This would help protect the character and appearance of the host dwelling and

the wider area, to accord with Policy LP24 of the KLP, Principles 1 and 2 of the SPD and Chapter 12 of the NPPF.

3. Impact on residential amenity

Section B and C of LP24 states that alterations to existing buildings should: "...maintain appropriate distances between buildings' and '...minimise impact on residential amenity of future and neighbouring occupiers."

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 3 of the Kirklees Householder Extensions and Alterations SPD sets out that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours. In addition, Principle 4 notes that extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook. Furthermore, Principle 5 states that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property and recommends that a horizontal 45 degree line from a neighbouring habitable room window is not breached. Principle 6 states extensions and alterations should not unduly reduce the outlook from a neighbouring property.

The impact of the development on each of the surrounding properties will be assessed in turn.

27 Foster Avenue

27 Foster Avenue is the neighbouring property to the east of the application site. Given the amendments sought as part of this subsequent application and the findings within the Inspectorates report, officers do not consider the development to result in a detrimental overbearing and overshadowing impact upon these neighbours amenity. This is due to the window within these neighbours western elevation (closest to the front elevation) appearing to be secondary. Therefore, whilst there would be some impact from the additional bulk and massing, it would not cause significant harm to the living conditions of the existing/future occupants, as the other window within the front elevation would retain both light and outlook.

Furthermore, the second window within these neighbours western elevation is positioned further back and would be angled away in its relationship to the side extension, and therefore its outlook and amount of natural light would not be unduly impacted.

In terms of overlooking, the submitted plans show no additional openings to be inserted into the side elevation of the two storey side extension which would protect these neighbour's amenity. Nonetheless, due to the close relationship between these neighbours permitted development for future ground floor side

openings will be removed. First floor side windows would be controlled under General Permitted Development Order and would need to be obscurely glazed.

There would also be some additional impact upon these neighbours amenity as a result of the two storey rear extension, however a separation distance of 4.3m would be retained to the shared boundary. The principle of having a 5.5m projection at ground floor, has also been considered acceptable from a residential amenity perspective, as weight has been afforded to the works in which could be constructed under prior approval. As such, any overbearing would not be undue with these neighbours being situated to the east, meaning that any overshadowing would only be visible within an evening.

No new windows would be inserted into the eastern facing side elevations of the rear extensions, which would ensure no significant level of overlooking would occur. However, as outlined above, future permitted development rights will be removed for ground floor openings within the eastern elevations. This is in order to protect these neighbours amenity. Future first floor openings would be controlled under the GPDO.

35 Foster Avenue

35 Foster Avenue is the attached property to the west of the application site. There would be no additional impact upon the amenity of these neighbours, as a result of the two storey side extension, as this element would be situated at the opposite side of the host property and would not extend beyond the front and rear elevations.

Nonetheless, there would be some additional overbearing and overshadowing from the two storey rear extension. However, the majority of the works would be mitigated against by these neighbours existing single storey extension, which appears to benefit from a projection in excess of 5m.

The plans also show the first floor element to benefit from a projection of 3.3m. However, when assessing the impact on overshadowing on neighbouring amenity, the council as a starting point, will have regard to the 45 degree guideline, as set out within the House Extension and Alteration SPD. In this instance, the works would fall short of the aforementioned rule, however, the impact on neighbouring habitable windows is on balance not considered to be harmful enough, to refuse this application, given the scale of the ground floor extension at this property with its high overall height. More specifically, a sufficient outlook would be retained and therefore any overbearing and overshadowing would, on balance, not be undue.

The submitted plans also show no additional openings to be inserted into the western facing side elevation, in order to mitigate against any undue overlooking.

As such, on balance, this relationship can be supported.

42 Foster Avenue

42 Foster Avenue is the neighbouring property to the north of the application site. There would be a separation distance of approximately 21m, including a highway, between the nearest front elevation at these neighbours and therefore any impact from the additional bulk, massing and openings contained within the side extension would not be undue.

Amenity of Site

Principle 7 of the SPD also states that Extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals." In this case, majority of the garden would be retained and it is therefore considered that Principle 7 of the SPD would be complied with.

Overall, it has been considered that the impact on amenity is acceptable on balance and therefore the proposal is considered to comply with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF in respect of residential amenity, as well as Principles 3-7 of the Council's adopted House Extension and Alterations SPD.

4. Impact on highway safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Principle 15 of the House Extensions and Alterations SPD states that extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking. With Principle 16 going on to say that proposals should maintain appropriate storage arrangements for waste.

Given the works proposed, it was not considered reasonable to re-consult with KC Highways DM, as their comments from the previous application still stand. As such, the officer noted that Foster Avenue is a 30mph two way single carriageway local access road of approximately 4.8m width with footways on both sides.

The application proposes to create a new access for on site parking which would be done under a S184 agreement with the Council's Highways Department. The officer has also requested for site lines to be provided to show visibility, however, given that the works do not require formal planning permission and instead are covered under the Highways agreement, it has not been considered fair or necessary to request this additional information.

Furthermore, there is no turning space associated with the parking and this would require vehicles to reverse to park. There are a number of dwellings that already have this type of off street parking so the principle of this has already been established and is not considered to be detrimental to highway safety.

The proposal however, would increase the number of bedrooms from 3 to 5 and therefore in accordance with local guidance would require 3 off street parking spaces. In this instance Dwg no. 21-147-P-04-C shows two. This is an increase as currently there is no off street parking associated with the dwelling and therefore on balance, due to such increase no concern is raised in this regard.

It is also important to note that the front garden is approximately 6m x 9m and could therefore accommodate 3 off street vehicle parking spaces in the future. However it is considered the scheme as proposed, with retention of soft landscaping to the front, has a good balance of landscaping and parking such that the visual impact is not that of a stark, parking dominated, front amenity space.

Finally, a condition would also be attached to the decision notice to ensure that the additional hardstanding is of a permeable surface to accord with Policies LP28 and LP34 of the KLP and the aims of Chapter 14 of the NPPF.

No details have been provided relating to bin storage and collection points, however, this is likely to be retained as existing.

Therefore, in light of the above, the application is considered to be acceptable subject to the conditions outlined above. This is to accord with the aforementioned policies and guidance.

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.

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency.

Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible.

Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

In this case, the development is for a small-scale domestic development to an existing dwelling and therefore no additional measures have been required. Nonetheless, officers have noted that the extensions would be constructed with large areas of glazing, in order to aid passive solar gain and reduce the need for artificial light. A condition will also be attached to the decision notice regarding the new hardstanding being laid in a permeable surface in order to reduce the risk of surface run off.

6. Representations

None received as a result of the above publicity.

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

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2022/91969

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 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 and LP34 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the Council's House Extensions and Alterations SPD and policies within Chapters 2, 4, 12 and 14 National Planning Policy Framework.

3. The external wall and roofing materials of the extensions hereby approved shall in all respects match those used on the host building. The extensions shall thereafter be retained in this finish.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, policies within Chapter 12 of the National Planning Policy Framework and Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD.

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) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created at ground floor within the eastern facing side elevations of the extensions hereby approved.

Reason: So as not to detract from the amenities of neighbouring properties by reason of loss of privacy and to accord with Policy LP24(b) of the Kirklees Local Plan, policies within Chapter 12 of the National Planning Policy Framework and Principles 3 and 4 of the Council's adopted House Extensions and Alterations SPD.

5. Before the extensions are first brought into use, the new driveway as indicated on the hereby approved site plan (dwg no. 21-147-P-04-C), shall be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

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 13.00 hours 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 changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980

Highways Act (vehicle crossings over footways and verges). 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. Interference with the highway without such permission is an offence which could lead to prosecution.

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	Version	Date Received
Location plan	21-147-P-01	-	22 nd June 2022
Existing and proposed floor plans	21-147-P-02-C	-	2 nd September 2022
Existing and proposed elevations	21-147-P-03-C	-	2 nd September 2022
Site plan and street scene elevation	21-147-P-04-C	-	2 nd September 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, amendments have been requested due to an anomaly between the set back of the two storey side extension on the proposed floor and elevations plans. As such, final amended plans were received on the 2nd September 2022.

Report Dated: 6th September 2022