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:	**2022/62/93727/W**
Site Address:	39, St Helens Gate, Almondbury, Huddersfield, HD4 6SG
Description:	Erection of single storey rear extension with covered terrace
Recommending Officer:	Lucy Taylor

DECISION – Refusal

I hereby authorise the refusal 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: 02-Feb-2023

Officer Report.

Reference: 2022/93727

Location: 39, St Helens Gate, Almondbury, Huddersfield, HD4 6SG

Proposal: Erection of single storey rear extension with covered terrace

Site Description.

39 St Helens Gate is a two-storey detached property faced in stone with a tiled hipped roofing form. The property benefits from previous additions and extensions, including a two-storey side extension, single storey side extension and porch extension. Within the wider curtilage of the site, outdoor amenity space is located to the rear of the site with a good sized garden present and the area to the front of the property is hard surfaced to facilitate on-site parking.

The property shares a strong sense of similarity with the surrounding properties, which are also detached and faced in stone.

The application site is located in the Green Belt and within the Almondbury Conservation Area.

Description of Proposal.

Planning permission is sought for the erection of a single storey rear extension with covered terrace.

The proposed rear extension and covered terrace would project a maximum of ~12.2 metres from the rear elevation of the dwellinghouse, with a width of ~5 metres and a maximum height of ~3.8 metres. The external walls would be constructed from stone and the extension would have a flat roofing form. The extension would protrude from the rear wall of a previous two storey extension to the dwelling

With regard to fenestration, a set of glazed bi-fold doors would be installed to the eastern side elevation and an access door would be inserted to the rear elevation.

The extension would function as a dining area and as an external store.

History of Negotiations.

No amended plans were sought or submitted; however, the case officer did make the applicant aware of the likely determination of the application. Email communications with the applicants confirmed that a decision should be made on the basis of the original scheme as submitted 16th November 2022.

Relevant Planning History.

- **2007/94942** – Erection of two-storey extension and porch and alterations. *Refused.*

- **2008/90771** – Erection of two storey, single storey, porch extensions and alterations. *Approved.*

- **2010/92747** – Erection of single storey lounge extension. *Approved.*

- **2013/90549** – Variation of condition 2 on previous permission no. 2010/92747 for erection of single storey lounge extension. *Granted.*

- **2015/92832** – Erection of single storey side extension to form garage and play room and conversion of existing garage to form fining room. *Approved.*

Publicity/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, a site notice and within the newspaper, which collectively expired on 3rd January 2023 – no representations were received.

Consultation Responses.

None.

Policy/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 application site is located in the Green Belt and within the Almondbury Conservation Area.

The site falls in an area with a known presence of bats and within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision

- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP33 – Trees
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP57 – The Extension, Alteration or Replacement of Existing Buildings

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD:
The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

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, together with Circulars, Parliamentary 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-Designed Places
- Chapter 13 – Protecting Green Belt Land
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Assessment.

The following matters will be considered as part of the assessment of this proposal:

1) Principle of Development and Green Belt
1) Impact on Visual Amenity and Historic Environment
2) Impact on Residential Amenity
3) Impact on Highway Safety
4) Other Matters

5) Representations
6) Conclusion

1) Principle of Development and Green Belt

Sustainable Development:

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district"*

Principle of the Green Belt:

The site is allocated as Green Belt in the Kirklees Local Plan.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development within the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in Paragraph 149 or 150 of the NPPF. One such exception is outlined below:

- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (Para 149c).

Policy LP57 (a) of the Kirklees Local Plan also states that proposals for extensions and alterations to buildings in the Green Belt will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

The text supporting this policy states the following:

"Disproportionate additions will be deemed to be those where the original building is no longer the dominant element and this will not be judged solely on whether the extension is visible from public vantage points, such as roads or footpaths. Just because an extension is not visible from a public vantage point does not make it acceptable as any built form impacts on openness. Assessment will also include consideration of the presence of outbuildings and other curtilage buildings where the cumulative effect of those buildings, the proposed extension and any previous extensions would render the host building subservient in appearance. In the case of buildings that have already been extended the host building should be taken to mean the original building."

Policy LP57 of the KLP also states that the proposal will also be acceptable provided that:

- C) the proposal does 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; and
- D) 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.

As a starting point it is important to understand what constitutes the 'original building. The glossary within the NPPF defines 'original building' as: *"A building*
as it existed on 1st July 1948 or, if constructed after 1st July 1948, as it was built originally."

A review was undertaken of the planning history at 39 St Helens Gate, in conjunction with historic map data, to ascertain what can be considered to form the original building. It was concluded that several previous additions and extensions have been granted permission and implemented at the property, including the schemes granted planning permission under applications 2008/90771 and 2015/92832.

Officers consider that the original dwellinghouse stood at a total volume of approximately 529.8m^3.

The scheme granted planning permission under application 2008/90771 presents a volume of approximately 308.2m^3 and the 2015/92832 application a volume of approximately 70.6m^3. In turn, these previous additions and extensions site demonstrate a percentage increase of approximately 71.5% to the original dwellinghouse. From an arithmetic perspective this is already considered to be a sizeable addition to the original building. Furthermore, visually, these combined extensions to the original dwelling, one being a wide two storey side extension which is of a greater width than the original dwelling and a single storey side extension appear and significant additions to the original dwelling. Given the above, it is considered that these extensions already represent disproportionate additions to the original dwelling.

Therefore, given the extent of development which has already taken place at the property, it is concluded that the erection of a further extension would

likely be considered disproportionate and therefore constitute inappropriate development within the Green Belt. Further to this, the single storey rear extension which is proposed under this application would present a further volume increase to the original dwelling of approximately 76m^3, which would result in a cumulative percentage increase of 85.84% to the original dwelling if permission were to be granted, which is considered to be significant. Further to this, the extension is of great depth at a maximum protrusion of ~12.2 metres and further complicates the form of the dwelling by going so far out to the rear.

In turn, such an increase in volume is considered to be of a scale that constitutes a disproportionate addition to the original dwelling and would cause additional harm through further reducing the openness of the Green Belt at the site by the formation of additional built form.

Whilst the proposal would not conflict with the five purposes of including land in Green Belts, the harm identified above to the green belt is given substantial weight as set out in Paragraph 148 of the NPPF.

A full assessment of the impacts of the proposal upon visual amenity is set out below, in section 2 – 'Impact on Visual Amenity and Historic Environment'. It is concluded that the proposal is unacceptable from a visual amenity perspective for reasons of causing detrimental harm to the visual amenities of the host property by way of its design, size/scale and sitting.

No very special circumstances have been put forward to outweigh this identified substantial harm to the Green Belt.

In conclusion, the proposed extension is considered to represent a disproportionate addition to the original dwelling, thereby inappropriate development in the Green Belt. The harm to the openness of the Green Belt and the visual amenities of the locality add to the substantial harm by virtue of the development being inappropriate in the Green Belt. Very special circumstances have not been demonstrated to outweigh this identified harm. The proposal therefore fails to comply with Chapter 13 of the NPPF and Policy LP57(a) of the Kirklees Local Plan.

1) **Impact on Visual Amenity and Historic Environment**

Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 126 provides a principal consideration 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."

Paragraph 130 of the NPPF is of relevance, in particular the following parts: -

- 'b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

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 development in the local area, thus retaining a sense of local identity.

Policy LP24 states that proposals should promote good design by ensuring:

"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..."

Principle 1 of the Kirklees House Extensions and Alterations SPD states 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. In addition, Principle 2 of this SPD states 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 provides detailed guidance for specific extensions and alterations.

Sections 5.1 provides specific guidance for rear extensions, stating 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…*

…Single storey extensions should:

- *be in keeping with the scale and style of the original house;*
- *not normally cover more than half the total area around the original house (including previous extensions and outbuildings);*
- *not exceed 4 metres in height;*
- *not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;*
- *where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and*
- *retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge."*

The proposed rear extension to 39 St Helens Gate does not conform with every criterion within Section 5.1 of the House Extensions and Alterations SPD as set out above. Of note, the extension would project 8 metres from the rear elevation of the host dwelling, exceeding the limitations of the SPD by 4 metres.

In turn, for reasons of its proposed size/scale in combination with other existing additions to the building, the proposed single storey rear extension is not considered to be a subservient addition to the original dwelling, but a dominant one. It is considered pertinent to note that, the previous additions have already contributed to a significant loss in the original form and understanding of the dwellinghouse and that this further proposal for a sizeable single storey rear extension would contribute further to the loss of the original architectural style and further complicate the form of the dwelling.

The disproportionate size/scale of the extension is further emphasised through the calculations as set out in the 'Green Belt' section of this report, whereby it's erection, in conjunction with the previous extensions, would almost double the volume of the original dwellinghouse.

It is concluded that the overall standard of design for the single storey rear extension is poor. It would appear as an obtrusive and disjunct addition to the host property, with the proposed flat roofing form failing to harmonise with the established architectural stye of the property. As such, it is considered that the proposed extension would present a significant addition, which would dominate and be out of character with the original design of the property.

For the reasons outlined within this section of the report, it is considered that the proposal would not be a subservient addition to the host property and by virtue of its design, scale and massing would cause constitute poor design causing detrimental harm to the visual amenities of the host property and wider locality. The proposed development is therefore contrary to Policies within Chapter 12 of the NPPF, Policies LP24 and LP57(d) of the Kirklees

Local Plan and Principles 1 and 2 of the House Extensions and Alterations SPD.

Historic Environment:

Due to the site's location within the Almondbury Conservation Area, Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) is relevant and requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area.

Section 72 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 of the Kirklees Local Plan will also be taken into account, stating that: *"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".*

The submitted heritage statement sets out the following, summarised, points: -

- The works will enhance and improve the existing building and will have a minimal impact on the character of the building.
- The primary appearance and elevations will remain in keeping with the conservation area.
- The work will improve the quality of residential amenity for the occupant, improving light levels and access to the private amenity to the rear.
- The extension is situated to the rear of the house and is not visible from any neighbouring boundaries or private gardens.

It is considered that the proposed single storey rear extension would further detract from the original architectural style of 39 St Helens Gate. The proposed rear extension would work to further complicate the form of the dwelling, whereby the previous additions have already contributed to a significant loss to the original architectural form of the dwelling, adding a significant flat roofed projection, which would not be subservient and would appear disjunct in design. It is considered to constitute poor design.

In turn, for the reasons set about above, the proposal is not considered to preserve or enhance the significance of the Almondbury Conservation Area, but causes less than substantial harm to this conservation area.

Paragraph 202 of the NPPF sets out 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."

The arguments put forward by the applicant's agent regarding the proposal improving the quality of residential amenity for the occupant is not a public benefit, but a private benefit, and it is considered that public benefits to outweigh the identified harm to the significance of the conservation have not been demonstrated.

In conclusion, the proposed development at 39 St Helens Gate is considered to cause less than substantial harm to the significance of the Almondbury Conservation Area, and public benefits to outweigh such harm have not been demonstrated. Therefore, it is concluded that the proposal is contrary to Chapter 16 of the NPPF and Policy LP35 of the Kirklees Local Plan.

2) 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.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The properties most likely to be affected by the proposed development are those which directly neighbour the site, these being No. 37 and No. 41 St Helen's Gate.

The proposed single storey rear extension would be separated from the shared boundary with No. 37 by 1.5 metres and would be set approximately 12 metres from the neighbouring dwellinghouse itself. Therefore, given this extent of separation, the single storey nature of the proposed extension and the intervening boundary treatment, it is concluded that the proposal would not result in undue harm for the occupiers of this neighbouring property with regard to overbearing or overshadowing.

In addition, no glazing is proposed to the side elevation of the extension which faces towards No. 37, resulting in no detrimental impacts of overlooking or loss of privacy as a result of development.

The proposed single storey rear extension would be set over 20 metres from the shared boundary with No. 41 St Helen's Gate. Therefore, it is not considered that the proposal would result in any significant impacts of undue overbearing or overshadowing or overlooking for the occupiers of this neighbouring property.

It is considered that the proposed extension would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

The proposal would see the retention of a functional amenity space. Therefore, the proposal appropriately complies with Key Design Principle 7 of the House Extensions and Alterations SPD.

For the reasons set out in this section of the report, the proposed development to 39 St Helens Gate is not considered to cause harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed extension complies with policies within Chapter 12 of the NPPF and Policy LP24 of the Kirklees Local Plan with respect to residential amenity and Key Design Principles 3, 4, 5, 6 and 7 of the House Extensions and Alterations SPD.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions and Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed development would not directly increase the domestic function of No. 39 St Helens Gate, nor would it alter the existing parking arrangements at the site. Therefore, the proposal is considered to be acceptable from a highway safety perspective.

It is considered that the proposal would not result in a change to waste storage and collection arrangements and is therefore in compliance with Principle 16 of the House Extensions and Alterations SPD.

In turn, erecting the proposed rear extension at 39 St Helens Gate would appropriately accord with Chapter 9 of the NPPF, Policies LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4) Other Matters

Climate Change:

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.

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.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bats:

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

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system. The proposed extension poses no works or alterations to any existing roofing forms at 39 St Helens Gate, even so, as a cautionary measure, in the event of any grant of permission, a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

5) Representations

No representations were received.

6) 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 adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material considerations and the application is therefore recommended for refusal.

Recommendation: Refuse

Decision Authorisation – Delegated Powers

Application Number – 2022/93727

Officer Recommendation: Refuse Permission

Reasons for Refusal:

1. The proposal, by virtue of its design, significant size and scale, and taking into account other sizeable additions to the original dwelling, would result in a disproportionate addition to the original dwelling and therefore constitutes inappropriate development in the Green Belt. In addition, the proposal would harm the openness of the Green Belt and the visual amenities of the locality, and this adds to the substantial harm to the Green Belt by virtue of the development being inappropriate in the Green Belt. Very special circumstances have not been demonstrated to outweigh this identified harm. The proposal therefore fails to comply with Chapter 13 of the National Planning Policy Framework and Policy LP57(a) of the Kirklees Local Plan.

2. The proposed development, by virtue of its siting, relationship with the host dwelling, large scale and massing, and taking into account other sizeable additions to the original dwelling, fails to represent a subservient and harmonious addition to the dwelling, introducing an unsympathetic, incongruous and overly dominant addition which detracts from the original dwellinghouse. The proposal therefore constitutes poor design which would cause detrimental harm to the visual amenities of the host property and wider locality, as well as less than substantial harm to the significance of Almondbury Conservation Area. No public benefits have been demonstrated to outweigh the less than substantial harm to the significance of the conservation area. The proposed development is therefore contrary to Policies within Chapters 12 and 16 of the National Planning Policy Framework, Policies LP24, LP35 and LP57(d) of the Kirklees Local Plan and Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document.

The design of the proposed development would be neither subservient to the
Plans and Specifications Schedule: -

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan	(EX)002	A	16/11/22
Existing Plans and Elevations	(EX)001	A	16/11/22
Existing and Proposed Block Plans	(20)002	A	16/11/22
Proposed Plans and Elevations	(20)001	A	16/11/22
Heritage Statement by Orange Design Studio	-	-	16/11/22

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

No amended plans were sought or submitted, but the case officer did inform the applicants of the likely determination of the application. E-mail communications with the applicants confirmed that a decision should be made on the basis of the original scheme as submitted 16th November 2022.

Report Dated: 02.02.2023