

**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:	2022/62/94023/W
Site Address:	6, Siskin Gardens, Netherton, Huddersfield, HD4 7FB
Description:	Erection of single storey rear extension
Recommending Officer:	Laura Yeadon

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: 03-Feb-2023

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2f94023>

Site Description

6 Siskin Gardens is a modern detached dwelling located within the defined Green Belt on the Kirklees Local Plan. The property is constructed from stone and has a blue slate roof. The property is two storeys in height and has a front elevation facing the adopted roadside which is set back, separated by a driveway and an open front lawned area. To the rear of the property is a garden area which slopes gently downwards from the rear elevation of the property to the rear boundary fence. The property benefits from a double width driveway to the front of the property which leads to an integral single garage. The surrounding properties form part of the new housing estate and are of a similar age and appearance. There are large industrial buildings to the south with open fields and woodland surrounding the housing and industrial with sporadic built forms of development in remote locations.

Description of Proposal

The application is for the erection of a single storey rear extension.

The measurements of the proposal are as follows:

- 3.6m in projection
- 9.5m in width
- 3m in height to top of flat roof; 3.8m in overall height to top of roof lantern

The proposed extension would be built from stone with a GRP roof and uPVC openings.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History

2014/90265 Erection of 27 dwellings
Conditional Full Permission

2014/92520 Non material amendment on previous application 2014/92520 for erection of 27 dwellings
Approved

2014/92794 Discharge conditions 9, 22-25 on previous permission 2014/90265 for erection of 27 dwellings

- 2014/93671 Discharge condition 3 (materials) on previous permission 2014/90265 for erection of 27 dwellings
Approved
- 2015/90217 Discharge conditions 10, 11, 12, 17-20 on previous permission 2014/90265 for erection of 27 dwellings
Split decision
- 2015/90612 Discharge of Conditions 5 (estate roads), 7 (refurbishment and resurfacing), 8 (public footpath) & 15 (drainage) on previous permission 2014/90265 for erection of 27 dwellings
Approved
- 2015/93135 Discharge condition 3 (materials) on planning permission 2014/90265 for erection of 27 dwellings
- 2015/93522 Discharge conditions 4 (vehicular and pedestrian access), 6 (parking) on previous permission 2014/90265 for erection of 27 dwellings
Approved
- 2016/90286 Work to TPO(s) 03/14
Granted
- 2016/93293 Work to TPO(s) 03/14
Part granted/part refused
- 2019/91162 Work to TPO(s) 03/14
Part granted/part refused

Representations

We are currently undertaking the legal 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.

Final publicity date expired 25th January 2023

Meltham Town Council – no response to date

As a result of the public consultation period three representations have been received with the summary of comments set out below:

- How will they manage the drainage for the plunge pool?
- Drainage system goes through neighbouring property and plunge pool could flood neighbouring property
- Noise from pumps
- Access for diggers
- Mess from builders
- Impact on light to main kitchen and dining area for neighbouring property

- Substantial loss of light to garden which is already on a shaded adjoining boundary
- Length of extension is overbearing with a wall being the vantage point
- Long length with sky light are out of character with neighbouring properties and area

Consultation Responses

K.C. Environmental Health – Raise concern that previous conditions (12, 13 and 14 of 2014/90265 for the erection of 27 dwellings) have not been fully discharged. Recommend contaminated land conditions relating to Phase 1, Phase 2, Remediation Strategy, Implementation of Remediation Strategy, and submission of Validation Report and footnote be added to the decision notice along side a construction working times condition and note.

Policy

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

The site is within the Green Belt as indicated upon the Kirklees Local Plan.

The site falls within a wider area identified as being at risk of contamination due to former uses of the and, within an area with a known presence of bats, swift and twite birds as well as an area identified by the Coal Authority as being at low risk of ground movement due to former mining activity.

Kirklees Local Plan:

- **LP 1**– Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** - Biodiversity and geodiversity
- **LP 53** – Contaminated and unstable land
- **LP 57** - The extension, alteration or replacement of existing buildings

Supplementary Planning Documents:

- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st 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 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change
- Chapter 15 – Conserving and enhancing the natural 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).

Assessment

Principle of development:

The general principle of extending and making alterations to a property in the Green Belt are assessed against Policy LP57 of the Kirklees Local Plan and policies within Chapter 13 of the NPPF, which is discussed within the 'Green Belt' section of this report.

Policy LP1 of the Kirklees Local Plan states the following:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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.

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 12 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- 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.”

With specific regard to the House Extensions and Alterations SPD the key design principles for consideration are:

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

With specific regard to the proposed development the SPD states that in terms of rear extensions, the SPD states:

Section 5.1 followed by 5.2 of the SPD refers to the general rules, where a rear extension should:

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

Section 5.6 of the SPD specifically refers to single storey rear extensions which 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 terraced 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.

These principles and the relevant design guidance of the House Extensions and Alterations SPD are taken into account with the 'Impact on visual amenity' sections of this report.

Green Belt

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
- the effect of the proposal on the openness of the Green Belt, and on the character of the area
- if found to be inappropriate development, whether the harm by reason of inappropriateness is clearly outweighed by other considerations necessary to justify development

Is the development inappropriate in the Green Belt?

The NPPF identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPP 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 a number of exceptions to this is the extension or alterations of a building provided that this does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan sets out that proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable, provided that, in the case of extensions, the original building remains the dominant element 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 character of the original part of the building.

It does not appear that the property has previously been extended that therefore there is no cumulative impact to consider. Based upon the submitted plans the original house, including the integral garage has an approximate volume of 657m³ with the proposed extension being an approximate volume of 102m³.

Therefore the volume increase of the proposal would be approximately 15% which is not considered to result in a disproportionate addition to the dwelling.

The proposed extension is to the rear of the property and is single storey in height. Taking into account the proposal scale in relation to the host property, the extension and is not considered to be disproportionate. The proposal is therefore considered to comply with Policy LP57 of the Kirklees Local Plan and paragraph 149 of the NPPF, it is considered that the proposal is acceptable in terms of the impact on the Green Belt and therefore the principle of development is considered acceptable in this regard subject to the proposal being considered acceptable in relation to visual amenity, residential amenity and all other relevant considerations.

Impact on visual amenity:

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design. Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The property is a modern detached property and it proposed that a single storey extension would be located on the rear of the property. Due to the location of the extension, the works would not be prominent within the street scene and would therefore comply with Key Design Principle 1 of the SPD.

Whilst the extension would not be set in from the shared boundaries by a minimum of 1m, the extension would lie flush with the existing side elevations of the host property. Due to being single storey, in terms of the visual appearance, would be subservient to the host dwelling and would not detract from its character, in accordance with Key Design Principle 2 of the SPD.

The proposed construction materials would be stone for the walls which would match the existing property and uPVC for the openings. This would therefore comply with Key Design Principle 9 of the SPD.

The extension is considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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.

Key Design Principle 7 requires that extensions should ensure that appropriately sized and useable areas of outdoor space is retained and in this instance, due to the extent of curtilage and as demonstrated on the submitted block plan, the works are not considered to result in an overdevelopment of the site as a usable garden space would remain. The works would be within the confines of the existing residential curtilage. The development is therefore considered to comply with this principle.

In terms of the impact on neighbouring properties, No. 4 is located to the south of the application site and is set significantly back from the application site and the submitted block plan indicates that there would be little impact on this property in terms of overshadowing. There are no proposed openings within the side elevation of this property that would create harm from overlooking.

In terms of the impact on No. 8, the proposed extension would be located to the south of this dwelling and due to No. 8 being set slightly further west than the host property, there would be a level of impact from the proposal. The separation distance between the side of the host property and side of no.8 is 1.8m

It is important to note that the host property hosts full permitted development rights and could, therefore construct an extension with a 4m rear projection and which is of a flat roof design 3m to the topmost part of the roof in any event. It is therefore considered that there is a reasonable fall back position in this case.

The proposed openings all face the rear and as such it is considered there would not be a significant impact as a result in relation to overlooking, particularly taking account of the fact the openings are at ground floor level.

Key design principle 5 of the SPD recommends that the 45-degree rule should be treated as a starting point in assessing impact for all extensions, i.e. a line drawn from the midpoint in the nearest adjacent habitable room window at an angle of 45 degrees should preferably not intersect the extension. In this instance it is not considered that the 45-degree rule would be met due to the staggered formation of the site layout. However, as stated above, the extension (subject to conditions) could be constructed without the requirement of Planning Permission. Furthermore, whilst the 45 degree line would be cut, this would be marginal.

The impact of the proposal, taking account of its size, scale, level of projection from the rear of the host property (3.6m) and also separation distance from no.8 is not considered to be of such significance in relation to overshadowing or overbearing impact which would warrant refusal by the LPA in this case.

The Council's Environmental Health Team have been consulted and request a condition and note be attached to the decision notice in respect to noise and construction hours. Given the scale of the development, it is considered that it would be unreasonable to restrict, by condition, the hours of construction and an informative note is recommended to be included upon any grant of permission in this regard.

Therefore, it is considered that, on balance, the proposed extension is acceptable in terms of residential amenity.

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 & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In this case there would be no increase in bedroom provision for the property and the existing parking arrangements would be retained.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

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 pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda. As the proposed

works would be constructed from stone which is a locally sourced and recyclable material, this is considered to be acceptable.

Biodiversity

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 is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the extension not connecting into the existing roof, and that the property in this case appears to be well sealed and maintained with little opportunity for bats. An informative shall be added to the decision notice making the applicant aware that if bats are discovered during the works, any development shall cease and the applicant advised to contact Natural England.

Coal

The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 174 and 183 of the National Planning Policy Framework.

Contaminated land

The site has been identified as being potentially contaminated land due to the former use of the site as a factory (site reference 98/15).

The records held by the Council demonstrate that Environmental Health were formally consulted on the original development of 27 dwellings under application number 2014/90265 where it was recommended that contaminated

land conditions were attached to the decision notice in respect of intrusive site investigations, site remediation and validation. Subsequently a discharge of condition application (ref: - 2015/90217) was submitted to discharge the contaminated land conditions 10, 11 and 12. Condition 12 was not discharged as further gas monitoring results and further measures were required, in addition to imported materials. There are no records available to ensure that this additional information was formally discharged. It is therefore recommended by the Environmental Health Team that contaminated land conditions are included on the decision notice to demonstrate that all potential contaminated land and ground gas risks have been fully assessed and addressed.

Notwithstanding this request, due to the size and scale of the works proposed, it is not considered that the inclusion of the recommended contaminated land conditions would be reasonable in this instance. It is therefore considered reasonable to add a condition which relates to the reporting of contaminated land which has not been previously identified within the site in the event it is encountered whilst undertaking the development.

6 – Representations:

3 letters of representation have been received with the following being a summary of comments and LPA response:

- How will they manage the drainage for the plunge pool?

Response: It is considered that the existing drainage infrastructure could accommodate the development as proposed and it would be unreasonable of the LPA to insist upon submission of a foul / grey water drainage scheme as part of this application given the scale of the development.

- Drainage system goes through neighbouring property and plunge pool could flood neighbouring property

Response: It is considered that any impact to drainage infrastructure as a result of the development would be a separate civil matter between the respective land owners. Given the scale of the development it is not considered necessary for the LPA to require a flood risk assessment in this case. Any discharge of water from the site to neighbouring land would be a civil matter between the respective land owners.

- Noise from pumps

Response: Noise nuisance is a matter than can be addressed via Environmental Health legislation. It is not considered to be reasonable to require details of plant to be installed as part of the development to be submitted as part of this application given such plant could be installed in any event and the fact separate legislation is in place which can control nuisance level noise.

- Access for diggers

Response: This is a civil matter, the granting of permission does not override any rights of access or permit access over land not under the applicants ownership.

- Mess from builders

Response: The impact of the construction phase waste is not considered to be of a scale whereby it would be reasonable of the LPA to require a scheme detailing the control of wastes during the construction phase.

- Impact on light to main kitchen and dining area for neighbouring property

Response: This has been addressed within the residential amenity section of this report

- Substantial loss of light to garden which is already on a shaded adjoining boundary

Response: This has been addressed within the residential amenity section of this report

- Length of extension is overbearing with a wall being the vantage point

Response: This has been addressed within the residential amenity section of this report

- Long length with sky light are out of character with neighbouring properties and area

Response: This has been addressed within the visual amenity section of this 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 material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number:

Officer Recommendation: Approve

Conditions:

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 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, LP22, LP24, LP30, LP53 and LP57 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the House Extensions and Alterations SPD and policies within Chapters 2, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. The external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building and be thereafter retained.

Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

4. 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. 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 approved in writing by 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 identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and the policies within chapter 15 of the National Planning Policy Framework.

Note: Noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays.

Note: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Note The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			14 th December 2022
Block Plan			14 th December 2022
Existing elevations and floor plans	2239 – 01		14 th December 2022
Proposed elevations and floor plans	2239 – 02		14 th December 2022

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 2nd February 2022

Coal – low