

**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:	2023/62/90276/E
Site Address:	Beech Barn, 2, Deer Croft, Farnley Tyas, Huddersfield, HD4 6BR
Description:	Erection of first floor side extension (within a Conservation Area)
Recommending Officer:	Alice Downham

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.

Julia Steadman

AUTHORISED OFFICER

Date: 23-Mar-2023

Officer Report

Site Description

Beech Barn, 2 Deer Croft, is a two-storey detached dwelling located in Farnley Tyas. It is constructed of natural coursed stone, with a dual-pitched roof finished in stone slates. It is a recently constructed dwelling of traditional design. There is off-street parking to the front leading to an attached garage with lean-to roof. There is amenity space to the front, side, and rear, although this is somewhat restricted given the size of the dwelling.

The property is located on a small residential development of similar properties. To the rear, construction is underway for recently-approved housing.

The site is within the Farnley Tyas Conservation Area. There are no listed buildings or PROW within close proximity to the site.

Description of Proposal

The applicant is seeking permission for the erection of a first-floor side extension (within a Conservation Area).

The proposed first-floor side extension would be constructed over the existing attached garage. It would be set back 0.5m from the front elevation, as per the existing garage. It would have a dual-pitched roof form to match the existing, set down from the ridgeline of the host dwelling by approximately 1.7m. The side extension would be constructed from materials to match the existing. There would be two conservation rooflights in each roofslope, with a window to the rear elevation.

History of negotiations/amendments received

The proposal was considered acceptable as originally submitted. As such, no amendments were sought or received during consideration of the application.

Relevant Planning History

At the application site:

2011/92253 – Outline application for redevelopment of Beech Farm for residential use including demolition of existing farm structure. Proposed location for biomass boiler (within a Conservation Area). Section 106 outline permission.

2014/92203 – Erection of 5 dwellings (within a Conservation Area). Section 106 full permission.

2015/91312 – Non material amendment to previous permission 2014/92203 for erection of 5 dwellings (within a Conservation Area). Approved.

2015/91597 – Discharge conditions 1-31 on previous permission 2014/92203 for erection of 5 dwellings. Approved.

2022/91003 – Erection of first-floor and two-storey side extension and single-storey rear extension and canopy (within a Conservation Area). Refused [appeal dismissed].

At neighbouring properties:

2011/92308 - Construction of three number 3 bed/2 storey dwellings and associated highways improvement. Conditional full permission. (Beech House Farm, Manor Road)

2013/92357 - Variation of condition 2 on previous permission 2011/92308. Granted. (Beech House Farm, Manor Road)

2014/94021 – Erection of one dwelling (within a Conservation Area). Section 106 full permission. (East Paddock, 3 Deer Croft).

2017/90437 – Erection of first floor extension (within a Conservation Area). Conditional full permission. (4 Manor Drive).

2019/90164 – Erection of detached dwelling with integral garage (within a Conservation Area). Section 106 full permission. (land off, Field Lane).

2020/93605 - Variation of conditions 2, 4, 11, 16, 17 and 23 on previous permission no. 2019/90164 for erection of detached dwelling with integral garage (within a Conservation Area). Section 106 removal/modification of condition(s). (Stock Dove House, 1 Field Lane).

2021/91111 – Erection of single storey rear extension (within a Conservation Area). Refused. (6 Deer Croft).

2021/92288 – Variation of conditions 2. (plans) 4. (materials) 11. (materials) 16. (landscaping) 17. (boundary treatments) & 23. (management plan) on previous permission no. 2019/92982 for Variation of condition 2 (plans) on previous permission 2014/94021 for Erection of one dwelling (within a Conservation Area). Section 106 removal/modification of condition(s). (3 Deer Croft).

2022/90708 - Removal/variation of conditions 6 (Windows), 9 (External Joinery) and 15 (Garage Door), on previous permission 2020/93605 variation of conditions 2, 4, 11, 16, 17 and 23 on previous permission no. 2019/90164 for erection of detached dwelling with integral garage (within a Conservation Area). Refused [appeal lodged but not yet determined]. (Stock Dove House, 1 Field Lane).

2022/92728 – Discharge conditions 6 (Window Details), 9 (Paint Scheme), 10 (External Door Details), 11 (Window and Door Surrounds) 15 (Garage Door Details) on previous permission 2021/92288 for variation of conditions 2. (plans) 4. (materials) 11. (materials) 16. (landscaping) 17. (boundary treatments) & 23. (management plan) on previous permission no. 2019/92982 for Variation of condition 2 (plans) on previous permission 2014/94021 for Erection of one dwelling (within a Conservation Area). Approved. (3 Deer Croft).

Publicity and Representations

The application was advertised by neighbour letter, site notice and in the press due to the site's location within a Conservation Area. Publicity expiry:

- Neighbour letter – 14th March 2023
- Site notice – 13th March 2023
- Press notice – 17th March 2023

As a result of the above publicity, four representations have been received (all in support).

Kirkburton Parish Council were consulted and had no comments on the proposal.

Officer comments will be made in section 7 of this report.

Consultation Responses

KC Conservation & Design – no objections.

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. However, it is located within the Farnley Tyas Conservation Area.

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. The National Planning Policy Framework includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda under other matters.

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity & geodiversity
- **LP 35** – Historic environment
- **LP 51** – Protection and improvement of air quality
- **LP 52** – Protection and improvement of environmental quality

Supplementary Planning Guidance / Documents:

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

In this case, the following SPDs are applicable:

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

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- **Chapter 2** – Achieving sustainable development
- **Chapter 9** – Promoting sustainable transport
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change

- **Chapter 15** – Conserving and enhancing the natural environment
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on the historic environment
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

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

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area. In this context preservation means not harming the interests of the building as opposed to keeping it unchanged. Any impact on heritage assets will be given consideration having regard to Policy LP35 of the Kirklees Local Plan, and Chapter 16 of the National Policy Planning Framework.

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

2 – Impact on visual amenity:

Consideration in relation to the impact on the visual amenity of the host dwelling and street scene shall now be set out, taking into account Policy LP24 (a), which sets out that proposals should promote good design by ensuring *“the form, scale, layout and details of all development respects and enhances the character of the townscape”*; and LP24 (c), which sets out that proposals should promote good design by ensuring *“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 Council's House Extensions and Alterations SPD, Key Design Principle 1 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.”* Key Design Principle 2 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.”*

Paragraph 5.15 of the Council's House Extensions and Alterations SPD states 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.”*

Paragraphs 5.20 and 5.22 state that two-storey and first-floor side extensions should:

- *“not take up all or most of the space to the side of a house;*
- *ideally be visually smaller in relation to the original house;*
- *be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;*
- *have a roof design that follows the form of the existing roof;”*
- *“retain a gap of at least 1 metre to boundary walls to avoid a terracing effect”*.

The proposed extension would be finished in natural stone, laid in regular courses to match the existing. The proposed extension would be designed with a dual-pitched roof form finished in stone slates to match the existing. The proposed rooflights would be conservation style and are considered acceptable in design. The proposed side extension is considered subservient to and visually smaller than the host dwelling, as it would be set back from the front and rear elevations and set significantly down from the ridgeline. The proposed extension would slightly increase the bulk and massing. However, the host property and its associated curtilage is of a scale which would support the proposed extension without amounting to overdevelopment or appearing incongruous. A gap of approximately 1.6m would be maintained to the side boundary. Moreover, given the orientation of the neighbouring no.1, there would be no detrimental terracing effect. Due to its location to the northwest side of the property, it would be visible from the Deer Croft, but the small scale of the development means there would not be any significant harm to visual amenity.

In summary, the design and scale of the proposal is in keeping with the existing building and the local character and is therefore acceptable from a visual amenity perspective.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 and the detailed guidance in the Council's House Extensions and Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

3 – Impact on the historic environment

The application site is within Farnley Tyas Conservation Area. Beech Barn, 2 Deer Croft forms part of a recently completed re-development of the farm complex surrounding Beech Farm (ref: 2011/92253 and 2014/92203). The housing development comprises tightly-knit streets with stone-built, traditionally-detailed houses which respond well to the traditional character of Farnley Tyas.

Paragraph 194 of the National Planning Policy Framework states *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.”*

A Heritage Impact Assessment was submitted as part of the application, which notes that *“Beech Barn, 2, Deer Croft is a recently built single detached dwelling ... and is within the Farnley Tyas Conservation Area.”* In terms of the contribution made by the setting to the significance, it states that the *“The property is a relatively new detached dwelling that was constructed in 2016-2017 and is part of a larger scale development of Beech Farm, ... Whilst built using traditional materials and detailing, the property is of modern design in terms of room layouts and facilities.”*

Paragraph 195 of the National Planning Policy Framework states *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.”*

The Farnley Tyas Conservation Area was designated as an area of high architectural and historic interest in the 1980s. The Conservation Area character is that of a rural village of largely stone-built houses, which have an intimate relationship to the natural landscape surroundings. The houses within the Conservation Area are close-knit and appear to have been developed along the principal thoroughfares, but also in an organic nature.

The current application has been assessed by the Council's Conservation and Design officers. In terms of the proposed first-floor side extension, their opinion is that this element would have no significant impact on the Conservation Area, as it would be subservient and constructed of materials to match the host dwelling and local area.

Paragraph 197 of the National Planning Policy Framework states *"In determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness."*

In this instance, the proposal is for extensions to a modern dwelling within the Conservation Area. It is considered that this would not impact the economic viability of the Conservation Area.

Paragraph 199 of the National Planning Policy Framework states *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."* Paragraph 200 of the National Planning Policy Framework states *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."* In this instance, it is considered that the proposal would not result in harm to the designated heritage asset (the Farnley Tyas Conservation Area).

The proposal therefore complies with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

4 – Impact on residential amenity:

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

With regard to the House Extensions and Alterations SPD, Key Design Principle 3 states that *"extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours."* Key Design Principle 4 states 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."* Key Design Principle 5 states that *"extensions and alterations should*

not adversely affect the amount of natural light presently enjoyed by a neighbouring property.” Key Design Principle 6 states that “extensions and alterations should not unduly reduce the outlook from a neighbouring property.” Key Design Principle 7 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.”

Paragraph 5.16 of the Council’s House Extensions and Alterations SPD states that *“Side extensions should maintain the quality of the environment for neighbours by:*

- Ensuring reasonable levels of natural light to the habitable rooms in neighbouring properties; and*
- Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.”*

Paragraphs 5.20 and 5.21 state that two-storey side extensions should *“retain a gap of at least 1 metre to boundary walls ... to retain rear access to gardens”,* and *“to ensure the building is not too close to a neighbouring property”.*

Given the nature and location of the proposal, officers consider that the only neighbouring dwellings that could be materially impacted are 1 Deer Croft to the northwest, 4 & 5 Deer Croft to the front, and 1 Field Lane to the rear.

Impact on 1 Deer Croft

This is the adjacent property to the northwest of the application site. The front of this dwelling faces the side elevation of the applicant property. It has a detached garage between this neighbouring dwelling and the boundary with the application site. In terms of the proposed first-floor side extension, there would be no windows in the side elevation, so there would be no additional overlooking impact as a result of the proposed development. Although the proposed first-floor side extension would not bring development closer to this neighbour than at present, this element would slightly increase the height of built development directly opposite the front elevation of no.1, with a separation distance of only 8.9m maintained. This is less than the 12.0m recommended in Key Design Principle 3 of the Council’s House Extensions and Alterations SPD. The resulting overbearing and overshadowing impact formed a reason for refusal under a previous application (2022/91003) and was highlighted by the Inspector in the decision to dismiss the appeal (APP/Z4718/D/22/3306285). The design has been amended since the previous refusal, so that the overall height of the extension has been reduced, and it extends only over the detached garage (not including a two-storey element flush with the rear elevation of the host dwelling). This reduction in bulk and massing helps mitigate the resultant overbearing impacts on 1 Deer Croft. Details have been provided as part of the application demonstrating that there would be no significant additional overshadowing impact on 1 Deer Croft as a result of the proposed development, and that there are no habitable room windows to the front elevation of this neighbour that would be detrimentally affected. Although there is a ground floor lounge window and first-floor bedroom window, these are located to the southern side of the dwelling where they would not have a

direct relationship with the proposed extension. The other windows to the front elevation are non-habitable and therefore any overbearing impact would not be significantly detrimental. As such, officers are satisfied that there would be no significant harmful impacts caused to 1 Deer Croft as a result of the proposal.

Impact on 4 & 5 Deer Croft

These are the neighbouring properties to the front elevation of the application site. The proposed side extension would have no significant impact on the amenities of 4 & 5 Deer Croft, given the separation distance that would be maintained by the front amenity space/parking areas of the dwellings and the road in between (approximately 19m). Furthermore, the existing windows in the front elevation of the applicant property already look towards these neighbours. Therefore, the new windows would have no further impact over and above the existing arrangements on site. As such, officers are satisfied that there would be no significant harmful impacts caused to 4 & 5 Deer Croft as a result of the proposal.

Impact on 1 Field Lane

This is the neighbouring property to the rear elevation of the application site, which was under construction at time of officers' site visit (April 2022). The proposed extension would bring development no closer to the shared boundary with this neighbour than at present. It is considered that there would be no significant additional impact on the amenities of this neighbour, given the separation distance that would be maintained and that the attached garage at 1 Field Lane projects closest to the application site, which is a non-habitable space with no windows on the southwestern elevation. Furthermore, the existing windows in the rear elevation already look towards this neighbour. Therefore, the new windows would have no further impact over and above the existing arrangements on site.

Impact on inhabitants and future occupiers

The proposed extension would have no impact on the amount of amenity space available at the property or access to that amenity space.

After assessing the above factors, officers consider that this proposal would not result in any significant adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5, 6 and 7 and the detailed guidance in the Council's House Extensions and Alterations SPD, and Paragraph 130 (f) of the National Planning Policy Framework.

5 – Impact on highway safety:

The applicant is seeking permission for the erection of a first-floor side extension (within a Conservation Area). The number of bedrooms would increase from 4 to 5. The proposed development would not affect the existing parking arrangements at the site (off-street parking for two-vehicles with one

additional garage space). The current parking arrangements are considered sufficient for a 4+ bedroom dwelling and would maintain appropriate access and off-street 'in curtilage' parking.

Therefore, the scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 and LP22 of the Kirklees Local Plan, Key Design Principle 15 of the Council's House Extensions and Alterations SPD, the guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

6 – Other matters:

Ecology

The site is located within a bat alert layer. After a visual assessment of the building by the officer, the building appeared to be in good order, well-sealed and unlikely to have any significant bat roost potential. Should planning permission be granted, an informative footnote would be added to the decision notice to provide the applicant with advice should bats or evidence of bats be found during construction. This accords with the aims of Policy LP30 of the Kirklees Local Plan, Key Design Principle 12 of the Council's House Extensions and Alterations SPD, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which would need to be adhered to as part of the construction process which would require compliance with national standards. For this reason, the proposed development is considered to comply with Policies LP51 and LP52 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

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

7 – Representations:

There have been four representations received which all support the proposals.

8 – Conditions

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

- Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

- Materials to match the existing property due to the sensitive nature of the extension in the Conservation Area.

It is also recommended to include footnotes regarding the recommended hours of work and notifying the applicant that neighbours do not have to grant access to their land.

9 – Conclusion:

This application for erection of first floor side extension (within a Conservation Area) at Beech Barn, 2 Deer Croft, Farnley Tyas, Huddersfield, HD4 6BR, has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2023/90276

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP35, LP51, and LP52 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, and 15 in the Council's House Extensions and Alterations SPD, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework.

3. The external facing and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and so as to sustain and enhance the significance of the heritage asset (the Farnley Tyas Conservation Area), in accordance with Policies LP01, LP02, LP24 and LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapters 12 and 16 of the National Planning Policy Framework.

NOTE: The property is within the Bat Alert Zone. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence for anyone to intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Web ID	Date Received
Location Plan	21155D-10-P03 - Location Plan	973334	26/01/2023
Block Plan	21155D-05-P05 - block plan with sun path	973333	26/01/2023
Grouped Plans and Elevations	21155D-01-P01 - As Existing	973332	26/01/2023
Grouped Plans and Elevations	21155D-06-P02 - Sun Path and Shadow Diagram	973331	26/01/2023
Grouped Plans and Elevations	21155D-21-P03 - revised proposal	973330	26/01/2023

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 proposal was considered acceptable as originally submitted. As such, no amendments were sought or received during consideration of the application.

Report Dated: 21/03/2023