

**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:	<b>2023/62/90815/W</b>
Site Address:	52, Gledholt Road, Gledholt, Huddersfield, HD1 4HR
Description:	Alterations to dwelling to form House in Multiple Occupancy (HMO) comprising 9 bedrooms, demolition of outbuilding and boundary wall, formation of parking spaces and erection of replacement boundary wall and fence (within a Conservation Area)
Recommending Officer:	William Simcock

**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.**

Teresa Harlow

***AUTHORISED OFFICER***

**Date:** 5<sup>th</sup> July 2023

## **Officer Report 2023/90815**

### **52 Gledholt Road HD1 4HR**

#### **Site Description**

52 Gledholt Road is a large semi-detached house (the right-hand half of a pair as viewed from the street) situated on the western or left-hand side of the highway which is undergoing renovation and conversion works to change it into a House in Multiple Occupation (HMO). It is built in coursed stone and has substantial front and rear gardens. Access to the highway is taken via a gateway at the north-eastern corner of the curtilage and there are parking spaces at the rear.

A dilapidated outbuilding at the rear or western end of the rear garden has largely been demolished, with only part of its rear wall (also forming the site boundary wall) remaining. Ground levels do not vary much within the site but there is a general upward trend along Gledholt Road from south to north and land is also somewhat lower west of the boundary.

The building is situated within a row of what are mainly large, detached houses dating from the late 19<sup>th</sup> or early 20<sup>th</sup> Century, some of which are occupied as family dwellings, others as Houses in Multiple Occupancy or as separate flats, but the immediate neighbouring property to the north is a three-storey apartment building of relatively modern appearance.

#### **Description of Proposal**

The proposal is for the change of use of the dwelling house to a House in Multiple Occupancy (HMO) comprising 9 bedrooms, and associated works consisting of the demolition of the outbuilding and rear boundary wall, the erection of a replacement boundary wall and fence, and the formation of parking spaces in the rear garden. The demolition of the outbuilding was authorised as part of permission 2022/90952.

The use of the building would comprise: games room (rear) and shared kitchen / living room (front) at basement level; 3 no. en-suite bedrooms and a shared living room at ground floor; 4 en-suite no. bedrooms at first floor; 2 bedrooms, shared bathroom, shared kitchen / living room and storage at second floor.

8 no parking spaces arranged along the southern boundary would be formed. A cycle storage rack would be installed in the north-western corner of the curtilage.

It would make use of the existing vehicular access which is at the north-eastern corner of the site.

## **History of negotiations/amendments received**

03-Jul-2023: Amended plan showing cycle storage provision and clarifying boundary treatments.

The plan was not re-advertised as it was not considered to raise significant new planning issues.

## **Relevant Planning History**

2022/90952 – Alterations to dwelling to form house in multiple occupancy comprising 8 bedrooms, demolition of outbuilding and boundary wall, formation of parking spaces and erection of replacement boundary wall and fence (within a Conservation Area). Conditional full permission.

## **Representations**

**Final publicity date expires:** 14-May-2023 (publicity by site notice and press advertisement in addition to neighbour letter on the grounds of the site being in a Conservation Area).

1 representation received (objection).

Firstly, in the section subtitled 'Access', the following phrase appears: 'The height of the boundary wall will remain the same' The original rear wall was approximately 11 feet tall and the replacement is only approximately 6 feet tall. The original wall was of solid brick construction and it is now a wooden fence, through which it is possible to see into my back garden and across this into my property. Since the height of the boundary fence is significantly lower than the original wall, I feel the security of the rear of my property is significantly negatively affected.

## **Consultation Responses**

The following teams and services were consulted on the previous planning application:

- KC Highways Development Management – No objection in principle but advise that the access is widened to 4.5m.
- KC Police Architectural Liaison Officer – No objection.
- KC Arboricultural Officer – No objection.
- KC Conservation & Design (informal response) – No objection.
- KC Waste Planning (informal response) – Offered comments on location of bin store (should not be too close to building because of fire risk).

KC Designing Out Crime Officer made the following comments on the latest application:

- The applicant has taken reasonable security measures to protect the premises and there is therefore no requirement for any security measures to be conditioned.

The other consultees were not consulted on the present application since it was considered that whilst it represented a modest intensification of the site, it did not raise any substantial new issues that would require the input of other teams or services.

## **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 27<sup>th</sup> February 2019).

The site is within the Greenhead Park / New North Road Conservation Area on the Kirklees Local Plan.

### **Kirklees Local Plan (LP):**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 20** – Sustainable transport
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 33** – Trees
- **LP 35** – Historic environment
- **LP 52** – Protection and improvement of environmental quality.

### **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19<sup>th</sup> February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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 8 – Promoting healthy and safe communities
- Chapter 11 – Making efficient use of land
- Chapter 12 – Achieving well-designed places

- 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 (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) Conclusion

1 – Principle of development: The site is in the Greenhead Park / New North Road Conservation Area. 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.

Chapter 16 of the NPPF states that harm to heritage assets (including Conservation Areas and buildings within them) should not be allowed without a proportionate justification based on public interest.

Turning to the Local Plan, LP35 states that development proposals must preserve or enhance the significance of designated heritage assets, maintain local distinctiveness whilst allowing innovative design where it would not harm heritage assets.

The Local Plan contains no specific policies on the subdivision of existing dwelling houses to create smaller residential units. Chapter 11 of the NPPF however states that planning decisions should promote the development of under-utilised land and buildings, but in doing so should create developments that function well and add to the quality of the area as set out in Chapter 12. It will further be assessed having regards to the aims of LP24(a) & (b), that development should conserve the character of the townscape and ensure that a good standard of amenity is maintained for existing and future occupiers, the need to promote sustainable transport, and ensuring that development does not adversely affect the safe or convenient use of the highway as set out in Policies LP21-22.

2 –Impact on visual amenity: The site lies within the Greenhead Park / New North Road Conservation Area. No. 56 Gledholt Road marks the southern extent of the Conservation Area and the western boundary of the application site marks the western extent.

The proposal would only involve the loss of the rear garden, which was accepted in the previous application since it is not clearly visible from the public highway and adjoins two other plots to the north and south that have also been either wholly or substantially hard surfaced.

The proposed development would involve minimal external alterations to the building itself. The window frames (originally white-painted timber, as can be observed on historic street-view images) have been replaced by dark grey UPVC frames. As the property is substantially set back from the road, and several nearby properties have windows in white UPVC frames, it is considered that this alteration has negligible impact on the street scene and does not have an adverse impact upon the character of the Conservation Area.

The outbuilding that formerly stood at the western end of the rear garden has by now been demolished. It is considered that its loss has had no adverse impact upon the character or appearance of the Conservation Area since it was of poor quality aesthetically and of minimal historical interest.

Annotations on the site layout plan indicate that the following boundary treatments to the rear part of the site:

- A 1.8m timber fence to the northern third of the boundary and continuing around the corner to enclose the northern site boundary;
- The existing brick boundary wall to be retained (height unspecified) for the remainder of the rear boundary;
- The southern boundary will consist of a 1.1m high brick wall and 1.8m fence.

The above boundary treatments are considered aesthetically acceptable.

It is considered that the development would conserve visual amenity and the character of the Greenhead Park / New North Road Conservation Area thereby complying with the aims of LP24(a) and LP35, NPPF Chapter 16 and the Council's duty under Section 72 of the Act. No conditions specifically relating to visual amenity or heritage are deemed necessary.

### 3 – Impact on residential amenity:

#### *Living conditions for future residents*

The internal layout, including the position of bedrooms within the development, is largely unchanged from the previous approval. A new bedroom (bedroom 9) is however to be formed on the ground floor in place of what was to have been a shared kitchen. Since this is proposed to be a habitable room, the living conditions for residents of this future bedroom must be considered carefully. The side-facing windows would have a very limited outlook, but this bedroom would also have a rear-facing window which would compensate. It is considered that this, and all other bedrooms (whose layout is unchanged), would experience adequate light and outlook.

The scheme also involves forming a shared kitchen / living room in the basement. This would benefit only from a side-facing window that is below existing ground level and would therefore experience only limited natural light. This can be accepted however since there is also a larger ground floor lounge and a second-floor kitchen.

All bedrooms, including the second-floor or attic bedrooms, would be in excess of the minimum floorspace set out in the Nationally Described Space Standards. The occupants would be provided with what is deemed an adequate amount of shared or communal space, comprising the basement rooms, main living room, the smaller shared kitchen / living room at the uppermost floor, and attic storage.

In conclusion it is considered that the proposal would ensure a satisfactory standard of amenity for future residents in accordance with the aims of LP24(b) and paragraph 130(a&f) of the NPPF.

#### *Impact on neighbouring properties*

With regard to no. 50 which is located to the north, it is noted that this property has side-facing windows in its southern elevation. But given that it has its main aspect to the front and rear, the side-facing windows are unlikely to be habitable rooms. Two proposed habitable rooms (one ground, one first-floor) in no. 52 would have windows facing towards this property, but these are existing windows which are clear-glazed. It is concluded that the relationship would not be substantially different to what now exists, or under the existing approved scheme, if implemented.

The rear windows would look out towards no. 89a Grasmere Road. The relationship between the two properties would be changed in so far as (i) the building would be more intensively used and (ii) because of the demolition of the old outbuilding which originally formed the boundary wall between the two properties. The distance between facing windows would however be approximately 30m, which is in excess of that required for new properties in the Housebuilders' Design Guide. The replacement fence that has been built is not completely solid but has small gaps between the uprights, but it is considered that the design of the fence, and its height (which is the same as that previously approved, but without the 1.1m brick wall) is sufficient to safeguard privacy. The retained brick wall is roughly the same height as the fence (1.8m) which is considered sufficient to prevent overlooking.

It is acknowledged that the creation of parking spaces at the rear would introduce new sources of noise (vehicular movements, doors slamming, etc) in close proximity to other residential properties, and that the removal of the outbuilding and its replacement with a lower wall / fence means less noise attenuation. It was noted in the assessment of the last application that nos. 50 and 54 also have an area dedicated to parking and turning at the rear which is also in close proximity to neighbouring properties that back on to them, and it was concluded that it would be unlikely to lead to levels of noise sufficient to

cause disturbance. This assessment is unchanged despite the increased number of bedrooms.

It is considered that the adjoining property to the south, Flats 1-4 54 Gledholt Road, would not be significantly affected given that this property is already divided into 4 flats and since there is one only one rooflight facing in their direction, which itself would not be able to overlook other windows or common areas.

It is recommended it be conditioned that the walls and fences shown on the drawing are retained, in the interests of privacy, at a height of 1.8m minimum in the case of the rear boundary. Subject to this condition it is considered that the development would safeguard the amenities of existing residents and be in accordance with the aims of LP24(b) and paragraph 130(a&f) of the NPPF.

4 – Impact on highway safety: The development would make use of the existing access, which is about 12m from a pedestrian crossing and 50m from the heavily-used mini-roundabout at the junction with Heaton Road. The access is only 2.7m wide, whereas it is generally recommended that an access serving multiple dwellings should normally be 4.5m wide to allow two vehicles to pass, or alternatively that passing places should be formed within the shared driveway. This is unlikely to be achievable here. Extending the access further to the south would mean excavating part of the garden which is raised above highway and driveway level and would be likely to damage the roots of the adjacent mature tree, which is protected by virtue of being in a Conservation Area and is considered to be valuable to amenity. The access and driveway are not wide enough to allow two vehicles to pass, which may give rise to occasional conflicts between an emerging driver and one attempting to make the turn off the highway into the site, which could give rise to short-term interruptions to traffic flow.

It is acknowledged however that the use of the property as a house in multiple occupancy by 6 unrelated adults would be possible without planning permission. The proposal would mean a further three occupied bedrooms compared to this fall-back position, and an increase of one bedroom compared to the extant approval. There is however a strong likelihood that not all rooms will be occupied by car owners. Furthermore, Gledholt Road has good alignment and there is a 2m wide footway on this side, so vehicular intervisibility for motorists would appear not to be a problem. It is expected that vehicle speeds will be on average well below the legal speed limit of 30mph since drivers will be slowing down to negotiate the mini-roundabout (if southbound) and the zebra crossing. It is still considered that whilst the access arrangements are less than ideal, the limited intensification of the use of the site would not be such as to give rise to material harm to highway safety and a refusal on such grounds would be difficult to sustain.

The layout of the site would provide 8 parking spaces for up to 9 residents, with no allowance for visitor parking. The site is approximately 360m from bus stops on Westbourne Road (to the north) which provide a frequent service to

the Town Centre, and is less than 1km from the Town Centre boundary. Future residents would therefore, it is anticipated, be able to fulfil many of their daily and weekly needs without the use of a private car and it is probable that not all future residents would be car owners. Given the type of accommodation provided and the high accessibility of the site, it is unlikely that all 8 spaces would be in use for residents parking at any one time, so overall provision is deemed adequate and the decision on how to allocate them can be left to the developer or future management.

There would also be room for vehicles to turn within the site (which under the former layout would have been very difficult) and there would be enough room in front of the parking spaces (6m minimum) for vehicles to be steered out without difficulty.

Cycle storage is more critical than on the previous scheme, not only because of the increased number of rooms and potential residents, but because there is no longer storage space in the cellar for pedal cycles. A covered cycle storage rack for 10 cycles is shown. This is an improvement upon previous provision both in terms of quantity and quality. Whilst a cycle shed providing secure storage might be preferable, it is considered it might be disproportionate to require this as a condition of granting planning permission since it relates to the conversion of an existing building rather than new build. The provision of the outdoor covered cycle rack, it is recommended, should be the subject of a prescriptive condition.

In conclusion, it is considered that the development would support the aims of sustainable transport and would not give rise to any material reduction in safety or convenience for highway users, and would accord with the aims of LP20-22 and paragraph 130(f) of the NPPF.

4A Refuse collection: Standard communal provision is calculated at the rate of 180 litres per apartment for each type of waste. There is no formal method for calculating it for HMOs but in practice it is likely that applying the same standards (180 litres per room) will result in over-provision since most will have a single occupant. Applying the above calculation for the current application would give 3240 litres altogether (or 1620 litres for general waste and the same for mixed recyclables). The layout shows one 1100 Eurobin and a further three x 700 litre bins, which, falling very marginally short of the above standards, is considered to be an adequate amount of provision, and being discreetly located in the rear corner of the site it is not considered necessary for them to be enclosed.

It is Kirklees policy not to allow communal bin stores within 5m of a building because of fire risk. As on the previous application, the bin storage area is towards the rear of the site, positioned against the northern boundary, in accordance with the Waste Strategy Manager's recommendation.

A bin collection area, approximately 1m wide and 3m in length, is shown on the drawing between the bin store and the highway (9m from the carriageway

boundary). Ideally, a position closer to the highway boundary would be preferable, but the location has been chosen so as to avoid compacting the ground beneath the roots of the mature tree near the entrance.

In conclusion it is considered that the development would provide sufficient space for wastes to be separated, stored and collected, in accordance with the aims of Policy LP24(d)(vi).

## 5 – Other matters:

### *Climate change:*

On 12<sup>th</sup> 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 submitted Climate Change Statement states that all materials and labour will be locally sourced, but does not give any further details about how it would contribute to carbon reduction aims. Since the development involves the reuse of an existing building without extension or rebuilding, and is in a sustainable location, it is considered that the proposal would support the carbon reduction aims outlined above.

Provision for cyclists (see part 4 above) can be conditioned. Since the development involves an intensification of the site it is considered it would be reasonable to condition the installation of a single electric vehicle charging point as advised by LP24(v).

### *Drainage*

The proposal would involve hard-surfacing the rear garden which, judging by historic aerial photographs, consisted mainly of soft landscaping before the recent works began. At the time of the case officer’s most recent site visits, it had been surfaced in hardcore. In the interests of preventing the development giving rise to additional run-off and consequent flood risk, in accordance with the aims of NPPF Chapter 14 and Policy LP28, it is recommended it be conditioned that all new or replacement hard surfacing is permeable.

### *Trees*

There is a large mature tree on the property just in from the highway boundary. Since no access works are now to be undertaken, and the bin collection point as shown could be formed without any significant excavation, it is considered that its viability and health would be unaffected. It appears that several small trees have been recently removed from the rear garden – it is not possible to assess whether these would have met the stem diameter at which they are large enough to be protected, but it is unlikely that any would have merited a preservation order. The development is therefore considered to accord with the aims of LP33.

### *Ecology*

The site is in the bat alert layer. Based on site observations, the site is unlikely to have bat roost potential, and even if they had roosted in the building in the past, they would have been subject to disturbance during the renovation works and it is therefore very unlikely that any remain. The curtilage of the house has very little ecological value in its present condition. It is not possible to assess what ecological value the site had before it was cleared. But it is considered that it would not be reasonable or proportionate to seek ecological enhancement in this instance, notwithstanding Policy LP30, since the proposal involves no new build.

### *Crime and security*

The Designing Out Crime Officer has not requested any conditions be imposed. It is considered that the proposal would accord with the aims of NPPF Chapter 8 in that it would not give rise to undue vulnerability to crime or the fear of crime and that no conditions are necessary.

6 – Representations: Issues relating to residential amenity and security have been considered in the main part of the Assessment but are highlighted here together with officer comments:

In the section subtitled 'Access', the following phrase appears:

'The height of the boundary wall will remain the same' The original rear wall was approximately 11 feet tall and the replacement is only approximately 6 feet tall. The original wall was of solid brick construction and it is now a wooden fence, through which it is possible to see into my back garden and across this into my property.

Since the height of the boundary fence is significantly lower than the original wall, I feel the security of the rear of my property is significantly negatively affected.

**Response:** The amended plans have clarified the intended boundary treatments. Whilst the fence is somewhat visually permeable owing to the gaps between the uprights, it would be difficult to demonstrate that this would lead to a material loss of privacy since the land on the applicant's side of the fence is not intended to be used as amenity space but for cycle storage and space for access and the manoeuvring of vehicles. The arrangement would not give rise to direct overlooking either between facing windows or between residential gardens.

The height of the boundary fence is lower than the original wall but the same height (measured from ground level on the applicant's side) as the combined wall / fence previously approved. From the point of view of security, it is arguably an improvement on the arrangements previously approved since a

fence with a 1.1m wall in front of it could be easier to scale than a boundary consisting solely of a fence or a wall.

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: 2023/90815**

**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, in the interests of visual and residential amenity and highway safety and to preserve the character and appearance of the Conservation Area and to accord Policies LP20, LP21, LP22, LP24 and LP35 of the Kirklees Local Plan and Policies within the National Planning Policy Framework.

3. Before any part of the development is first brought into use, all areas to be used for the parking, turning and access by vehicles as shown on the approved site plan shall be laid out with a hardened and drained surface and the parking spaces marked out into bays. Any new or replacement hard surfacing shall be formed in accordance with the Communities & Local Government and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance before the HMO accommodation is first occupied, unless arrangements have been made for run-off water to drain to a soakaway within the curtilage. Thereafter these areas shall be maintained as such and retained free of any obstruction.

**Reason:** To ensure a satisfactory layout in the interests of highway safety, to ensure that the development does not contribute to flood risk through increased run-off, and to accord with the aims of Policies LP21-22 and Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

4. Before any part of the development is first brought into use, all areas to be used for the storage and collection of wastes as shown on the approved site plan shall be laid out with a hardened and drained surface. These areas shall be thereafter retained and kept clear of all obstructions to the uses shown on the approved site plan.

**Reason:** To ensure that the development has adequate facilities for the separation and storage of wastes and to ensure that they can be collected without causing an obstruction to the public highway, so as to accord with the aims of Policies LP21 and LP24(d)(vi) of the Kirklees Local Plan.

5. A minimum of one electric vehicle recharging point shall be installed within the proposed parking area before any part of the development is first brought into use. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point(s) so installed shall thereafter be retained.

**Reason:** In accordance with the aims of Policy 24(d & v) of the Kirklees Local Plan and government guidance on air quality mitigation, outlined within the Planning Practise Guidance and Chapter 14 of the National Planning Policy Framework, so as to promote infrastructure which encourages modes of transport with low impact on air quality and carbon emissions.

6. The cycle storage facilities shown on the approved site plan TR-A23-0204-001 Revision B shall be provided before any part of the development is first brought into use and thereafter retained as such.

**Reason:** To ensure that all residents and visitors have access to facilities for the secure storage of pedal cycles and to promote the use of sustainable methods of transport in accordance with the aims of Policies LP20 and LP24(d)(ii) of the Kirklees Local Plan.

7. The boundary fences and walls shown on the approved site plan TR-A23-0204-001 Revision B shall be erected or constructed before any part of the development is brought into use and shall thereafter be retained as such. The fences / walls to the rear or western boundary shall be a minimum of 1.8m in height.

**Reason:** To ensure that the development safeguards the privacy and security of existing and future occupants and to accord with the aims of Policy LP24(b) of the Kirklees Local Plan.

#### **Note – crime and security**

The Council wishes to draw the developer's attention to the advice of the Police Architectural Liaison Officer concerning security measures that it might be possible to incorporate into the development. Please note that some of these may require planning permission in their own right, and it is the responsibility of the developer or subsequent owner of the property to check whether or not this is the case before carrying out any works.

[https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application\\_number=2022/90952&file\\_referen  
ce=940540](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2022/90952&file_reference=940540)

#### **Construction Site Working Times – Footnote**

It is recommended that noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours Saturdays

With no noisy activities on Sundays or Public Holidays

#### **Construction Sites working times – Footnote**

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 notices served using the above mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

### **Bats – Footnote**

There is the potential for a bat roost to 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 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:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Application form			14-Mar-2023
Existing block plan	TR-A22-0303-001	1	14-Mar-2023
Existing layout (floorplans)	TR-A22-0303-002	1	14-Mar-2023
Existing elevations	TR-A22-0303-003	1	14-Mar-2023
Existing section	TR-A22-0303-006		14-Mar-2023
Proposed site plan	TR-A23-0204-001	B	03-Jul--2023
Proposed layout (floorplans)	TR-A23-0204-002	1	14-Mar-2023
Proposed elevations and section	TR-A23-0204-003	Amended	05-Jul--2023
Climate change statement			04-Apr-2023
Design & access statement			04-Apr-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 case officer undertook negotiations with the applicant to secure improved provision for cyclists, and amended arrangements for the storage of refuse bins.

05-Jul-2023

**Report Dated: dsffsdf**