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:	**2023/62/90816/W**
Site Address:	2, Hollin Hall Lane, Scapegoat Hill, Huddersfield, HD7 4PF
Description:	Demolition of existing building and erection of dwelling with associated external works and erection of detached garage
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: 12th July 2023

Officer Report – 2023/90816
2 Hollin Hall Lane, Scapegoat Hill

Site Description

2 Hollin Hall Lane is a detached dwelling built principally in coursed stone with some rendering mainly to the western and southern elevations. It is built over three storeys but presents a two-storey aspect to the west, south and north owing to the natural change in ground levels. There is an old lean-to structure to the rear (north) of the main part of the building which is between one and two storeys in height and has a monopitch roof, which appears to be used as a garage at upper floor and storage at lower floor. The site is set back from the highway behind a small front garden and gravel driveway running down the western side of the property and giving access to the rear. It is situated in a rural area, its nearest neighbours being a small cluster of dwellings some 30m to the south.

Description of Proposal

The proposal is for the demolition of the existing building and the erection of a dwelling with associated external works and erection of a detached garage.

The proposed dwelling would be two-storey with a flat roof, 6.4m in height and built on the same level as the lower ground floor of the existing dwelling. Approximately 40% of the ground floor accommodation would however be below existing ground level so that the western part of the dwelling would outwardly appear as a single-storey structure.

Timber cladding and glazing would be the principal external materials for the walls but the building would have a projecting band of render between ground and first-floor level and another band of rendering above the upper-floor windows.

It would comprise four en-suite bedrooms and an entrance hall at lower floor level and a living-dining area, cinema room, utility, plant room and west room at upper floor.

A detached double garage with a flat roof would be erected within the north-western corner of the site, making use of the existing access to the highway.

History of negotiations/amendments received

13-Jun-2023: Amended plans and supporting information – roof design details, 3-D images, external parking layout.

11-Jul-2023: Amended site plan to clarify extent of existing retaining walls and any works to them.

The above were not re-publicised since they were not considered to raise substantial new planning issues that would require the opportunity for public comment.

Relevant Planning History

2020/90019 – Erection of extensions and alterations. Conditional full permission.

2022/91900 – Erection of two-storey side extension and detached garage and alterations. Conditional full permission.

Representations

Final publicity date expires: 06-May-2023. Publicity was by site notice and press advertisement in addition to neighbour letter since the application was, at the time of receipt, judged to be a potential departure from the development plan and would potentially affect a Public Right of Way or its Setting. For the reasons set out in the assessment, this application is not concluded to represent a Departure from the provisions of the development plan.

No representations have been made.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

KC Public Rights of Way – No objection in principle.

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 land designated as Green Belt on the Local Plan proposals map.

Kirklees Local Plan:

- **LP 7:** Efficient and effective use of land and buildings
- **LP 20:** Sustainable transport
- **LP 21:** Highways and access
- **LP 22:** Parking
- **LP 24:** Design
- **LP 28:** Drainage
- **LP 30:** Biodiversity and geodiversity
- **LP 57:** The extension, alteration or replacement of existing buildings

Supplementary Planning Documents:

- KC Highways Design Guide 2019
- Housebuilders Design Guide Supplementary Planning Document, (HGD SPD)
- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

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

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Section 12 – Achieving well-designed places.
- Section 13 – Protecting Green Belt land.
- Section 14 – Planning for climate change, flood risk and coastal change.
- Section 15 – Conserving and enhancing the natural environment.

Assessment

1 – Principle of development: Policy LP1 of the 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 the NPPF. LP1 goes on further to stating that:

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

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities

to demonstrate five years supply of deliverable housing sites against their housing requirement. The latest published five-year housing land supply position for Kirklees, as set out in the Authority Monitoring Report (AMR), is 5.17 years. This includes consideration of sites with full planning permission as well as sites with outline permission or allocated in the Local Plan where there is clear evidence to justify their inclusion in the supply.

The Housing Delivery Test results are directly linked to part of the five-year housing land supply calculation. The 2022 Housing Delivery Test results have yet to be published and the government is currently consulting on changes to the approach to calculating housing land supply. Once there is further clarity on the approach to be taken, the council will seek to publish a revised five-year supply position. Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 69 of the NPPF recognises that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should… support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

The Local Planning Authority can demonstrate a five-year land supply at the present time (5.17 years). The development of this plot might be viewed as contributing to the housing supply in the district by replacing an existing dwelling with one that has more living accommodation and may offer a better standard of amenity to future occupiers. The provision of new or replacement housing, however, needs to be balanced against all policies and material planning considerations considered below.

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such the proposal will be assessed having regard to NPPF chapter 13 paragraph 148 which advises that planning authorities should ensure that "very substantial weight" is given to any harm to the Green Belt and that inappropriate development should not be approved unless very special circumstances can be demonstrated. The replacement of a building with another, and the redevelopment of previously developed land, are listed in paragraph 149 of the NPPF as types of development that are not, in principle, inappropriate within the Green Belt, subject to certain criteria. If deemed appropriate under paragraph 149 of the NPPF, development must also meet the requirements of Policy LP57 or LP59 as applicable.

Policy LP7 states that proposals should encourage the efficient use of previously-developed land in sustainable locations. The site is previously-developed; whilst it is not a location that is considered to offer good accessibility, it is considered that being for a single dwelling only, this would not amount to a reason to reject the proposal. Whilst the achievement of a mix

of size and tenure in a multi-unit scheme is desirable, Policy LP11 specifies that schemes of more than 10 units or those covering an area of greater than 0.4ha should provide a mix reflecting the proportions of households that require housing and achieve a mix of house size and tenure. In the case of an application for the erection of one replacement dwelling, it would not be reasonable to expect the development to contribute towards these aims.

Amenity, highway and environmental issues will be assessed according to the following policies:

- LP21 – that proposals must ensure the safe and efficient flow of traffic and safe access.
- LP22 – appropriate parking to be provided given the type of development and the accessibility of the site.
- LP24 – the form, scale, layout and details of development must respect and enhance the character of the townscape and landscape, provide a high standard of amenity for future and neighbouring occupiers including appropriate distances between buildings and a high level of sustainability.
- LP28 – Sustainable urban drainage systems to be used where possible.
- LP30 – Development to incorporate biodiversity enhancement measures.
- LP52 – Any potential pollution impacts must be prevented or mitigated.

And Chapters 11, 12, 14 and 15 of the NPPF as set out above.

2 – Appropriateness within the Green Belt: Most new buildings are, under Chapter 13 of the NPPF, deemed inappropriate in principle within the Green Belt. Exceptions set out in paragraph 149 include:

- (d) The replacement of a building, provided it is in the same use and not materially larger than the one it replaces.

- (g) The partial or complete redevelopment of previously development land, which would not have a greater impact on the openness of the Green Belt than the existing development (or, if it would contribute to an identified affordable housing need, not cause substantial harm to the openness of the Green Belt).

It is considered that it would be more appropriate to assess it as the “replacement of a building” rather than “redevelopment”. As such, Policy LP57 applies. This reaffirms the guidance in paragraph 149; that it must not be materially larger, and furthermore that it should not result in a greater impact on openness in terms of the treatment of outdoor areas, and the design and materials must avoid materially detracting from the Green Belt setting.

The proposed dwelling, as measured by the case officer, would have a volume of approximately 852 cubic metres (including the partially

underground element). The existing dwelling, including the attached lower-level outbuilding and store, is approximately 804 cubic metres, again including cellars. Leaving the proposed detached garage out of this calculation, this represents an increase in volume of about 6%. It is unclear from the wording of paragraph 149(d) whether underground parts of a development should be included or excluded. If the subterranean element were to be excluded from the above calculation, a different figure would be obtained. According to the architect's own calculations, the existing house has an above ground volume of 695 cubic metres with the proposed being 633 cubic metres. The case officer's own measurements obtain a figure of 646 existing and 634 proposed, not including the garage. Both the architect's and case officer's sets of calculations indicate that if only the externally-visible parts of the building are taken into account, the proposal represents a modest decrease in built volume.

The garage would have a volume of approximately 119 cubic metres (agent calculates 85 cubic metres). If the garage is treated as being, to all intents and purposes, part of the new dwelling (an approach that is often taken in assessing applications for domestic outbuildings in the curtilage of an established dwelling), then it would represent an increase in above-ground volume of 17% according to the case officer's appraisal and 3% according to the architects.

If the assessment is based on built volume alone, the resultant development could, therefore, be deemed materially larger. If, however, "materially larger" is understood to mean that it gives the visual impression of being larger, then it is considered that the proposed dwelling (even with the garage) would not be materially larger. Whilst it would have a greater footprint than the existing building, it would be only two storeys in height, and as previously noted would be set partly below existing natural ground levels, would have a flat roof and would be seen in the context of rising land to the west which would reduce its visual prominence. The garage, being placed on the highest part of the existing curtilage, would, from some approaches, be visible from outside the site. From viewpoints to the east and south, it would however appear as being set back behind the new dwelling. Furthermore, any potential impact on the openness of the Green Belt would be muted by the flat green roof.

It is considered on balance that the replacement dwelling plus proposed garage would not appear materially larger than the existing dwelling, nor would it have a greater impact on the openness of the Green Belt, for the above reasons, and also because the extensive use of glazing and timber cladding would result in a more lightweight and permeable appearance.

It should be noted that the 3-D visualisation supplied by the architect overstates the size and prominence of the new dwelling compared to the existing one, as it gives the impression that there would be a net increase in the west to east dimension of the house, when in fact there would not – it would be 10.2m in each case.

It is considered that the treatment of outdoor areas would not detract from the Green Belt setting or introduce incongruous urban characteristics as it would not result in the creation of large areas of additional hardstanding or expand the curtilage beyond its current limit, thereby complying with LP57(c). This includes the likely requirement to rebuild/alter and extend tone faced boundary and retaining walls associated with the development.

The proposal does not involve any extension to the existing garden and therefore would comply with the aims of LP58.

The existence of a possible fall-back position may be in principle be given weight as a material consideration in the assessment of Green Belt applications. Appeals and court cases have not reached any general conclusion on the amount of weight that should be attached to a fallback position and as such the Local Planning Authority is entitled to form its own view. The option of retaining the existing dwelling and erecting a two-storey side extension and detached garage, as approved under permission 2022/91900 still exists, and would result in a development of cumulatively greater volume, and with a greater impact on the openness of the Green Belt, than would occur with the implementation of the current proposal. It is not possible to determine the likelihood of it being implemented. As an alternative, it would be possible to build the garage first under permission 2022/91900 and then demolish and rebuild the new dwelling. In officer's assessment, however, the proposed development is acceptable in terms of both local and national policy, the validity of this fall-back position is not crucial to the determination of the application.

To conclude, the development is not, in principle, deemed "inappropriate development" within the meaning of NPPF paragraph 149(d), and would support the aims of Policy LP57, since it would replace an existing building with one that is in the same use and is on balance not considered to be "materially larger" or result in a greater impact on openness and that the design and materials ensure that it does not detract from its Green Belt setting. It is thus adjudged not to form a Departure from the provisions of the Kirklees Local Plan.

It is however recommended that permitted development rights be withdrawn, by condition, for the erection of any further extensions or buildings falling within Part 1 Class A, B or E since it is considered that the erection of uncontrolled extensions or outbuildings to, or within the curtilage, of the new dwelling, since it is considered that any further additions would be likely to adversely affect the openness of the Green Belt.

3 –Impact on visual amenity: The proposal will be considered having regard to the aims of LP24a, and also those of the Housebuilders' Design Guide, in particular:

- Principle 2 – New development should take cues from the character of the natural and built environment and complement the surrounding built form.
- Principle 8 – Transition to open land to be carefully considered.
- Principle 13 – Materials should be appropriate to the site's context.
- Principle 14 – Design of windows and doors should relate well to the street frontage and other neighbouring properties.
- Principle 15 – The design of the roofline should relate well to the site context.

Principle 13 of the HDG SPD states that the use of high-quality contemporary materials will be considered on the merits of the proposal and its location and that contemporary and innovative architectural approaches will be welcomed where they are of high quality and complement the existing context.

The two nearest dwellings are 1 Hollin Hall Lane, comprising what appears to be a converted barn and an adjoining stone agricultural building. Down the track that leads southward off Hollin Hall Lane there is a small group of vernacular-style stone-built dwellings. The existing dwelling is a free-standing building, not forming part of a row or a tightly-knit group, and as such, an innovative design that does not draw heavily upon the local vernacular architecture may be appropriate.

The accommodation being partly underground helps to reduce its prominence on a steep slope and the use of green roofs would help it to blend into its rural surroundings. The full-height windows and vertical timber panels help to offset the strong horizontal emphasis of the rendered banding and wide frontage. The timber and glazing, being lightweight materials, would help to ensure that the new building does not appear too dominant in the landscape.

The eastern boundary of the site is formed by a stone retaining wall of viable height. There are further retaining walls within the site; one to the south of the dwelling, which continues the line of the eastern wall of the existing house, and one to the north, which the architect has explained is behind the metal outbuilding and therefore not clearly visible. An annotation on the latest version of the site plan explains that the retaining walls within the site are to be retained subject to a structural engineer's report, and that if rebuilding is necessary, they will be faced in natural stone. This can be conditioned.

In conclusion, it is considered that the layout, height, massing and detailed design of the proposed development would harmonise acceptably with the rural character of the area and result in a contemporary and innovative architectural approach that is appropriate to its context. It would thereby accord with the aims of Policy LP24(a) and the parts of the HDG SPD quoted above.

The granting of planning permission should however be subject to the condition that samples of all facing materials, including finish colours where

appropriate, be submitted for the approval of the local planning authority before work commences on the superstructure.

4 – Impact on residential amenity: Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings

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

The following principles within the Housebuildesr Design Guide are of particular importance:

Principle 6 – Residential layouts must ensure privacy and avoid negative impacts on light, having regard to the following standards:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Principle 16 – all new dwellings to have sufficient floor space to meet basic lifestyle needs, having regard to the Nationally Described Space Standards (NDSS). The Council recognises the nationally described space standards as best practice to ensure that new homes are able to meet basic lifestyle needs and provide high standards of amenity for future occupiers. These are not currently adopted in the Kirklees Local Plan. The council will seek to adopt such a policy in the future in accordance with evidence and in the meantime will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design).

The dwelling is set apart from other residential properties, its nearest neighbour being 1 Hollin Hall Lane, which is some 26m away. It is considered that the location of the dwelling would not be such as to give rise to intrusive overlooking between windows, or between windows and gardens, or result in an unacceptable interference with light or outlook.

The existing property has a large amount of space useable as garden, mostly located to the north-west. Historical photographs indicate that the land may not all be within the historic curtilage of the property – on photographs of 2009 and earlier it appears to be agricultural – but aerial photographs from 2012 onwards show it maintained as garden. It is therefore considered on balance

that whilst this may represent an unauthorised change of use, it is likely to have acquired immunity from enforcement action as a result of the use being continued for a period of more than 10 years.

The internal space available to future occupants would also be in excess of those established as a minimum in the NDSS.

In conclusion it is considered that the proposed development would deliver a satisfactory level of amenity to future occupiers and would not adversely affect the living conditions of any other dwelling. It would thereby comply with the aims of Policy LP24(b) and the relevant parts of the SPD set out above.

5 – Impact on highway safety: The proposed dwelling would gain access to the public highway by the same means as the existing one. Hollin Hall Lane is a part-adopted road. The adopted part, which stretches west of the application site up to Taylor Lane, is a single-track unclassified road. The point where is ceases to be adopted is not completely clear from Kirklees maps; however, it continues to the east as an unsurfaced track whilst a short spur of the road curves around to the south-east and provides tarmacked vehicular access to a small group of dwellings. Whilst the erection of a dwelling with increased living space may result in a small increase in vehicular traffic to and from the site, it is considered that this would not be material.

The proposed garage would have an internal depth, and width, of 6.0m. This is just about adequate for two vehicles. There is space to park up to three vehicles on the driveway. The arrangements do not allow for internal turning, but as it would take access to a quiet, non-classified road, this is not considered essential.

Refuse collection arrangements are indicated in blue shading on the proposed site plan, with storage space at the side of the garage and a collection point to the side of the entrance. These would be convenient to use and would not be visually obtrusive.

It is therefore considered that subject to it being conditioned that the areas for the parking of vehicles are provided before first occupation and retained free of all obstructions the development would not materially affect the safe or convenient use of the highway and would accord with the aims of LP21-22, LP24(d), Principles 12 and 19 of the SPD.

6 – Other matters:

Climate change:
On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been

incorporated into the formulation of Local Plan policies. The submission of a Climate Change Statement has formed part of the local validation requirements since 6th February 2023.

The applicant's Climate Change Statement proposes that the following measures would be incorporated into the proposed development:

- High performance Timber frame construction method
- 100mm High-performance Kingspan Insulation in the wall
- Low E glazing everywhere within the extension
- Low output LED lighting
- Triple Glazing to be explored
- Green roofing

Further details are provided in a subsequent supporting statement.

It is noted that the use of timber cladding in place of brick or stone as the outer leaf may mean lower embodied energy since no mortar will be used. Furthermore, the development would replace a dwelling that owing to its age is likely to be of sub-standard energy performance when assessed against modern standards.

The site is in not deemed to be in a highly sustainable location. It is approximately 460m walk to the nearest bus stop (Chapel St / High St, Scapegoat Hill, which benefits from an hourly service daytimes, becoming once every two hours at weekends) and is 1.4km from the nearest local commercial centre (Golcar). There is a Junior and Infant School in Scapegoat Hill but there are no local shops. Since there is already an existing dwelling on the site, the poor accessibility of the location is not a significant concern in this instance.

The inclusion of a single electric vehicle charge point in accordance with the aims of LP24(d)(v) can be the subject of a prescriptive condition.

It is considered that the development adequately addresses the above requirements. It would support the Council's carbon reduction aims set out above and those of LP24(d), Principle 18 of the SPD and NPPF Chapter 14.

Drainage:
Drainage of surface water is to be by means of the mains, which, it is assumed, is the same as the arrangement currently in place. Under policy LP28, opportunities should be taken to incorporate sustainable drainage systems, or other methods to reduce run-off, into new development, but since the proposal is for a single dwelling, replacing an existing one, it would not be reasonable to make this a condition of granting planning permission.

Disposal of foul sewage is to be by septic tank. There is an existing septic tank in place but it is unclear whether this will have sufficient capacity to serve a larger dwelling. It is recommended that a condition be imposed to require further details to be submitted, in the interests of residential amenity and

preventing pollution of the environment in accordance with the aims of LP24(b) and LP53.

Ecology:
The site does not lie within any specially designated zone for biological conservation but is within 50m of the Wildlife Habitat Network to the north and south and given the rural location is considered to provide significant opportunities for biodiversity net gain. It is recommended that a condition be imposed that a landscaping and ecological management plan be submitted and approved. Subject to this it would support the aims of LP30 and Principle 9 of the HDG SPD.

Impact on PROW
The Public Rights of Way team have noted that a public bridleway runs adjacent to the site and that the access to the site cuts across the bridleway. They have requested that no authority is given for any change to the surface of the bridleway without the authority of public rights of way team. There is no reason to assume that this would be required. At the point where access to the site is taken, the bridleway is already tarmac surfaced. Furthermore it is considered that in the event of planning permission being granted, safety risks to users during construction would be minimal, and not of sufficient magnitude to warrant the submission of a construction management plan. It is considered that it will be sufficient to add the standard footnote about unauthorised obstruction to the PROW during construction.

7 – Representations: No representations have been made.

8 – 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 – CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: **2023/90816**

Officer Recommendation: CONDITIONAL FULL PERMISSION

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 LP21, 22, 24, 30 and 35 of the Kirklees Local Plan, Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders' Design Guide SPD (HDG SPD) and Chapters 11, 12 and 15 of the National Planning Policy Framework.

3. Details of all external facing materials shall be left on site for the inspection of the Local Planning Authority, before work commences on the superstructure of the approved development, and the development shall be undertaken using the approved materials. In the event that any boundary or retaining walls within the site require partial or complete rebuilding, this shall be undertaken using the existing stone, or with stone to match the existing in all respects.
Reason: In the interests of visual amenity and to accord with the aims of Policies LP24(a) and LP35 of the Kirklees Local Plan, Principle 13 of the Housebuilders' Design Guide SPD, and Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), no extensions or outbuildings falling within Part 1, Class A, B, or E of said Order shall be erected or constructed within the land edged in red on the approved location plan.
Reason: To retain adequate planning control over the site in the interests of ensuring that uncontrolled extensions and outbuildings do not give rise to harm to the openness of the Green Belt and to accord with the aims of Policy LP57 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

5. Prior to the development being brought into use, the areas to be used for the parking and manoeuvring of vehicles as indicated on the block plan 20(003) Revision B shall be laid out with a hardened and drained surface. Any new or replacement hard surfacing shall be formed in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. These shall thereafter be retained and kept clear of all obstructions to their use for the parking of vehicles.
Reason: To achieve a satisfactory layout in the interests of highway safety, to ensure that the development does not contribute to flood risk as a result of increased run-off and to accord with the aims of Policies LP21-22 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

6. Prior to the development being brought into use, the areas indicated to be used for the storage and collection of wastes on the block plan 20(003) Revision B shall be provided and laid out with a hardened and drained surface, and shall thereafter be retained as such, free from obstructions to their use for the storage and collection of wastes.
Reason: To ensure that adequate facilities are retained for the separation, storage and collection of wastes in accordance with the aims of Policy LP24(d)(vi) of the Kirklees Local Plan and Principle 19 of the Housebuilders' Design Guide SPD.

7. Prior to the development being brought into use, one electric vehicle recharging point shall be installed within the dedicated garage or parking area of the hereby approved dwelling. 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 so installed shall thereafter be retained.
Reason: In accordance with the aims of Policy LP24(d)(v) of the Kirklees Local Plan, Principle 18 of the Kirklees Housebuilders Design Guide SPD, and government guidance on air quality mitigation, outlined within the Planning Practice Guidance and Chapter 14 of the National Planning Policy Framework, so as to promote infrastructure which encourages modes of transport with low carbon emissions.

8. Prior to the development being brought into use, an Ecological Design Strategy shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of measures to enhance the biodiversity of the site and a timetable for their implementation. The Ecological Design Strategy thus approved shall be implemented in full accordance with the approved details and all measures thereafter retained as such.
Reason: To ensure the proposals provide suitable ecological enhancements in accordance with Policy LP30 of the Local Plan, Principle 9 of Housebuilders' Design Guide SPD, and Chapter 15 of the National Planning Policy Framework.

9. Prior to the development being brought into use, evidence shall be submitted to and approved in writing by the Local Planning Authority that the existing or proposed septic tank (or alternative means of sewage disposal and treatment) is of adequate capacity to serve the proposed development. The septic tank thus approved shall be made operational before the new dwelling is first occupied and thereafter retained as such.
Reason: To ensure that appropriate facilities for the disposal and treatment of sewage are incorporated into the development in the interests of residential amenity and preventing pollution of the environment, and to accord with the aims of Policies LP24(b) and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

FOOTNOTE The public bridleway COL/240/20 shall not be obstructed or unofficially diverted at any time before, during or after development.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			14-Mar-2023
Location plan	(EX)002		21-Mar-2023
Block plan	(20)003	B	11-Jul-2023
Location Plan	(EX)002		14-Mar-2023
Plans and elevations as existing	(EX)001	A	14-Jun-2023
Plans and elevations as proposed	(20)001	B	29-Jun-2023
Garage plans and elevations	(20)002		14-Mar-2023
Proposed section	Green roof detail		14-Jun-2023
Proposed visualisation			14-Jun-2023
Climate change statement			14-Mar-2023
Climate change and drainage – supporting information			14-Jun-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 requested additional plans to clarify the relative size of the existing and proposed buildings and measures to combat climate change.

Report Dated: 12-Jul-2023