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:	**2023/62/91072/W**
Site Address:	178, Lockwood Road, Lockwood, Huddersfield, HD1 3QR
Description:	Erection of garage building for MOT station
Recommending Officer:	Lucy Taylor

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 6th July 2023

Officer Report

Site Description

The application relates to Lockwood Motors, 178, Lockwood Road, an existing mechanics garage. The existing building is constructed from stone to the lower level with a green UPVC cladding above. To the north eastern side of the site, stacked tyres are stored. Access to the site can be taken from the south eastern boundary onto Lockwood Road. There is also on-site parking available within the hardstanding to the front of the existing building.

The site is situated within a mixed-use area, consisting of residential, commerical and religious buildings. A listed building is located to the southwards of the site, approximately 17 metres away (No. 188 Lockwood Road). Also, the site is within Flood Zone 3a on the Council's GIS mapping system (but not the Environment Agency's flood maps).

Description of Proposal

Planning permission is sought for the erection of a garage building for MOT station. The measurements of the proposal are as follows:

Two Storey:

- 5.7 metres in width
- 10.6 metres in depth
- 5.75 metres in height

Single Storey:

- 3.5 metres in width
- 10.6 metres in depth
- 2.8 metres in height

The building would be constructed from materials to match the existing building on site, including those to face the walls and the roof and to construct the doors.

Parking would be retained as existing to the front of the site.

The proposal is a revised scheme from that previously approved (application ref: 2022/92260) to incorporate a 1.3m projection to the front of the previously approved extension.

History of Negotiations/Amendments Received

No negotiations have taken place and no amended plans were sought or submitted.

Relevant Planning History

- 2022/92260 – Erection of MOT station. *Granted.*
- 2001/92435 – Retention and erection of security fencing to front and rear. *Granted.*
- 90/02698 – Erection of workshop. *Granted.*

Representations

The application has been advertised via site notice, neighbour letters and the press. The application was advertised by site notice and press advert due to its proximity to a Grade II Listed Building.

Final publicity expires: 14th June 2023.

As a result of the above publicity, no representations have been received.

Consultation Responses

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

KC Environmental Health – no objection subject to conditions regarding noise, contaminated land and electric vehicle charging points.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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).

Officers note that a Grade II Listed Building (No. 188 Lockwood Road) is located approximately 17 metres from the application site. In addition, the Council's GIS mapping system identifies that the site is located within an area with a known presence of bats and within an area identified by the Coal Authority as been at low risk of ground movement as a result of former mining activity.

The site is located within Flood Zone 3a.

It should also be noted that Lockwood Road is identified as being on the Huddersfield Southern Gateway transport scheme route in the Kirklees Local Plan.

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping

- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP19 – Strategic Transport Infrastructure
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP27 – Flood Risk
- LP28 – Drainage
- LP30 – Biodiversity
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Environmental Protection

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.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision Making
- Chapter 6 – Building a Strong, Competitive Economy
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Other Material Considerations

Highways Design Guide SPD (2019)

Assessment

The following matters are considered in the assessment below:

1) Principle of development
1) Impact on visual amenity (including impact upon the historic environment)
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations

6) Conclusions

1) Principle of Development

NPPF Paragraph 11 and Policy LP1 of the Kirklees Local Plan outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Furthermore, 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 the National Planning Policy Framework. Policy LP1 goes on further to stating that:

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

In this case, the proposal would result in an expansion of the existing car repair use on the site adding an MOT element, and given that the site is unallocated, the principle of the development could potentially be acceptable, but this is subject to the assessment of impacts on visual and residential amenity and highway safety.

1) Impact on Visual Amenity (Including the Impact Upon the Historic Environment)

Visual Amenity:

In relation to design, the NPPF offers guidance in Chapter 12 (Achieving Well-Designed Places) whereby paragraph 126 provides a principal consideration concerning design which states:

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 of the KLP states that proposals should promote good design by ensuring: *"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…"*

In this instance, the new building would adjoin the existing mechanics unit and would appear as an extension to the existing business. Whilst, the development would be visible from Lockwood Road, it is considered that the extension would appear as a harmonious addition by virtue of its height and appearance. In addition, the extension incorporates a single storey drop in part of the overall height where closest to the residential property of No. 166 Lockwood Road.

It is also considered that the proposed extension to the existing unit will aid in clearing some of the clutter within the parameters of the site, whilst providing additional security.

The submitted floor plan and site plan displays a blue hashed line to the side of the new building, which appears to be none operational but could be used for storage. This would reduce the area for outside storage if concentrated here and help to tidy the site up. Outside storage can therefore be restricted by condition, which can also specify that outside storage should not exceed 2 metres in height.

With regard to openings, roller shutters are proposed within the building's front elevation. These have been considered acceptable from a visual amenity perspective, as they are a typical feature for this type of development.

Historic Environment:

Alongside the above, the application has been assessed by the impact it would have on the setting of the nearby Listed Building.

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, Policy LP35 states that: *"development proposals affecting a designated heritage asset…should preserve or enhance the significance of*

the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm." This is echoes guidance in Chapter 16 of the NPPF.

In this case, due to the location and the design of the MOT centre, it has been assessed that the development would not harm the significance of the designated heritage asset. Its design would replicate that of the existing building, with the use of stonework to the lower levels. Therefore, it has been assessed that the works would comply with the above policies.

In summary, it is considered that the extension would have an acceptable impact on visual amenity and the setting of the nearby listed building, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the NPPF.

2) 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.

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.

In this instance, the nearest residential properties to the application site would be No's. 166, 180 and 182 Lockwood Road.

No. 166 Lockwood Road:

No. 166 is situated to the North East of the application site.

The proposal includes a retained seperation distance of 3 metres from the shared boundary with No. 166, along with the nearest built form proposed being single storey in height. The flat roof design is considered to allow adequate levels of light into the neighbouring garden and rear openings. Therefore, officers consider the scheme proposed to omit any undue levels of overbearing or overshadowing and therefore, the relationship between No. 166 Lockwood Road and the proposal at No. 178 can be supported.

Also as highlighted within the visual amenity section, the proposed site plan shows the space to the north of the new building (partly where the existing tyres are currently stacked) to be none operational, which would help prevent undue harm in terms of noise. Furthermore, a condition will also be attached to the decision notice stating that storage shall not be outside the building or blue hashed area on the plan (restricted to a height of two metres) in order to improve residential amenity in terms of storage being overbearing to neighbouring properties. This height restriction will mitigate against any tyres being stacked high up against the shared boundary.

Finally, in terms of overlooking, the submitted plans show no new windows to be inserted into the northern facing side elevation of the building. This would restrict any loss of privacy to these neighbour's rear amenity space. Future side openings would also require planning permission.

No.'s 180 and 182 Lockwood Road:

No's. 180 and 182 Lockwood Road are situated to the south west of the application site.

It has been assessed that the proposal would have no further impact upon these neighbours' amenity, due to its location at the opposite side of the application site. The building's height would also be retained at the same size as the existing.

Therefore, given the above, there would be no material overbearing, overshadowing or overlooking as a result of the works proposed.

The Madni Jamia Masjid, 12 Macham Street (situated to the rear of the site) and the buildings adjacent to the site's principal elevation along Lockwood Road are all commerical/religious buildings not residential properties.

Alongside the above, Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health and living conditions. This is echoed by Policy LP52 of the Local Plan.

In this instance, Environmental Health have been formally consulted. Within their consultation response, Environmental Health recommended the inclusion of a condition regarding noise from fixed plant and equipment, as well as hours of use. This is in order to ensure that the development has an acceptable impact on the nearby residential properties in terms of noise disturbance. Such conditions have been considered necessary given the nature of the proposal and therefore will be attached to the decision notice upon any grant of approval, in order to comply with Policy LP52 of the KLP and Chapter 15 of the NPPF.

Whilst officers have noted the noise condition imposed on the previous application at this site (2022/92260), which required a noise report to be submitted prior to commencement of the development. The Environmental Health team have verbally confirmed they consider the compliance condition they recommend would satisfactorily control noise as the development relates to an existing business remaining within the same use as existing (car garage) and the main road to the front of the site, which generates its own noise levels externally to the activities at 178 Lockwood Road.

Overall, subject to the above conditions, Officers are satisfied that an acceptable level of amenity could be retained at these neighbouring properties to comply with the above policy and legislation.

3) Impact on Highway Safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

It should be noted that whilst no formal comments were received from KC Highways Development Management in conjunction with this submission, officers have referred to the previous consultation response received for submission 2022/92260, which sought a very similar scheme at 178 Lockwood Road.

Three new parking spaces are shown to the front of the building, increasing the total number of off-street parking spaces to five.

Access to the site is across an existing layby along Lockwood Road which runs across the full frontage of the site.

Beyond the layby, there are existing waiting restrictions to control on-street parking and there is a bus lane on the opposite site of Lockwood Road which also controls on -street parking at this location.

The submitted floor plans denote that the existing stacked tyres to the side of the current building would be relocated and stored within the single storey element of the proposed extension. This would provide additional security at the site. As such, this is not considered to raise concern from a highways perspective, with a condition to be attached upon any grant of approval to ensure that no storage is used outside of the building or blue hashed area.

In addition, it should be noted that Lockwood Road is identified as being on the Huddersfield Southern Gateway transport scheme route in the Kirklees Local Plan. Policy LP19 of the Kirklees Local Plan states that proposals that may prejudice the future development of transport schemes will not be permitted. However, it is not envisaged that such a proposal would compromise this transport scheme.

4) 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 Local Plan

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

In this case, it is considered that one electric vehicle charging point for the new and existing building should be provided, to aid in the contribution to climate change. This has been considered necessary and reasonable and therefore a condition to this effect will be attached to the decision notice upon any grant of permission.

Ecology:

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 179 of the NPPF outlines that decisions should promote the protection and recovery of priority species and identify and pursue opportunities for securing net gains for biodiversity. Paragraph 180 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy LP30 of the Kirklees Local Plan echoes the NPPF in respect of biodiversity.

It is considered that site is of low ecological potential given that it consists of principally hardstanding, and that the proposed development is unlikely to cause harm to protected species.

However, measures to secure biodiversity net gains are expected given the provisions of Policy LP30 of the Kirklees Local Plan and guidance within Chapter 15 of the NPPF. The site is also situated within bat alert zone and therefore, it is considered that a bat box should be installed on the rear elevation of the building, prior to it first being brought into use. This would be in accordance with Policy LP30 of the KLP and Chapter 15 of the NPPF.

Flood Risk:

The site is situated within Flood Zone 3a on the Councils internal database. As such, a flood risk assessment (FRA) has been submitted.

The site specific FRA recognises that the development as ‘less vulnerable’ in terms of flood risk classification which can be appropriate within flood zone 3 as set out in the vulnerability classification.

Furthermore, the FRA goes on to state:

Paragraph 186 of the NPPF further states that *“Applications for some minor development and changes of use (Footnote 56) should not be subject to the*

sequential or exception tests but should still meet the requirements for site specific flood risk assessments set out in footnote 55."

Footnote 56 outlines the following:
"This includes householder development, small non-residential extensions (with a footprint of less than 250m2) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate."

Footnote 55 sets out the following:
"A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3."

In this instance, the development is considered to be a minor non-residential extension with a footprint less than 250m2 and therefore under Footnote 56, the Sequential and Exception Tests do not need to be applied.

However, as per Paragraph 051 of the Planning Practice Guidance (PPG) [2] for Flood Risk and Coastal Changes, updated in August 2022:

'Applications for minor development involving extensions or additions should still meet the requirements to provide a site-specific flood risk assessment (as per footnote 55 of the National Planning Policy Framework). A pragmatic approach should be taken to the scope and level of detail of the assessment – a shorter, simpler assessment is likely to be sufficient in most such cases. As a minimum, the assessment needs to show that the development will be safe for its users for the intended lifetime of the development, without increasing flood risk elsewhere, and be sufficiently flood resistant and resilient to the level and nature of the flood risk'.

The PPG also notes that the advice for minor extensions should be followed. This includes providing a plan with the finished floor levels and the estimate flood levels. It goes on to state that the floor levels should either be no lower than existing floor levels or 300mm above the estimate flood level. In addition, it states that flood resilient materials will need to be used up to at least 300mm above the estimate flood level.

In this instance, whilst the finished floor levels have not been shown on the submitted elevations plans, it has been noted that the floor levels would be no lower than the existing building. The use as previously mentioned would also fall under the less vulnerable category and therefore on balance, Officers do not consider the development to increase the risk of flooding.

In this instance, the FRA for this minor development has demonstrated the above points, with the key findings as follows:

- The Development Proposals are not considered to be at risk of tidal flooding.

- The risk to the Development Proposals from fluvial (river) flooding is considered to be very low, as Application Site is unaffected in the 1 in 20 Year, 1 in 100 Year and 1 in 1000 Year flood event, as defined by the Environment Agency Product 4 dataset.
- The risk to the Development Proposals from surface water flooding is considered to be very low, as the Application Site is unaffected for the 1 in 30 Year, 1 in 100 Year and 1 in 1000 Year flood events, as defined by the Environment Agency Risk of Flooding from Surface Water dataset.
- The site is located in an area that is highly susceptible to groundwater flooding. If perched groundwater is encountered during construction, it would need to be mitigated for by appropriate construction techniques and in accordance with an appropriate method statement, to ensure Health and Safety and Environmental permitting requirements are satisfied.

Therefore, having taken into account the above, the FRA has been considered acceptable especially given the type of flooding which could be the issue, however, a condition to ensure that the works are carried out in accordance with its recommendations in the mitigation measures section of the report (8.2, 9.2), will be attached to the decision notice. This is to comply with the aims of Policy LP27 of the KLP and Chapter 14 of the NPPF.

Coal Legacy:

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

5) Representations

No representations were received.

6) Conclusion

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

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the

proposal would constitute sustainable development and is therefore recommended for approval.

Recommendation Approve
Decision Authorisation – Delegated Powers
Application Number: 2023/91072
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 accord with Policies LP1, LP2, LP3, LP7, LP19, LP21, LP22, LP24, LP27, LP30, LP35, LP51 and LP52 of the Kirklees Local Plan and the policies within Chapters 2, 4, 6, 9, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. The building shall be constructed from stonework and green cladding which shall in all respects, match the materials used on the existing building. The building shall thereafter be retained in this finish.
   Reason: In the interests of visual amenity, to preserve the significance of the nearby Grade II listed building and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and policies within Chapters 12 and 16 of the National Planning Policy Framework.

4. Prior to the first use of the extension hereby approved, one electric vehicle recharging point shall be provided within the parking area for the site as displayed on drawing No TR-A23-0102-001rev3 received on 21st April 2023. 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 points so installed shall thereafter be retained. **Reason:** To encourage ultra-low emission vehicles in the interests of air quality and accord with the policies contained in Chapters 9 and 14 of the National Planning Policy Framework, the West Yorkshire Low Emissions Strategy and Policies LP21 and LP24 of the Kirklees Local Plan.

5. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not

exceed the background sound level at any time. ‘Rating level’ and ‘background sound level’ are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

6. The use hereby permitted shall not be open to customers outside the hours of:
    - 0800hrs to 1800hrs Monday to Friday, and
    - 0800hrs to 16hrs Saturday

    Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of residential amenity and to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

7. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.
    Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.
    Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

8. One bat box shall be incorporated into the rear elevation (North West) of the building hereby approved; the box shall be long-lasting Schwegler `woodcrete' type or similar and shall be located away from sources of light. The bat box shall be provided prior to first use of the building hereby approved and thereafter retained.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

9. The hereby approved development shall be operated and carried out in accordance with the Flood Risk Assessment by Ambiental, Project Ref: 6795- AEA-ZZ-XX-RP-Z-0001 Revision A1 dated 1st September 2022.
Reason: To reduce the risks to occupants arising from flooding of the site, and to accord with the aims of Policy LP27 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.

10. There shall be no storage associated with the use of the application site outside of the buildings or the blue hashed area on the site as displayed on the Site Plan (ref: TR-A23-0102-001rev3). Outside storage within the blue hashed area on the Site Plan shall not exceed 2 metres in height. There shall be no operation of plant or machinery on nay outdoor part of the site (except vehicles).
Reason: In the interest of visual amenity, residential amenity and highways safety, in accordance with Policies LP21, LP22, LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 9, 12 and 15 of the National Planning Policy Framework.

Footnote: Electric Vehicle Charging Points

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.
- At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours), Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

Footnote: Construction Site Working Times
Noisy construction related activities shall not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays With no noisy activities on Sundays or Public Holidays.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing

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

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Site Plan and Existing Ground Floor Plan	TR-A22-0601-001	-	11/04/23
Proposed 3D Views	TR-A23-0102-003	-	11/04/23
Location Site and Ground Floor Plans	TR-A23-0102-001rev3	-	21/04/23
Proposed Sections	TR-A23-0102-004rev3	-	21/04/23
Existing 3D Views	TR-A22-0601-003rev3	-	21/04/23
Existing Elevations	TR-A22-0601-002rev3	-	21/04/23
Proposed Elevations	TR-A23-0102-002rev3	-	21/04/23
Climate Change Statement	-	-	21/04/23
Construction Spec	-	-	21/04/23
Flood Risk Assessment	6795-AEA-ZZ-XX-RP-Z-0001		11/04/23

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 Planning 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. No negotiations took place, and no amended plans were sought or submitted.

Report Dated: 4.7.23