

**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:	2023/62/91456/W
Site Address:	3, Victoria Springs, Holmfirth, HD9 2NB
Description:	Erection of first floor extension above existing garage and associated alterations
Recommending Officer:	Laura Yeadon

DECISION – CONDITIONAL FULL PERMISSION

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

John Holmes

AUTHORISED OFFICER

Date: 19-Sep-2023

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f91456>

Site Description

3 Victoria Springs is a two storey detached property located within an area without notation on the Kirklees Local Plan. The property is set within a sloping site whereby the property itself is set on a higher floor level than the roadside. The property is located within a cul-de sac which is comprised of both detached and semi-detached dwellings which are constructed from natural stone with tiled roofs.

The application site is located at the entrance to the cul-de-sac and has a forward projecting single storey attached structure which has a garage door elevation which sits at right angles to the main body of the house. To the east of the property is the garden area for the property.

Description of Proposal

The application is for the erection of a first floor extension above the existing garage and associated alterations.

The application has been submitted following the refusal of permission under application number 2023/90154 which had a description of 'Erection of extensions and alterations' with the reasons for refusal being the following:

1. By virtue of its bulk, mass, design and construction materials, the proposal would result in development which would lead to a dominant and imposing addition to the property which would be visually harmful to the host property and the street scene contrary to Policies LP2, LP24 a and c of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

2. The proposed development would intensify the residential use of the site, whereby no compensatory off street parking has been provided. On street parking is limited within this area and therefore the proposal would unacceptably increase risk to the safety of highway users by additional on street parking demand being created. The proposed development would thereby cause undue detrimental harm to highway safety contrary to Policy LP21 of the Kirklees Local Plan, the Highway Design Guide Supplementary Planning Document, Key Design Principle 15 of the House Extensions and Alterations Supplementary Planning Document and the aims of the National Planning Policy Framework.

At the time of submitting the application, the application was submitted with an accompanying email which noted the following alterations to the plans:

- *The single garage width has been retained at 3m*
- *The acrylic render has been replaced with stone to match existing*
- *The loft conversion and dormer roof to the main house have been omitted*
- *The height of the first floor extension has been lowered by just under 300mm and a hipped roof introduced to reduce the scale of the gable end. The first floor extension is now reduced to 1.6m head room around the external wall.*
- *We have included 3D images in the revised application showing the change from existing to proposed in the context of the estate. We feel that the scale is in keeping with the existing property and forms an attractive addition to the estate.*
- *The applicants would also like me to mention that they have received several positive comments support of the application from neighbours on the estate, something which will hopefully be repeated during the consultation phase.*

Within this current submission, it is proposed that the first-floor extension would be located above the existing with the garage structure lying flush with the ground floor elevations. The eaves line would be staggered with the section of elevation set back from the garage door having an eaves height slightly below the existing eaves with the section of extension above the garage having an eaves height that would be set down from the existing by approximately 0.5 metres. The roof height of the first-floor extension would be set down from the existing roof height by 1.88 metres and would be hipped in its design.

The associated alterations to the property include reconfiguring the ground floor accommodation within the garage and the creation of a bedroom, closet, ensuite and bathroom in the accommodation of the proposed first floor of the extension.

The proposed construction materials would be natural stone for the walls, concrete tiles for the roof and uPVC for the windows, all to match the existing.

History of negotiations/amendments received

Whilst no negotiations have taken place as part of the process of this application, discussions took place following the refusal of the previous scheme whereby amended plans were discussed and feedback offered.

Relevant Planning History

1986/02746 Renewal of unimplemented permission for residential development

Granted Conditionally

1988/03424 Erection of 24 new houses and garages

Granted Conditionally

1989/01111 Erection of 2 houses and garages with new access and drainage
Granted Conditionally

2023/90154 Erection of extensions and alterations
Refused

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired 14th July 2023

Holme Valley Parish Council - support the application.

As a result of the public consultation period no representations have been received.

Consultation Responses

K.C. Environmental Health – consulted as part of previous application with condition and footnote requested in relation to working times – this response is considered in context with the amendments to the proposed works whereby it was considered that the Environmental Health Team need not be reconsulted and the comments provided would be relevant to this application.

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) and Holme Valley Neighbourhood Development Plan.

The site is without notation on the Kirklees Local Plan.

The site also falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area (ref:- LCA4, the River Holme Settled Valley Floor).

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 28** – Drainage
- **LP 30** – Biodiversity and geodiversity

- **LP 31** – Strategic Green Infrastructure Network
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 53** – Contaminated and unstable land

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 4, the River Holme Settled Valley Floor.

The key landscape characteristic of the are:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

The key built characteristics of the area are:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.

- There are mixed areas of historic and more recent residential and commercial developments.

Supplementary Planning Documents:

- Highways Design Guide SPD
- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 21st July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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. 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.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

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

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

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”

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

- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

For clarity purposes, and in line with the previous assessment of the proposal it is noted that the entrance to the property is on the south elevation, it is considered that the road facing west elevation is the principal elevation to the dwelling. As such in terms of an assessment against the SPD, the matters for consideration are front extensions.

Front Extension

The SPD also clearly refers to front extensions in section 5.2 and the potential impact they could have on the character of the area and visual amenity. The SPD advises that front extensions will not normally be supported unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and
- The materials and design match the existing features of the original house; and
- The extension would not unreasonably affect the neighbouring properties.

The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

2 – Impact on visual amenity:

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 4, detailed in the ‘Policies’ section of this report).

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

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

The proposed works would comprise of a first-floor extension over the existing garage. There are also proposed internal works to reconfigure the ground floor accommodation which do not require planning permission. It is also proposed to alter some of the existing fenestration details.

As with the previous scheme, the proposed works would comprise of a full first floor extension over the existing garage, hall, WC and kitchen. As part of the previous assessment of the application, the Officer Report cites that:

‘The works would result in a large gable being forward to the front of the property. Whist it is noted that the roofline of the extension would be set down from that on the existing, the works would result in a large gable

being formed to the front of the property which would be to the front of the main body of the property and in an elevated position in relation to neighbouring properties which also face the road of the cul-de-sac. Whilst it is noted that this section of building would not increase the footprint of the building, a large feature would be created which would have a stark appearance when entering Victoria Springs due to its lack of fenestration detailing and also material palette. Due to its siting within the street scene, the works to the first floor extension would be the dominant feature to the front of the existing dwelling and introduce additional bulk within the street scene. This would not comply with the Key Design Principles 1 and 2 of the SPD.'

As part of the revised proposal, whilst an addition storey is proposed, the loft conversion and dormer extension have been removed from the scheme in addition to the roof line of the extension being set down a further 0.3 metres with the roof form now proposed to be a hipped roof rather than gable. It is also proposed that the construction materials would be stone rather than render as previously proposed. Whilst a large feature would be created, it is considered that the amendment of the development from the previously refused scheme are such that they reduce the scale, bulk and massing of the development and, on balance, overcome the previous concerns with regard to visual amenity by reducing the overall impact of the extension as far as practicable. In addition, the redesign of the scheme is such that it is considered to have reduced the scale and impact through the hipped roof design rather than the massing involved with the previous gable design – in addition to the removal of the dormer features in the roof space.

In terms of the proposed works and the requirements of the SPD in terms of front extensions, sub-paragraph 5.14 states that single storey extensions to the front of a house and two storey or first floor front extensions are usually unacceptable due to the impact of the area and visual amenity.

Taking each point of the SPD in turn in relation to front extensions, the house is not set well back from the pavement or screened, the extension cannot be considered small in scale by virtue of its size, scale and massing. However, as noted above, alterations have been made to the proposal to reduce the impact of the proposal with the removal of the dormer and loft conversion, the lowering of the ridge and the alteration to create a hipped roof. In addition, it is proposed that the construction materials would match the host property.

Taking into consideration Policy 2 of the Holme Valley Neighbourhood Development Plan, this states that *Designs should respect the scale, mass, height and form of existing buildings in the locality and site setting. Development should fit in with and neither dominate nor have a detrimental impact on its surroundings and neighbouring properties. It goes on to say thatMaterials must be chosen to compliment the design of the development and add to the quality or character of the surrounding environment.* It is considered that the redesign of the proposal would fit in better within the street scene than the previous scheme and is more appropriate in terms of the existing building.

Key Design Principle 7 requires that extensions should ensure that appropriately sized and usable areas of outdoor space is retained and, in this instance the footprint of the building would not be extended and therefore not considered to result in an overdevelopment of the plot.

Taking into consideration the proposed revised scheme and the previous concerns to develop the property, Officer's consider that the concerns within reason 1 of the previous decision notice have, on balance, been addressed and overcome. The bulk, size and massing has been somewhat reduced with the previous dormer extension and loft conversion removed from the scheme with the construction materials proposed to match the host property and the re design which reduces the scale and mass of the proposal.

It is therefore considered that the proposal would comply with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the SPD, Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies within Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The properties to the south of the application site are set on a lower ground level to the application site. The proposed floor plans indicate that there would be no proposed openings within the south elevation of extension facing these properties. As previously considered, the separation distance between the proposed extension and the properties to the south are considered to be acceptable.

In terms of the additional openings within the existing property, as there are no properties directly to the west, the additional opening is considered acceptable and the opening within the east elevation is screened from the restaurant to the east. It is not considered that the proposed works to the north elevation would cause undue harm to No. 1 Victoria Springs.

In terms of overshadowing and/or being overbearing, due to the difference in levels, the very presence of the property and single storey garage to the front is already dominant as existing. The proposed first floor extension would be set

lower than the ridge height of the main body of the host property and therefore, due to the property being to the north of the properties to the south, there would be little loss of direct sunlight as a result of the proposed works.

It is therefore considered that the proposal is acceptable from a residential amenity perspective and would accord with the aims of Policy LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5 and 6 of the Councils adopted SPD as well as policy within Chapter 12 of the NPPF.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

In this case the proposed works would result in a 4 no. bedroom property (previously proposed to be 5 no. bedrooms). As part of the previous application reason 2 on the decision notice and raised concerns that there would be a shortfall of parking for the property as the garage provision would be lost due to the dimensions falling short of the requirements of the Highways Design Guide SPD. The internal layout has been adjusted from the previous submission to retain the width of the garage at 3 metres. Whilst the depth falls slightly short, it would be retained as existing and therefore considered acceptable as 3 no. spaces can be provided within the site with 2 no. spaces on the existing driveway and 1 no. space within the garage.

As such, it is considered that the concerns raised have been addressed as far as possible and therefore is acceptable and in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, Key Design Driver 20 of the Highways Design Guide SPD and Key Design Principle 15 of the adopted House Extensions and Alterations SPD.

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

5 – Other matters:

Climate Change - Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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

A Climate Change Statement has been submitted as part of the application submission which states that the increased insulation above that required by building regs will be used in the proposed roof construction and that a lightweight extension without foundations will have less embodied energy than a single storey extension to the side and rear. This is noted and is considered acceptable in terms of the climate change agenda.

Biodiversity – Paragraphs 174, 180, 181 and 182 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

Strategic Green Infrastructure Network – The site is within the Strategic Green Infrastructure Network and therefore Policy LP31 is of relevance in this instance. The role of the Network is to safeguard and enhance green infrastructure networks, green infrastructure assets and the range of functions they provide. As the proposed works would be within the confines of the residential curtilage, it is not considered that the proposed works would be detrimental to the aims of Policy LP31 of the Local Plan.

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.

Contaminated land – the application site is within an area where there is potential for contaminated land. As such, the Council's Environmental Health team have been formally consulted. The comments received cite that The application concerns the addition of accommodation above existing ground floor areas of the property and we believe groundworks outside the existing footprint will not be necessary. Whilst we have no objections to the proposed development, construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, for this reason a condition is necessary to limit the hours of operation for the site. Therefore, in the event that the application is considered acceptable, appropriate conditions can be imposed.

6 – Representations:

None

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: 2023/91456

Officer Recommendation: Approve

Conditions:

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

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP28, LP30, LP31, LP53 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15, 16 and 17 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with Policies within Chapters 2, 4, 12, 14 and 15 of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within the National Planning Policy Framework.

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

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

NOTE 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

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	099 – 100 – Rev: A		25 th May 2023
Existing site plan	099 – 101		25 th May 2023
Proposed site plan	099 – 102 – Rev: A		25 th May 2023
Existing ground floor plan	099 – 201		9 th June 2023
Existing first floor plan	099 – 202		9 th June 2023
Existing roof plan	099 – 203		9 th June 2023
Proposed ground floor plan	099 – 211 – Rev: E		25 th May 2023
Proposed first floor plan	099 – 212 – Rev: E		25 th May 2023
Proposed roof plan	099 – 214 – Rev: A		25 th May 2023
Existing north elevation	099 – 300 – Rev: A		9 th June 2023
Existing west and east elevations	099 – 301 – Rev: A		9 th June 2023
Existing south elevation	099 – 302 – Rev: A		9 th June 2023
Proposed north elevation	099 – 310 – Rev: D		25 th May 2023
Proposed west and east elevations	099 – 311 – Rev: C		25 th May 2023
Proposed south elevation	099 – 312 – Rev: C		25 th May 2023
Existing section	099 – 400 – Rev: A		9 th June 2023
Proposed section	099 – 410 – Rev: E		25 th May 2023
Proposed section	099 – 411 – Rev: B		25 th May 2023
3D images	099 – 001		25 th May 2023
3D images	099 – 002		25 th May 2023
Climate Change Statement	Appendix A		7 th June 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 did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 18th September 2023

Coal – low

