

# KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

## DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

### DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

|                       |                                                                      |
|-----------------------|----------------------------------------------------------------------|
| Reference No:         | <b>2023/62/92695/E</b>                                               |
| Site Address:         | Crown Buildings, Scott Hill, Clayton West,<br>Huddersfield, HD8 9PE  |
| Description:          | Change of use and alterations to workshop to create<br>two dwellings |
| Recommending Officer: | Nina Sayers                                                          |

#### **DECISION – Full Conditional 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date:** 15-OCT-2024

## **Officer Report**

### **Site Description**

Crown Buildings, Scott Hill, Clayton West, Huddersfield, HD8 9PE

The application site relates to a vacant industrial unit and the associated parking and access. The existing building is a pitched roofed one and a half storey building which is set back from the highway. The site is accessed via Scott Hill and has parking to the north and east. The building is finished in red brick, with some sections of timber panelling and brown render. There is a red brick chimney to the western part of the building.

The site is unallocated within the Kirklees Local Plan. The surrounding area is predominantly residential in nature, though there are some commercial properties within the wider area. The neighbouring properties are residential and constructed predominantly from stone.

### **Description of Proposal**

Planning permission is sought for the change of use and alterations to workshop to create two dwellings.

The proposed alterations would include:

- Internal reconfiguration to provide two, three-bedroom properties.
- Changes to the roof pitch which would increase the eaves height of the building by 1m. The roof ridgeline would remain the same.
- Extensions to the north which would adjoin dormer style windows, two of which would be two-storey in height. The other would just be one storey. These would protrude out the northern elevation by 1m.
- The exterior of the building would be finished in white render
- Additional openings in the northern elevations and changes to the openings in the eastern and western elevations.
- Roof lights
- Amenity space and boundary treatment for each property

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

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants. Additional information regarding the parking provision and access, bats and amendments to the materials to the front elevation were requested and provided by the applicant.

### **Relevant Planning History**

At the application site:

- 2021/92030 – Erection of extensions and alterations to roof and refurbishment of existing unit. Conditional full permission
- 2020/91369 – Erection of extensions and alterations to the roof and refurbishment of the existing unit. Refused.
- 2010/9285 – Demolition of the existing workshop and outline application for the erection of a detached dwelling. Outline permission granted.
- 2006/95054 – Renewal of unimplemented permission for demolition of existing workshop and outline application for erection of a dormer bungalow. Granted.
- 2004/95530 – Erection of extension to form showroom. Withdrawn.
- 2003/94699 – Demolition of existing workshop and outline application for erection of a dormer bungalow. Granted.

At 1 Scott Hill:

- 2006/90122 – Erection of two pairs of semi-detached dwellings and garages. Granted.
- 2005/92543 – Demolition of existing shop and erection of two pairs of semidetached dwellings and garages. Withdrawn.

## **Representations**

Final publicity date Expires:

Neighbour letters initially expired on 9<sup>th</sup> November 2023.

Two representations were received in response to the above publicity, both in objection. They raised the following comments:

- One property would be more appropriate
- Parking – not enough space to turn within the site and on-street parking would cause highway safety issues
- Overdevelopment of the site
- Limited amenity space
- Not sufficient outlook for future occupiers
- Overlooking to neighbouring properties

Officers will respond to these comments in section 6 of this report.

## **Consultation Responses**

KC Highways DM: No objections.

KC Environmental Health: No objections subject to condition.

## **Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The

statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The site is unallocated on the Kirklees Local Plan Proposals Map.

**Kirklees Local Plan (LP):**

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 9** – Supporting skilled and flexible communities and workforce
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 53** – Contaminated and unstable land

**National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 20<sup>th</sup> December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

- **Chapter 2** – Achieving Sustainable Development
- **Chapter 4** – Decision-Making
- **Chapter 8** – Promoting Health and Safe Communities
- **Chapter 12** – Achieving Well-Designed and Beautiful Places
- **Chapter 15** – Conserving and Enhancing the Natural Environment

**Other Material Considerations:**

- Kirklees Highways Design Guide SPD (2019).
- Waste Management Design Guide for New Developments (Version 5, October 2020).
- Kirklees Biodiversity Net Gain Technical Advice Note (2021).

**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:**

NPPF Paragraph 11 and LP1 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.

This application is for the change of use and associated alterations to convert a workshop into two dwellings. The site is unallocated within the Kirklees Local Plan and is located within a predominantly residential area. It is noted that there would be a loss of an employment generating use as a result of the proposal however the existing warehouse is currently vacant so this would not result in a direct loss of employment in the area.

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

## **2 – Impact on visual amenity:**

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby 131 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.

LP24 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...”*

*“c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”*

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The application site currently serves a vacant industrial unit which, whilst in an industrial use, is considered to sit comfortably amongst the surrounding residential development when considering its scale, design and appearance. The application seeks external amendments to the building but there would be no increase in overall height, and the footprint would only be marginally increased as a result of the two 1m x 2.3m extensions to the northern elevation, the footprint would otherwise remain unaltered. The scale of the building is therefore considered acceptable.

The proposal would change the roof pitch, increasing the eaves height by 1m. It is noted there is an extant permission for the roof alterations under application 2021/92030 for which the same roof design was assessed and considered acceptable as this was considered a marginal change to the building. Officers concur with the previous officer's assessment and acknowledge that the roof could still be implemented under the extant permission.

The proposed extensions to the northern elevation would be moderate additions allowing for an entrance way and bedroom window. Whilst contemporary in terms of design, the proposed would be finished in red brick which is similar to the existing building, and it is noted that the northern elevation is not prominent within the wider street scene. As such the proposed extensions are considered to not cause any additional harm to visual amenity.

The exterior of the building would be finished in white render. This would not be in keeping with the existing building, nor would it match the adjacent properties. However, it is noted that white render is used in other properties within the wider street scene. It is noted that the majority of the building is not highly visible from Scott Hill and the proposal would be an improvement on the existing worn materials, therefore the proposed render would be considered acceptable on balance.

Officers did request that the front (eastern) elevation was finished in stone to be more in keeping with the adjacent buildings, as this is visible from the street scene. However the agent responded outlining that this is not possible as the side elevation is currently rendered and under this is poor quality engineering bricks which, if the render was removed would begin to fail due to frost attack and spalling. As the proposal is raising the eaves slightly, this further complicated the matter as they would be unable to match the facing material. Therefore, officers are satisfied that the eastern elevation can be rendered in this instance.

The new openings and alterations to the existing openings would be in keeping with the general design and character of the rest of the building and as such would not cause harm to visual amenity.

It is noted that the front of the site, adjacent to Scott Hill, would serve as parking. Whilst officer's prefer to see soft landscaping to the front of new developments to break up the hardstanding, it is noted that the existing serves parking to the front and as such the proposal would not cause any additional harm over and above the existing arrangements on site.

It is therefore considered that the proposed development in this location would not cause significant harm to the visual amenity of the wider setting of the site and would be somewhat in keeping with the existing development in the vicinity, thus complying with LP24(a) of the Kirklees Local Plan.

As such, officers consider that the proposal would not cause detrimental harm to the visual amenities of the locality and would comply with Policy LP24(a) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

### **3 – Impact on residential amenity:**

Section B and C of LP24 states that alterations to existing buildings should:

*“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”*

The properties which are likely to be affected by this proposal, along with an assessment of the impact, is outlined below:

#### *Impact on 1-4 Crown Buildings, Scott Hill*

1-4 Crown Buildings are residential flat's location due north of the application site. Whilst the proposal would include an additional 1m onto the existing eaves height, the overall roof height would not change. Therefore, the relationship between the properties and the proposed development is considered to be no worse than the existing arrangement on site.

The proposal would include new openings in the front elevation directly adjacent to 1-4 Crown Buildings. These would be high level, secondary openings. In the event that planning permission is approved, it is recommended that a condition is attached that these are obscurely glazed to ensure there would be no overlooking harm to the neighbouring or future occupiers. It is clear the proposed extensions, which would be glazed, have been designed to face away from the neighbouring properties. Therefore, no significant harm is considered to be caused to the occupants of 1-4 Crown Buildings, over and above the existing arrangements on site.

#### *Impact on 3a Scott Hill*

3a Scott Hill is located due south of the application site and fronts Scott Hill. It is set forward significantly from the host building with the primary amenity

space set adjacent to the application building. The side elevation of no.3a faces the application site and serves 4 openings. It is apparent from planning history that the opening serves stairwells and a WC and as such are no primary inhabited spaces.

The proposed development would increase the eaves height but not the overall roof height so no significant additional harm is considered to be caused in terms of overshadowing or overbearing. There would be no openings proposed in the southern elevation of the proposed dwellings, so no overlooking harm is considered to be caused. As such the proposed development would not caused any significant harm to the occupants of 3a Scott Hill, over and above the existing arrangement on site.

#### *Impact on 9 Scott Hill*

9 Scott Hill is located due north of the application site and is set forward significantly from the application site. The side elevation faces the application site and serves a Juliet balcony on the first floor and a small window at ground floor level.

The relationship between no.9 and the application building would not change as a result of the proposal and as such no additional overbearing or overshadowing harm is considered to be caused. Whilst the proposed residential use would have parking and access adjacent to the side elevation of no.9 this is not considered to result in significantly more comings and goings than the lawful use as a workshop. Therefore, no significant additional harm is considered to be caused over and above the existing arrangements on site.

#### *Impact on 19 and 21 All Saints Close*

19 and 21 All Saints Close are located due west of the application site. The proposed development would increase the eaves height but not the overall roof height so no significant additional harm is considered to be caused in terms of overshadowing or overbearing.

Additional openings would be included in the western elevation which would face no.19 and 21. At ground floor level these would be high level windows which would serve as secondary openings to an open plan living space and at first floor would serve a dressing room. In the event that planning permission is approved, it is recommended that a condition be attached that these openings are obscurely glazed to ensure there is no significant overlooking harm to the occupants of no.19 and 21.

#### *Impact on future occupiers*

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards (NDSS), these are not currently adopted in the Kirklees Local Plan.”* Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses should have adequate access to private outdoor space*

*that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”*

The proposed dwellings exceed the minimum recommendations as set out within the NDSS for such a dwelling. Officers had concerns regarding the proposed amenity space and it was requested this was enlarged if possible. However, following discussions with the agent, it is apparent that the amenity space cannot be enlarged as the space is required for access. It is noted that the application does provide some amenity space, and the site is in close proximity to Kaye’s Millennium Green, a large open green space ~30m from the site and Holmfield Road Recreation Ground, an urban green space ~175m from the site. Taking this into consideration, the proposed is considered acceptable on balance. It is considered the proposed windows would have sufficient outlook and natural light for the amenity of future occupants. Whilst some of the bedrooms are served by velux windows, these would be of an appropriate size to allow for sufficient natural light.

The proposed development is close to potential commercial noise sources, and KC Environmental Health (EH) have raised concerns that the development may be negatively impacted by noise from commercial activities. No noise impact assessment is available within the submitted planning documents and the current plans do not show any proposed noise mitigation measures. The applicant must demonstrate that acceptable sound levels can be achieved in indoor and outdoor amenity areas. Therefore, KC EH recommend the inclusion of a noise condition and accompanying footnote in any planning approval, necessitating the submission of a noise assessment report to determine the existing noise climate, predict the noise climate at the development and detail any attenuation measures are necessary.

As such, it is considered, subject to conditions, that the proposed development would not result in harm to residential amenity. The proposal therefore complies with Local Plan Policy LP24(b) and Chapter 12 of the National Planning Policy Framework.

#### **4 – Impact on highway safety:**

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.”*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

The application is for the change of use from a workshop to two, three-bedroom dwellings. For dwellings of this scale, two off-street parking spaces

are required. The applicant has submitted a site plan which shows parking to the north and east of the building allowing for two off-street parking spaces for each dwelling. This is considered acceptable, however, KC Highways Development Management (HDM) raised concerns regarding ability for vehicles to turn within the site. Turning splays were sought and provided which showed a 5-point turn to get into the western spaces, KC HDM require a 3-point turn for this to be considered acceptable. Further amendments were received showing a 3-point turn within the site and therefore the proposal is considered acceptable on balance.

It is therefore considered that the proposal would not cause additional harm to the safe and efficient operation of the highway network, thus complying with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

## **5 – Other matters:**

### **Land contamination**

KC Environmental Health were consulted on the proposal and their comments are summarised below:

The application site is adjacent to land identified as potentially contaminated land. In addition, given the historic land use at the site, there is the potential for contaminated land from on-site historical sources. The application proposes a sensitive end-use as residential dwellings. For these reasons, to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework it is necessary for several contaminated land conditions and footnote to be applied to any consent granted.

### **Ecology**

The site is identified as being located within the bat alert layer and, therefore, consideration must be given to the impact of the proposed development on bats and bat roosts. It was noted that as part of previous application 2010/92485, a bat survey was undertaken. Whilst it found the building to have negligible potential for roosting bats, it stated that the chimney may have bat roost potential.

Under the most recent planning application an updated Preliminary Roost Assessment was not requested as the chimney would be retained, however under this application the chimney would be removed. As 14 years had passed since the previous survey, an updated Preliminary Roost Assessment was requested as part of the previous application, to assess whether any changes to the building had occurred which would increase the suitability of the building for roosting bats.

A bat scoping survey was submitted which concluded that the site is classed as having low suitability for roosting bats combined with negligible foraging habitat and it is unlikely that bats would roost in the building. Therefore, the development of the site, including dismantling of the chimney is unlikely to

impact bats. Based on this information, officers are satisfied that the proposal would likely not cause harm to protected species however, a precautionary footnote would be added to any decision notice. The scheme is therefore in accordance with Policy LP30 of the Kirklees Local Plan.

## **6 – Representations:**

Two representations were received in response to the publicity of this application, both in objection. They raised the following comments which officers have responded to below:

- Overdevelopment of the site
- One property would be more appropriate

*Officer response: Officers have considered the principle of converting the building into dwellings and given the scale of the building, two dwellings are considered appropriate.*

- Parking – not enough space to turn within the site and on-street parking would cause highway safety issues

*Officer response: This is a material planning consideration which has been carefully considered in the highway safety section of this report.*

- Not sufficient outlook for future occupiers
- Overlooking to neighbouring properties
- Limited amenity space

*Officer response: these are all material planning considerations which have been carefully considered in the residential amenity section of this report.*

## **7 – Conclusion:**

This application for the change of use from a workshop to two dwellings and associated alterations at Crown Buildings, Scott Hill in Clayton West has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

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.

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

**Recommendation**

**Approve**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2023/92695  
**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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The development shall not be occupied until the openings in the north and west elevation, annotated as 'high level windows' on the approved plan '2700 04', have been obscurely glazed (to a minimum Grade 4). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazing (to a Grade 4) shall thereafter be retained.

**Reason:** To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and 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. 189 and 190 of the National Planning Policy Framework

5. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (4) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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. 189 and 190 of the National Planning Policy Framework.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (5) further groundworks shall not commence until a Remediation Strategy by a suitably competent

person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**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. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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. 189 and 190 of the National Planning Policy Framework

9. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including road traffic shall be submitted to and approved in writing by the Local Planning Authority. The report shall: a) Determine the existing noise climate b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required). The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

**Reason:** To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord

with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

10. The dwelling hereby approved shall not be occupied until all areas indicated to be private drives and parking areas are laid out with a hardened and drained surface 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 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.

**Reason:** In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

**NOTE:** Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

**NOTE:** Due to its location, a bat roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally 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 bats 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:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays.
- 08.00 and 13.00hours, Saturdays.

With no working Sundays or Public Holidays.

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

#### **Plans and specification schedule:**

| Plan Type | Reference | Version | Date Received |
|-----------|-----------|---------|---------------|
|-----------|-----------|---------|---------------|

|                              |                                |  |            |
|------------------------------|--------------------------------|--|------------|
| Location Plan                | 2700 LOC                       |  | 09/09/2024 |
| Floor Plans and Site plans   | 2700 01                        |  | 09/09/2024 |
| Elevation and drawings       | 2700 02                        |  | 09/09/2024 |
| Elevations and 3 as proposed | 2700 04                        |  | 09/09/2024 |
| Swept Path analysis          | 2700(100)05                    |  | 28/03/2024 |
| Bat Scoping Survey           | 2 <sup>nd</sup> September 2024 |  | 09/09/2024 |
| Planning Statement           | 2700                           |  | 09/09/2024 |

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 has, 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. Additional information regarding the parking provision and access, bats and amendments to the materials to the front elevation were requested and provided by the applicant.

**Report dated:** 04/10/2024