

**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>2023/62/92712/E</b>
Site Address:	Land adjacent, 36 Oxford Road, Dewsbury, WF13 4LL
Description:	Erection of 40 bed care home and 12 independent supported living units (use class C2) with associated works including the formation of car park and service access
Recommending Officer:	Nick Hirst

**DECISION – Full Planning Permission – Approve**

**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.**

*Victor Grayson*

**AUTHORISED OFFICER**

**Date:** 24/06/2024

**Application:** 2023/62/92712/E

**Site:** Land adjacent, 36 Oxford Road, Dewsbury, WF13 4LL

**Proposal:** Erection of 40 bed care home and 12 independent supported living units (use class C2) with associated works including the formation of car park and service access

### **Site Description**

The site is circa 1.1km northwest of Dewsbury Town Centre. To the north, east and west are residential properties while to the south are playing pitches associated with Westborough High School and/or St John Fisher Academy. The site's east boundary is the extent of the Northfields Conservation Area (the site is not within the conservation area), with dwellings within the conservation area being larger and being both historical and grand in their design compared to the more modern dwellings to the north and west.

The site is rectangular in shape, covers 0.8ha, and has a gentle slope downwards from north to south. It is situated between Reservoir Street to the north and Oxford Road to the south. Natural stone walls define each of these boundaries. The site is brownfield, having historically hosted tennis courts, but has been vacant for several decades and has naturalised. Mature trees are situated around all four boundaries of the site with younger self-seeded vegetation encroaching into the centre. PROW DEW/113/10 runs along the site's west boundary and connects Reservoir Street and Oxford Road.

### **Description of Proposal**

The proposal seeks full planning permission for the erection of a 40-bed care home and 12 independent supported living units (use class C2) with associated works including the formation of a car park and service access.

The care home would occupy the central and northern portion of the site. It would have a footprint of 970sqm and total GIA of 2,130sqm across three floors. The footprint would be U-shaped with the side 'wings' being two storeys with the central section being three. The care home would host 40x 1-bedroom units, within use Class C2 (Residential institution). These would be focused on the first floor, with a smaller amount on the ground floor. Other areas of the building would accommodate various ancillary facilities including residents' social rooms, catering and administration rooms.

The building would be predominantly faced in natural Yorkshire stone, with feature areas of brown aluminium standing seam profile cladding panels and fenestration detailed by anthracite grey louvred panels. The roof would feature hipped and gabled elements and be faced in red artificial slate.

The 12 independent supported living units would be detached from the main building, sited to the site's south. They would have the appearance of six semi-detached dwellings but host one flat per floor. Their materials and aesthetic would match the larger care home. Each unit would consist of a 1-bed bedsit and would also operate as a C2 use. Residents would have a greater degree of autonomy comparable to those elsewhere in the site, but would still have a reliance upon the care and facilities provided in the main building.

The proposal includes the re-grading of parts of the site. The 12 flats would be split-level and incorporate most of the level change, with a combined ramped stairway between them providing the rest.

Two new accesses are proposed, one from Oxford Road and one from Reservoir Street. The Oxford Road access would provide access to the site's main 38 space car park and would act as the principal entrance. The Reservoir Street access would lead to a turning head for servicing, including refuse, and four additional parking spaces, for a total of 42 parking spaces on-site. A refuse store would be kept near the Reservoir Street access and turning head.

The mature trees around the site are to be predominantly retained, bar modest felling to provide access or on arboricultural grounds. The younger vegetation within the centre of the site is to be removed. The proposal includes landscaping throughout the site, with a central 'park' area for residents that includes seating areas, a greenhouse and growing plots.

The site's existing stone boundary walls are to be retained, bar necessary demolition to form the above-mentioned access points. Where gaps exist, they would be infilled with matching stone walls. A secondary run of 1.8m high paladin fencing would be set into the site around the buildings, creating a secure compound.

As a C2 care home the proposal would include staff on site. The development would generate between 45 to 50 full time equivalent staff, with between 35 to 40 members of staff expected on site at once.

## **Relevant Planning History**

### Application Site

2000/93124: Outline application for residential development – Granted

2004/94544: Erection of 124 flats with parking – Withdrawn

2005/91842: Erection of 99 flats with parking – Withdrawn

2018/91645: Dead or dangerous tree – Noted

2019/93811: Dead or dangerous tree – Noted

2021/90634: Erection of 5 detached dwellings – Refused

### Surrounding Area

#### *Rear of 36, Oxford Road*

2014/93001: Erection of one detached dwelling with detached garage (within CA) – Granted

2015/93467: Erection of one detached dwelling (within a CA) – Refused (dismissed at appeal)

2018/92737: Erection of one detached dwelling with detached garage (within CA) – Granted 25/01/2019, and therefore expired 25/01/2022. No apparent evidence of a commencement was evident from Reservoir Street at the time of the site visit, although no inspection of the site took place.

#### *Adj. 41, Stocks Hill Street*

2019/90498: Erection of detached dwelling with integral garage – Refused (dismissed at appeal)

### **History of Negotiations**

The site was subject to a pre-application discussion; ref: 2022/21300. This sought feedback on a 40-bed care home and six self-contained units, all to be C2 use. While being broadly supportive of the principle of development, officers raised various concerns including in relation to arboricultural impacts, harm to the Conservation Area, and ensuring appropriate residential amenity standards.

On submission of the current application, it was evident that the applicant had considered much of the pre-application response's advice. This included fundamental changes to the design. Nonetheless, various matters remained unacceptable to officers or needed further details. As part of negotiations, further revisions to the design have been made, particularly to the front 12 units, and the materials have been simplified to reflect that typical of the area. Technical consultees, including K.C. Trees and K.C. Highways, requested revised and/or further details that the applicant has provided.

The applicant and officers have worked together positively to secure an attractive and policy-compliant scheme.

## Representations

*Final publicity date expired: 16/02/2024*

The application has been advertised as a major development via site and press notices and through neighbour letters to properties bordering the site. This is in line with the council's adopted Statement of Community Involvement.

The application was subject to re-advertisement following notable amendments to the proposal. Additional amendments were made following the second public representation period, however, these were lesser in scope and did not warrant further re-advertisement.

In total, 12 public representations were received in response to the proposal, across the two public representation periods. The following is a summary of the comments received:

### *Highways*

- The proposal will generate additional traffic. The area already suffers from high traffic due to the two local schools and is used by learner drivers. Parents park on all nearby roads at drop off / collection times, making the existing situation unsafe. The proposal will exacerbate this and lead to harm to pedestrian safety.
- If the site has barriered access points, vehicles waiting to access the site will have to idle on the highway, which combined with school traffic would harm highway efficiency.
- There are no easy public transport links to Dewsbury, including its rail and bus stations. Nearby bus services are limited in operation and their stops are via a hill, therefore limiting the likelihood staff will use it to access the site. Estimations of walking distances are generous and not realistic for less fit people. With a 6am and 6pm shift change, cyclists will be required to cycle in the dark, which is dangerous. The proposal estimates circa 40 employees. Given these issues, most staff are expected by car and the car parking facilities are inadequate.
- The new access off Reservoir Street is too close to the Clarke Street / Reservoir Street junction. Highways have failed to consider this.
- The function of the site's minibus is unknown and evidence of adequate turning for it on site should be provided.
- The bin-store does not seem large enough for the development.
- There should be no access from Reservoir Street. The four parking spaces (or more) it provides could be accommodated in the main car park. It would be more secure and private, while the other access and car park is large enough to accommodate service / refuse vehicle, thereby making the Reservoir Street access unnecessary.
- It is unclear how deliveries to the site will operate: the reception is removed from the car parking.

- The two accesses will be used as a cut through by pedestrians, between Oxford Road and Reservoir Street. This will impact upon the development's safeguarding for its residents.
- The new access roads do not have adequate sightlines and would either conflict with trees or require their felling.
- The new accesses will be misused by parents while collecting / dropping off children.
- The development should provide crossing points to allow safe pedestrian routes for students and the elderly.

### *Visual amenity*

- The site is subject to a restrictive covenant that requires all buildings to be built in stone. The council / LPA have upheld this elsewhere.
- The formation of the accesses necessitates the removal of stone. This will have harmful visual impacts.
- The red/brown concrete tiles are not in keeping with the area. Natural slate should be used.
- Aluminium cladding is inappropriate and may cause damaging reflections. The amount of stone should be increased, with render as a suitable secondary material.
- Paladin fencing will appear institutional and out of keeping with the residential area.
- Red-brick facing and the architectural appearance of the new buildings is inappropriate to the character of the area. This will harm the nearby conservation area. The applicant's heritage statement references red-brick buildings being nearby. This is misleading, as none of these buildings are in the conservation area.
- Window frames are proposed as dark grey: this is not a feature of the area and should be changed to a colour more complementary to stone masonry.
- Courts 1 and 2 are unattractive and incongruously designed.

### *Ecology*

- The site's vegetation is home to various animals. Its removal will harm local ecology and it is unclear what mitigation is proposed.
- The formation of the accesses necessitates the removal of trees / vegetation. This will harm local ecology, with inadequate mitigation.
- The proposal will not secure a 10% ecological net gain.

### *General*

- The site is for housing and has received planning permission for dwellings in the past. The proposed C2 use would conflict with previous planning requirements. Furthermore, as a residential area the C2 use's staff and service traffic would be inappropriate.
- The proposal will cause harmful light pollution.
- The proposal will result in security concerns for existing residents.

- No consideration appears to have been given to the impact of building and hardstanding layouts/SUDs features etc regarding the Standard Root Protection area for trees to be retained.
- The attenuation tank will require an excavation to 1.5m depth. The possibility that this may intercept shallow coal mining or weaken the roof over any mine has not been considered.
- The high fencing around the site is not necessary, given the existing boundary stone and dense vegetation. The fencing is out of keeping and intrusive.
- No ground investigation works have been undertaken.

## **Consultation Responses**

### *Statutory*

K.C. Highways: Requested further details and/or revisions to elements of the proposal. These requests have been complied with allowing K.C. Highways to offer no objection, subject to conditions.

K.C. Lead Local Flood Authority: No objection subject to conditions.

The Coal Authority: No objection.

### *Non-Statutory*

K.C. Conservation and Design: Expressed initial objection to the proposal and provided design advice to address their concern.

K.C. Ecology: No objection subject to conditions and a S106 agreement to resolve net gain requirements.

K.C. Education: Confirmed no education contribution required for C2 and 1-bed units.

K.C. Environmental Health: No objection subject to conditions. Initially a condition for 'unexpected contamination' was recommended. This was identified as an error, with conditions for further investigation (and remediation / validation, if required) identified as being necessary.

K.C. Landscape: No objection subject to conditions and a S106 agreement to resolve public open space requirements.

K.C. Public Health: The application was submitted with a Health Impact Assessment that K.C. Public Health considered to be inadequate. They provided feedback and advice, including requesting that any subsequent submissions be on the council's HIA template. The applicant responded to

this advice and provided a new HIA, upon the council's template. Public Health were re-consulted, but no further comments received.

K.C. Strategic Housing: Confirmed that C2 accommodation does not trigger an affordable housing contribution expectation.

K.C. Trees: No objection to the principle nor broad details, although some concerns are held over finer technical matters (such as methods of construction). These matters have been discussed and it is concluded they may be adequately addressed via conditions, including for an Arboricultural Method Statement.

West Yorkshire Police Designing Out Crime Officer: No objection.

Yorkshire Water: No objection subject to conditions.

## **Planning Policy**

### Kirklees Local Plan (KLP)

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 27/02/2019).

The site is a Housing Allocation, ref: HS62, on the LP Policies Map. The site is adjacent, but not within, the Northfields Conservation Area.

Relevant Local Plan policies are:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing mix and affordable housing
- **LP19** – Strategic transport infrastructure
- **LP20** – Sustainable travel
- **LP21** – Highways and access
- **LP22** – Parking
- **LP23** – Core walking and cycling network
- **LP24** – Design
- **LP27** – Flood risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP32** – Landscape
- **LP33** – Trees
- **LP35** – Historic environment

- **LP38** – Minerals safeguarding
- **LP47** – Healthy, active and safe styles
- **LP49** – Educational and health care needs
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental quality
- **LP53** – Contaminated and unstable land
- **LP61** – Urban green space
- **LP63** – New open space
- **LP65** – Housing allocations

The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council;

#### *Supplementary Planning Documents*

- Affordable Housing and Housing Mix SPD (2023)
- Highway Design Guide SPD (2019)
- Housebuilders Design Guide SPD (2021)
- Open Space SPD (2021)

#### *Guidance documents*

- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)

#### National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2021, published 19/12/2023, and the Planning Practice Guidance Suite (PPGS), first launched 06/03/2014, 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 5** – Delivering a sufficient supply of homes
- **Chapter 6** – Building a strong, competitive economy
- **Chapter 9** – Promoting sustainable transport
- **Chapter 11** – Making effective use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 14** – Meeting the challenge of climate change, flooding and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

- **Chapter 16** – Conserving and enhancing the historic environment

Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)
- DCLG: Technical housing standards – nationally described space standard (2015)

### Climate change

The council approved Climate Emergency measures at its meeting of Full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On 12/11/2019 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 would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

### **Assessment**

The following matters are considered in the assessment below –

- Principle of development
- Impact on visual amenity
- Impact on residential amenity
- Impact on highway safety
- Drainage and flood risk
- Other matters
- Representations
- Conclusion

### Principle of development

Paragraph 47 of the National Planning Policy Framework (the Framework), which is a material consideration in planning decisions, confirms that planning law requires applications for planning permission to be determined in

accordance with the development plan, unless material considerations indicate otherwise. This approach is confirmed within Policy LP1 of the Kirklees Local Plan, which states that when considering development proposals, the Council would take a positive approach that reflects the presumption in favour of sustainable development contained within the Framework. Policy LP1 also clarifies that proposals that accord with the policies in the Kirklees Local Plan would be approved without delay, unless material considerations indicate otherwise.

### *Sustainable Development and Climate Change*

As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions

The re-use and effective use of brownfield land within the urban environment has various economic, social, and environmental benefits, including the conservation of energy and materials which is a positive of the proposal. Furthermore, it avoids the need to develop greenfield sites elsewhere.

The proposal would have a C2 use class, and therefore residents are unlikely to be fully independent or visit shops / amenities off-site as frequently as a C3 development. Nonetheless, the site is within an existing established settlement and close to various local amenities and facilities at Dewsbury town centre (circa 1.1km away), with bus routes around the area providing adequate service. Therefore at least some, if not all, of the daily, economic, social and community needs of future residents of the proposed development could be met within the area surrounding the application site, which further indicates that residential development at this site can be regarded as sustainable.

Regarding climate change, the applicant has submitted a Climate Change Statement. This document details various matters, including the use of energy efficient and locally sourced (where possible) materials, a design minimising earthworks and maximising solar gain, and the use of solar panels (securable via condition). The submitted Climate Change Statement is welcomed and accepted by officers.

In addition to the above, measures would be necessary to encourage the use of sustainable modes of transport. Adequate provision for cyclists (including cycle storage and space for cyclists) and other measures to promote sustainable movements have been proposed or would be secured by condition (referenced where relevant within this assessment). A development at this site which was entirely reliant on residents travelling by private car is unlikely to be considered sustainable. Drainage and flood risk minimisation

measures would need to account for climate change. These factors will be considered where relevant within this assessment.

### *The council's five-year housing land supply*

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19/12/2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the council is currently unable to demonstrate a five-year supply of deliverable housing sites and delivery of housing has fallen below the 75% HDT requirement it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11. This paragraph triggers a presumption in favour of sustainable development. For decision making this means:

*“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- (i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

The council's inability to demonstrate a five-year supply of housing land or pass the Housing Delivery Test, weighs in favour of housing development but this must be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers' assessment.

### *Development of a housing allocation*

When considering development on a housing allocation LP65 is applicable and states:

*The sites listed below [the housing allocations] are allocated for housing in the Local Plan. Planning permission will be expected to be granted if proposals accord with the development principles set out in the relevant site boxes, relevant development plan policies and as shown on the Policies Map.*

As a policy 'most important for determining the application', LP65 should be considered against paragraph 11 of the NPPF and is therefore deemed 'out of

date'. Therefore, the presumption in favour of sustainable development is applicable. Nonetheless, LP65 established its own presumption in favour subject to due regard and assessment of the material planning considerations which shall take place throughout this assessment.

Use class C2 developments (residential institutions) are varied in their operation and include:

*Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres*

The proposal would be a residential care home, which is considered an appropriate and compatible use of a housing allocation. Nonetheless, other uses within the wider C2 use class (such as a hospital) would not be deemed 'residential' and would be an inappropriate use of a housing allocation. Therefore, it is deemed reasonable and necessary to prevent the in-use change of use of the site via a condition.

Both the Local Plan and National Planning Policy Framework set out expectations to ensure proposals represent the effective and efficient development of land. Policy LP7 requires that developments achieve an appropriate density while LP11 seeks to ensure housing mixtures (sizes, form etc) respond to local needs. These requirements are built upon within the council's Affordable Housing and Housing Mix SPD (March 2023).

Local Plan allocations have indicative capacity figures based on this net density figure. HS62 has an indicative capacity of 26 units, which the proposal would notably exceed (with 52 dwellings, representing 65dph) by virtue of being an apartment development. Regarding mixture, it is acknowledged that the proposal involves only 1-bed units. Officers questioned whether any 2-bed units could be accommodated on site. The applicant stated that this was not possible, due to the specific role and function of the site. As a C2 development with a specific purpose, officers are satisfied that the proposed mixture (or lack thereof) is justified and acceptable.

Concluding on the above, the proposal is deemed an effective and efficient use of a housing allocation that will contribute towards the district's housing supply. Therefore, the development is in compliance with LP7, LP11, LP65, and the council's Affordable Housing and Housing Mix SPD (March 2023).

#### Impact on visual amenity

Relevant design policies include LP2 and LP24 of the Local Plan and Chapter 12 of the National Planning Policy Framework. These policies seek for development to harmonise and respect the surrounding environment, with LP24(a) stating;

*'Proposals should promote good design by ensuring: the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

The site is adjacent to the Northfields Conservation Area boundary. Section 16 of Planning (Listed Buildings and Conservation Areas) Act 1990 introduces a general duty in respect of conservation areas, alongside policy LP35. In considering whether to grant planning permission for development which affects a heritage asset or its setting the Local Planning Authority should 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.

The Northfields Conservation Area does not have a dedicated area appraisal. The heritage value of the Northfields Conservation Area is considered to stem from its architectural form and layout, being a notable example of late 19<sup>th</sup> century architecture and residential development. Within the conservation area, detached (and, in many case, grand) dwellings make a significant positive contribution to the area's character and appearance.

The proposed development would not affect the fabric of any of the identified heritage assets. This means that there would be no physical works within the conservation area. Nonetheless, due regard must be paid to the setting of the heritage assets.

First considering the site as existing, it is brownfield land. While it has naturalised in parts, this has occurred around detritus and hard surfaces, limiting the attractiveness of the vegetation within the site, detracting from the amenity value of the wider area, and not contributing to the Conservation Area. However, the mature trees around the boundary, presumably planted as part of the previous use's landscaping, are of high amenity value to the area and contribute to the setting of the conservation area. This value should be noted to come from the trees as a group, as opposed to any individual tree. As such, the careful redevelopment of the site is considered acceptable, subject to the boundary trees being retained wherever possible, to comply with Local Plan policy LP33. This matter shall be considered further below.

The scale and height of the proposed development, specifically the main building, is greater than most buildings within the area, particularly the residential units to the north and west. Those to the east are notable in size as single dwellinghouses, but still lesser in scale than that proposed. They do, however, establish a local characteristic of sizable buildings in generous curtilages which the proposal would replicate (albeit to a greater extent). Nonetheless, it is not unusual for larger buildings, such as apartments or care homes, to be seen alongside typically-scaled dwellinghouses in residential areas. The main building would be set back from the site's boundaries, retaining a sense of separation and openness, with the landscaped areas and plot being commensurate in scale to the proposed buildings. As such, officers

are satisfied that the main building would neither appear dominant in the area nor cramped in its environs.

The independent units would have a scale typical of semi-detached dwellings that is appropriate for the area, and these raise no design or conservation concerns.

Architecturally the surrounding area is varied, with houses typically benefiting from bespoke designs, resulting in limited consistent characteristics, although there are notable patterns related to age and materials. There are few examples of modern architecture. This traditional design and variety are a contributing factor to the setting of the Northfields Conservation Area. However, the architectural grandeur of the 19<sup>th</sup> century dwellings on Oxford Road (within the Conservation Area) is consistent, as is the overall style of the dwellings.

The proposed development, specifically the main building, is considered to adhere to the above parameters. It would be, principally, suitably traditional in its form and appearance, and the scale would reflect the grandeur of development to the west. While it does have some modern elements, these are subservient features that would add interest to the core traditional design. The independent supported living units' design is likewise predominantly traditional and is deemed a suitable transition between the conservation area to the east and more modern development to the west.

Contrary to the above comments regarding the area's architectural design, facing materials in the area are consistent: natural stone is dominant. The use of secondary materials is infrequent and not a particular characteristic of the area. The proposal would be predominantly stone, which is welcomed, although a condition for samples (of all proposed materials) to ensure a suitable end product is recommended.

The proposal would have modern brown and grey cladding as a secondary material, which would be a new feature of the area. The applicant expressed a desire to avoid a sole reliance upon stone, to avoid an overly 'institutional' and 'dominant' aesthetic to the building. This is stated to be bearing in mind the proposed C2 use and giving due regard to the sensitive end users and to ensure a welcoming environment. Officers offer no commentary on this statement, however note it for context on the design. Officers do not seek to be overly prescriptive in design expectations. The principal consideration is whether the proposal complies with the expectations of the relevant policies, to ensure that development is beautiful and would not result in harm. Officers are satisfied that the secondary materials are subservient and would complement the design of the building. They would not be unduly notable in the area to cause the building to appear incongruous and the development would remain prominently stone when viewed from outside of the site. Regarding the setting of the conservation area, officers are satisfied that

views out of and into the area which include the modern cladding would be limited and therefore result in a neutral impact upon the heritage value.

Regarding roofing, red concrete tiles are proposed. While grey roofing is most prominent, the use of red/brown roofing is also common in the area. Its use here is considered acceptable. The use of an artificial material is a negative of the proposal, but artificial materials are evident on the modern developments outside of the conservation area. Furthermore, bearing in mind the scale of the building and its set back from the public realm, the roofing materials would have a lower prominence compared to the proposed facing materials. Considering this, and given that the site is not within the conservation area itself, officers conclude it would be unreasonable to demand the use of natural roofing material. However, by virtue of the proximity to the conservation area and that the materials would be visible alongside the conservation area (to a greater degree than the secondary materials considered above), the artificial material will result in a degree of harm, albeit very limited harm, to the conservation area's setting.

The young scrub vegetation within the site is to be removed: by virtue of being young, self-seeded upon a broken hard surface, and set away from the public realm, these trees are not considered to hold amenity value and their removal is considered acceptable. Many of the mature boundary trees provide public amenity and are protected by a Tree Preservation Order, although the tree loss around the boundary would be kept to a minimum. The individual trees to be removed to facilitate access from Oxford Road have been identified as category U while the Tree Group to be affected by the Reservoir Street is category C2. In this case, officers consider the removal to be justified: the trees form a perimeter around the site and there is no readily evident existing break in the tree line that could accommodate a suitably-sized access (and sightlines). Nonetheless, the accesses have been located to remove the trees of lesser value. Furthermore, the majority of the value comes from the grouping / line of trees. While some felling is proposed, the group / line of trees would remain as a prominent feature and the loss proposed would neither materially harm the character of the area nor prejudice the setting of the conservation area.

K.C. Trees have expressed concern over the method of construction (foundation and surfacing) and the potential for the development to conflict with the Root Protection Areas of certain trees. To ensure these matters are considered appropriately, and adequate protection for the trees to be retained during construction, they recommend that a condition securing an Arboricultural Method Statement and Protection Plan be imposed.

Regarding new landscaping, the proposal includes sizable open space. An indicative strategy has been provided that demonstrates that an attractive landscape may be created around the development, including new tree and hedge planting. A central garden area, including growing areas, seating, and

managed lawn, would be available for residents while the site's boundaries would retain most of the current trees with additional planting where needed. Where required existing trees would have their canopy raised to 2m from the ground and low-growing bushes and vegetation will be maintained to 1m in height. This would result in a neater appearance to the site which would enhance the local area. A condition, requiring a full landscaping strategy to be provided and implemented, along with management and maintenance details, is recommended.

The site's existing natural stone boundary wall is to be retained and repaired in places, bar the demolition necessary to form the access points. The demolition needed to enable the access points is considered reasonable. As an attractive feature of the development that contributes to the character of the area and the adjacent conservation area's setting, a condition requiring this be done prior to occupation is deemed reasonable and necessary. For new boundary treatment, 1.8m high paladin security fencing would be installed within the site, set back from the existing stone wall / site parameter. This is to provide site security and safety for future occupiers. While a more commercial / industrial feature of the development, it is accepted to be reasonable for the development, to ensure resident's security and safety. Following amendments the fence's height has been lowered and it has been set away from the boundary, reducing its prominence from the public realm. Considering this, and that such a fence could be erected via permitted development rights, on balance its inclusion is considered acceptable.

In conclusion, the proposed development is considered to promote good design which would respect and enhance the character of the townscape, complying with the aims and objectives of Lcoal Plan policy LP24. Considering the historic environment, as a modern intervention immediately adjacent to the Northfields Conservation Area, the proposal would cause a degree of harm to that heritage asset. However, by virtue of the harmonious design and given that the site is outside of the conservation area, officers are satisfied that the impact would be at the lower end of less than substantial. It is considered that the public benefits of bringing a vacant brownfield site back into a positive (care) housing use, at a time of need, outweighs the limited harm caused. It is therefore considered that the proposal also complies with the objectives of policies LP24 and LP35 of the Local Plan.

#### Impact on residential amenity

Local Plan policy LP24 requires developments to provide a high standard of amenity for future and neighbouring occupiers, including by maintaining appropriate distances between buildings.

There are dwellings to the north, east and west of the site, although those to the north are separated from the site by Reservoir Street and those to the west by PROW DEW/113/10. While the scale of the main building is noted as

sizable, the proposed buildings would be well removed from third-party dwellings and their respective curtilages. There are no concerns that the proposal would lead to harmful overbearing, overshadowing, or overlooking in relation to existing dwellings or their private areas.

As a predominantly residential development, noise pollution from future residents affecting existing residents is not considered to be a cause for concern. However, plant is proposed and has the potential to cause noise pollution. The submitted noise report considered this and gives an upper noise limit for any fixed mechanical plant to ensure it does not lead to an increase in measured background levels. A condition is recommended to ensure that any fixed mechanical plant does not exceed background levels.

As a communal kitchen is proposed, odour has the potential to be an issue. Therefore, a condition for the submission of an odour strategy to manage this is deemed reasonable.

The proposal states that the car park areas to the south are to be well lit. Therefore, the potential for light pollution exists. A site-wide lighting strategy has been submitted and is considered to be acceptable, as the lighting would not be excessive nor would it cause harmful light pollution to residents. A condition requiring that the development be implemented in accordance with the submitted strategy is deemed reasonable.

To appropriately manage the construction phase, a condition requiring the submission and approval of a Construction (Environmental) Management Plan (C(E)MP) is recommended. The necessary discharge of conditions submission would need to sufficiently address the potential amenity impacts of construction work at this site, including cumulative amenity impacts should other nearby sites be developed at the same time. Details of dust suppression measures would need to be included in the C(E)MP. An informative note regarding hours of noisy construction work is recommended.

Due regard must also be given to the amenity of future occupiers. As the proposal is for a C2 development the Nationally Described Space Standards are not considered directly applicable. Each unit, including the 12 'independent' units, would be reliant upon the facilities and amenities provided within the wider development, including the canteen, social and varied outdoor spaces as well as care services. In light of this, the proposed unit sizes are deemed appropriate for the specific nature of the development. In terms of outlook, all units would benefit from a well-proportioned window that would provide an acceptable outlook and natural light, with the independent units having two. Units on the west and north of the main building would have an outlook over trees in close proximity, however it would not be so close as to cause material harm nor is it expected to result in undue pressure to fell these trees in the future.

Regarding existing noise and future occupiers, the new buildings would be between two existing roads. The submitted Noise Impact Assessment identifies that certain facades would require additional mitigation measures to ensure suitable internal standards. A condition requiring that these measures be implemented, and then retained, is recommended.

As noted above, residents would benefit from open space on the site, amounting to circa 4,560sqm. The site would be secure and not open to the public. While Public Open Space (POS) typically needs to be accessible to all members of the public, given that the C2 development generates a POS demand yet by its nature cannot allow people on site, it would be unreasonable to discount the landscaped areas on site which the residents would benefit from. Therefore, specific to this application, it is deemed reasonable to accept the open space proposed onsite for calculation purposes, even if it is not fully publicly accessible. However, as set out in the council's Public Open Space SPD, public open space is divided into six typologies. The proposal over-provides on amenity greenspace and natural / semi-natural, while under-providing other typologies: therefore, an off-site contribution of £29,579 to cover the typologies not fully provided on site, to be spent improving open space in the area, remains necessary.

To summarise, the proposed development would not be detrimental to the amenity of neighbouring residents. Furthermore, the proposal would secure an acceptable standard of amenity for future residents. Subject to the proposed conditions, the proposal is deemed to comply with policies LP24 and LP52 of the Kirklees Local Plan.

#### Impact on highway safety

Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development would normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.

Paragraph 114 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. Paragraph 115 of the NPPF adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.

First considering traffic generation, the site is currently vacant and therefore has no traffic movements associated with it. Therefore, there would inevitably be an increase in vehicle movements. While 52 units are proposed, these would be 1-bed and because of the proposed C2 use movements are expected to be limited. Most movements would be attributed to staff, and a lesser amount to visitors. Staff are to operate on 10/12-hour shifts, with the site having a 24-hour use. Morning shift change is stated to be 7am and evening shift change between 6pm and 10pm, outside of the peak times and importantly, given the proximity to two schools, school opening / closing times. Visitors (mainly members of family and professionals) are expected to be sporadic and spread throughout the day. Based on these factors, officers are satisfied that the traffic generation of the proposal could be comfortably accommodated on the existing network.

The site is to have two vehicle access points: one on Oxford Road and the other onto Reservoir Street. Each would take the form of a priority-controlled T-junction. The Oxford Road access would be the primary access for staff and visitors, leading to the main car park and main building's frontage. It would include a 2m wide footway and adequate sightlines for a 30mph road have been demonstrated.

The Oxford Road access is to be secondary in function, principally to enable refuse collection access but also six parking bays. The sightlines for this access are below standard for a 30mph road, being 2.4m x 25m in each direction (compared to the standard of 2.4m x 43m). This is due to the existing trees (which are protected by a TPO) on Reservoir Street and the neighbouring wall, making it not possible to provide a 2.4m x 43m visibility splay to this access. To provide the access would necessitate the removal of a number of mature, protected trees. It is possible to achieve up to 33m visibility to a point 1.5m into Reservoir Street, at the critical right sightline. Given that Reservoir Street is a quiet residential road, and that this access would be a secondary service access, on balance this reduced sightline is not a cause for concern. Residents have raised concerns over the stagger of this access to the Reservoir Street and Clarke Street junction. The aforementioned considerations would likewise be applicable in this case and drivers at each junction would have clear sightlines to each other, therefore likewise not raising safety concerns. The submitted details are adequate to demonstrate that the access would operate appropriately. However, full technical details of both the accesses, including a Road Safety Audit, and their implementation is recommended to be secured via condition.

Regarding the internal layout, adequate internal turning for a refuse vehicle has been demonstrated via the Reservoir Street entrance. A refuse store would be sited adjacent to the turning head, which K.C. Waste Strategy have confirmed to be suitable. For parking, the Local Plan does not have set standards and requires a site-by-site assessment to ensure an appropriate level. K.C. Highways consider that the proposed 41 spaces (against the

expected 40 staff on site at once, residents, and visitors) would be acceptable. A condition requiring that the parking be provided, prior to occupation, is recommended.

Considering alternative means of travel, policy LP20 of the Kirklees Local Plan states that the council will support development proposals that can be served by alternative modes of transport such as public transport, cycling and walking and in the case of new residential development is located close to local facilities or incorporates opportunities for day-to-day activities on site and will accept that variations in opportunity for this will vary between larger and smaller settlements in the area.

While the proposal is for 52 units, given it is a C2 use and given that residents are not expected to drive, a resident's travel plan is not deemed reasonable. However, the anticipated staff numbers of between 35 and 40 is considered sufficient to warrant a travel plan for staff members, the provision of which may be secured via condition. Cycle storage facilities are proposed, although the number of bikes these could accommodate is unknown. A condition securing further details of the cycle storage, including the number of bikes it would serve, its design, and how bicycles would be kept secure from crime and the environment, is deemed necessary.

Given the scale and nature of the development officers recommend a Construction Management Plan (CMP) be secured via condition. This is to ensure the development does not cause harm to local highway safety and efficiency. This would be required pre-commencement, given the need to ensure appropriate measures from the start of works. K.C. Highways have also advised that a 'highway condition survey' be undertaken, via condition. This would include a review of the state of the local highway network before development commences and a post-completion review, with a scheme of remediation works to address any damage attributed to construction traffic. This request is considered reasonable and a condition is recommended.

Overall, it is concluded that the proposal is acceptable with regard to the matter of access and highway impacts. Subject to conditions specified above, it has been demonstrated that the proposed development can accommodate sustainable modes of transport and be accessed effectively and safely by all users, and that any significant impacts from the development on the transport network can be appropriately mitigated. The development would not result in a severe cumulative highway impact given the proposed mitigation. It would therefore comply with policies LP20 and LP21 of the Kirklees Local Plan and guidance within the National Planning Policy Framework.

#### Drainage and flood risk

The site is within Flood Zone 1 and below 1ha in size. Therefore, a site-specific Flood Risk Assessment is not required.

Due regard must still be given to surface water flood risk. A surface water drainage strategy has been submitted and reviewed by the Lead Local Flood Authority (LLFA). Discharge into the combined sewer on Oxford Road has been accepted by the LLFA, as infiltration and discharging to watercourse have been discounted as unfeasible. Other elements of the surface water strategy are broadly accepted, although technical concerns have been noted by the LLFA. However, the LLFA accept that the details provided are satisfactory to demonstrate no fundamental restrictions apply, and adequate details may be provided at conditions stage. A condition for a full technical strategy is therefore recommended, to include details of management and maintenance of the system.

The LLFA have also requested the following conditions be imposed:

- Construction phase temporary drainage arrangement.
- Kitchen fats, oil, and grease discharge interceptor
- Car park discharge interceptor

The above are needed in the interest of managing surface water and its quality.

Considering the above, subject to the proposed conditions the proposal is considered by officers and the LLFA to comply with the aims and objectives of policies LP28 and LP29 of the Kirklees Local Plan.

#### Other matters

##### *Air quality*

The development is not in a location, nor of a large enough scale, to require an Air Quality Impact Assessment.

Notwithstanding the above, Local Plan policies LP24(d) and LP51 and the West Yorkshire Low Emission Strategy Planning Guidance seek to mitigate Air Quality harm. Given the scale and nature of the development it is recommended that the provision of electric vehicle charging points (1 per 10 parking spaces for unallocated car parking) be secured. This has been proposed within the application, but its provision is to be secured via condition.

Subject to a condition requiring this provision, the proposal is considered to comply with policies LP24(d) and LP51 of the Local Plan.

##### *Contamination*

Due to the scale of the development and residential end use, due regard must be paid to ground contamination.

The applicant has submitted Phase 1 ground investigation reports which have been reviewed by K.C. Environmental Health. The Phase 1 information has been accepted, however, it identifies that a Phase 2 report is required to further investigate and, if necessary, identify necessary remediation measures. Accordingly, K.C. Environmental Health recommended conditions relating to further ground investigations. Subject to the imposition of these conditions officers are satisfied that the proposal complies with the aims and objectives of Local Plan policy LP53.

### *Coal legacy*

The application site falls within the defined Development High Risk Area, where there are underground coal mining features and hazards that may pose a risk to development. The application is supported by a Coal Mining Risk Assessment which has been reviewed by the Coal Authority.

In summary the Coal Authority is satisfied the site is safe and stable to accommodate the proposed development and has no objections to this planning application, nor do they request any conditions. The proposal is therefore considered to be compliant with Local Plan policy LP53.

### *Crime Mitigation*

The West Yorkshire Police Designing Out Crime Officer provided feedback at pre-application stage which the applicant has incorporated into the proposal. The WYP DOCO acknowledged the amendments and raised no concerns over the proposal, which is therefore deemed to comply with the relevant part of Local Plan policy LP24.

### *Ecology*

Policy LP30 of the Kirklees Local Plan states that the council will seek to protect and enhance the biodiversity of Kirklees. Development proposals are therefore required to result in no significant loss or harm to biodiversity and to provide net biodiversity gains where opportunities exist.

Regarding local species, 10 trees at the site were determined to provide some suitability for roosting bats, with nine trees providing low suitability and one moderate suitability. All trees with suitability are to be retained in the current proposals and as such further surveys are not required, in line with guidance. Precautionary measures to ensure that nesting birds are protected throughout the development along with details explaining how measures will be taken to prevent the spread of invasive non-native species will be required. It is recommended that these details be secured via condition.

Considering the site habitat value, the site comprises developed land, bare ground, grassland, scrub and trees. Habitats that would be impacted by clearance works are of limited ecological value, being species-poor and largely ornamental or managed for their amenity value. These habitats have limited value to any notable or protected fauna, other than nesting birds.

Notwithstanding the above, all major developments are required to deliver 10% net gain in the site's ecological value. If this cannot be achieved, improvements in the area may be considered, or an off-site contribution.

The application's Biodiversity Net Gain metric calculates that post-development, the development will result in a shortfall of 0.07 Habitat Units (- 2.55%) and a shortfall in Hedgerow Units of 0.69 (- 27.82%). Notwithstanding this, some habitat units would be delivered on site - a condition for technical details and implementation of this is recommended. In order for the proposals to come forward in line with national and local policies and guidance, to achieve a 10% net gain, 0.35 habitat units and 0.94 hedgerow units would need to be delivered. Therefore, a commuted sum of £29,670 would be required in order for the development to achieve a 10% biodiversity net gain, unless the applicant is able to find an alternative site in the vicinity where this could be delivered. It is recommended that this be secured within the Section 106 agreement.

### *Mineral Extraction*

The site is within a wider mineral safeguarding area (SCR with Sandstone and/or clay and shale). Local Plan policy LP38 therefore applies. It seeks to ensure any minerals of value are not prevented from extraction by development. Policy LP38 states that surface development at the application site would only be permitted where it has been demonstrated that certain criteria apply.

Criterion c of policy LP38 is relevant, and allows for approval of the proposed development, as there is an overriding need (in this case, housing and affordable housing need, having regard to Local Plan delivery targets) for it. The proposal is therefore not considered to conflict with policy LP38.

### Section 106 agreement

The required Section 106 agreement was completed on 11/06/2024.

### Representations

A total of 12 representations have been received in response to the application. Most matters raised have been addressed elsewhere within this report. The following are matters not previously directly addressed.

## *Highways*

- If the site has barriered access points, vehicles waiting to access the site will have to idle on the highway, which combined with school traffic would harm highway efficiency.

**Response:** No barriers are included within this proposal.

- The function of the site's minibus is unknown and evidence of adequate turning for it on site should be provided.

**Response:** The function of the minibus does not need to be confirmed to enable the Local Planning Authority to make a decision on the current application. Adequate turning for an 11.85 refuse vehicle has been demonstrated via the Reservoir Street access, and this would accommodate a minibus turning.

- There should be no access from Reservoir Street. The four parking spaces (or more) it provides could be accommodated in the main car park. It would be more secure and private, while the other access and car park is large enough to accommodate service / refuse vehicles, thereby making the Reservoir Street access unnecessary.
- The new access roads do not have adequate sightlines and would either conflict with trees or require their felling.

**Response:** The Oxford Road access's sightlines comply with standards, however the Reservoir Street access would be substandard. This is noted and has been addressed above within the report. Nonetheless, for the reasons given in the report, officers consider the access from Reservoir Street to be acceptable and do not question its need.

- It is unclear how deliveries to the site will operate: the reception is removed from the car parking.

**Response:** Adequate access / turning for a standard delivery vehicle has been demonstrated. The exact details are outside the remit of this application.

- The two accesses will be used as a cut through by pedestrians, between Oxford Road and Reservoir Street. This will impact upon the development's safeguarding for its residents.

**Response:** There would be no harm in planning terms if pedestrians executed such a move, however the proposed development's roads / paths are not intended for adoption and the site is private land. Therefore, this would be a private matter for the applicant.

- The new accesses will be misused by parents while collecting / dropping off children.

**Response:** This is supposition and there is no evidence this would result in harm to the safe and effective operation of the highway.

- The development should provide crossing points to allow safe pedestrian routes for students and the elderly.

**Response:** Planning contributions must be reasonable, necessary, and relevant to the development to be permitted. As the matter raised is a pre-existing issue attributed to the nearby schools, which the proposal would not materially exacerbate, it is deemed outside of the remit of this application to mitigate.

#### *Visual amenity*

- The site is subject to a restrictive covenant that requires all buildings to be built in stone. The council / LPA have upheld this elsewhere.

**Response:** Restrictive covenants do not form a material planning consideration. However, planning policies do require design to harmonise with the character of the area, which is noted to include stone as a predominant feature. The restrictive covenant adds context to this. In the interest of complying with policy, officers negotiated with the applicant and the use of natural stone is now proposed.

- Aluminium cladding is inappropriate and may cause damaging reflections. The amount of stone should be increased, with render as a suitable secondary material.
- Window frames are proposed as dark grey: this is not a feature of the area and should be changed to a colour more complementary to stone masonry.

**Response:** Render has been removed and stone has been increased. Material samples are to be provided and would ensure the cladding is not overly reflective. Officers have no concerns over the use of grey frames.

#### *General*

- The site is for housing and has received planning permission for dwellings in the past. The proposed C2 use would conflict with previous planning requirements. Furthermore, as a residential area the C2 use's staff and service traffic would be inappropriate.

**Response:** The site is a housing allocation, and a C2 use, which is essentially residential, would be appropriate on such an allocation. Previous applications

do not establish parameters for a new proposal and each application is assessed on its own merits.

- The proposal will result in security concerns for existing residents.

**Response:** This is supposition. Officers do not consider that a C2 use would result in a rise in crime.

### 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

**Application Number:** 2023/92712

**Decision Authorisation:** Delegated Powers

**Officer Recommendation:** Approve, subject to conditions and a Section 106 agreement

### **Conditions and Reasons**

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

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan.

### **Prior to development commencing**

3. Groundworks shall not commence until a Remediation Strategy 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. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. 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 two 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:** So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site.

4. Following completion of any measures identified in the approved Remediation Strategy (or any approved revised Remediation Strategy) a Validation Report shall be submitted to the Local Planning Authority. No phase of the site shall be brought into use until such time as the remediation measures have been completed for the phase in accordance with the approved Remediation Strategy (or the approved revised Remediation Strategy) and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in phases, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority alongside the final phases' Validation Report.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan.

5. Prior to development commencing, (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities, to be informed by an up-to-date ecological assessment;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

**Reason:** To ensure avoidance of impacts to protected and priority species in order to prevent significant ecological harm in accordance with Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated to the construction phase.

6. Prior to development commencing (including demolition, ground works, vegetation clearance), a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

- Any phasing of development and timetable of all works;
- Hours of works;
- Details of construction access arrangements:
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Lighting during construction works;
- Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;
- Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Means of engagement with local residents and occupants or their representatives; and
- Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

7. Prior to development commencing, notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with

British BS 5837, shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include a Tree Protection Plan and details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

**Reason:** So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Local Plan and advice within the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate regard is given to mitigation and that any necessary measures are in place to protect the trees, prior to works taking place.

8. Prior to the commencement of development (including ground works), a survey of the existing condition of the highway (the extent of highway to be surveyed to be agreed with the Local Planning Authority in advance) shall be carried out jointly with the Local Highway Authority and submitted to and approved in writing by the Local Planning Authority. The survey shall include all highway features, including carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signage, and road markings.

Upon completion of each phase of the development hereby approved (or at any earlier stage to be agreed with the Local Planning Authority in advance) a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out following the completion of all construction works related to each phase of development and prior to the occupation of the final dwelling associated with each phase of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Should any highways defects (affecting highway safety) attributable to the construction traffic or activities of the development hereby approved be identified during the construction period, remediation of these highway defects shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety, to ensure the effective maintenance of the Highway and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that the existing highway condition baseline may be adequately assessed prior to any works taking place.

9. Prior to development commencing, notwithstanding the submitted details, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rates with the LLFA indirectly or directly to

watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

**Reason:** In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate provisions are in place at the appropriate stage.

10. Prior to development commencing, details of temporary surface water drainage for the construction phase (after soil and vegetation/site strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 5-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha unless otherwise agreed with the LLFA.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

**Reason:** In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate mitigatory provisions are in place at the appropriate stage.

### **Prior to specified time**

11. Prior to above ground works commencing, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing

by the local planning authority. The plan shall demonstrate how a minimum of 2.74 habitat units and 1.80 hedgerow units are to be achieved post-development and include details of the following:

- a. Description and evaluation of features to be managed and enhanced;
- b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and Objectives of management;
- e. Appropriate management Actions for achieving Aims and Objectives;
- f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
- g. Details of the management body or organisation responsible for implementation of the BEMP;
- h. Ongoing monitoring programme and remedial measures; and
- i. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years

The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the management body responsible for its delivery. The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.

**Reason:** In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

12. Prior to above ground works commencing, notwithstanding the approved plans, full details of soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- a. Planting plans;
- b. Written specifications of soil depths, cultivation and other operations associated with plant and grass establishment;
- c. Schedules of plants noting species, planting sizes and proposed numbers/densities;
- d. Details of street trees, to include tree pit details;
- e. Assessment of landscaping impact on new and public sewer infrastructure;
- f. Details of an implementation and maintenance programme for a minimum 5-year period; and
- g. Details of phasing of soft landscaping works.

All soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, phasing and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of the provision and establishment of acceptable landscape scheme to ensure a good quality development.

13. Prior to above ground works commencing, notwithstanding the information shown on drawing 0717 Rev. P03, full details of the permanent site access works from both Oxford Road and Reservoir Street shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of vehicle swept paths for a 11.85m refuse vehicle, sight lines, treatment of visibility splays, road markings, signage, crossings, construction specifications and details, levels and sections, kerbing, drainage, surface finishes and street lighting, and independent road safety audits covering all aspects of these works. The development shall not be brought into use until the approved works have been fully implemented.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that access to the site and associated works are designed and approved at an appropriate stage of the development process.

14. Prior to above ground works commencing, a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first operation of the development and shall thereafter be adhered to.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental wellbeing and to accord with Policies LP24 and LP28.

15. Prior to above ground works commencing, until a scheme demonstrating surface water from vehicle parking and hard standing areas passing through an oil/petrol interceptor of adequate capacity prior to discharge has been submitted to, and approved in writing by, the local planning authority. Roof drainage should not be passed through any interceptor. The development

shall not be brought into use until the approved scheme is implemented and it shall thereafter be retained.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental wellbeing and to accord with Policies LP24 and LP28.

16. Prior to their use, details of all the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

**Reason:** In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

### **Prior to the development being brought into use**

17. Prior to the development being brought into use, a strategy for the implementation of photovoltaic panels as indicatively shown on plan ref. 0711 Rev. P03 and detailed in the submitted Climate Change Statement, or an alternative strategy for the inclusion of renewable or low carbon energy sources into the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the strategy shall be implemented in accordance with the approved details, prior to the occupation of the development. The photovoltaic panels or alternative renewable or low carbon energy sources shall be retained thereafter.

**Reason:** To support the transition towards renewable and low carbon energy, in accordance with Policy LP26 of the Kirklees Local Plan.

18. Prior to the development being brought into use, the repair and infill of the site's existing stone boundary wall shall be undertaken in accordance with the details shown on plan ref. 0718 rev. P02. The infilled sections shall be formed using natural stone which matches the colour of the adjacent retaining stone walls. Thereafter the natural stone boundary wall shall be retained.

**Reason:** In the interest of visual amenity, in accordance with policy LP24 of the Kirklees Local Plan.

19. Prior to the development being brought into use, all 42 vehicle parking spaces, as shown on plan ref. 0710 rev. P04 shall be laid out, surfaced, and made ready for use. Thereafter all 42 parking spaces shall be retained.

**Reason:** To ensure that sufficient parking is provided and retained to serve the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan.

20. Prior to the development being brought into use, details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers the amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours.
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours. The effective stack height (discharge height plus plume rise) must be high enough to ensure that adequate dilution takes place before the plume interacts with the nearest sensitive receptor.
- Details showing the proposed location of all the major components of the extract system.
- The noise mitigation measures that will be incorporated into the extract system and details of the likely resulting noise levels that will be caused by the operation of the extract system, in particular the noise level at nearby noise sensitive locations.
- The proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences, the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.

**Reason:** To ensure the proposed development does not cause harmful odour pollution within either a public area or at neighbouring premises in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan

21. Prior to the development being brought into use, a minimum of four electric vehicle recharging points shall be installed within the parking area as shown on plan ref. 0710 Rev. P04. The cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

**Reason:** In the interest of supporting low emission vehicles, to accord with the guidance contained in Policies LP24 and LP51 of the Kirklees Local Plan.

22. Prior to the development being brought into use, notwithstanding the submitted information, details of secure and covered cycle storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to the development being brought into use and shall thereafter be retained.

**Reason:** To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

23. Prior to the development being brought into use, notwithstanding the submitted details, a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include proposals for enabling and encouraging the use of active and sustainable

modes of transport, monitoring, review, and timings for delivery. The approved Travel Plan and measures shall be implemented prior to occupation or in accordance with the agreed timescales, or as otherwise agreed with the Local Planning Authority.

**Reason:** In the interests of enabling and encouraging the use of active and sustainable transport modes, to mitigate the air quality impacts of the development and to accord with Policies LP20, LP21, LP22, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan.

24. Prior to the development being brought into use, all works which form part of the sound attenuation scheme as specified in the Noise Impact Assessment authored by Infinity Acoustics dated September 2023 Ref A078RT v001:

- a) shall be completed; and
- b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

**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.

25. Prior to the development being brought into use, the waste storage building as shown on plans ref. 0717 rev. P03 and 0703 rev. P02 shall be completed and made ready for use. Thereafter the waste storage facilities shall thereafter be retained.

**Reason:** To encourage the effective and efficiency collection of waste, and therefore the highway, in accordance with Policy LP21 of the Kirklees Local Plan.

### **Stipulations and ongoing requirements**

26. The development's external lighting shall be installed in accordance with the details shown on plan ref. D50731/JB/B, unless an alternative strategy is submitted to, and approved in writing by, the Local Planning Authority. The external lighting so installed shall thereafter be retained.

**Reason:** To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

27. Details of any additional tree works required during the construction process that are not identified within the submitted information shall be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out. The works shall thereafter be carried out in complete accordance with the approved details.

**Reason:** To protect trees that provide visual amenity value, to comply with Policies LP24 and LP33 of the Kirklees Local Plan.

28. The premises shall be used as a C2 Residential Care Home only, and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** To accord with the assessment undertaken, in the interests of making an effective and efficient use of a housing allocation, preserving the amenity of nearby residents, and ensuring the safe and effective operation of the highway, in accordance with Policies LP21, LP24, and LP68 of the Kirklees Local Plan.

29. 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.

#### **Note: 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.
- Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- 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.

### **Highways Informative Note: Pursuant to condition 13**

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the highway works.

This process will involve entering into Section 38 / 278 agreements of the Highways Act 1980 or other appropriate agreements to enable delivery of the highway works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85).

Interference with the highway without the required permission(s) is an offence that could lead to prosecution.

### **Note: Pursuant to conditions 3 and 4 regarding contaminated land**

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

### **Note: Pursuant to condition 7**

Regarding the required method statement, you are directed to the consultation response provided by K.C. Trees and the following comments:

- Pile and beam foundation are preferred within footprint of western elevation of unit within the RPA of T26, T27, T28 and T29.

- Specific details on how the footpath within the RPA's of retained trees T26, T27, T28 and T29 will be construction. A geo textile "no dig" construction method is required.

**Note: Hours of construction**

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:

- Monday to Friday: 0730 – 1830
- Saturday: 0800 – 1300
- 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.

**Note:** The responsibility of securing a safe development rests with the developer and land owner.

**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:** Public footpath DEW/113/10 is adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. The Public Rights of Way team can be contacted via the email: [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk).

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan			18/09/2023
General Plan	0110	Rev. P01	17/01/2024
General Plan	0111	Rev. P02	05/04/2024
General Plan	0112	Rev. P01	17/01/2024
General Plan	0200	Rev. P03	17/01/2024
General Plan	0201	Rev. P02	17/01/2024
General Plan	0202	Rev. P01	17/01/2024
General Plan	0203	Rev. P01	17/01/2024
General Plan	0204	Rev. P01	17/01/2024

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	0700	Rev. P01	18/09/2023
Existing Site Layout	0701	Rev. P01	18/09/2023
General Plan	0703	Rev. P02	05/04/2024
Existing Site Sections	0705	Rev. P01	18/09/2023
Proposed Site Layout	0710	Rev. P04	19/03/2024
Proposed Floor Plans	0711	Rev. P03	19/03/2024
Proposed Landscaping Layout	0716	Rev. P01	18/01/2024
General Plan	0717	Rev. P03	05/04/2024
General Plan	0718	Rev. P02	19/03/2024
Proposed Floor Plans	0720	Rev. P02	18/01/2024
Proposed Floor Plans	0721	Rev. P02	18/01/2024
Proposed Floor Plans	0722	Rev. P02	18/01/2024
Proposed Floor Plans	0723	Rev. P03	19/03/2024
Proposed Elevations	0725	Rev. P03	19/03/2024
Proposed Elevations	0726	Rev. P03	19/03/2024
Proposed Site Sections	0728	Rev. P02	18/01/2024
Proposed Floor Plans	0730	Rev. P02	18/01/2024
Proposed Floor Plans	0731	Rev. P02	18/01/2024
Proposed Floor Plans	0732	Rev. P02	18/01/2024
Proposed Elevations	0735	Rev. P03	19/03/2024
Proposed Site Sections	0738	Rev. P02	18/01/2024
Proposed Floor Plans	0740	Rev. P02	18/01/2024
Proposed Floor Plans	0741	Rev. P02	18/01/2024
Proposed Floor Plans	0742	Rev. P02	18/01/2024
Proposed Elevations	0745	Rev. P03	19/03/2024
Proposed Site Sections	0748	Rev. P02	18/01/2024
Grouped Plans and Elevations	D50731/JB/B		11/10/2023
Design and Access Statement	3800	Rev. P01	17/01/2024
Ecological/Biodiversity Statement	Preliminary Ecological Appraisal Report		18/09/2023
Ecological/Biodiversity Statement	Ecological Impact Assessment		18/09/2023
Noise Assessment	A078RT		11/10/2023
Contamination Report	Ground Investigation Report		18/04/2024
Supporting Information	Rapid Health Impact Assessment		17/01/2024
Supporting Information	Transport Statement		11/10/2023
Supporting Information	3801 (Planning Statement)		11/10/2023
Supporting Information	Surface Water Management Report	Rev. B	11/10/2023

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Supporting Information	Climate Change Statement		27/09/2023
Supporting Information	Phase 1 Desk Study Report		18/09/2023
Supporting Information	Phase 2 Ground Report		18/04/2024
Tree / Arboricultural Survey	Arboricultural Impact Assessment		18/09/2023
Tree / Arboricultural Survey	Tree Survey		18/09/2023
Tree / Arboricultural Survey	Tree Constraints Plan		18/09/2023

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 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.

**Report Dated:** 18/06/2024.