

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

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

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2023/62/93114/E
Site Address:	23, Oldroyd Way, Dewsbury, WF13 2JJ
Description:	Erection of two storey extensions, part single storey/part two storey rear extension and associated alterations following demolition of existing conservatory and garage
Recommending Officer:	Nicole Helliwell

DECISION – Conditional Full Permission

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

Sarah Longbottom

AUTHORISED OFFICER

Date: 07-May-2024

Officer Report

Reference No. 2023/62/93114/E

Site Address: 23, Oldroyd Way, Dewsbury, WF13 2JJ

Proposal: Erection of two storey extensions, part single storey/part two storey rear extension and associated alterations following demolition of existing conservatory and garage

Site Description

The application relates to 23 Oldroyd Way, a two-storey detached property situated in Dewsbury. The dwelling is predominately faced in red brick and is partially rendered to the front and incorporates a dual-pitched roof finished in concrete tiles. The property currently benefits from a detached garage, a conservatory, off road parking to the front and a sufficiently sized garden to the rear. The neighbouring properties are of residential use and comprise two storey dwellings of similar materials and architectural styles. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The application seeks planning permission for several additions and exterior alterations to the original dwellinghouse. The existing detached garage and conservatory will be demolished to allow for the proposed development. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed extensions and external alterations. The proposed works are summarised below:

- Two storey side extension (projection approx. 1.5m, maximum height approx. 8m and an eaves height of approx. 5.55m)
- Two storey rear extension (projection approx. 5.6m from existing rear elevation, maximum height approx. 7.45m and an eaves height of approx. 5.6m)
- Single storey rear extension (projection approx. 5.6m from the rear of the proposed two storey side extension, maximum height approx. 4m and an eaves height of approx. 3.1m)
- Installation of ground and first floor window within the western side elevation of the property.
- Installation of new opening within the front elevation of the property.

Relevant Planning History

- **2024/90578:** Work to TPO(s) 06/92. [Planning application details | Kirklees Council](#) – Pending Consideration

- **96/93677:** Erection of 13 no. Detached dwellings with garages (plots 84-92 house type substitution). [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **94/93754:** Erection of 4 no. Additional detached dwellings. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **93/05910:** Erection of 87 no dwellings with garages (alternative proposal). [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **93/05909:** Erection of 87 no dwellings with garages. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **86/04998:** Outline application for mentally Handicapped Day Unit. [Planning application details | Kirklees Council](#) – Objections Raised

Representations

The application was publicised by neighbour notification letters, which expired on 1st December 2023. As a result of the above publicity, four representations have been received. The comments made have been summarised below:

- The reason that the houses here have larger than average gardens is because of the presence of many protected trees in this section of the estate. The builders said that they were obliged to keep building work a certain distance from the trees – if their machinery went too close to the trees or roots, irreparable damage could be caused, so they designed the houses around these considerations.
- The fact that the builders took the trees and roots into account when designing the estate means they presumably had good reason for making No 23 the size that it is.
- It's hard to imagine that substantially enlarging the footprint of this house would not cause the kind of disturbance or damage that the builders were trying to avoid 25 years ago.
- Other residents have of course extended their homes; this has tended to take the form of turning the garage into a bedroom or by adding a single-storey kitchen extension – not the large-scale 2-storey development as is proposed here
- I am apprehensive about its potential adverse impact on our environment, particularly regarding increased traffic and noise along our road.
- The proposed extension raises significant concerns about our community's quality of life for long time due to large scale extension project. The potential surge in traffic and noise might disrupt the peaceful atmosphere of our cul-de-sac.
- Safety risks due to increased traffic are worrisome.
- Number 23's small tandem drive further complicates the parking issue poses challenges to park heavy machinery and construction vehicles.

- I kindly request the planning authority to ensure comprehensive safeguards. These should encompass a thorough traffic impact assessment and measures to minimize construction-related noise.
- Restricting extension-related work to specific hours can help alleviate additional disruptions.
- Beyond traffic and noise, I'm concerned about the potential privacy impact caused by the double-storey extension overlooking our garden.
- Preserving our privacy is crucial, and any development compromising it is worrying, and also the double-storey will limit the sunlight in our garden, which is already scarce due to protected trees.
- Increase in traffic and noise during the construction period.
- Due to the significant increase in the size of the property, the construction period has the potential to last many months.
- I am particularly concerned about the potential disruptions that increased traffic and noise could pose on this quiet cul-de-sac.
- To mitigate these concerns, I kindly request your assurance that any construction activities associated with the extension will be limited to daytime hours and weekdays only.
- My major concern is the size of the rear two storey extension. Due to the number of large dense trees in the vicinity, daylight is at a premium and I believe the extension will significantly reduce the available daylight/sunlight to my conservatory
- I trust that the protected trees in the garden will not be compromised, bearing in mind that the roots will extend at least as far as the canopy does.

Following the receipt of revised plans, the application was re-publicised by neighbour notification letters, which expired on 16th March 2024. As a result of the above publicity, one representation has been received. The comments made have been summarised below:

- The revised proposals do not address the limitations on light to my Conservatory
- I am still faced with a two storey blank wall to 50% of my Conservatory
- Light is at a premium especially when the trees are in leaf, I have enjoyed an open aspect to the side in excess of 20 years

Consultation Responses

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

KC Trees

Overall, there remains concern that the development will create pressure on the protected trees once occupied. However, KC Trees raise no objection subject to a condition requiring an Arboricultural Method Statement (AMS) to

be submitted and agreed in writing. This is in line with the project arboriculturist's recommendation outlined within Section 5.7 of the AIA.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 33** – Trees
- **LP 52** – Protection and Improvement of Environmental Quality

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 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

Assessment

1. Principle of development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety

1. Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Two Storey Side Extension

The proposed two storey extension would extend approximately 1.5m from the side elevation of the original dwellinghouse. The enlargement would be faced in red brick and would incorporate a dual-pitched roof finished in concrete tiles to match the appearance of the host property. Although the extension proposed would feature a high ridge line, it would be modestly proportioned and would be set back approx. 0.6m from the principal elevation such that it would have some form of subservience to the original build. For these reasons, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Part Single Storey/Part Two Storey Rear Extension

The proposed part single storey/part two storey extension would project approximately 5.6m from the rear elevation of the original dwellinghouse and the proposed two storey side extension. The enlargement would be faced in red brick with concrete tiles for the roof to match the appearance of the host property. The single storey element would incorporate a mono-pitched roof form and the two storey element would feature a dual-pitched design. Although the enlargement would have a large projection, it would feature a lower ridge line such that it would appear subservient to the original build. Whilst it is noted that the enlargement would alter the scale and form of the dwelling, this is considered acceptable given that the property and its curtilage would support the extension without it appearing incongruous or amounting to overdevelopment. Therefore, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

External Alterations

The external alterations would see a ground and first floor window installed within the western side elevation of the property. Furthermore, a new opening would be installed within the front elevation of the dwelling. Given that the fenestration would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host dwelling and the surrounding area.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the proposal would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

The submitted plans confirm that no properties located to south and east of the application site would be affected by the proposed development.

Impact on 21 Oldroyd Way

21 Oldroyd Way is a residential property situated west of the application site. The submitted plans confirm that the proposed two storey rear extension would be positioned approximately 0.8m from the common boundary shared with no.21. The proposed enlargement would not surpass the rear elevation of the neighbouring dwelling nor its conservatory due to the staggered building positions and would accord with the 45 degree rule in relation to the neighbour's ground and first floor rear fenestration. On this basis, it is considered that there would be no undue harm to the neighbouring amenity with regards to overbearing, overshadowing or overlooking.

Furthermore, the submitted plans confirm that two new windows would be installed at ground and first floor level within the western side elevation of the dwelling. Although the ground floor window would be of secondary use and would serve a kitchen and the first floor window would serve a W.C, which is a non-habitable room, a condition requiring the windows to be obscure glazed will be added to the decision notice to prevent any detrimental harm to the neighbouring occupants with regard to residential amenity.

Impact on 10 Oldroyd Way

10 Oldroyd Way is a two-storey detached property located north-east of the application site. The submitted site plan confirms that a distance of approximately 10.7m would be retained between the proposed two storey side extension and the side elevation of no.10. Although the separation distance would fall short of the 12m recommended within the Kirklees House Extensions and Alterations SPD, it is taken into consideration that the current relationship falls short of this distance. Therefore, given that precedence has already been established within the street scene, it is considered that there would be no significant detrimental impact on the amenity of the neighbouring properties as a result of the proposed development.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. Therefore, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan

(b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Although enlarging the existing living accommodation, the proposed development would not intensify the domestic use at the dwelling, with it remaining as a three bedroom dwelling. As a result of the proposed works, two off street parking spaces would be provided which would represent a sufficient provision for a three bedroomed dwellinghouse. Therefore, the proposal is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Biodiversity

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Kirklees Local Plan, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

Protected Trees

The Tree Survey and Arboricultural impact assessment submitted are considered to have made a fair assessment of the trees. A realistic assessment of the probable impact of any proposed development on the trees and vice versa should take into account the characteristics and condition of the trees,

with due allowance and space for their future growth and maintenance requirements.

The extension will occupy a large portion of the space in the current layout that is not occupied by trees. So once occupied there is concern that the gardens and sitting areas may not or at least be considered to not meet the normal requirement for direct sunlight for at least a part of the day. This may lead to pressure from residents to undertake removal or thinning in order to address the issue. Light loss would not be justification for the loss of these trees and the public amenity they provide. Therefore, any future tree works application may not be supported.

Overall, there remains concern that the development will create pressure on the protected trees once occupied. However, KC Trees raise no objection subject to a condition requiring an Arboricultural Method Statement (AMS) to be submitted and agreed in writing. This is in line with the project arboriculturist's recommendation outlined within Section 5.7 of the AIA.

There are no other matters relevant to the determination of this application.

5. Representations

Five representations were received following the statutory publicity. The comments made have been summarised and addressed below:

- Increase in traffic and noise during the construction period.
Response: *Impacts from construction are temporary and are not material planning considerations*
- I am particularly concerned about the potential disruptions that increased traffic and noise could pose on this quiet cul-de-sac.
Response: *To protect the amenity of nearby sensitive receptors from construction noise, a footnote has been added to restrict the hours of construction.*
- I kindly request the planning authority to ensure comprehensive safeguards. These should encompass a thorough traffic impact assessment and measures to minimize construction-related noise.
Response: *Impacts from construction are temporary and are not material planning considerations. In addition, in any case, as the proposal relates to a householder development, a traffic impact assessment would not be proportionate to the scale and nature of the proposals.*
- The reason that the houses here have larger than average gardens is because of the presence of many protected trees in this section of the

estate. The builders said that they were obliged to keep building work a certain distance from the trees – if their machinery went too close to the trees or roots, irreparable damage could be caused, so they designed the houses around these considerations.

Response: *The proposal's potential impact on the protected trees has been addressed within the 'other matters' section of the Report. The Trees Officer has raised no objections subject to the imposition of a condition requiring submission of an AMS.*

- The fact that the builders took the trees and roots into account when designing the estate means they presumably had good reason for making No 23 the size that it is.

Response: *The proposal's potential impact on the protected trees has been addressed within the 'other matters' section of the Report. The Trees Officer has raised no objections subject to the imposition of a condition requiring submission of a Tree Protection Plan and Arboricultural Method Statement.*

- I trust that the protected trees in the garden will not be compromised, bearing in mind that the roots will extend at least as far as the canopy does.

Response: *The proposal's potential impact on the protected trees has been addressed within the 'other matters' section of the Report. The Trees Officer has raised no objections subject to the imposition of a condition requiring submission of a Tree Protection Plan and Arboricultural Method Statement.*

- Other residents have of course extended their homes; this has tended to take the form of turning the garage into a bedroom or by adding a single-storey kitchen extension – not the large-scale 2-storey development as is proposed here

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report. Each application is assessed on its own merits.*

- I am apprehensive about its potential adverse impact on our environment, particularly regarding increased traffic and noise along our road.

Response: *Impacts from construction are temporary and are not material planning considerations.*

- The proposed extension raises significant concerns about our community's quality of life for long time due to large scale extension project. The potential surge in traffic and noise might disrupt the peaceful atmosphere of our cul-de-sac.

Response: *Impacts from construction are temporary and are not material planning considerations.*

- Beyond traffic and noise, I'm concerned about the potential privacy impact caused by the double-storey extension overlooking our garden.
Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- Safety risks due to increased traffic are worrisome.
Response: *Impacts from construction are temporary and are not material planning considerations.*

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- Restricting extension-related work to specific hours can help alleviate additional disruptions.
Response: *To protect the amenity of nearby sensitive receptors from construction noise, a footnote has been added to restrict the hours of construction.*

- Light is at a premium especially when the trees are in leaf, I have enjoyed an open aspect to the side in excess of 20 years
Response: *The proposal's potential impact on the protected trees has been addressed within the 'other matters' section of the Report, and the potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report*

- Number 23's small tandem drive further complicates the parking issue poses challenges to park heavy machinery and construction vehicles.
Response: *Impacts from construction are temporary and are not material planning considerations.*

- Preserving our privacy is crucial, and any development compromising it is worrying, and also the double-storey will limit the sunlight in our garden, which is already scarce due to protected trees.
Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- To mitigate these concerns, I kindly request your assurance that any construction activities associated with the extension will be limited to daytime hours and weekdays only.
Response: *To protect the amenity of nearby sensitive receptors from construction noise, a footnote has been added to restrict the hours of construction.*

- My major concern is the size of the rear two storey extension. Due to the number of large dense trees in the vicinity, daylight is at a premium and I believe the extension will significantly reduce the available daylight/sunlight to my conservatory

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- Due to the significant increase in the size of the property, the construction period has the potential to last many months.

Response: *Impacts from construction are temporary and are not material planning considerations.*

- It's hard to imagine that substantially enlarging the footprint of this house would not cause the kind of disturbance or damage that the builders were trying to avoid 25 years ago.

Response: *The proposal's potential impact on the protected trees has been addressed within the 'other matters' section of the Report. The Trees Officer has raised no objections subject to the imposition of a condition requiring submission of a Tree Protection Plan and Arboricultural Method Statement.*

- The revised proposals do not address the limitations on light to my Conservatory

Response: *The proposals potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- I am still faced with a two storey blank wall to 50% of my Conservatory

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

6. Negotiations

Amendments were received during the course of the application. The applicant's agent provided revised drawings omitting elements of the proposal to avoid covering the root protection area. KC Trees have reviewed the submitted plans and have confirmed that they have no objections to the application.

7. Conclusion

This application for the erection of two storey extensions, part single storey/part two storey rear extension and associated alterations at 23 Oldroyd Way has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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

been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2023/93114

Officer Recommendation: Approve

Conditions and Reasons

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

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

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

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP33 and LP52 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The extensions hereby approved shall be faced in red brick for the external walls and concrete tiles for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

4. The proposed ground and first floor windows in the western side elevation of the dwelling shall be fitted with obscure glazing to at least Level 3 on the Pilkington Scale and non-opening to a height of no less than 1.7m above floor level and retained as such thereafter.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan, the House Extensions and Alterations SPD and the National Planning Policy Framework.

5. Development shall not commence until an Arboricultural Method Statement, has been submitted to, and approved in writing by the Local Planning Authority. The method statement shall include details of including but not limited to the following:

- removal of existing structures and hard surfacing.
- installation of temporary ground protection.
- excavations and the requirement for specialized trenchless techniques within the RPAs of retained trees.
- installation of new hard surfacing – materials, design constraints and implications for levels within the RPAs of retained trees.
- specialist foundations – installation techniques and effect on finished floor levels and overall height.
- retaining structures to facilitate changes in ground levels.
- preparatory works for new landscaping/replacement planting.
- auditable/audited system of Arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.

and 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: This detail is required prior to development commencing on site to protect to viability of the protected trees the application site and to accord with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant /

developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

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

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Proposed Site Plan	A101	01	29/02/2024
Existing Ground Floor Plan	A102	-	20/10/2023
Existing First Floor Plan	A103	-	20/10/2023
Existing North Side Elevation	A104	-	20/10/2023
Existing South Side Elevation	A105	-	20/10/2023
Existing West Side Elevation	A106	-	20/10/2023
Existing East Side Elevation	A107	-	20/10/2023
Proposed Ground Floor Plan	A108	01	29/02/2024
Proposed First Floor Plan	A109	01	29/02/2024
Proposed North Side Elevation	A110	01	29/02/2024
Proposed South Side Elevation	A111	01	29/02/2024
Proposed West Side Elevation	A112	01	29/02/2024

Plan Type	Reference	Revision	Date Received
Proposed East Side Elevation	A113	01	29/02/2024
Proposed Site Plan	A114	-	21/04/2024
Existing Garage Elevations	A117	-	20/10/2023
Arboricultural Report and Arboricultural Impact Assessment	21671/AJB	-	29/02/2024
Climate Change Statement	-	-	20/10/2023

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. Revised drawings were submitted by the applicant's agent which were considered acceptable. The agent has agreed to the pre-commencement condition.

Report Dated: 30/04/2024