

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:	2023/62/93546/W
Site Address:	Hirst Clough, 4, Kaffir Road, Edgerton, Huddersfield, HD2 2AN
Description:	Erection of extensions and alterations (within a Conservation Area)
Recommending Officer:	Laura Yeadon

DECISION – CONDITIONAL FULL PERMISSION

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

John Holmes

AUTHORISED OFFICER

Date: 02-Feb-2024

Officer Report

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f93546>

Site Description

Hirst Clough, 4 Kaffir Road is a two-storey property located within the Edgerton Conservation Area. The property is two storeys in height and constructed from stone with a blue slate roof. The property is set within a large plot which is sited within the original curtilage of Lunnclough Hall (No's 6 and 8) which is a Grade II listed Building along with No 10 Kaffir Road and associated Lodge House (No. 6A). No. 12 is also a Listed Building which is located to the north-west of the site. To the front (north) boundary of and to the rear (south and east) boundaries are trees which are protected by area Tree Preservation Orders.

The surrounding area is comprised of primarily of dwelling located within plots of various sizes. Halifax Road (A629) is to the south of the site.

At the time of the site visit, the works on site to implement previous approvals of planning permission appeared to be complete, albeit not in accordance with the latest approved plans.

Description of Proposal

The application is for the erection of extensions and alterations.

The application has been submitted following the granting of permission by the Planning Inspectorate under application number 2022/91350 following the refusal of planning permission by the Local Planning Authority. The covering letter which accompanies the application cites the following:

This application therefore includes the submission of information that has been approved in previous applications (Ref: 2020/91143 & 2022/91350), with changes to the drawing for Proposed elevations and floor plans, 2645 – (100) 02 to show changes to the window details. All other elements of this planning application remain as that which has been previously approved.

As such, based upon the above, the difference between the approved plans and those under this current application are alterations to the fenestration details which remove the previously approved mullions which were not incorporated into the construction works.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being considered to be acceptable in its submitted format.

Relevant Planning History

- 2007/94546 Erection of two storey and first floor extensions (within a Conservation Area)
Refused
- 2008/91525 Erection of two storey and first floor extensions (modified proposal) (within a Conservation Area)
Conditional Full Permission
- 2020/91143 Erection of extensions and alterations (within a Conservation Area)
Conditional Full Permission
- 2020/91590 Work to TPOs HU1/71 within a Conservation Area
Granted
- 2021/903247 Erection of dwelling following demolition of exiting dwelling (within a Conservation Area)
Refused
- 2022/91350 Variation of Condition 2 (plans and specifications) on previous permission 2020/91143 for erection of extensions and alteration (within a Conservation Area)
Refused – appeal allowed and permission granted.
- 2023/91830 Work to trees within a Conservation Area
Refused

Representations

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

Final publicity date expired 20th January 2024

Parish/ Town Council – not applicable

As a result of the public consultation period one representation has been received, stated to be by the Huddersfield civic society, with the summary of comments set out below:

- Believe that much of what has happened here already diminishes the value of the Edgerton CA Management Plan and therefore asking that the original condition be maintained

Consultation Responses

K.C Conservation and Design - formally consulted – no objection

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 within the Edgerton Conservation Area on the Kirklees Local Plan and within the original curtilage of a Listed Building. The listed buildings are known as 6A Kaffir Road and Lunnclough Hall.

The listing description for 6A is as follows:

'6A (Formerly listed as Cottage just to west of, and within grounds of Nos 2 and 2A).

2. Mid C19. Hammer dressed stone. Pitched slate roof. Coped gables. One storey. Projecting porch. Planked door with ornamental iron hinges in chamfered 2-centred arch. 2 casements with chamfered surrounds. Cantled bay window with hipped slate roof in west end.'

The listing description for Lunnclough Hall is as follows:

'Nos 6 and 8 Lunnclough Hall (Formerly listed as Lunnclough Hall, Nos 2 and 2A KAFFIR ROAD)

Mid C19. Hammer dressed stone. Pitched slate roof. 2 storeys, 3 in centre. Coped gables. Main front has 3 gables, centre one breaking forward slightly and with diagonal buttresses at angles. Outer ranges have mullioned and transomed windows with hood moulds on ground floor, and mullioned 4-centred windows with cusped lights on 1st floor; blind trefoils in gable. Centre range has porte-cochere with octagonal buttresses and crocheted ogee caps: 4-centred arches to each side, outer side blind, with 4-centred arched window, sides open, with pierced spandrels. 4-centred arched door with ornamental iron hinges, arched sidelights and fanlight all set within large 4-centred arch. 1st floor has 4-centred arched windows with hoodmould. 2nd floor has sash with cusped head under deep flat ashlar hood on ashlar brackets. 1st floor window of south range also has flat ashlar hood on ashlar brackets, but this one has crenellated edge and a balcony on a flat oriel below. One further onestorey range to south, with 3-light window with cusped wooden tracery, and shaped hoodmould.'

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development

- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 33** – Trees
- **LP 35** – Historic environment

Supplementary Planning Documents:

- Highways Design Guide SPD
- House Extensions and Alterations SPD

Other adopted documents

- Edgerton Conservation Area Appraisal

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 December 2023, 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 and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
The Planning and Compulsory Purchase Act 2004.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity and Conservation Area and Listed Buildings
- 3) Impact on residential amenity
- 4) Impact on highway safety

- 5) Other matters
- 6) Representations
- 7) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

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

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

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

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

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

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

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space

- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

The matters for consideration in this case relates to the fenestration details within the property which have been fitted retrospectively, contrary to the approved plan referenced 2645- (100) -2 Rev: J.

The main difference between the previous application which was granted permission by virtue of a subsequent appeal by the Planning Inspectorate and this current scheme is the removal of the mullions from the windows. The overall bulk, scale, massing and design of the scheme remains as approved.

The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of urban design, heritage (Policies LP24 and LP35), the residential amenity of neighbouring occupiers (LP24) and trees (LP33) which is discussed in more detailed within the following report.

2 – Impact on visual amenity and Conservation Area and Listed Building:

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a listed building or its setting, attention must be given to Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 which requires the Local Planning Authority to '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 NPPF offers guidance relating to design in Chapter 12 whereby paragraph 131 provides a principal consideration concerning design which states:

'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

Kirklees Local Plan Policy LP2 and particularly LP24 also seeks to achieve good quality, visually attractive, sustainable design to correspond with the scale

of the development in the local area, thus retaining a sense of local identity with Policy LP24 stating that proposals should promote good quality design by ensuring that:

‘the form scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape.’

The Kirklees House Extensions and Alterations SPD sets out guidance of specific relevance to works to dwellinghouses in conjunction with the boarded principles to support high quality design.

Chapter 16 of the NPPF states that in determining applications local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets. If harm would result this should not be allowed without a clear and convincing justification. This approach is affirmed by Policy LP35 (a) which says that the form, scale, layout and details of development must respect the character of heritage assets.

The proposed works are within the curtilage of a listed building with the listed Lunnclough Hall, its associated lodge and the gate piers all listed separately. Lunnclough Hall itself is a substantial villa residence and dates from 1855 with the gate piers and lodge of the same style of architecture.

As part of the previous Appeal Decision, it was noted that the Inspectorate considered that:

The listed buildings, Lunnclough Hall and 6A Kaffir Road are site at a lower level and to north east of Hirst Cough. The setting of a heritage asset is concerned with the way the heritage asset is experienced. Owing to the positioning of the listed buildings and Hirst Clough as described above, the visual relationship between it and the listed buildings is limited. Whilst the roof lights in the side elevation can be partially seen, these are primarily in longer or oblique views from the gardens of the listed buildings, whereas Lunnclough Hall and the adjacent lodge house are primarily seen and experienced from the driveway which slopes down to the buildings when facing north east. The positioning of Hirst Clough set back from the driveway behind mature vegetation and on the higher south eastern side of the driveway means that Lunnclough Hall is the foremost feature in such views and would still stand dominant within the sylvan setting. The historic and visual connection with its associated lodge house would be preserved. The variations sought would not therefore in my view affect the character of Lunnclough Hall and the associated lodge house significantly nor be prominent in views of the two listed buildings. As such the appeal proposal would preserve the setting of the listed buildings and their significance, and not have an unduly harmful effect on the area more generally.

As such, this assessment made by the Inspectorate regarding the impact of the dwelling on the heritage assets is a material consideration in terms of this current application.

The Council's Conservation and Design Officers have been formally consulted as part of the application process and cite that in approved application 2020/91143, the proposed front and rear elevations showed different window types including individual windows and short ranges with stone mullions which reflect the prevailing character of many of the buildings within this part of the Edgerton Conservation Area. The response goes on to state that the windows installed retrospectively on the front elevation have dark frames instead of stone mullions which have been omitted and the ashlar surrounds have been retained. In addition it states that tall windows with dark frames have been installed on the first floor of the rear elevation, instead of the previously approved small ranges of windows with stone mullions.

The assessment by the Conservation and Design Officer cites that the property is situated on land off the driveway to the Grade II listed Lunncloough Hall (6 and 8 Kaffir Road) and the associated Grade II listed lodge (6A Kaffir Road) and is accessed via the Grade II listed gateposts to the hall. The Officer considers that the proposed windows on the front elevation have a negligible impact on the setting of the listed buildings and gateposts as the building is set within its own garden with boundary features and mature trees acting as a buffer. In terms of the rear elevation openings, these would have no impact as the elevation looks over the private garden and woodland beyond.

Given the previous assessment of the proposal, albeit based upon the previous plan number 2645- (100) 02 Rev J by the Planning Inspectorate, which identified under paragraph 12 that owing to the positioning of the listed building and the application site, the visual relationship between the buildings is limited and that the historic and visual connection with the associated lodge house would be preserved. The paragraph concluded that the appeal proposal would preserve the setting of the listed buildings and their significance and would not have an unduly harmful effect on the area more generally.

It is therefore considered that the view of the property from Kaffir Road and the wider Conservation Area would be limited to the roof line and the windows to both the front and rear elevations would be hidden from view. As such, it is considered that the proposal preserves the character and appearance of the Conservation Area. In conclusion and in terms of visual amenity and the impact on the heritage assets, Conservation and Design Officers have no objection to the proposed works.

At paragraphs 205 – 207 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Having regard to the response of the Conservation Team and the nature of the proposed alteration it is considered that the proposal would have an acceptable impact upon the Conservation Area and in this regard the proposal would not lead to harm to an identified heritage asset.

It is therefore considered that the proposed alterations to the scheme, which relate to the removal of the mullions to the fenestration details to relate to the 'as built' scheme accords with Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, Policies LP24 and LP35 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3 – Impact on residential amenity:

The Kirklees Local Plan sets out, within policy LP24 (part b) that development will only be acceptable if it would provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.

This is further reiterated within Key Design Principles within Key Design Principles 3 and 4 of the House Extensions and Alterations SPD. Principle 3 states that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitant, future occupants and neighbours. Principle 4 requires that alterations should consider the design and layout habitable rooms to reduce conflict between neighbouring properties relating to privacy.

Key Design Principles 5 and 6 of the SPD seek to ensure development does not cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

In terms of residential amenity, the internal layout of the property and the position of the openings remain unchanged from the previous approval.

It was considered as part of the LPA assessment of the previous scheme that the impact of the proposal to the property had been fully assessed under the 2020/01143 application and that the additional roof lights and alterations enlarge the existing openings under application 2022/91350 would not have any further impact in terms of overshadowing or by being overbearing.

In terms of overlooking. It was considered that the works would maintain adequate separation distances and therefore there would not be significant harm from overlooking. Whilst this application seeks to remove the mullions as shown on the previous plan, it is not considered that the removal of the mullions would increase the harm to overlooking.

Therefore, it is considered that the works are acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

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

In this case, as part of the previous application, a Construction Management Plan was submitted and subsequently conditioned due to concerns regarding the listed gate posts. The submitted information was considered acceptable. Given the level of construction which has been completed the inclusion of such a condition is not considered to be necessary in the instance of any grant of permission.

There are no proposed alterations to the access or parking provision as part of this application.

5 – Other matters:

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

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

A Climate Change Statement has been submitted as part of the application submission which identifies the mitigation measures within the proposed build. These are considered acceptable for the nature of the works.

Biodiversity – Paragraphs 180, 186, 187 and 188 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

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

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

The application site is within a 'Bat Alert' layer on the Council's GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance.

Given that the work to the superstructure is complete, it is not considered that the bats would be impacted on as a result of any further works. However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

Trees - Policy LP33 of the Kirklees Local Plan states that the Council will not grant planning permission for developments which directly or indirectly threaten trees, woodland or significant amenity. This is mirrored within Key Design Principle 13 of the SPD which states that proposals should normally retain valuable and important trees.

The site is within the Edgerton Conservation Area and therefore any trees located within the application site boundary are protected. In addition, there are blanket Tree Preservation Orders to the front and rear boundaries. The previous application was submitted along with a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement which formed part of the decision notice with the information re-submitted as part of this application. For clarity, the conditions relating to trees and imposed by the Planning Inspectorate appeal decision shall be reimposed upon any grant of permission.

Coal legacy – The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 180 and 189 of the National Planning Policy Framework.

6 – Representations:

One representation has been received with the following being a summary of comments and LPA response:

- Believe that much of what has happened here already diminishes the value of the Edgerton CA Management Plan and therefore asking that the original condition be maintained

Response: The impact of the scheme on the Edgerton Conservation Area has been assessed above.

7 – Conclusion:

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

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

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2023/93546

Officer Recommendation: Approve

Conditions:

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP33 and LP35 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 15 and 16 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with Policies within Chapters 2, 12, 14, 15 and 16 of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity to protect the character and appearance of the Edgerton Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no new door or window openings other than those expressly authorised by this permission shall be constructed in the external walls of the extensions at any time without the prior written approval of the local planning authority.

Reason: For reason that any additional openings within the building and extension would have a detrimental impact on the appearance of the neighbouring listed buildings and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no works within Classes A-H inclusive shall be erected in the area shown red on the approved plan without the prior written approval of the Local Planning Authority.

Reason: To preserve the setting of the grade II listed buildings, the character and appearance of the Edgerton Conservation Area and to accord with Policies LP2 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

5. The development shall not be occupied until the first floor windows in the side elevations of the extensions hereby approved have been obscure glazed to a minimum Grade 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) the obscure glazing shall thereafter be retained.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

6. The development shall be carried out in accordance with the details submitted within the Arboricultural Method Statement carried out by James Royston Arboricultural Consultants under reference number 200403 MS dated 10th April 2020.

Reason: For the avoidance of doubt and so as to ensure the satisfactory appearance of the development on completion, and in the interests of the protected trees within and close to the site and to accord with LP33 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

7. The development shall not be brought into use until all areas indicated to be used for vehicle parking and turning on the submitted/listed plan have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-

enacting that Order) these areas shall be so retained, free of obstructions and available for the use specified on the submitted/listed plan for the lifetime of the development.

Reason: In the interests of amenity and traffic safety and to ensure adequate space within the site for vehicle movements and parking and in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

8. The development shall be carried out in complete accordance with the Construction Management Statement (ref: 2645 -JF).

Reason: To ensure the protection of listed gate posts to the site entrance to ensure a safe access and egress of the site in accordance with Policies LP21, LP22 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Covering letter	HF/JC/2645		1 st December 2023
Location plan	2645 – (100)04		1 st December 2023
Proposed block plan	2645 – (100)03 Rev: D		1 st December 2023
Existing elevations and floor plans	2645 – (100)01		1 st December 2023
Proposed elevations and floor plans	2645 – (100)02 Rev: K		1 st December 2023
Climate Change Statement			8 th December 2023
Construction Management Plan	2645 JF		1st December 2023
Planning, Heritage Statement	2645 – April 2020		1 st December 2023
Tree Survey	James Roston Arboricultural Consultant – Ref 200403		1 st December 2023
Arboricultural Method Statement	James Roston Arboricultural Consultant – Ref 200403 MS		1 st December 2023
Arboricultural Impact Assessment	James Roston Arboricultural Consultant – Ref 200403 AIA		1 st December 2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

The Case Officer did not undertake any negotiations with the applicant due to the application being considered acceptable in its submitted format.

Report Dated: 31st January 2023

Coal – low