

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:	2024/62/90195/W
Site Address:	Newsome Nursing Home, 1-3, Tunnacliffe Road, Newsome, Huddersfield, HD4 6QQ
Description:	Change of use from care home to Student House of Multiple Occupation with Internal alterations
Recommending Officer:	Tom Hunt

DECISION – Full Conditional Permission

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

Kirsty Nicholls

AUTHORISED OFFICER

Date: 9-AUG-2024

Officer Report

Site Description

2024/90195 – Newsome Nursing Home, 1-3, Tunnacliffe Road, Newsome, Huddersfield, HD4 6QQ

Newsome Nursing Home is a large stone detached building located off Tunnacliffe Road which is currently used as a residential home for the elderly. The property is set within fairly substantial grounds with a large garden and parking area to the rear. Adjacent to the site, along Tunnacliffe Road are large detached stone built dwellings, and to the north of the site more modern residential properties back onto the parking area.

Description of Proposal

Change of use from care home to Student House of Multiple Occupation (HMO) with Internal alterations

It is proposed to change the use of the building from a care home (Use class C2) to a student HMO providing 48 bedroom units; those would have bathroom/W.C. facilities and living/kitchen spaces to each floor. No external alterations are proposed. There would be internal alterations to the floor plan to have an overall greater intensity of occupancy with bedrooms to the ground floor and a similar intensity of bedrooms to the first and second floor.

History of negotiations/amendments received

The case officer considered the application on review and sought more information on expected second floor headroom and a change of description to be more detailed for the purposes of assessment. In addition, a Transport Statement was requested and supplied to assess impacts on highway safety and parking.

Relevant Planning History

The site does not have a recent planning history bar the below. Other applications are historic and do not directly relate to the proposal to be considered.

Pre application (relating to Building Regulations)

2024/20135

Conversion to Form 48 Bed HMO

Officer note: no formal response was provided due to informal discussion.

Representations

We are currently undertaking 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, which had a final expiry date of 06/03/2024.

Two representations have been received objecting; a summary of the comments received is set out below:

- Parking under-provision
Note: This is reviewed in the 'Highway Safety' section of this report.
- Strain on local services
Note: Officers are unable to take this into consideration as provision of supporting services are not within planning control but other bodies.
- Potential use for refugees
Note: This is unsubstantiated and cannot be taken into consideration. The description of development was altered to reflect the accommodation needs of students to assess appropriately with regard to residential amenity and highway safety.
- Potential increase in criminal activity
Note: Reviewed by the Designing Out Crime Officer and discussed in the report below.

Amended plans were received however they were not readvertised as they did not substantially change the description of development and did not materially have a detrimental impact on planning considerations.

Consultation Responses

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

- Highways Development Management – No Objections.
- Designing Out Crime – No Objections.
- Waste Management – No Objections

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 land for development on the Kirklees Local Plan.

Kirklees Local Plan (LP):

- **LP 1 – Presumption in favour of sustainable development**
- **LP 2 – Place shaping**
- **LP 3 – Location of new development**
- **LP 7 – Efficient and effective use of land and buildings**

- LP 11 – Housing Mix and Affordable Housing
- LP 20 – Sustainable travel
- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 28 – Drainage
- LP 30 – Biodiversity & Geodiversity
- LP 31 – Strategic Green Infrastructure Network
- LP 43 – Waste management hierarchy
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality

Supplementary Planning Guidance and other considerations

- Highways Design Guide SPD
- Nationally Described Space Standards
- Waste Management Design Guide for New Developments (Oct 2020, v.5)

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 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology
- 6) Representations
- 7) Conclusion

1 – Principle of development:

1.1 Sustainable Development

Policy LP1 of the Local Plan states that when considering development proposals, the council will take a positive and proactive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

1.2 Student Accommodation

The proposed development is for student accommodation. Affordable housing contributions are not sought on schemes for student accommodation and therefore is exempt from this requirement. The building is currently in C2 use and proposed to be a large student HMO aka sui generis use in a residential area. The Local Plan contains no specific policies on the subdivision of existing dwelling houses to create HMOs.

Specific to residential proposals, LP7 seeks to promote a density of 35 dwellings per ha, where appropriate. This is more than achieved as an apartment development, with the density proposed in excess of this aim.

The proposal seeks to repurpose an existing building for student occupation and be considered effective and efficient use of land, in compliance with LP7 of the Kirklees Local Plan and Chapter 11 of the NPPF.

Chapter 11 of the NPPF however states that planning decisions should promote the development of under-utilised land and buildings, but in doing so should create developments that function well and add to the quality of the area as set out in Chapter 12. It will further be assessed having regards to the aims of LP24(a) & (b), that development should conserve the character of the townscape and ensure that a good standard of amenity is maintained for existing and future occupiers, the need to promote sustainable transport, and ensuring that development does not adversely affect the safe or convenient use of the highway as set out in Policies LP21-22.

2 –Impact on visual amenity:

In terms of visual amenity, general design considerations are set out in Policy LP02, and LP24 of the Local Plan, and Chapter 12 of the NPPF, which seeks to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, respecting and enhancing the character of the townscape, heritage assets and protect amenity.

The proposal would have a neutral impact on visual amenity with no significant external alterations to the existing building itself. Bin presentation would be looked after by a caretaker and as such should not contribute towards visual clutter. Parking is to remain unaltered. As such, this would be

acceptable and accord with Policy LP02 and LP24 of the Local Plan and Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should:

“...provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings.”

Further to this, Paragraph 135f) of the National Planning Policy Framework 2023 states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The area is residential with C3 properties being a varied mix of terraced, detached and semi-detached housing types. The immediate neighbouring properties, from available property sales records, are 2-3 bedroom household properties with occasional houses given over to flats.

The proposal would introduce a new Student HMO which would intensify the occupancy levels and could be uncharacteristic of the existing local housing density. This would have the potential to introduce a non-cohesive group of unrelated people or occupiers of a property as opposed to a family or a more typical household make-up locally. Whilst this is so, the previous use of the building was a care home/C2 use and also as likely to attract a similar level of occupancy with unrelated people and visitors, this proposal could therefore be regarded as similar to existing occupancy arrangements and traffic. It is possible that students would be more mobile and likely to require to generate noise in the residential area however this is also in part mitigated by limited student terms limiting this amenity impact to residents. Officers concur that this would be a material change in the use of the property with potential impacts to residents and the locality to be evaluated as follows.

The proposal would have an intensification of use for an existing C2 dwellinghouse, with 5 bedrooms, to a large HMO/sui generis use, with 48 single bedrooms. It is noted that the previous use had 43 bedrooms. The first floor has two bedrooms removed to be kitchen/living spaces and the second floor are unaltered in terms of their occupancy, but the ground floor would have 7 additional bedrooms.

The intensified use at ground floor would have occupants look out towards the highway and woodland (west). At east, they would look out towards a single-storey outbuilding within a car park and existing closely boarded timber fencing with no neighbouring side elevation windows retaining the privacy of existing neighbours. At the north elevation of the single-storey extension, they would look out towards a single-storey outbuilding within a car park and 2m height solid timber fencing screening views to the closest neighbour elevation separated by 24m. At its south elevation, there would be no additional openings so this would remain as existing in terms of intensification. There would be no substantial increase in loss of privacy or overlooking from the

ground floor. Both first and second floors would not have intensified use preventing any additional overlooking or loss of privacy to neighbours.

There would be no additional bulk or massing to increase overshadowing and overbearing impacts.

Regarding potential for noise and nuisance, Policy LP52 of the Kirklees Local Plan states that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour and other forms of pollution should ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.

Available aerial surveys indicate that the hardstanding is used as parking with no additional parking capacity proposed to introduce an intensification of use with the associated increase of new sources of noise (vehicular movements, doors slamming, etc) in close proximity to neighbouring properties.

In addition, the close proximity of frequent bus stop services would support occupants in relying more on car free travel and would reduce the frequency of vehicular parking noise outputs and parking congestion. As such, the proposal would appear unlikely to lead to additionally significant levels of noise and congestion sufficient to cause disturbance and amenity harm over and above the existing arrangement.

The proposal is adequately separated from neighbours within large grounds to minimise noise impacts within the building. There would be provision for refuse and recycling bin storage to the rear without detriment to the neighbours being in a low visibility area and would not result in any materially different effects in terms of noise and disturbance over the previous use.

There is potential for an increase in antisocial behaviour and disturbance from the increased concentration of HMOs. West Yorkshire Police were consulted and raised no objections. From Council records, there appears to be no proliferation of large HMOs or apartments in the locality, to suggest that the proposal would contribute to a cumulative harmful effect on the area from over-intensification. Nonetheless, an informative has been attached to outline Council powers over noise and nuisance for residential amenity and to accord with LP24b and LP52 of the Kirklees Local Plan.

As such, while the proposal would introduce a moderately uncharacteristic form of housing to the area, in the form of student housing, it is acknowledged that the area is a high-density residential area with an established previous use as a care home with similar effects. This isolated form of intensified occupancy would not significantly harm the character of the area or be significantly detrimental to residential amenity. Furthermore, the occupation of a large HMO would also be required to obtain a License whereby other considerations can be assessed.

Future Occupiers

In this instance no changes are proposed to the existing outdoor space to the dwellinghouse. This is mostly dominated by car parking to the rear and there would be no private amenity space. However, Officers recommend that this could be acceptable given that the students would be likely to make use of university recreational and other facilities as an adequate substitute.

The size of the proposed residential units is a material planning consideration. Local Plan policy LP24 states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers, and the provision of residential units of an adequate size can help to meet this objective. Officers concur that the government standard 'Nationally Described Space Standards' document (March 2015) serves as an adequate guide to support LP24 in ensuring that basic lifestyle needs are met and to provide high standards of amenity for future occupiers.

Conversely, it must be acknowledged that the proposed units are to be student accommodation and therefore would not form 'primary' residences. The National Described Space Standards are not applicable to student accommodation.

Unit floorspace range from 11sqm to 24sqm and particularly in the attic/second floor, given headroom would not be adequate for primary living residences. Most bedrooms would enjoy an adequate degree of daylighting and outlook with windows and few on the attic floor would have daylighting from existing rooflights. A limited number of bedrooms would enjoy en-suites. In addition, all students would have access to the communal facilities, on the assumption that the kitchen/living room spaces have laundry facilities, including cooking, cleaning, bathroom; it is acknowledged that there is a high ratio of 9 bedrooms per living/kitchen space on the ground and first floor, and no living/kitchen space to the attic floor which would not appear to provide a reasonable degree of communal facilities.

To conclude, the limited floor space of the bedrooms, poor headroom to attic floor flats, high bedroom to shared facilities ratio, and the lack of outdoor private amenity space and dedicated living rooms would normally be a concern with regard to achieving high standards of residential amenity for non-students for such a large HMO. Officers propose that in order to secure good standards of residential amenity, those rooms should be conditioned to be only for student occupation taking into consideration the high concentration of accommodation proposed.

Subject to condition and informative, the proposal would therefore be in general conformance with LP24b and LP52 of the Kirklees Local Plan, and Chapter 12 of the NPPF.

4 – Impact on highway safety:

4.1 Highways

The Council seeks to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking. The Highway Development Management team were formally consulted and initially raised concerns over the feasibility of the original proposed parking arrangements and required further information to be supplied in the form of a Transport Plan for the expected use. This was reviewed, incorporating additional information provided with the application and the submission of a Transport Statement produced by Paragon Highways (dated July 2024, ref: 2335), and considered acceptable subject to the following assessment and conditions as follows.

This application is for a change of use and alterations to a care home to form Student accommodation with parking and an existing access on to Tunnacliffe Road, a 30mph two-way single carriageway residential link road of approximately 5.5m width with footways on both sides and street lighting present. There are No Waiting at Any Time TRO markings at the junction with Wood Lane to the north of the site and this is to protect visibility at the junction.

The site is located approximately 350m from a high frequency bus route and approximately 280m to the closest convenience store, with further shops and services approximately 950m away in the centre of Newsome. Huddersfield town centre is approximately 1.5km away.

The parking to be provided at the site is shown on drawing No (100)06 and consists of just 16 spaces. This would be a significant under provision of parking spaces for 46 dwelling rooms; the current guidance requests that 1 space per dwelling room should be provided with 1 visitor space per 4 dwellings, a combined total requirement of 58 parking spaces. This could have the propensity to overwhelm the existing on-street parking within the area.

It has now been confirmed that the application site will be an HMO for the use of students and as such the trip generation is expected to be lower and parking demand can be managed easier than with a general HMO. Officers concur that in the event that planning permission is approved, a condition is added to ensure that the rooms in the HMO are let only to full time students for highway safety reasons (and also for residential amenity as previously discussed).

The greatest trip generation and thus parking demand would occur at the start and end of term time when the occupants would be arriving or leaving the accommodation, and this will need to be managed. For this significant under provision of parking spaces for the number of dwelling spaces and potential to overwhelm existing on street parking, in the event that planning permission is approved, Officers recommend conditioning a car parking management plan to detail arrangements regarding who is eligible for a car parking place and how the use of the car park will be managed and how start and end of term drop off and pick up parking will be managed. For instance, many other student halls have low parking numbers and operate a pre-booking system to ensure spaces are free for drop-off and pick-up. Details of safe and secure

cycle parking/storage should also be provided at 1 space per dwelling room. In the event that planning permission is approved, it is recommended that this be conditioned to come into operation before first occupation.

In addition, to further support car free travel, Officers recommend that details of suitable cycle storage facilities be provided prior to first occupation.

4.2 Waste Management

The submitted details was formally reviewed by KC Waste Management which commented on the following.

The application includes Proposed Site Plan Drawing Number (100)06 dated Dec 23 that shows the location of the bin store to the rear of the property and a Bin Presentation Point (BCP) adjacent to the highway.

The application also includes a Planning Statement by Acumen Designers & Architects Ltd. Ref: 2879. January 2024. In paragraphs 3.6-3.7, it was stated that the accompanying plans show a bin storage area to the northwest of the site. The storage area can accommodate 8no 1,100 litre Euro Bins. Four of these will be for general waste and four will be for recycling. The landlord will ensure there will be a care takers service to present the bins on bin collection day. The bins will be taken to the collection point via the ground floor tunnel. A bin collection area is shown to the front of the building which is considered acceptable.

Waste storage and presentation:

Waste arisings from 48 apartments will be approximately 3360ltrs. The proposal for provision of 8 x1100ltrs wheeliesbins (4x residual and 4x recycle) is acceptable.

Guidance indicates the floor space for 1100ltrs wheeliebins is 1575mmx1190mm with space required to manoeuvre the bins within the store. The proposed store on the plan shows bins of approximately 1500mmx1120mm and overall dimensions of 6m x 5m with a gate width of 1.77m. These arrangements are acceptable.

The additional advice provided in the Waste management is publicly available online and the agent was made aware of the details for avoidance of doubt.

Subject to conditions, Officers concur that this proposal would comply with Policies LP21, LP22, and LP43 of the Kirklees Local Plan, the KC Highway Design Guide SPD and Chapter 9 of the NPPF

5 – Other matters:

Climate Change

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.

The re-use of pre-existing buildings has various economic, social, and environmental benefits, including the conservation of energy and materials which is a positive of the proposal. The application is supported by a Climate Change Statement, this statement outlines that energy saving lightbulbs are to be installed within the property, alongside local sourcing of materials and works undertaken by local workforce to aid in emission reductions. Officers recommend an informative on Electric Charging Vehicles Points to be added to the Decision to ensure that the applicant are aware of Building Regulation requirements with regard to adequate supply of those Points.

Furthermore, given the nature of the proposals for a change of use to an existing building, no special measures were required in terms of the planning application with regards to carbon emissions. The proposed development would therefore comply with LP24d) and LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Drainage

The site is within a low probability Flood Risk Zone and does not seek to extend its off street parking area therefore this would have no conflict with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Biodiversity

Chapter 15 of the National Planning Policy Framework is 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. The site is in the Strategic Green Infrastructure Network of which LP31 requires the protection and enhancement of biodiversity and ecological links.

Whilst it is acknowledged that the application site is located within a Bat Alert Area, given the nature of the proposal limited to a change of use, taking the existing use of the building into consideration, it is considered unlikely that roosting bats would be disturbed during construction works. However, an informative is to be provided for avoidance of all doubt. For similar reasons, it is considered unreasonable to request a net gain in biodiversity in association with this development for the Strategic Green Infrastructure Network.

The proposal would be in accordance with LP30 and LP31 of the Kirklees Local Plan and Chapter 15 of the NPPF.

Crime

The proposal was formally reviewed by the West Yorkshire Police Designing Out Crime Officer and considered satisfactory with no objections. The additional security advice provided in the Designing Out Crime response is publicly available online and the agent was made aware of the details for the avoidance of doubt.

A third party alleged that the building was intended for the occupation of refugees. It is noted that this altered description and condition limiting to student use would restrict the use of the building to those occupants permitted to ensure future occupants' residential amenity and highway safety.

Nonetheless, Officers would impartially consider every application on its own merits, and would determine it in accordance with the Development Plan unless material considerations indicate otherwise.

For the proposed change of use to an existing building, it is considered that conditions were not required to meet the aims of LP24(e) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

6 – Representations:

Two representations have been received and considered within the assessment 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

Application Number: 2024/90195

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 accord with Policies LP01, LP02, LP03, LP07, LP11, LP20, LP21, LP22, LP24, LP28, LP30, LP31, LP43, LP51 and LP52 of the Kirklees Local Plan, and Policies within Chapters 2, 4, 9, 11, 12,14 and 15 of the National Planning Policy Framework

3. The accommodation hereby permitted shall be occupied by students only, defined as persons whose main residence is elsewhere and who are enrolled on recognised full-time courses at one of the higher educational establishments in the borough of Kirklees only and for no other purpose (including any other purpose in Class C3 and C4 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: For the avoidance of doubt and to ensure that the development is used solely for student accommodation and not open-market housing whereby affordable housing provision would be sought and different amenity standards would apply, and in the interest of highway safety, in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

4. The development shall not be brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Car Park Management Plan shall include details of:

- i. Liaison member of staff and contact details
- ii. Restrictions on apartment occupants parking on site and details of any contracts stating this and method of enforcement on non-authorised use.
- iii. The allocation and reservation of staff parking places including details of the assessment for the number of staff spaces required.
- iv. Information on the booking system for parking spaces for the start/end of term drop off and pick up.
- v. Mechanism for review of the Car Park Management Plan

The development shall thereafter be operated in accordance with the approved Car Park Management Plan.

Reason: To ensure the site can be made safe and accessible and in the interests of highway safety, to ensure pedestrian safety, and in the interests of residential amenity to accord with LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

5. Before development commences, details of suitable cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: To comply with the Council's sustainability objectives and to meet the requirements set out in Policies LP21, LP22(g). and LP24(d)(ii) of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

FOOTNOTE: The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

FOOTNOTE: Building Regulations (2021 edition) control the provision of Electric Vehicle Charging Points for new residential buildings under Approved Document S 'Infrastructure for the charging of electric vehicles'. Building work must meet all relevant requirements of the Building Regulations. To comply with the Building Regulations, it is necessary both to follow the correct procedures and meet technical performance requirements for building work to be found acceptable.

FOOTNOTE: Whilst the grant of planning permission is given, the applicant should be aware that Planning Permission does not override legal covenants on properties or Private Rights of Way as these private matters fall outside the remit of the Local Planning Authority. Applicants are reminded that they ensure that the relevant land ownership should be respected and that that the works carried out is lawful.

FOOTNOTE: Kirklees Council has powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

FOOTNOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. If bats are discovered on site, development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan.	Drawing no. LOC.	Unamended	24/01/2024
Existing Cellar and Ground Floor Plans.	Drawing no. (100)01.	Unamended	24/01/2024
Existing First and Second Floor Plans.	Drawing no. (100)02.	Unamended	24/01/2024
Existing West and East Elevation Plans.	Drawing no. (100)03.	Unamended	24/01/2024
Existing North and South Elevation Plans.	Drawing no. (100)07	Unamended	24/01/2024
Proposed Site Plan.	Drawing no. (100)06.	Unamended	24/01/2024
Proposed Cellar and Ground Floor Plans.	Drawing no. (100)04.	A	24/01/2024
Proposed First and Second Floor Plans.	Drawing no. (100)05.	A	24/01/2024
Proposed Floor and Section Plan for the Second Floor.	Drawing no. (SK)01.	Unamended	05/04/2024
Planning Statement	Planning Statement by Acumen Designers & Architects Ltd. Ref: 2879. January 2024	Unamended	24/01/2024
Transport Statement	Transport Statement by Paragon Highways. July 2024. Ref: 2335	First Issue	12/07/2024
Climate Change Statement	-	-	24/01/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local 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 considered the application on review and sought more information on expected second floor headroom and a change of description to be more detailed for the purposes of assessment. In addition, a Transport Statement was requested and supplied to assess impacts on highway safety and parking.

Report Dated: 07/08/2024