

**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: | 2024/62/92846/W |
| Site Address: | 45-47, Church Lane, Moldgreen, Huddersfield, HD5 9EB |
| Description: | Change of use of dwelling to house of multiple occupation |
| Recommending Officer: | Lucy Taylor |

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: 3rd December 2024

Officer Report.

Reference: 2024/92846

Location: 45-47, Church Lane, Moldgreen, Huddersfield, HD5 9EB

Proposal: Change of use of dwelling to house of multiple occupation

Site Description.

45-47 Church Lane is a two-storey property located in Moldgreen, Huddersfield. The external walls of the building are faced in stone, with a tiled roof above.

The property is located within a residential area.

Description of Proposal.

Planning permission is sought for the change of use of dwelling to house of multiple occupation.

The only external alteration proposed is the replacement of the existing doorways to the front elevation with windows.

There will be 7 bedrooms (5 ensuite bedrooms), a kitchen / diner, bathroom and a laundry room.

History of Negotiations / Amendments Received.

No negotiations took place, and no amended plans were sought or submitted.

Relevant Planning History.

- 94/91906 – Erection of single storey kitchen/shower room extension.
Granted Conditional Full Permission.

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.

Final publicity date expired: 14th November 2024.

In response to publicity 9 representations were received, 8 objections and 1 general comment.

The representations raised the following concerns:

Highway Safety Concerns:

- This application is not viable. The roads around this property are too congested as it is. There is not enough room for the cars that already park here. Church lane is not a road, it's a lane and is too narrow and can't accommodate more cars. Fire engines and ambulances would struggle to get through as it is. The house should remain as a family dwelling and not be converted.
- HMO already at 72 Church Lane, one on Leaf Street and one on the corner of Brook Street, the traffic is awful mornings and afternoons at school pick up and drop offs, as parents use lane, causing near accidents multiple times of the week. There are multiple cars at the Church Lane address causing untold parking issues. The pavement on Church Lane isn't wide enough for double buggy and the 7 possible cars being added to the area will cause safety issues to young families and children accessing their homes and the local play area.
- There is hardly any room to park cars as it is, it's a single-track lane.
- Emergency services and delivery trucks struggle to get onto Leaf Street and Church Street from Church Lane due to the anti-social parking, the roads and sewers are not made strong enough for the additional cars that could potentially be at the address. Where will potential cars park.
- There are enough cars on this street without anymore cars struggling to find a parking space for themselves on such a narrow street. It is not safe for anymore cars to be on this street. Children from the area walk up and down the street and have to dodge cars in the tiny little narrow lane, therefore, it is not safe for any more vehicles on the road.
- Access up and down the street is severely limited by vehicles currently attributed to current residents. Having the capacity for more occupants could exacerbate this issue. There are multiple small children and infants in prams that are often forced to walk in the road because of this issue and feel adding the potential for (far too many) more obstacles it's objectable. It is a family area and as such, the properties should remain as they are to accommodate that.
- With potentially more cards, make it very difficult to push buggy up and down the street. It is a lane not a road, it is only wide enough for light traffic.
- Should the application be successful, there is the potential for 7 more vehicles, plus more should there be any visitors to the property. On a street where parking is already limited for residents and at sometimes difficult to access due to the small size of the street, it is cause for concern.

- The increased traffic on Church Lane / Leaf Street and surrounding roads may increase risk to pedestrians including the many elderly residents and young children as they visit shops, school and local parks. Pavements are already blocked by parked cars meaning they have to use the road to walk on which is unsafe.

Other Matters:

- There are 3 other HMOs in the close vicinity, of which there has been antisocial behaviour from 2.
- The last time that a house turned into multiple room's, it was nothing but noise pollution with the parties that used to happen and the mess of the rubbish that never got emptied turned the streets into a perfect habitat for rats.
- Sewers not designed for such use

Consultation Responses.

KC Environmental Health – Advise that they have reviewed this application and supporting documents and do not consider there to be any significant Environmental Health impacts with this development.

KC Highways Development Management – No objection subject to conditions.

Policy / Legislation.

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 application site is located within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP11 – Housing Mix and Affordable Housing
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP51 – Protection and Improvement of Local Air Quality

Supplementary Planning Guidance and Other Considerations:

- Highways Design Guide SPD
- Housebuilders Design Guide SPD (2021)
- 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 December 2023, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 11 – Making Efficient 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.

1) Principle of Development

Sustainable Development:

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes onto further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

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.”*

Housing Mix:

In this instance, LP11 of the Kirklees Local Plan is also relevant, as the scheme aims to convert existing dwelling into House of Multiple Occupation. The policy states that: *“all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.”*

Chapter 11 of the NPPF states that planning decisions should promote the development of under-utilised land and buildings, but this must not be at the expense of creating developments that function well and add to the quality of the area as set out in Chapter 12.

On the basis the development has an acceptable impact upon visual amenity, residential amenity and access / highway safety considerations, as well as all other relevant considerations, the principle of development is considered to be acceptable in this case.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) 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.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-
- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:
- *“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”*

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

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street. To avoid dominating the street, principle 12 states parking to the front will need creative design solutions to be incorporated. Consideration of the use of locally prevalent materials is required by principle 13. The design of windows and doors to relate well to the street frontage and neighbouring properties is required by principle 14. Principle 15 sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

The only external alteration proposed is the replacement of the existing doorways to the front elevation with windows. Upon any grant of approval, a condition would be imposed to ensure that the design of the replacement windows match the existing windows to 45-47 Church Lane.

Having regard to the extent of the physical alterations to the building it is considered the proposal would not have a significant impact over and above that which the existing building has already, subject to inclusion of the recommended condition.

With the inclusion of the aforementioned condition, it is considered that the proposal would be in accordance with Chapter 12 of the NPPF, LP24 (a and c) of the Kirklees Local Plan and Principles 2, 5, 6, 13, 14 and 15 of the Housebuilders Design Guide SPD.

3) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings”* and *“...minimise impact on residential amenity of future and neighbouring occupiers.”*

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

Principle 6 of the Housebuilders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

The text supporting Principle 6 of the Kirklees Housebuilder Design Guide SPD states set out recommended minimum separation distances for two storey properties, these being:

- 21 metres between facing windows of habitable rooms;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Impact on Surrounding/Neighbouring Occupants:

The only external alteration proposed is the replacement of the existing doorways to the front elevation with windows. As such, the proposal is not considered to result in any undue impacts of overbearing or overshadowing towards neighbouring properties.

The existing glazing to the building is to remain. The windows currently situated on the elevations of 45-47 Church Street serve bedrooms, the living room and a bathroom internally. The windows that currently serve habitable rooms internally will remain serving habitable rooms within the proposed HMO. Therefore, it is considered that the existing windows will remain to have the same relationship as existing with the surrounding residential properties in terms of privacy / overlooking.

The two additional windows proposed will serve a bedroom and bathroom. Given that this bedroom window would be a second window for 'bedroom 1', upon any grant of approval, a condition shall be imposed to obscurely glaze the two new windows in the front elevation. This condition is to be imposed due to the separation distance between these proposed windows and the dwellings directly opposite.

In terms of any impacts of noise pollution, upon formal consultation with KC Environmental Health, it was concluded that the application and supporting documents do not consider there to be any significant Environmental Health impacts with this development.

Impact on Future Occupiers:

In terms of the amenities of the proposed occupiers, the Kirklees Housebuilders Design Guide SPD is used as a guide on the following: Principle 16 states that "*All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers.*"

Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”*

The Nationally Described Space Standards contain no specific standard for HMOs, nor for houses in excess of 6 bedrooms. However, Kirklees Council has its own amenity standards for Houses of multiple occupation, which can be found at the following link:

<https://www.kirklees.gov.uk/beta/housing/pdf/HMO-amenity-standards.pdf>.

Whilst it should be noted that this is not an adopted planning document and therefore carries limited weight in the determination of this application, it does provide a useful guide as to the standard of amenity that is considered acceptable for a HMO.

Section 8.1 of this document refers to two or more room units with cooking, living and sleeping facilities.

With regard to the size of bedrooms, this document sets out that each single bedroom should have an internal floor area of 6.5m² and that each double bedroom should have an internal floor area of 10.2m².

The submitted floor plans show the bedrooms to have the following internal floor areas:

- Bedroom 1 – 10.7m²
- Bedroom 2 – 10.4m²
- Bedroom 3 – 11.9m²
- Bedroom 4 – 11.0m²
- Bedroom 5 – 10.4m²
- Bedroom 6 – 12m²
- Bedroom 7 – 11.1m²

Whilst officer's note that the internal floor areas as set out above are compliant with the standards for double bedrooms, upon any grant of approval, a condition shall be imposed to limit the level of occupation to 7 persons.

The aforementioned document assesses shared accommodation and states each living room should have a minimum living room size of 8m² plus an additional 1m² per person. Which would mean this HMO would require a living room size of at least 15m². The kitchen / diner area shown on the floorplans is 20.8m². Whilst officer's note that this shared area is larger than the minimum required, it is still considered appropriate in this instance to limit occupation to 7 persons for reasons mitigating the potential for overcrowding.

(Officer's note that the limited level of occupation is also relevant to matters relating to highway safety).

Furthermore, officers note that all of the bedrooms are served by a window.

The extent of amenity space to serve the property would remain as existing. Whilst officer's note that this is very limited in both provision and quality, it currently serves a 6-bedroom property, with an area of public open space located approximately 80 metres from the site, Wood Street Recreation Ground.

Therefore, with the inclusion of the aforementioned conditions, the proposal is considered to appropriately comply with LP24b of the Kirklees Local Plan, Principle 16 of the Housebuilders Design Guide SPD and Chapter 12 of the NPPF with regard to the amenity of future occupiers

4) Impact on Highway Safety

Turning to highway safety, Policies LP21 and 22 of the Local Plan, and the Highways Design Guide SPD have been considered.

As part of this application, a formal consultation was undertaken with KC Highways Development Management.

KC Highways Development Management Officers made the following comments:

The application seeks permission for a change of use of numbers 45 and 47 Church Lane, to a house of multiple occupation (HMO), comprising of 7 bedrooms 5 of which are ensuite, with shared kitchen/diner. The plans submitted indicate that the properties are currently functioning as a single 6-bedroom house.

Numbers 45 and 47, like the majority of properties in the area do not have the benefit of off-street parking, relying solely on on-street parking. Typically, car ownership levels amongst occupiers of HMO's tends to be low. In terms of parking demand, it is considered that there is unlikely to be any material difference between parking demand for a 6-bedroom house (existing use) and a 7-bedroom HMO (proposed use). The proposal is therefore unlikely to result in on-street parking levels greater than those currently experienced.

Bin storage arrangements are as existing and are considered adequate. No cycle parking is shown, although there is scope for cycle lockers/storage to be provided in the yard area adjacent to the gable end of number 2 Leef Street and this can be conditioned.

In summary, it is considered that the proposed change of use from 6-bedroom house to 7-bedroom HMO will have no material impact on

highway or pedestrian safety, or the operation of the local highway network, therefore HDM have no objection to the proposal.

If Planning are minded to recommend approval, a condition should be attached to the Decision Notice regarding the provision of cycle parking facilities.

Taking account of the response of the Highways Team and third party representations received it is considered that the proposal has the potential to see 16 additional occupiers of the dwelling which has the potential to increase additional vehicular parking demand to an extent that would have a significant impact.

It is therefore recommended that any grant of permission limits the use to 7 persons to ensure that the impact as a result of the use does not lead to significant levels of parking demand resulting from a significantly increased number of occupiers. Furthermore it is recommended a condition as recommended by the Highways Team in relation to cycle parking is also included to encourage non car modes of transport being utilised.

With the inclusion of the aforementioned conditions, it is considered that the proposal appropriately accords with Chapter 12 of the NPPF and Policies LP21 and LP22 of the Kirklees Local Plan.

5) Other Matters

Climate Change:

On the 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 predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted which set out various mitigation measures. Due to the nature of the proposal, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Crime / Anti-Social Behaviour

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to 'do all that it reasonably can to prevent crime and disorder in its area'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24 sets out that proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

The proposal, being for a 7 bed HMO, is not considered to be of a scale whereby it would be reasonable of the LPA to insist upon a scheme of safety and security measures to be submitted, subject to condition the use is limited to no more than 7 persons.

Were an intensive use of the site to be undertaken there is potential the use could have a greater impact in this regard and it is therefore considered appropriate / necessary to include a condition restricting the occupant numbers for this reason.

6) Representations

In response to publicity 9 representations were received, 8 objections and 1 general comment.

The representations raised the following concerns:

Highway Safety Concerns:

- This application is not viable. The roads around this property are too congested as it is. There is not enough room for the cars that already park here. Church lane is not a road, it's a lane and is too narrow and can't accommodate more cars. Fire engines and ambulances would struggle to get through as it is. The house should remain as a family dwelling and not be converted.
- HMO already at 72 Church Lane, one on Leaf Street and one on the corner of Brook Street, the traffic is awful mornings and afternoons at school pick up and drop offs, as parents use lane, causing near accidents multiple times of the week. There are multiple cars at the Church Lane address causing untold parking issues. The pavement on Church Lane isn't wide enough for double buggy and the 7 possible cars being added to the area will cause safety issues to young families and children accessing their homes and the local play area.
- There is hardly any room to park cars as it is, it's a single-track lane.

- Emergency services and delivery trucks struggle to get onto Leaf Street and Church Street from Church Lane due to the anti-social parking, the roads and sewers are not made strong enough for the additional cars that could potentially be at the address. Where will potential cars park.
- There are enough cars on this street without anymore cars struggling to find a parking space for themselves on such a narrow street. It is not safe for anymore cars to be on this street. Children from the area walk up and down the street and have to dodge cars in the tiny little narrow lane, therefore, it is not safe for any more vehicles on the road.
- Access up and down the street is severely limited by vehicles currently attributed to current residents. Having the capacity for more occupants could exacerbate this issue. There are multiple small children and infants in prams that are often forced to walk in the road because of this issue and feel adding the potential for (far too many) more obstacles it's objectable. It is a family area and as such, the properties should remain as they are to accommodate that.
- With potentially more cards, make it very difficult to push buggy up and down the street. It is a lane not a road, it is only wide enough for light traffic.
- Should the application be successful, there is the potential for 7 more vehicles, plus more should there be any visitors to the property. On a street where parking is already limited for residents and at sometimes difficult to access due to the small size of the street, it is cause for concern.
- The increased traffic on Church Lane / Leaf Street and surrounding roads may increase risk to pedestrians including the many elderly residents and young children as they visit shops, school and local parks. Pavements are already blocked by parked cars meaning they have to use the road to walk on which is unsafe.

Officer Response: *These representations refer to highway matters. The impacts of the proposal upon highway safety have been assessed in full within section 4 of this report. It was concluded that, the proposal would be acceptable in this regard, with the inclusion of conditions.*

Other Matters:

- There are 3 other HMOs in the close vicinity, of which there has been antisocial behaviour from 2.
- The last time that a house turned into multiple room's, it was nothing but noise pollution with the parties that used to happen and the mess of the rubbish that never got emptied turned the streets into a perfect habitat for rats.

Officer Response: *As part of this application, KC Environmental Health were formally consulted. KC Environmental Health concluded that the proposal would not result in detrimental impacts regarding noise.*

It should be noted that separate legislation allows for noise from one domestic dwelling to another would be addressed under statutory nuisance legislation.

Impact as a result of crime / anti social behaviour is addressed within the 'Other Matters' section of this report.

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. Policy LP2 of the Kirklees Local Plan sets out that all proposals should address challenges identified in the Local Plan, with Policy LP24 of the Plan stating that good design should be at the core of all proposals in the district.

This application has been assessed against relevant policies in the development plan and other materials 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: 2024/92846

Officer Recommendation: Approve

Conditions and Reasons:

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

Reason: To ensure compliance with 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 specification 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, LP11, LP21, LP22, LP24 & LP51 of the Kirklees Local Plan, Principles 2, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19 of the Housebuilders Design Guide Supplementary Planning Document and Chapters 2, 4, 8, 11, 12 & 14 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, at no time shall there be in excess of 7 person(s) utilising the application site for accommodation.
Reason: In the interests of the amenity of the occupiers, to avoid overcrowding and to ensure that the communal living areas are sufficient for the level of occupancy, and for reasons of highway safety as well as safety and security in accordance with Policy LP21, LP22 & LP24b of the Kirklees Local Plan, Principle 16 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.
4. The development shall not be occupied until the two new windows in the north / front elevation of the building hereby approved have been obscure glazed. The obscure glazing shall thereafter be retained for the lifetime of the development.
Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with policy LP24 of the Kirklees Local Plan, Principle 3 of the adopted SPD on House Extensions and Alterations and Policies within Chapter 12 of the National Planning Policy Framework.
5. The two new windows in the north / front elevation of the building hereby approved shall match the appearance of the existing windows at 45-47 Church Lane, including the same material and colour finish.
Reason: In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework and Principle 13 of the Housebuilders Design Guide Supplementary Planning Document.
6. The development shall not be brought into use until a scheme detailing cycle parking facilities has been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be provided prior to first occupation of the development and retained thereafter for the lifetime of the development.
Reason: In the interests of highway safety, to accord with Policy LP21 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

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 13.00 hours Saturdays With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and Specifications Schedule: -

| Plan Type | Reference | Version | Date Received |
|---|------------------|----------------|----------------------|
| Location Plan | (LOC) | - | 07.10.24 |
| Existing Floor Plans, Sections and Elevations | 2919_(100)01 | - | 07.10.24 |
| Proposed Plans and Elevations | 2919_(100)02 | - | 07.10.24 |
| Proposed Site Plan | 2919_(100)03 | - | 07.10.24 |
| Climate Change Statement | - | - | 08.10.24 |

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. No negotiations took place, and no amended plans were sought or submitted.

Report Dated: 02.12.24