

**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:	2025/62/90453/W
Site Address:	46, Stile Common Road, Primrose Hill, Huddersfield, HD4 6DE
Description:	Erection of 2 dwellings for student accommodation
Recommending Officer:	Danielle Cooper

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: 7th October 2025

Officer Report

Site Description / Preamble

Planning permission has been granted on this site for the erection of 2 semi-detached dwellings constructed from stone with a tiled gabled roof. The properties have on-site parking to the front of the dwelling and rear garden areas.

The dwellings are near their completion of construction. This application seeks to revise the rear elevation of the previous permission (application ref: 2018/93810).

The wider site is comprised of predominantly residential properties of varying designs.

Description of Proposal

Permission is sought for the demolition of the existing dwelling and the erection of 2 semi-detached dwellings for student accommodation.

The application has been submitted for a modified proposal to an extant permission on the site with the differences being the erection of a two storey rear element and repositioning of the rear dormer extensions. At the time of the site visit, construction of the dwellings was near complete.

During the course of the application the description of development was amended to remove reference to use of the dwellings as emergency housing. Given the removal of an element of the use being sought it was not considered necessary to re publicise the updated description.

History of negotiations/amendments received

Concern was raised in regard to the dwellings being used for both student accommodation and emergency housing together. The agent has since confirmed that the proposal is for student accommodation only.

Further intrusive site investigation reports were requested to be submitted. The agent stated that he does not consider the new reports are required as no site changes in regard to footprint have occurred since the land reports submitted for discharge of condition application ref: 2019/90126.

A revised plan was submitted to show new side windows within the proposed dwellings and rear extensions.

Relevant Planning History

1994/93144 Erection of two storey extension

Conditional Full Permission

2014/92919 Demolition of existing dwelling and erection of 2 semi-detached dwellings

Conditional Full Permission

2015/93132 Discharge conditions 3 and 9 of previous permission 2014/92919 for demolition of existing dwelling and erection of 2 semi-detached dwellings

Discharge of Condition – split decision

2018/90644 Demolition of existing dwelling and erection of 2 semi-detached dwellings for student accommodation

Conditional Full Permission

2018/93810 Demolition of existing dwelling and erection of 2 semi detached dwellings for student accommodation

Conditional Full Permission

2019/90126 Discharge conditions 3 (Phase II), 4 (remediation), 5 (remediation) and 6 (validation) on previous permission 2018/90644 for demolition of existing dwelling and erection of 2 semi-detached dwellings for student accommodation

Discharge of condition – approved

The planning history is relevant in relation to the consideration of this application. Permission 2018/90644 was subject to pre commencement conditions (3, 4 & 5) which were discharged by virtue of application 2019/90126 (as well as a pre occupation condition – no.6). Whilst it is noted that the condition relation to materials of construction (no.7) of this permission does not appear to have been discharged, and works commenced, it is not considered that this, in itself would mean permission 2018/90644 could not be lawfully completed. This is a material consideration which is afforded weight in the consideration of this application.

Representations

Final publicity date expired 24th April 2025 – 8 representations have been received. The comments are summarised as follows:

- The use of the dwellings as emergency housing raises concern is a detriment to safety of students and surrounding residents.
- Use of dwellings as emergency housing will cause noise pollution.
- Further congestion and disturbances to highway safety. No traffic management plan or parking assessment has been submitted.
- Residents have not been informed of the planning application.
- Proposed dormer windows result in the loss of privacy and overshadow neighbouring properties
- Concern of noise and light pollution to local wildlife and the environment.

- The site is located within a High Risk Coal Area and no reports have been submitted.
- Work has commenced without authorisation.
- Limited amenity space for future occupants.
- Over intensification of dwellings
- Further information should be required for use of the dwellings as both student accommodation and emergency housing accommodation.
- Impact the value of neighbouring properties

These are considered and addressed within the 'Assessment' section of this report.

Consultation Responses

The Coal Authority – No objection subject to conditions.

KC Environmental Health – Advises they considered additional information is required before determination. Require new land contamination reports as the reports submitted are 6 years out of date.

KC Crime Prevention – Do not support the proposal due to the dwellings being used in conjunction as student accommodation and emergency housing.

Officer comment: The proposed dwellings will be used as student accommodation only following discussions with the agent.

KC Highways – No objection given the extant permission. Request bin collection points to be shown on plan.

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 a Strategic Green Infrastructure Network upon the Kirklees Local Plan. The site is in an area with a known presence of Bats

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 3** – Location of new development
- **LP 21** – Highway safety and access
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 31** – Strategic Green Infrastructure Network

- **LP 51** – Protection and improvement of local air quality
- **LP 53** – Contaminated and unstable land

Supplementary Planning Documents

Highways Design Guide
Housebuilders Design Guide

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

- **Chapter 5** – Delivering a sufficient supply of homes
- **Chapter 12** – Achieving well-designed places
- **Chapter 15** – Conserving and enhancing the natural environment

Assessment

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 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”.

The proposal is similar to the previous approved application (detailed in the Planning History section of this report). The only changes with this application are revisions to the rear element and two rear dormer windows.

The planning history demonstrates there is an extant permission that could be implemented as development has commenced and is near completion. Therefore in this case it is considered the principle of the development has

been established given the use would remain the same as that for which development has commenced.

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:

Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive. 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.

With the exception of the proposed two storey rear element and repositioning of the rear dormer extensions, the scheme is similar to the extant permission at site.

Within the previous application, a single storey rear element was granted permission. This proposal seeks to construct a two storey rear element, featuring a pitched roof form.

The proposed two storey rear element will be set in from the side elevations of the host properties by 1.7m, with a projection of 3.1m and will feature a pitched roof form that is set down from the ridge of the main dwellings. It is considered the proposed two storey rear element would be sympathetic in design and scale to the dwellings and is therefore acceptable. The materials will match that of the dwellings, with the application form setting out the walls and roof would be constructed from stone and tiles. A condition to ensure the materials are stone and tiles is recommended to be included.

The proposed two rear dormers are considered visually acceptable, as they are small additions within the rear roof scape which are well positioned and will appear subservient to the main dwellings. It is also noted that the previous permission granted two rear dormer windows similar to that proposed. A condition to ensure they are completed in a colour finish to match the roof and the roofs are completed with tiles to match the existing building is recommended.

The proposed repositioning of the front roof lights are considered visually acceptable.

As such, the proposed revisions to this application are considered to be visually acceptable.

The impact of the development was assessed in detail as part of the previous application. As there has not been any material change in circumstances at or adjacent to the site it is considered that this assessment is still valid.

It is proposed that the dwellings would be constructed from artificial stone which is considered to be acceptable and the roof material which would be tiles is also acceptable.

The scale and massing of the dwellings is also identical to that previously assessed and it was considered that whilst when viewed from the front, the development would be materially larger than the previous dwelling, especially given the inclusion of a lower ground floor level this would be mitigated by the ground floor of the building being comparable to the ground floor of the previous dwelling ensuring the eaves and ridge heights would remain the same.

The proposed dwellings would be below the height of No. 44 and comparable to No. 48 which respect to the topography of the land with bungalows adjacent to two storey properties being typical in the surrounding area. As such, the proposed height and mass is considered acceptable in the wider context of the street scene.

The previous Officer Report cites that the external works include that cutting out of the raised parking area to the front of the site to accommodate 4 no. off-street parking spaces. The neighbouring properties on the southern side of Stile Common Road are set up and back from the highway and have raised front gardens enclosed by low stone boundary walls. It was previously considered that this would be acceptable and at the time of the site visit for this particular application, the proposed works had taken place.

It is therefore considered that in terms of visual amenity, the proposal is considered to be acceptable and would accord with local and national policy.

3 – Impact on residential amenity:

A core planning principle as set out by policies within Chapter 12 of the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. This is also reinforced within part (b) of Policy LP24 of the Kirklees Local Plan. Principle 6 of the House Builders 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.

Principle 17 of the Council's adopted House Builders Design Guide Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained. Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accords with the 'Nationally Described Space Standards' document (March 2015).

The internal living accommodation is similar to that previously approved and increases the bedroom sizes of the two rear bedrooms at first floor. As such there are no concerns to the internal living accommodation for future students.

Other than the introduction of a two storey rear element and relocation of 2 no dormers within the rear roof scape, the semi-detached dwellings would be identical to those previously approved, as would the siting, scale and massing of the proposed dwellings.

The proposed semi-detached dwellings are set in from the side elevations of No. 44 & 48 Stile Common Road by 1.5m and as such are not considered to be overbearing or overshadow these properties in this instance. Sufficient separation distances are maintained front the adjacent front and rear neighbouring properties.

The impact of potential overlooking from these elevations has been assessed as part of the previous extant permissions and therefore raise no concern to loss of privacy. All proposed side windows within the main dwellings and the two storey rear element are annotated that they will be obscurely glazed to protect the privacy of No. 44 & 48 Stile Common Road. A condition will be imposed to ensure the side windows are obscure glazed.

The proposed two storey rear element is set in 4.1m to the shared side boundary with No. 48 and is set in 3.89m from the shared side boundary with No. 44. The projection of the rear element is 3.1m. Given the sufficient set in distances of the proposed rear element to the side boundaries, the LPA do not consider there to be any adverse overbearing or overshadowing impacts to No 44 & 48 Stile Common Road. The proposed rear element is set in approx. 9m from the rear boundary and as such raises no concern to potential overbearing or overshadowing impact.

The proposed first floor rear windows retain a minimum separation distance of 21m to the rear elevations of the nearest neighbouring dwellings. Given this separation distance, the impact to No. 15 & 17 Plane Street is not considered to be detrimental and is therefore considered acceptable.

The proposed rear dormer windows are set in within the rear roof scape of the main dwelling and as such are not considered to cause any significant harm in relation to overbearing or overshadowing. It is also noted that these dormers will retain a set in of at least 1.2m to the shared side boundaries.

The proposed rear dormers will offer views across the rear garden areas of No. 15 & 17 Plane Street, however given the separation distance between the

dormers and these dwellings, any loss of privacy will not be so significant to warrant a refusal.

It is cited within the previous report that it was considered necessary to remove Permitted Development Rights for extensions, roof extensions and outbuildings in the interests of preserving amenity of adjacent occupiers and so as to prevent overdevelopment of the plots. This is a condition that is still considered to be reasonable and necessary to impose on the decision notice.

Subject to the above conditions, and in line with the previous applications, it is considered that the proposed development is acceptable in accordance with the aforementioned policies.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF 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 Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

Two parking spaces are proposed per five-bedroomed dwelling which is considered to be substandard as three spaces per dwelling should be provided. However the proposal seeks student accommodation. The site is a 10 minute walk from Huddersfield University and the Town Centre with students typically having a lower car ownership. Subject to the site being occupied by students, and this being secured by condition, the shortfall of one parking space per dwelling is not considered a significant concern in this case.

There are no on-site turning facilities and sightlines are below standard however this is typical of Stile Common Road which is a narrow unclassified residential road. As the parking arrangements would be similar to neighbouring properties it is not considered that there would be a significantly detrimental impact on highway safety.

KC Highways have reviewed the proposal and raise no concern to the proposed student dwellings.

The submitted plans demonstrate that bin storage would be to the front of the property, as approved in the extant consent. As such this is considered acceptable and on the basis the occupancy of the development is for students the development is considered to accord with the aforementioned policies.

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 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.

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

The proposed semi-detached dwellings are near completion in regard to construction. A condition will be implemented to ensure electric charging vehicle points are implemented which will help promote carbon reduction. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

Ecology –

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). As the development is part retrospective, there is no required for BNG to be provided in respect of the aforementioned legislation as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

However, the following policies are relevant:

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 Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter

2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

The site is located within a bat layer and as such a condition will be implemented to ensure one bat box is implemented to each dwelling, this condition is considered to be suitably mitigation to ensure compliance with the aforementioned policies.

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. Given the extant consent which can be undertaken it is considered the proposal would be acceptable in regard to this allocation as a realistic fall back for a development of the same footprint exists.

Air quality –

NPPF Paragraph 187 states that planning decisions should contribute to “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land stability. Development should, wherever possible help to improve local environmental conditions such as air and water quality.....” On small to medium sized new developments this can be achieved by promoting green sustainable transport through the installation vehicle charge points. This would also comply with the West Yorkshire Low Emissions Strategy Planning Guidance. This can be secured by a planning condition requiring one electric vehicle charging point per dwelling.

Coal Risk & Land Contamination

With regard to land quality / stability, paragraphs 187, 196 and 197 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development are considered to be relevant.

The Coal Authority and KC Environmental Health were formally consulted as part of the application process and confirm that the site falls within the defined High Risk Area. The submitted Shallow Coal Mining Risk Assessment has been reviewed by the Coal Authority and Environmental Health and they have both requested that an intrusive investigation should be carried out, as well as any remediation works and/or mitigation measures to be submitted.

A near identical scheme was approved under application ref: 2018/90644 on the same site. A number of conditions were attached relating to site intrusive works.

A Discharge of conditions app ref: 2019/90126 for conditions: 3 (Phase II), 4 (remediation), 5 (remediation) and 6 (validation) has been approved in 2019.

The same documents have been included as part of this application which were deemed acceptable to discharge the previous conditions. These documents submitted are considered out of date by both consultees, and as such they request that a new intrusive investigation should be carried out.

However, the LPA do not consider it necessary for these conditions to be applied as the site does benefit from planning permission ref: 2018/90644 & discharge of conditions application ref: 2019/90126 as explained which addressed the intrusive site investigation. There is a realistic fall back to undertake the development the subject of 2018/90644. The footprint of the proposal in this application is near identical to the footprint approved under application ref: 2018/90644.

It is also important to note that application ref: 2018/93810 was also granted permission for a near identical scheme that did not include any pre-commencement conditions relating to land contamination reports and it was considered that the information submitted at the time was acceptable and reasonable.

Therefore it is concluded that it would not be a reasonable or proportionate approach of the LPA to insist upon submission of further details of land quality / stability given the previous investigations which have been undertaken, the fact there is an extant consent which could be completed and the extent of the alterations to the approved scheme which are the subject of this application.

Therefore the proposal is concluded to be acceptable in this regard.

6 – Representations:

8 representations have been received. The comments are summarised and addressed as follows:

- The use of the dwellings as emergency housing raises concern is a detriment to safety of students and surrounding residents.
- Use of dwellings as emergency housing will cause noise pollution.

Officer comment: The proposal is no longer for emergency housing and as such the above comments are no longer relevant to the proposal. The proposed semi-detached dwellings as for student accommodation only as per the previous extant permissions on the site.

- Further congestion and disturbances to highway safety. No traffic management plan or parking assessment has been submitted.
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Officer comment: The proposal is for student accommodation with both dwellings having 5 bedrooms which is the same to the extant permissions. As such, the highway officer has reviewed the application and has raised no concern to highway safety.

- Residents have not been informed of the planning application.

Officer comment: The application has been advertised by site notice and therefore has been advertised in accordance with the Council's adopted Development Management Charter which incorporates the requirements of planning law in relation to publicity of planning applications.

- Proposed dormer windows result in the loss of privacy and overshadow neighbouring properties

Officer comment: The proposed dormer windows will be sited within the rear roof scape of the main dwellings, set away from the shared site boundaries and as such raises no significant concern to overshadowing impact. The proposed rear dormers will offer views to the rear dwellings. However, there are considerable separation distances to the rear boundary and it is noted that rear dormer windows have already been approved on the previous application. As such there is no concern to the loss of privacy to neighbouring dwellings.

- Concern of noise and light pollution to local wildlife and the environment.

Officer comment: The development is nearly complete. A condition will be implemented to ensure a bat box is inserted to each dwelling as the site is located within a bat layer. On the basis of inclusion of the recommended condition the LPA do not have any further concerns to ecology.

- The site is located within a High Risk Coal Area and no reports have been submitted.

Officer comment: The applicant has submitted supporting documents related to the land contamination and the site being located within a high risk coal area. As discussed within the report. The documents submitted are considered acceptable.

- Work has commenced without authorisation.

Officer comment: The site has permission to construct semi-detached dwellings. Any work which is not in line with the previous extant permission is at the risk of the applicant. This application is submitted to regularise elements of non-conformance with the extant permission.

- Limited amenity space for future occupants.
- Over intensification of dwellings
- Further information should be required for use of the dwellings as both student accommodation and emergency housing accommodation.

Officer comment: The proposed dwellings are intended to be for student accommodation only. A condition ensuring this is the case would be included upon any grant of permission.

- Impact the value of neighbouring properties

Officer comment: This is a material planning consideration to which little weight can be afforded in the consideration of this development proposal given the scale and nature of the development.

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: 2025/90453

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 (as amended).

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP24, LP30, LP51 and LP53 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3 The materials of construction of the walls and roof of the development hereby approved shall be stone for all external walls and tiles of a grey colour finish to all pitched roofs. Should materials or colour finish other than those approved by this condition be intended to be used no further development shall be undertaken until a scheme detailing all materials of construction and colour finishes for the walls and roof has first been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until it has been completed in accordance with the materials

and colour finishes approved by this condition which shall be retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within chapter 12 of the National Planning Policy Framework.

4. The front and side external walls of the dormers hereby approved shall be of a colour finish to match that used in the construction materials of the roof so approved by condition no.2 of this decision and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within chapter 12 of the National Planning Policy Framework.

5. An electric vehicle recharging point shall be installed within the dedicated parking area of each approved dwelling before it is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: To encourage ultra-low emission vehicles in the interests of air quality and accord with the guidance contained in Chapter 9 and Chapter 15 of the National Planning Policy Framework, the West Yorkshire Low Emissions Strategy and Policies LP21 and LP24 of the Kirklees Local Plan.

6. One bat box or bird box, in the form of a Schwegler type 1FR woodcrete bat box / Brick box Type 24 (respectively) or similar, shall be installed on the exterior of each of the approved dwellings before the dwelling to which the box relates is first occupied. The boxes shall be installed, at least 4 metres above the ground and not located above windows or doors. The boxes shall thereafter be retained.

Reason: In the interests of enhancing the biodiversity of the site, in accordance with Policy LP30 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

7. The accommodation hereby permitted shall be occupied by students only, defined as persons whose main residence is elsewhere and who are enrolled on recognised fulltime 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: In the interest of Highway Safety and Efficiency, as the dwellings are considered to provide insufficient parking for general market housing, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

8. 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)) windows in the side elevations of the dwellings hereby approved shall be first installed obscure-glazed to a privacy level minimum grade 4. Thereafter the windows in the side elevations of the dwellings hereby approved shall be retained obscure-glazed to a privacy level minimum grade 4.

Reason: So as not to detract from the amenities of adjoining property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within Chapter 12 of the National Planning Policy Framework.

9. 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) no development included within Classes A, AA, B or E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To prevent an overdevelopment of the site, and in the interest of residential and visual amenity, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan, principles within the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

10. Notwithstanding the submitted plans, the works shall be carried out in accordance with the findings and recommendations of the supporting information contained within the following documents:

- Letter dated 16th July 2019 by Arc Environmental Ltd with attachments, reference 19-161.01L
- Structural Technical Note reference HD-A-246 dated 31st January 2019 by Hudds Design.
- Letter dated 16th October 2014 with attachments, reference 14-669.02L from Arc Environmental

Reason: To ensure that coal mining activity at the site to remove unacceptable risks to human health and the environment are minimised in accordance with Policy LP53 of the Kirklees Local Plan and advice within 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:

Monday to Friday: 0730 – 1830

Saturday: 0800 – 1300

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a

notice. This notice can specify the hours during which work may be carried out.

Note: There is potential for a bat roost to be present on site. Bats are a European protected species under Regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Note: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which

Note: Clearance of vegetation should be undertaken outside of the bird breeding season, March to August inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Drawings	UD498 - 02	E	30/09/2025
Gas Monitoring report	1810.2		26/06/2025
Structural Technical Note	HD-A-246		26/06/2025
Shallow Coal Mining Risk Assessment			13/03/2025
Climate Change Statement			13/03/2025

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 2024 and otherwise actively engaged with the applicant

in dealing with the application. Discussions took place relating to the description, design and information requests with amended plans received 30/09/25.