

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:	2025/62/91478/W
Site Address:	land at, Olney Street, Slaithwaite, Huddersfield, HD7 5EG
Description:	Erection of 1 pair of semi-detached dwellings with associated parking and amenity space
Recommending Officer:	Danielle Cooper

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: 19-Sep-2025

Officer Report

Site Description

land at, Olney Street, Slaithwaite, Huddersfield, HD7 5EG.

The site, on the northern side of Olney Street, comprises one large, detached garage and some untended and overgrown land to the side and rear.

To the east of the site is a detached garage and to the west of the site is a residential development of bungalows. To the North of the site the land is used as allotments and to the south of the site is further residential development.

Description of Proposal

The application is seeking planning permission for the erection of 1 pair of semi-detached dwellings with associated parking and amenity space.

The proposal encompasses a pair of two-storey, semi-detached dwellings which would have a hipped roof form and feature rear dormer windows. Parking will be situated to the side of each semi-detached dwellings and gardens are situated to the rear.

The dwellings would be constructed from Johnsons Wellfield quarry stone, with Brazilian blue slate roof tiles. UPVC windows will be inserted with composite doors.

Both dwellings would have three bedrooms with associated living accommodation and amenity space.

History of Negotiations

The agent was requested to amend the scheme to reduce the height of the dwellings as concern was raised in regard to the overbearing and overshadowing impact the development as originally submitted would have on the rear amenity space of the adjacent bungalows to the west of the application site.

Amended plans were received. These were not re-advertised as the proposed amendments would reduce the impact on the neighbouring occupants and the principle of development unchanged. No neighbour was prejudiced and all and any representations were taken into consideration.

Relevant Planning History

2023/91796 - Outline application for demolition of garages and erection of one dwelling - Refused - Appeal Allowed

2021/94410 - Outline application for erection of residential development – Refused - Appeal Dismissed

Representations

The application has been advertised by site notice. Publicity expired on 10th July 2025. No representations have been received.

Consultation Responses

KC Environmental Health – No objections subject to conditions.

KC Highways Development Management – Requested dropped kerbs, bin storage and collection points to be shown on plan.

KC Ecology – No objection subject to conditions.

Policy

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

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 3** – Location of New Development
- **LP 7** – Efficient and Effective Use of Land and Buildings
- **LP 20** – Sustainable Travel
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 33** – Trees
- **LP 51** – Protection and Improvement of Local Air Quality

- **LP 52** – Protection and Improvement of Environmental Quality
- **LP 53** – Contaminated and Unstable Land

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs (and design guides) are applicable:

- Highways Design Guide
- Housebuilders Design Guide
- Biodiversity Net Gain Technical Advice Note

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 2024, 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 5** – Delivering a Sufficient Supply of Homes
- **Chapter 8** – Promoting Health and Safe Communities
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 11** – Making Efficient Use of Land
- **Chapter 12** – Achieving Well-Designed and Beautiful Places
- **Chapter 15** – Conserving and Enhancing the Natural Environment

Other material planning considerations:

- Housebuilders Design Guide SPD
- Highways Design Guide
- Biodiversity Net Gain Technical Advice Note
- National Design Space Standards

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conclusion

1. Principle of Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. 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.

The site is not displayed as allocated on the KLP Policies Map. Policy LP2 states that:

“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”

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.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

The 2023 up-date of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land. As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Council’s inability to demonstrate a five-year supply of housing land weighs in favour of housing development but has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer’s assessment.

Policy generally seeks to support residential development upon unallocated sites. Thus, residential development at the site could be acceptable in principle. However, Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. By that standard, this site in theory, could accommodate one to two dwellings. Two dwellings are proposed in this instance, which is considered appropriate given the proposal is for semi-detached dwellings and is similar to the density of the surrounding properties.

Paragraph 73 of the NPPF recognises that “small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should...support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

In respect of the above, the quantum of development is considered acceptable although a more detailed assessment of the proposal’s design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

2 – Impact on visual amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby 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.”

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...”

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD, which aims to ensure future housing development is of high-quality design.

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 15 states that the design of the roofline should relate well to site context. Further to this, Principle 13 states that applicants should consider the

use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

The proposal is for a pair of semi-detached properties with a hipped roof design which is in keeping with the existing properties on Olney Street. It is noted that residential dwellings within the street scene are varied in regard to design, scale and materials. As such the design and scale of the proposed semi-detached dwellings is considered acceptable. The dwellings will be constructed from natural stone with tiled roof forms which is considered acceptable given the mix of materials within the streetscape. The agent has submitted sample materials showing Johnsons Wellfield quarry stone for the walling, with Brazilian blue slate roof tiles. The material samples submitted are considered visually acceptable and will be conditioned as such.

The proposed fenestration details are also considered coherent and respect the overall design of the proposed dwellings. The proposed rear dormer windows are considered acceptable given that they will not be visible from public vantage points. Nevertheless, it is not considered that the inclusion of rear dormer windows would have an adverse negative impact on the character and appearance of the proposed dwellings.

The proposed roof lights and solar panels also raise no concern to the overall character and appearance of the proposed dwellings.

Principle 5 of the House Builder's Design Guide SPD highlights the importance of buildings following a coherent building line.

It is noted that the proposed semi-detached dwellings will be in front of the building line of the adjacent bungalow, however this mirrors the same relationship with No. 14 Olney Street (bungalow) and No. 12 Olney Street (semi-detached dwelling). As such the proposal will follow the established building line/pattern of the street scene along the north side of Olney Street.

The proposed site plan does show some soft landscaping along the front boundary of the dwellings to help soften the visual impact of the site frontage. On-site parking is also situated to the side of the dwellings which is welcomed, ensuring cars are not parked directly outside of the proposed dwellings which can have a negative visual impact on the street scape. The boundary treatment will consist of native hedging, the existing stone wall and timber fences which is considered visually acceptable.

It is therefore considered that the proposal would not cause significant harm to the visual amenity of the surrounding area. The proposal is therefore

considered to be in accordance Policy LP24 of the Kirklees Local Plan, the aims of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

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 Kirklees Housebuilders Design Guide SPD states 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 SPD also provides advised separation distances for two storey dwellings:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- 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.

The residential properties mostly likely to be affected by the proposed development are 34 and 36 Olney Street. The impact upon these properties will be discussed below. However, the proposed development is considered to be a sufficient distance away from any other neighbouring properties not referred to so as to prevent undue harm in terms of loss of light, loss of outlook, overlooking or loss of privacy, or the creation of an overbearing effect. Of note, whilst there are a number of other properties near the site, the proposed dwelling would be ~21 metres from the surrounding properties.

The proposed rear windows and dormers will overlook allotments and as such raises no concern to the loss of privacy residential properties.

Impact on 34 and 36 Olney Street

The proposed dwellings are set in from the shared side boundary with No. 34 and 36 Olney Street by 4.6m and is set away from the rear elevation of these properties by approx. 8.4m. As such, this does not meet the recommended separation distance of 12m contained within the Housebuilders SPD. However, the proposed dwellings have been revised to include a hipped roof form which reduces its overbearing impact. It is also noted that at present there is a tall detached garage situated along the rear boundary of No. 34 which is considered to currently cause an overbearing impact to the residential garden area of No. 34. The proposed semi-detached property would encompass a set off from the shared boundary whilst the existing garage is located almost directly on this. As such, the proposal will provide a buffer of which does not currently exist. It is also noted that this relationship mirrors that of the adjacent bungalow and semi-detached dwelling at No. 12 and 14 Olney Street. As such, it is considered that the impact of overdominance would not be detrimental and is therefore acceptable in this instance.

It is considered that there may be some overshadowing impact to No. 34's rear garden area. However, due to the orientation of the proposed dwellings as well as the generous separation distance, it is not considered that the impact of overshadowing would be significant and is therefore acceptable.

The proposed ground floor side window would be screened by the existing fence along the west side boundary and as such there are no concerns to loss of privacy. No other fenestrations are proposed to the west side elevation.

Amenity of the Proposed Occupiers

Principle 16 of the Housebuilders Design Guide SPD 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. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan."* 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 proposed dwellings (3 storey, 3 bed, 5 person), measure 101sqm and therefore meets the required 99sqm recommendations as set out within the

NDSS for such a dwelling. The proposed gardens are also considered to be a good size for a dwelling of this scale. It is considered the proposed windows would have sufficient outlook and natural light for the amenity of future occupants.

KC Environmental Health have noted that the applicant should be made aware of construction hours in order to protect residential amenity. In the event that planning permission be approved, it is recommended an informative be attached to that effect.

Taking the above into consideration the impact on residential amenity is considered acceptable on balance and it is considered that the proposed development complies with Local Plan Policy LP24(b), the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Paragraph 115 of the NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

KC Highways Development Management have reviewed the proposal and requested that dropped kerbs, bin storage and collection points need to be shown on plan.

One three-bedroom, and one two-bedroom dwelling are proposed at the site, and the Kirklees Highways Design Guide SPD states that at least 2 on-site spaces are required for dwellings with 2-3 bedrooms. The proposed site plan shows off-street parking provision for two vehicles at each dwelling along the site of the dwelling and as such raises no concern of highway safety. EV charging points also annotated on plan and will be conditioned as such. The proposal also shows two dropped kerbs to access the on-site parking spaces, which will require a Section 184 agreement (Highways) to be entered by the applicant.

Bin storage is shown within the hardstanding area for on site parking which is accepted and bin collection will be carried out to the front of the property on bin collection day which raises no concern.

It is therefore considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan 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 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.

The proposal includes the installation of solar panels and ECVP which will reduce the dwelling's carbon footprint. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

Ecology

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The submitted application form outlines that the application falls under the self-build and custom-built exemption. Therefore, BNG is not required under this application.

The Council's GIS mapping system identifies the site to be located within a bat layer, twice buffer and an area with a known presence of great crested newts (GSN).

A Preliminary Ecological Assessment has been submitted and has been reviewed by KC Ecology and deem the assessment reasonable and acceptable.

The report makes recommendations for habitat enhancement, species enhancement, bats (lighting), and nest practice actions for hedgehogs and other small mammals. A Construction Environmental Management Plan has also been submitted and reviewed by ecology who raised no concerns to the management plan subject to it being adhered to during construction.

The submitted information is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design Guide SPD

Contaminated Land

The site of the proposed development is on land identified as potentially contaminated due to historic quarries and the use of the site as garaging. A Preliminary Risk Assessment: Desk Study by Arbtec, dated the 24th of May 2025, has therefore been submitted in support of the application which has been reviewed by KC Environmental Health and is considered acceptable.

The report goes on to recommend a comprehensive intrusive investigation with a Phase 2 Environmental Report was subsequently submitted. KC Environmental Health have reviewed this document and conclude that they accept the document, however site remediation will be required due to contamination risk found, the details of which were presented in the preliminary conceptual site model, within the Phase 2 report. In the event that planning permission be approved, it is recommended that a condition be attached to secure said remediation.

The application site falls within the defined Development Low Risk Area and as such raises no concern in this regard.

As such, subject to the inclusion of aforementioned conditions the proposal complies with LP51 and LP52 of the Kirklees Local Plan.

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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/91478

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. The approved dwelling will be constructed from Johnsons Wellfield quarry stone, with Brazilian blue slate roof tiles as detailed within the material sample email received 28/08/2025, and shall thereafter be retained as such.

Reason: In the interests of visual amenity and to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. The dwelling hereby approved shall not be occupied until all areas indicated to be private drives and parking areas are laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.

Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

5. Prior to occupation of the dwelling, one electric vehicle recharging point shall be installed for each dwelling. The scheme shall meet at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

6. The development shall be constructed in accordance with the submitted Construction Environmental Management Plan (CEMP: Biodiversity), received on the 26th August 2025. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy 30 and Chapter 15 of the National Planning Policy Framework.

7. Groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

8. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

9. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof

- Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Highways Asset Management Team at vehicle.crossing@kirklees.gov.uk with regard to obtaining this permission and approval of the construction specification.

Interference with the highway without such permission is an offence which could lead to prosecution

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

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.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

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

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

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

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
-----------	-----------	---------	---------------

Location Plan	PC/OS2/P01	A	03/06/2025
Existing Site Plan and Proposed Elevations	PC/OS2/P02	B	21/08/2025
Proposed Site Plan and Proposed Floor Plans	PC/OS2/P02	A	21/08/2025
Proposed Street Scene Elevations	PC/OS2/P04	A	21/08/2025
Design and Access Statement			29/05/2025
Preliminary Ecological Appraisal			03/07/2025
Preliminary Risk Assessment			29/05/2025
Material samples email			28/08/2025
Construction Environmental Management Plan (CEMP): Biodiversity			26/08/2025
Phase 2 Geo-environmental report	C5257/25/E/8069		29/07/2025
Gas monitoring report	C5257/25/E/GM		28/08/2025

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 Planning Authority has, 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.

The applicant was asked to amend the scheme to reduce the height of the dwellings as concern was raised in regard to the overbearing and overshadowing impact the development would have on the rear amenity space of the adjacent bungalows to the west of the application site. Amended plans were received. These were not re-advertised as the proposed amendments would reduce the impact on the neighbouring occupants.

Report date: 16/09/2025