

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:	2025/62/91943/W
Site Address:	Mellbreak, 161, Causeway Side, Linthwaite, Huddersfield, HD7 5SJ
Description:	Erection of rear extension and rear dormers and alterations to roof (within a Conservation Area)
Recommending Officer:	Joshua Merriman

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.

Danielle Cooper

AUTHORISED OFFICER

Date: 09-Dec-2025

Officer Report – 2025/91943

Site Description

Mellbreak, 161 Causeway Side is a detached bungalow located within the Linthwaite Conservation Area. The property is set within a steeply sloped site with the property set down from the roadside, separated by a front garden and to the side is a driveway and parking area. The rear garden area set down significantly from the floor level of the property. As existing there is a large dormer/first floor extension on the rear elevation of the property and also a timber clad single storey extension. There is a timber terrace that wraps around the dwelling which is supported by stilts.

Surrounding the property are residential dwellings comprising of detached, semi-detached and terraced dwellings with the terraced row directly beyond the rear boundary being Grade II listed.

Description of Proposal

The Scheme

The applicant is seeking permission for the erection of rear extension and rear dormers and alterations to roof (within a Conservation Area).

The proposed rear dormer will project 3.09m from the existing roof plane of the dwelling, with a maximum height of 1.94m, eaves height of 1.53m, and a width of 8.05m.

The single storey rear extension will project 3.27m from the rear elevation of the existing building, with a maximum height of 2.55m, eaves height of 2.07m, and a width of 4.72m.

As for the hip to gable roof extension, the total width and maximum height of the roof will remain the same, however, the edge of the roof at each side will be raised in height to remain uniform all the way across, and a gable end will be introduced to each side of the roof, rather than a pitched tiled appearance.

Three roof lights are to be inserted into the front roof plane.

Officer Note: *It is important to note that there are elements of construction works that have taken place at the dwelling without seeking planning permission that are not shown on plan. These include the rear decking, outbuilding, and driveway works on site. As these have been in place for more than four years, they are now lawful and no enforcement action can be taken. This has been confirmed by the enforcement officer dealing with the site.*

Whilst there are concerns regarding overlooking at close quarters to neighbouring properties, as a result of the terrace, as the terrace is not shown on plan or within the description of development, the assessment of this application is undertaken on the basis of the description of the development seeking consent for a rear extension, rear dormers and alterations to roof.

On the basis of the site containing many previously unregularised works including the original rear dormer, rear extension, outbuilding, driveway and rear terrace, it is considered necessary for permitted development rights to be removed at the application property. This has been actioned via a condition at the end of this report.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Conservation/Heritage Assessment

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

19/11/2025 – 2951_ACU (100)04A PROPOSED SITE PLAN

19/11/2025 – 2951_ACU (100)03C PROPOSED PLANS AND ELEVATIONS

History of Negotiations / Amendments Received

Following initial communications from the case officer to the agent that the application had not overcome previous reasons for refusal within application 2024/90099, the agent requested an extension of time, during which, amended plans were submitted. Following the assessment of these amended plans, it was considered that the previous reasons for refusal had been overcome via reducing the scale and impact of the rear dormer, and ensuring the alterations to roof were sympathetic to the original house and surrounding Conservation Area.

Relevant Planning History

The most relevant planning history relates to the following planning applications

2023/93280 – Work to tree in CA – Granted.

2023/93382 - Demolition of existing outhouse and external stairs and erection of two storey dwelling and associated alterations (within a Conservation Area) – Withdrawn – Invalid.

2024/90099 - Erection of dormer windows and orangery to rear (within a Conservation Area) – Refused.

- By virtue of its materials of construction, associated engineering works, siting, scale, massing, prominence and design, the development is not a subservient addition and poorly relates to the appearance of the host property having a harmful impact upon the visual amenities of the host property and wider locality as well as the character, appearance and setting of the Linthwaite Conservation Area and neighbouring Listed Buildings.

Enforcement history:

COMP/24/0139 - Unauthorised dormer, raised platform, dormer and outbuilding

2024/91390 - Deemed application via enforcement appeal
APP/Z4718/C/24/3344445 for erection of dormer extension to the rear

Outcome 7th May 2025 - Enforcement Appeal upheld with variations to allow a compliance period of 6 months to dismantle the rear dormer.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised as affecting the setting of a listed building, affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 12/09/2025.

7 Letters of Objection have been received. The comments have been summarised below:

- The building is poorly constructed, visually intrusive, and doesn't fit within the area.

Officer Comment: This has been addressed within the 'Visual Amenity' section of this report.

- The existing structure is of inferior quality, poor construction, extremely poor execution, and quite frankly is the local eyesore.

Officer Comment: This has been addressed within the 'Visual Amenity' section of this report.

- Enforcement appeal requires the former to be removed within 6 months from the 7th May 2025

Officer comment: This comment is noted and the officer is aware of the enforcement appeal.

- No planning permission for the terrace/balcony

Officer comment: This comment is noted. As this element of the proposal has not been included within this planning application, it will not be assessed.

- Concrete paving has been laid 1m within the highway

Officer comment: This comment is noted, however as this application is for the erection of a rear dormer, single storey rear extension and roof extensions, this matter cannot be assessed under this application and does not bear weight to the outcome of the decision.

- Tree surgery has been carried out without the appropriate permissions, further impacting the character of the conservation area.

Officer comment: This comment is noted, however as this application is for the erection of a rear dormer, single storey rear extension and roof extensions, this matter cannot be assessed under this application and does not bear weight to the outcome of the decision. It is advised that if any significant mature trees have been removed from the site, this is referred to enforcement.

It is noted that these objections were submitted prior to the publication of the current and amended plans. As a result, the comments referred to are considered to be somewhat redundant with regard to the new scheme, however, as they have informed the negotiations throughout the application they will remain within the report.

Consultation Responses

No consultations were considered necessary for this application.

Allocation and Policy

The site is allocated in the Linthwaite Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also located within a Strategic Green Infrastructure Network area, bat alert layer, twice buffer, and within the proximity of Grade II Listed Buildings.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP31 Strategic Green Infrastructure Network
- LP35 Historic Environment

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.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- Chapter15 Conserving and enhancing the natural environment
- Chapter16 Conserving and enhancing the historic environment

Supplementary Planning Documents / guidance

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

- The Biodiversity Net Gain Technical Advice Note

Legislation

- The Town & Country Planning Act 1990 (as amended).
- The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to

the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of Development

Sustainable 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 located within the Linthwaite Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever

possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the KLP 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 site is located within the Linthwaite Conservation Area; therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

LP35 states that:

‘Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm’.

Section 5.1 followed by 5.2 of the Council’s House Extensions and Alterations SPD refers to the general rules, where a rear extension should:

- Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained;
- Be set behind the original building, and not projecting beyond the sides;
- Maintain external access to the rear garden;
- Respect the original house and garden in terms of its size and scale
- Use appropriate materials which match or are similar in appearance to the original house; and
- Not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.

Section 5.6 of the SPD specifically refers to single storey rear extension which should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height; not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

Paragraphs 5.24, 5.25, 5.26 and 5.27 of the House Extension SPD relate to the provision of dormers and alterations to roofs. Given roofs are a very prominent and visible element of the majority of properties, development affecting the roof, such as dormer extensions need to be carefully considered in terms of their appearance and scale in order to be considered acceptable.

Dormer windows should:

- relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the roof or project above the ridge of the house;
- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

The above listed policies and guidance within the SPD are taken into account within sections below of this report.

The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

2 – Impact on character and appearance of the area (including impact upon historic environment):

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. 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.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions and Alterations SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The recommendations of the Council’s House Extensions and Alterations SPD are outlined in the ‘Principle’ section of this report.

In comparison to the previous planning refusal ref: 2024/90099, this application proposes to gable the roof of the host property. The retrospective rear dormer will be significantly reduced in scale, and the single storey rear extension remains the same.

The application site is within the Linthwaite Conservation Area. Linthwaite, which is within the Colne Valley has a long history associated with the cottage Woollen industry, which is reflected in the architecture of the area with the many examples of Weavers cottages. To the immediate west of the application site, there is a row of Weaver's cottages, No's 215-219 Lane Top, which are listed at Grade II. Further to the north is an additional row of listed terraces, also 211 and 213 Lane Top, which are also Grade II listed.

In terms of visual amenity the dormer and single storey extension are located on the rear elevation of the property. Due to the property being located within a steeply sloped site and due to the surrounding topography, the property and proposed works can be read and are visible from public vantage points outside of the curtilage of the dwelling. From the highways to both the east (from which the site takes access) and from the west the site is visible.

The design of the proposed dormer has been amended to a small subservient structure which is sympathetic to the existing roof plane and property. The amended plans show alterations to the roof that prevent the rear dormer from projecting beyond the roofline as shown in the original plans, as well as hiding the rear extensions somewhat from the front elevation. The rear dormer has also been detailed to be faced in matching roof tiles.

Although the proposed gable roof was additionally considered to add to concerns of bulk and massing on the site, the amended plans showing a reduced scale dormer show the gable roof to appear more acceptable within

the street scene, and appear similar to neighbouring properties which have also adopted this roof type.

With regard to the proposed single storey rear extension, this structure broadly aligns with the SPD. The extension is single storey in height, does not cover more than 50% of the land around the property and is set in from shared boundaries by more than 1 metre. Whilst the construction materials do not match the host dwelling, the contrasting materials ensure that the extension is an addition to the property and not part of the original build. Due to its location and limited size, it is not considered that this element of the proposal would have undue harm to visual amenity.

However, due to floor levels, the extension is set up significantly above the ground level and upon a terraced area. As outlined in the earlier officer note, these developments on site are now legal by virtue of the time they have been erected, therefore, the supporting structures in relation to the rear extension, although unsympathetic and not preferred, cannot be acted against in this case as they are now lawful.

In conclusion, it is considered that the amended plans have ensured the development is acceptable with regard to materials of construction, siting, scale, massing, prominence, and design. The development is therefore considered to comply with Key Design Principles 1 and 2 of the Supplementary Planning Document, Policy LP24 (a and c) and Policy LP35 of the Kirklees Local Plan and Policies within Chapter 12 and 16 of the NPPF.

3. Impact on Residential Amenity

Sections 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.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The recommendations of the House Extensions and Alterations SPD are once again outlined in the ‘principle’ section of this report.

In terms of residential amenity, openings are within the rear elevation of the dormer extension and within the sides and rear of the orangery extension. Whilst the dormer creates openings within the rear elevation of the property, the established separation distances between the site and neighbouring

dwelling is not significantly reduced in terms of overlooking. As the property is detached and it is not considered that the orangery would cause undue harm with regard to overlooking.

In terms of overbearing and overshadowing, the rear dormer and additions to the roof are considered to be overbearing but not to such a degree that the structure would be oppressive to neighbouring dwellings. Moreover, there are minimal concerns regarding the single storey rear extension due to its limited scale and size.

It is therefore considered that the development is acceptable in terms of residential amenity, having regard to 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 Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

There is a driveway and parking area to the side of the property which can accommodate 3 no. vehicles and therefore, it is considered that the parking available for the property is adequate.

It is not anticipated that the works would displace the storage of bins and there is adequate remaining amenity space for the storage of bins and is therefore compliant with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, Principle 15 of the Council's Street Design Guide and Chapter 9 of the National Planning Policy Framework.

5. 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

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. Whilst it is acknowledged that the site is located within an identified bat roosting area and twite buffer, the proposals are relatively modest, and in this case would not impact significantly upon the existing roof space which has the potential for providing a roost for bats or twites. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat or twite populations. An informative would be included making the applicant aware that if bats or twites are discovered on site during the works, any development shall cease, and the applicant is advised to contact Natural England for advice on how to move forward. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

7 Letters of Objection have been received. The comments have been summarised below:

- The building is poorly constructed, visually intrusive, and doesn't fit within the area.

Officer Comment: This has been addressed within the 'Visual Amenity' section of this report.

- The existing structure is of inferior quality, poor construction, extremely poor execution, and quite frankly is the local eyesore.

Officer Comment: This has been addressed within the 'Visual Amenity' section of this report.

- Enforcement appeal requires the former to be removed within 6 months from the 7th May 2025

Officer comment: This comment is noted and the officer is aware of the enforcement appeal.

- No planning permission for the terrace/balcony

Officer comment: This comment is noted. As this element of the proposal has not been included within this planning application, it will not be assessed.

- Concrete paving has been laid 1m within the highway

Officer comment: This comment is noted, however as this application is for the erection of a rear dormer, single storey rear extension and roof extensions, this matter cannot be assessed under this application and does not bear weight to the outcome of the decision.

- Tree surgery has been carried out without the appropriate permissions, further impacting the character of the conservation area.

Officer comment: This comment is noted, however as this application is for the erection of a rear dormer, single storey rear extension and roof extensions, this matter cannot be assessed under this application and does not bear weight to the outcome of the decision. It is advised that if any significant mature trees have been removed from the site, this is referred to enforcement.

It is noted that these objections were submitted prior to the publication of the current and amended plans. As a result, the comments referred to are considered to be somewhat redundant with regard to the new scheme, however, as they have informed the negotiations throughout the application they will remain within the report.

8. 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 the proposed development would not constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/91943

Officer Recommendation: Conditional Full Permission

Conditions and Reason(s)

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).

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

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24 & LP35 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12, 14 and 16 of the National Planning Policy Framework

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

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 & LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 and 16 of the National Planning Policy Framework.

3. The face and cheeks of the dormer hereby approved shall be faced in vertically hung tiles which shall in all respects match those used in the construction of the existing building. The dormer shall thereafter be retained with this finish.

Reason: In the interests of visual amenity and to accord with LP24 & LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

4. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification) no extensions, roof extensions, porches or outbuildings (Class A, AA, B, D & E), other than those expressly authorised by this permission shall be constructed on the site.

Reason: in the interests of Visual Amenity to accord with policy LP24 of the Kirklees Local Plan and the policies contained within Chapter 12 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 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 applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If twites are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	2951_ACU (LOC)	-	25/07/2025
Existing Site/Block Layout	2951_ACU (100)02	-	25/07/2025
Existing Plans and Elevations	2951_ACU (100)01	-	25/07/2025
Proposed Site Plan	2951_ACU (100)04A	-	27/11/2025
Proposed Plans and Elevations	2951_ACU (100)03C	-	27/11/2025
Application Forms	-	-	25/07/2025

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. Following the amendments submitted by the applicant, it is considered that the scheme has overcome previous reasons for refusal and is therefore acceptable.

Report Dated:

02/12/2025

