

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING CONDITIONS PREVIOUSLY ATTACHED

Reference No:	2025/70/92113/E
Site Address:	156, Upper Road, Batley, WF17 7BJ
Description:	Variation of condition 2 (plans) on previous permission 2022/91343 for conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works
Recommending Officer:	Elenya Jackson

DECISION – VARIATION OF CONDITION APPROVED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 24-Nov-2025

Officer Report

Site Description

156 Upper Road is the former Old Shoulder of Mutton Public House in Batley. The site is currently vacant, and the building has been in part converted to a dwelling following a grant of planning permission (2013/92729). The building is constructed from stone to the front and western side elevation with exposed brick and render to the east. The site is set at a higher level than Upper Road with vehicle access taken into the site from the southwest.

It is noted that development has begun on the site as approved under application 2022/91343.

Description of Proposal

The application is for the variation of condition 2 (plans) on previous permission 2022/91343 for conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works.

Drawing no(s):

- DWG-004 Rev B
- DWG-005 Rev.C

Will be replaced with:

- 1801-B8_100 Rev.B received 3/11/2025.
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The proposed variation changes the design of the approved detached dwelling. The following changes are proposed:

- First storey element at the front of the building brought forward to align with the approved gable feature.
- Changes to the roof form
- Changes to the openings to the rear of the dwelling – first floor window removed, and the patio door and window have swapped at ground floor level.
- Changes to all openings in terms of design.
- Bathroom window installed on first floor side elevation
- A covered 'storm shelter' above the doorway
- Internal reconfiguration including removing the WC at ground floor
- Change to the scale and location of rooflights

History of Negotiations/Amendments Received

Officers requested amended plans that included the details of the detached garage (details of this would remain unchanged) as the plans submitted did not include the garage.

Relevant Planning History

2024/91602 Discharge conditions 1-20 on previous permission 2022/91343 for conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works. Split decision.

2023/90041 Discharge conditions 3 (materials), 10 (Phase I Desk Study Report), 11 (Phase II Intrusive Site Investigation Report), 12 (Remediation Strategy) and 16 (noise) on previous permission 2022/91343 for conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works. Split decision.

2022/91343 Conversion of public house to form two dwellings, erection of garages and one detached dwelling, demolition of external outbuildings and associated works. Conditional full permission.

2013/92729 – Change of use of former public house to dwelling, formation of new rear entrance gate and new pitched roof, demolition of existing side extensions and external alterations. Granted.

2011/92886 – Change of use of A4 public house to D1 education centre. Refused.

Representations

The application was advertised by neighbour letters which expired on 20th November 2025. As a result of the publicity period, no representations were received.

Consultation Responses

No consultations were considered necessary.

Policy

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

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan:

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 28 – Drainage
- LP 30 – Biodiversity and geodiversity
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality
- LP 53 – Contaminated and unstable land

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, and 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 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development:

The site is unallocated on the Kirklees Local Plan (KLP).

The principle of the development has already been carefully assessed and considered acceptable under application 2022/91343. The proposed changes are to the design and would not change the principle of development.

In summary, the proposal is considered to be in accordance with Policies, LP3 and LP48 of the KLP and the principle of development is found to be acceptable.

2 – Impact on visual amenity:

General design considerations are set out in Policy LP24 of the Local Plan, the Housebuilders Design Guide SPD and Chapter 12 of the NPPF, which seek to secure good design in all developments by ensuring that they respect and enhance the character of the townscape and protect amenity.

The impact on visual amenity has already been carefully assessed and considered acceptable under application 2022/91343. The proposed changes are to aspects of the design of the detached dwelling and the below assessment will focus on the impact of the proposed changes on visual amenity.

First storey element at the front of the building

The first-floor element at the front of the building would be set forward to align with the approved gable end. The roof would be set at a marginally shallower pitch above the proposed extended section. The applicant has outlined that “it became apparent that the approved plans for the proposed detached dwelling would not enable sufficient height to the 2nd floor meaning the layout was not feasible or practical”.

The proposed changes, whilst marginally changing the design of the principal elevation, are a moderate change which would not significantly change the visual appearance of the front of the dwelling and would be in keeping with the general design of the approved dwelling.

Changes to the roof form

The roof pitch would be changed to allow for the first-floor extension without significantly increasing the overall roof height. This is considered to not have a significant impact on the visual amenity of the overall building, particularly given the roof height would only be marginally increase by 0.5m.

Changes to the openings

The proposed changes to the openings would be in keeping with the general character of the approved openings in terms of both design and scale and therefore the changes are not considered to cause any significant additional harm over and above the approved scheme.

A covered shelter above the doorway

The proposed ‘storm shelter’ is considered to be in keeping with the general design of the building and would be a moderate addition to the front elevation which would not cause any additional harm to visual amenity.

Internal reconfiguration

The internal reconfiguration would not impact on visual amenity.

Change to the scale and location of rooflights

The proposed roof lights would be smaller than the approved scheme and there would be a reduction in the number of overall rooflights. The spacing and scale of the rooflights is still considered appropriate to the design and therefore would not cause additional harm to visual amenity.

In summary, the proposed changes are considered to be acceptable from a visual amenity perspective and would not cause significant harm over and above what has already been approved at the site. The scheme would therefore comply with Policy LP24 of the KLP, guidance contained within the Housebuilders Design Guide SPD and Chapter 12 of the NPPF.

3 – Impact on residential amenity:

The impact on residential amenity has already been carefully assessed and considered acceptable under application 2022/91343. The proposed changes are to aspects of the design of the detached dwelling and the below assessment will focus on the impact of the proposed changes on residential amenity.

The dwelling would remain in the same location as approved and would have a marginally higher roof ridge height (0.5m) to allow for the change in roof design. Taking this into consideration, there would be no additional overbearing or overshadowing impact as a result of the proposal. It is noted that there are changes to the openings these would mainly be in the same location as approved openings and therefore would not cause any additional harm to residential amenity. A new window is proposed in the western side elevation however this would be obscurely glazed so would not cause any additional overlooking harm.

It is therefore considered that the proposed changes would not cause significant harm to residential amenity over and above the approved scheme. The scheme would therefore comply with Policy LP24 of the KLP, guidance contained within the Housebuilders Design Guide SPD and Chapter 12 of the NPPF.

4 – Highway Safety

The impact on highway safety has already been carefully assessed and considered acceptable under application 2022/91343. The proposed changes are to primarily aspects of the design of the detached dwelling and therefore would not impact on highway safety. The scheme does change the internal layout resulting in 5-bedrooms which is an increase from the approved 4-bedroom dwelling under application 2022/91343. No changes are proposed to the parking arrangements or the approved detached garage, and the same number of parking spaces would be required for a 5-bedroom dwelling and therefore the changes are not considered to cause any additional harm to highway safety.

The scheme would therefore comply with Policy LP21 and LP22 of the KLP, guidance contained within the Housebuilders Design Guide SPD.

5 – Other matters:

The proposed changes would not result in any additional impact on any other matters.

6 – Representations:

Non received.

7 – Conditions

The following conditions were attached to application 2022/91343:

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

Officers are aware the development has begun on site so condition 1 can be removed.

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.

Condition 2 is a compliance condition which is still relevant to the proposed development and shall remain.

~~3. Samples of all external walls and roofing materials for the detached dwelling and double garage shall be submitted to and approved in writing by the Local Planning Authority before any development commences on the superstructure of the dwelling hereby approved. Thereafter the development shall be carried out in accordance with the approved details. The detached dwelling and double garage shall be finished in Marshalls Fairstone Traditional Pitch Faced Walling in silver birch and 'K Rend' render in Ivory colour walls under 'Redland Cambrian Slate' in Slate Grey Pre-Weathered roofing and thereafter retained throughout the lifetime of development unless otherwise agreed in writing by the Local Planning Authority.~~

Details of materials have been reviewed and agreed by the Local Planning Authority, and condition 3 has been discharged under application 2024/91602.

4. Before the two dwellings within the existing building hereby approved are first brought into use, the eastern side elevation of the dwelling shall be finished in render. The render shall be of a similar colour to the stone used on the existing building and thereafter retained.

Condition 4 is a compliance condition which is still relevant to the proposed development and shall remain.

~~5. Notwithstanding the submitted plans and information, before development commences on the superstructure of the detached dwelling hereby approved, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the dwellings are first brought into use and thereafter retained. Before the dwellings are first brought into use, the boundary treatment shall be installed in accordance with drawing no. "DWG-0121 Rev.B" and thereafter retained throughout the lifetime of the development.~~

Details of boundary treatment have been reviewed and agreed by the Local Planning Authority, and condition 5 has been discharged under application 2024/91602.

6. Prior to the development being brought into use, the areas approved for parking shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. 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) this shall be so retained, free of obstructions and available for parking thereafter.

Condition 6 is a compliance condition which is still relevant to the proposed development and shall remain.

7. Before any building/dwelling is occupied, turning facilities shall be provided in accordance with the details shown on drawing reference DWG-003 C. The

turning facilities shall thereafter be made available for use at all times by vehicles and shall be kept free from obstruction to such use.

Condition 7 is a compliance condition which is still relevant to the proposed development and shall remain.

~~8. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction. All construction arrangements shall be carried out in full accordance with the details within the annotations on submitted drawing no. "DWG-0121 Rev.B" throughout the entire period of construction.~~

Details of construction have been reviewed and agreed by the Local Planning Authority, and condition 8 has been discharged under application 2024/91602.

~~9. Before development commences on the superstructure of the new dwelling, details of storage and access for collection of wastes from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation of the dwellings and shall be so retained thereafter. Before the dwellings are occupied, storage and access for collection of wastes from the premises shall be provided in full accordance with the Proposed Site Plan ref: DWG-0121 and DWG-0122 and shall be retained throughout the lifetime of the development.~~

Details of waste storage and collection have been reviewed and agreed by the Local Planning Authority, and condition 9 has been discharged under application 2024/91602.

~~10. Groundwork shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the Local Planning Authority.~~

A Phase I report by RB Geotechnical, date June 2024 (ref: RBG271) has been reviewed and agreed by the Local Planning Authority, and condition 10 has been discharged under application 2024/91602.

~~11. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 10, development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.~~

A Phase II Interpretative Report by RB Geotechnical, dated April 2024 (ref: RBG312) has been reviewed and agreed by the Local Planning Authority, and condition 11 has been discharged under application 2024/91602.

~~12. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 11, development shall not commence until a Remediation Strategy 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.~~

A Remediation Strategy authored by RB Geotechnical dated March 2024 (ref: RBG396 - Issue 001) has been reviewed and agreed by the Local Planning Authority, and condition 12 has been discharged under application 2024/91602.

13. Remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy ~~pursuant to condition 12~~ authored by RB Geotechnical dated March 2024 (ref: RBG396 - Issue 001). 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 works on site (save 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.

Condition 13 must remain until all groundworks are complete.

14. Following completion of any measures identified in the approved Remediation Strategy authored by RB Geotechnical dated March 2024 (ref: RBG396 - Issue 001) or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the Local Planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

Condition 14 has not been discharged so must remain.

~~15. Before the electrical system is installed a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:—~~

~~— A Standard Electric Vehicle Charging point (of a minimum output of 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, as details in the Proposed Site Plan (drawing no. DWG-0121) has been installed and are operational. Charging points shall be retained thereafter throughout the lifetime of the development.

Details of electric vehicle charging points have been reviewed and agreed by the Local Planning Authority, and condition 15 has been discharged under application 2024/91602.

~~16. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including road traffic shall be submitted to and approved in writing by the Local Planning Authority. The report shall:~~

- ~~a) Determine the existing noise climate~~
- ~~a) Predict the noise climate in gardens (daytime), bedrooms (night time) and other habitable rooms of the development~~
- ~~b) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).~~

The development shall not be occupied until all works specified in the approved report Noise Impact Assessment authored by ENS dated 24 June 2024 ref NIA/10591/22/10730/v1/Upper Road, Batley have been carried out in full and such works shall be thereafter retained throughout the lifetime of the development.

A Noise Impact Assessment has been reviewed and agreed by the Local Planning Authority, and condition 16 has been discharged under application 2024/91602.

17. Before the detached dwelling is first occupied, a bat roosting feature (1FF Schwegler Bat Box/bat tube or a similar alternative) shall be installed integral to the south aspect of the detached dwelling. The bat tube shall not be located above a window, shall be a minimum of 4m above ground level and shall be thereafter retained.

Condition 17 is a compliance condition which is still relevant to the proposed development and shall remain.

18. Before the detached dwelling is first occupied, one bird nesting feature (1SP Schwegler Sparrow Terrace or similar alternative) shall be installed on the north or east elevation of the dwelling at a height of at least 2 meters. Hereafter the box shall be retained.

Condition 18 is a compliance condition which is still relevant to the proposed development and shall remain.

19. 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) no buildings or extensions shall be erected within the redline boundary of the site.

Condition 19 is a compliance condition which is still relevant to the proposed development and shall remain.

20. 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 doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created at ground floor level in the side elevations of the detached dwelling hereby approved.

Condition 20 is a compliance condition which is still relevant to the proposed development and shall remain.

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: 2025/92113

Officer Recommendation: Approve

Conditions and Reasons

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP28, LP30, LP51, LP52 and LP53 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and the aims of the National Planning Policy Framework.

2. The detached dwelling and double garage shall be finished in Marshalls Fairstone Traditional Pitch Faced Walling in silver birch and 'K Rend' render in Ivory colour walls under 'Redland Cambrian Slate' in Slate Grey Pre-Weathered roofing and thereafter retained throughout the lifetime of development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

3. Before the two dwellings within the existing building hereby approved are first brought into use, the eastern side elevation of the dwelling shall be finished in render. The render shall be of a similar colour to the stone used on the existing building and thereafter retained.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide

Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

4. Before the dwellings are first brought into use, the boundary treatment shall be installed in accordance with drawing no. "DWG-0121 Rev.B" and thereafter retained throughout the lifetime of the development.

Reason: In the interests of visual and residential amenity in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

5. Prior to the development being brought into use, the areas approved for parking shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. 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) this shall be so retained, free of obstructions and available for parking thereafter.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for parking and in accordance with Policy LP22 of the Kirklees Local Plan and Principle 12 of the Housebuilders Design Guide.

6. Before any building/dwelling is occupied, turning facilities shall be provided in accordance with the details shown on drawing reference DWG-003 C. The turning facilities shall thereafter be made available for use at all times by vehicles and shall be kept free from obstruction to such use.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and in accordance with Policy LP22 of the Kirklees Local Plan and Principle 12 of the Housebuilders Design Guide.

7. All construction arrangements shall be carried out in full accordance with the details within the annotations on submitted drawing no. "DWG-0121 Rev.B" throughout the entire period of construction.

Reason: In the interest of pedestrian and highway safety, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

8. Before the dwellings are occupied, storage and access for collection of wastes from the premises shall be provided in full accordance with the Proposed Site Plan ref: "DWG-0121 Rev.B" and "DWG-0122 Rev.A" and shall be retained throughout the lifetime of the development.

Reason: In the interest of highway safety, to accord with Policies LP21 and LP22 of the Kirklees Local Plan and Principles 12 and 19 of Housebuilders Design Guide Supplementary Planning Document.

9. Remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy authored by RB Geotechnical dated March 2024 (ref: RBG396 - Issue 001). 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 works on site (save 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 that the site can be made, safe and stable for the proposed development and remove unacceptable risks to human health, in accordance the aims of policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

10. Following completion of any measures identified in the approved Remediation Strategy authored by RB Geotechnical dated March 2024 (ref: RBG396 - Issue 001) or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the Local Planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

Reason: To ensure that the site can be made, safe and stable for the proposed development and remove unacceptable risks to human health, in accordance the aims of policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

11. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points, as details in the Proposed Site Plan (drawing no. DWG-0121) has been installed and are operational. Charging points shall be retained thereafter throughout the lifetime of the development.

Reason: In the interests of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

12. The development shall not be occupied until all works specified in the Noise Impact Assessment authored by ENS dated 24 June 2024 ref NIA/10591/22/10730/v1/Upper Road, Batley have been carried out in full and such works shall be thereafter retained throughout the lifetime of the development.

Reason: In the interest of the amenity of future occupiers of the properties and to accord with Policies LP24 and LP52 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

13. Before the detached dwelling is first occupied, a bat roosting feature (1FF Schwegler Bat Box/bat tube or a similar alternative) shall be installed integral to the south aspect of the detached dwelling. The bat tube shall not be located above a window, shall be a minimum of 4m above ground level and shall be thereafter retained.

Reason: To provide ecological enhancement in accordance with the requirements of Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

14. Before the detached dwelling is first occupied, one bird nesting feature (1SP Schwegler Sparrow Terrace or similar alternative) shall be installed on the north or east elevation of the dwelling at a height of at least 2 meters. Hereafter the box shall be retained.

Reason: To provide ecological enhancement in accordance with the requirements of Policy LP30 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide and Chapter 15 of the National Planning Policy Framework.

15. 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) no buildings or extensions shall be erected within the redline boundary of the site.

Reason: In the interest of residential amenity and to avoid an overdevelopment of the site and to accord with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide and the aims of the National Planning Policy Framework.

16. 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 doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created at ground floor level in the side elevations of the detached dwelling hereby approved.

Reason: So as not to detract from the amenities of adjacent property by reason of loss of privacy and to accord with Policy LP24 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide and the aims 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 41 of the Conservation of Habitats and Species Regulations 2010. 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.

NOTE: No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

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 the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans & Elevations	DWG-001	-	27/04/2022
Existing Site Plan	DWG-002	-	27/04/2022
Proposed Site Plan	DWG-003	C	02/07/2022
Proposed Plans & Elevations	1801-B8_100	B	3/11/2025
Existing Plans & Elevations	DWG-006	-	27/04/2022
Location Plan & Floor Plans	DWG-007	-	27/04/2022
Floor Plan Visual	-	-	27/04/2022
Ground Floor Plan Visual Image	-	-	27/04/2022
First Floor Plan Visual Image	-	-	27/04/2022
Proposed Site Plan – Cond. Discharge	DWG-0121	B	22/08/2024
Proposed Site Plan – Cond. Discharge	DWG-0122	A	22/08/2024
Phase I Desk Study Report	RBG271	001	01/07/2024
Phase II Interpretative Report	RBG312	003	05/06/2024
Remediation Strategy	RBG396	001	17/07/2024
Noise Impact Assessment	NIA/10591/22/10730/v1/Upper Road, Batley		17/07/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amended elevations were requested which included the previously agreed detached garage details as they had not been included at submission state.

Report Dated: