KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2025/61/92727/E**
Site Address:	Land Adjacent, 52 Upper Batley Low Lane, Upper Batley, Batley, WF17 0AP
Description:	Reserved matters application pursuant to outline permission 2021/92413 for erection of residential development
Recommending Officer:	Nicole Helliwell

DECISION – APPROVAL OF RESERVED MATTERS

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 17-Feb-2026

Officer Report

Reference No. 2025/62/92727/E

Site Address: Land Adjacent, 52 Upper Batley Low Lane, Upper Batley, Batley, WF17 0AP

Proposal: Reserved matters application pursuant to outline permission 2021/92413 for erection of residential development.

Site Description

The application relates to a parcel of land adjacent to 52 Upper Batley Low Lane, a two-storey detached property located in Upper Batley, Batley. The site is allocated for housing (HS71) on the Kirklees Local Plan Proposals Map and is situated within a predominantly residential area. The surrounding dwellings are highly varied in age, size, style, and materials. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The proposal is a reserved matters application pursuant to outline permission 2021/92413 for the erection of residential development, with all matters accept access to be reserved for approval at a later stage. All those reserved matters are now sought for approval (appearance, landscaping, layout and scale).

The proposed dwelling would be two storeys in height and would be of a contemporary design. The dwelling would be faced in natural regular coursed stone for the external walls and would incorporate a dual-pitched roof finished in dark grey concrete tiles. The property would also feature UPVC windows and doors. The proposed dwelling would have a width of approx. 18.4m (including the garage), an overall depth of approx. 9.9m and an overall height of approx. 11.4m (excluding the chimney). The dwelling would benefit from a garage, a large driveway to the north and garden areas to the east and west.

History of negotiations/amendments received

No amendments or additional plans have been sought or received during the course of the application.

Relevant Planning History

2021/92413: Outline application for erection of residential development. Planning application details | Kirklees Council – Section 106 Outline Permission

Representations

The application was advertised by site notice, which expired on 10th November 2025. As a result of the above publicity, no representations have been received.

Parish/Town Council Comments
Not Applicable.

Local Ward Members
Not Applicable.

Consultation Responses
The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Highways Development Management – No objection
KC Ecology – No objection, condition 10 is noted to be met at this stage.
KC Trees – No objection
The Mining Remediation Authority – No objection

Planning Policy Background
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 allocated for housing (HS71) on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies
- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 7** - Efficient and Effective Use of Land
- **LP 11** - Housing Mix and Affordable Housing
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** – Design
- **LP 28** - Drainage
- **LP 30** - Biodiversity & 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

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 11** - Making Effective Use of Land
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

Other Guidance Documents:
- Kirklees Highways Design Guide (2019)
- Housebuilders Design Guide (2021)
- Nationally Described Space Standards
- National Design Guide
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

Assessment

1. Principle of Development

Paragraph 12 of the NPPF and LP1 of the Kirklees Local Plan 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.

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 principle of residential development has already been established via the granting of outline permission, reference 2021/92413, which this permission is pertinent to. The principle of development was granted under the outline application and cannot be assessed again. However, this reserved matters application will consider appearance, landscaping, layout and scale of the development against the current local and national policy frameworks and supplementary planning documents.

1. Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby Paragraph 131 provides a principal consideration concerning design which states: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*

Kirklees Local Plan Policies LP1, LP2 and LP24 all 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. Policy 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 133 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. Also relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, 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."*

Further to this, Principle 13 of the Housebuilders Design Guide states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whist Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties. Principle 15 states that the design of the roofline should relate well to site context.

The proposed dwelling would be two storeys in height and would be of a contemporary design. The dwelling would be faced in natural regular coursed stone for the external walls and would incorporate a dual-pitched roof finished in dark grey concrete tiles. The submitted plans confirm that the dwelling would contain UPVC windows and openings. It is considered that the arrangement of fenestration and openings would be appropriate to the property's design. On this basis, it is considered that the dwelling would not appear discordant and would harmonise well into the surrounding townscape.

The proposed dwelling would not be overly dominating and would generally respect the existing building line along Upper Batley Low Lane. In terms of footprint and massing, the property would not be out of keeping with the neighbouring dwellings given that there is already a degree of variation with regard to scale and design. The proposed dwelling by virtue of its design, scale, massing and roof line would sit comfortably within the existing street scene and against the neighbouring properties.

The application site is also of a sufficient size to support a dwelling as proposed with a parking area to the north and private outdoor amenity space to the west. Furthermore, the development would not appear overly cramped, or cause any undue harm to the character and appearance of the area. Whilst the scale of the dwellings are acceptable, it is considered appropriate to include a condition (should planning permission be granted) removing permitted development rights for any additions to ensure the site does not become overdeveloped.

The submitted plans confirm that the proposed boundary treatments would comprise a low level dry stone wall along the eastern boundary of the site

and a 1.8m hit and miss timber fence to enclose the private outdoor amenity space in line with the submitted Boundary Treatment and Landscape drawing. Given that the boundary treatments would be in keeping with those in the immediate street scene, it is considered that they would not cause any significant harm to visual amenity.

It is therefore considered that the proposal would not cause detrimental harm with regard to visual amenity and would accord with the aims of Policy LP24 of the Kirklees Local Plan, Principles 2, 5, 12, 13, 14, and 15 of the Housebuilders Design Guide SPD, and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Skelmanthorpe Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

2. Impact on Residential Amenity of Neighbouring Residents

Sections B and C of Policy LP24 state 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 (f) 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.

There are no residential properties located to the north and west of the application site that would be affected by the proposed development.

<u>Impact on 23 Upper Batley Low Lane</u>

23 Upper Batley Low Lane is a two-storey detached property located to the north-east and occupies a position on lower ground relative to the application site. The submitted plans confirm that the proposed dwelling would occupy a position approximately 34m from the front elevation of no.23. Given that the separation distance retained would be substantial, it is considered that there would be no significant detrimental impact on the neighbouring amenity as a result of the proposed development.

Impact on 52 Upper Batley Low Lane

52 Upper Batley Low Lane is a two-storey detached property located south of the application site. The submitted plans demonstrate that a separation distance of approximately 6.4m would be retained between the side elevation of the proposed dwelling and the side elevation of the neighbouring property. No.52 contains ground floor fenestration within its side elevation and as such, the proposed development would likely result in additional overshadowing and overbearing to this window. However, it is apparent that this room is served by two other windows. Therefore, given that adequate light and outlook would still be provided to this room, the proposed separation distance is considered acceptable on balance in this instance.

It is considered that once occupied the dwelling is unlikely to generate significant levels of noise. However, the site is surrounded by residential properties and the occupiers of these could potentially be disturbed by noise generated during the construction process. Therefore, should the application be approved, a footnote is recommended limiting such works to between the hours of 7.30am and 6.30pm Monday to Friday, 8am and 1pm on Saturdays with no working permitted on Sundays or Public Holidays.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, KDP 6 & 16 of the Housebuilders Design Guide SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Residential Amenity of Future Occupiers

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account Principle 16 of the Kirklees Housebuilders Design Guide SPD which sets out that: *'All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations' and that 'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24'*

National described space standards require the following gross internal floor area for a two storey dwelling:

- 4 Bedroom, 5-person dwelling set over 2 storeys - 97 square metres
- 4 Bedroom, 6-person dwelling set over 2 storeys - 106 square metres
- 4 Bedroom, 7-person dwelling set over 2 storeys - 115 square metres
- 4 Bedroom, 8-person dwelling set over 2 storeys - 124 square metres

The proposed floor plans show that the dwelling would have four bed spaces and therefore is required to have a minimum internal floor space of 97m^2. The dwelling would have an internal floor space of 234m^2, which would adequately meet basic lifestyle needs and provide a high standard of amenity for future occupiers. It is also noted that each of the habitable rooms would benefit from a sufficient amount of natural light. Furthermore, private outdoor amenity space is proposed to the west and off road parking would be located to the north of the dwelling. For these reasons, it is considered that the proposal would adequately meet basic lifestyle needs and provide a high standard of amenity for future occupiers in accordance with LP24(b) of the Kirklees Local Plan, Principles 6 and 16 of the Council's Housebuilders Design Guide SPD, and Paragraph 135 (f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 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.

This is a reserved matters application pursuant to outline permission 2021/92413 for the erection of residential development on land adjacent to 52 Upper Batley Low Lane, Upper Batley, Batley, WF17 0AP.

<u>Vehicular Access</u>

A new access is proposed onto Upper Batley Low Lane, and the application has provided details that show visibility splays of 2.4 x 43m can be achieved at the proposed access and are suitable for a 30mph road. The boundary wall to the site is to be set back to allow for the visibility splays to be achieved. KC Highways Development Management request that the new footway area should be offered up for adoption by the Highway Authority to achieve this. There is an existing lamp column located within this area, and this will need to be set back to the rear of the widened footway, so it does not cause an obstruction to pedestrians. The highway works required to provide the new

access and widening of the footway should be done under a s184 agreement, and the applicant is advised to contact the Kirklees Street scene team as soon as possible to arrange this.

Internal Layout
Ample parking has been provided on site, together with internal turning enabling vehicles to enter and egress the site in forward gear. The internal layout is acceptable and the approved vehicle parking areas will need to 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 superseded. www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

Waste Storage And Collection
A bin collection/presentation point has been provided adjacent to the public highway which does not obstruct the adopted highway or the driveway.

These proposals are therefore considered acceptable to KC Highways Development Management.

On this basis, it is 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, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

4. Other Matters
All other matters were assessed and determined under the outline planning application 2021/92413. However, for completeness these are made reference to below:

Coal Mining Legacy
The application site is located within a High Risk Area as defined by the Mining Remediation Authority and as such, a Coal Mining Risk Assessment was submitted by the applicant at outline stage. The applicant has confirmed their willingness to undertake appropriate intrusive site investigations prior to commencement of development and the Coal Authority therefore recommends the imposition of a condition to this effect, to ensure that the development accords with Policy LP53 of the KLP and guidance contained within Chapter 15 of the NPPF.

Trees

Policy LP33 of the Kirklees Local Plan states that the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. This Policy goes on to note that proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks.

There are no protected trees affected by the proposed development, nor any that meet the criteria for a new TPO to be served. The Trees Officer previously recommended a condition requiring the submission of a landscaping scheme at reserved matters stage. The Boundary Treatment and Landscape plan (reference no. 2616-D-20-005) shows proposed tree planting to consist of five trees, however, no additional details e.g. species, size have been provided. This level of detail is required, including a 5-year management plan to ensure the successful establishment of the planting scheme.

Ecology & Biodiversity

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 192 b) of the NPPF outlines that decisions should promote the protection and recovery of priority species, and identify and pursue opportunities for securing net gains for biodiversity. Paragraph 193 a) of the NPPF goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy LP30 of the Kirklees Local Plan echoes the NPPF in respect of biodiversity. Policy LP30 outlines that development proposals should minimise impacts on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.

The site mostly consists of managed lawn, but as noted, there are trees within the site and no buildings are proposed to be demolished. At outline stage, officers confirmed that a bat survey would not be required. However, a condition was added requiring the provision of bat and bird boxes. A Boundary Treatment and Landscape plan (reference no. 2616-D-20-005) has been submitted at reserved matters stage. The drawing shows that bat and bird boxes have been considered and included into the design. As such, condition 10 is noted to be met at this stage.

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.

Due to the nature of the scheme, this being a proposal providing one additional residential unit, it is considered that one electric vehicle charging point should be provided to aid in the contribution to climate change and accord with Policy LP51 of the Kirklees Local Plan.

S106 Agreement

The application site forms part of a wider housing allocation with a capacity of 33 dwellings. As such, the development of the site as a whole would trigger the requirement for financial contributions in lieu of affordable housing provision, education and public open space. On this basis, the applicant has agreed to the following contributions which form a S106 agreement:

Affordable Housing: £23,061.67
Education £1,079.76
Public Open Space: £2,240.24

5. Representations

No representations were received during the course of the application.

6. 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.

As set out above, 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: 2025/92727
Officer Recommendation: Approve
Conditions and Reasons

1. The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. This Reserved Matters approval relates to development for which outline permission was granted under application reference 2021/92413, dated 24-OCT-2022. The development shall be carried out in strict accordance with the conditions set out in the outline planning permission, except as modified by this permission.
Reason: For the avoidance of doubt and to ensure that development complies with the requirements and conditions of the outline permission and the approval of reserved matters.

4. Tree planting must be carried out in accordance with BS 8545:2014 *Trees: from nursery to independence in the landscape. Recommendations*.
Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with Local Plan policies LP24, LP30 and LP33.

NOTE: The approved vehicle parking areas will need to 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 superseded. www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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	Revision	Date Received
Location Plan	2616-D-20-001	-	29/09/2025
Existing Site Plan	2616-D-20-002	-	29/09/2025
Proposed Site Plan	2616-D-20-003	-	29/09/2025
House Type 01 GA Plans and Elevations	2616-D-20-004	-	29/09/2025
Boundary Treatment and Landscape	2616-D-20-005	-	29/09/2025

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 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. In this case, the design of the original scheme has been found acceptable. No further amendments were sought thereafter.