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**Report of the Head of Strategic Investment****HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 15-Nov-2018****Subject: Planning Application 2018/91467 Erection of 8 dwellings The Westfield Hotel, 356 , Whitehall Road, Wyke, BD12 9DP****APPLICANT**Tony Roberts,  
Westmoreland Homes  
Ltd**DATE VALID**

22-May-2018

**TARGET DATE**

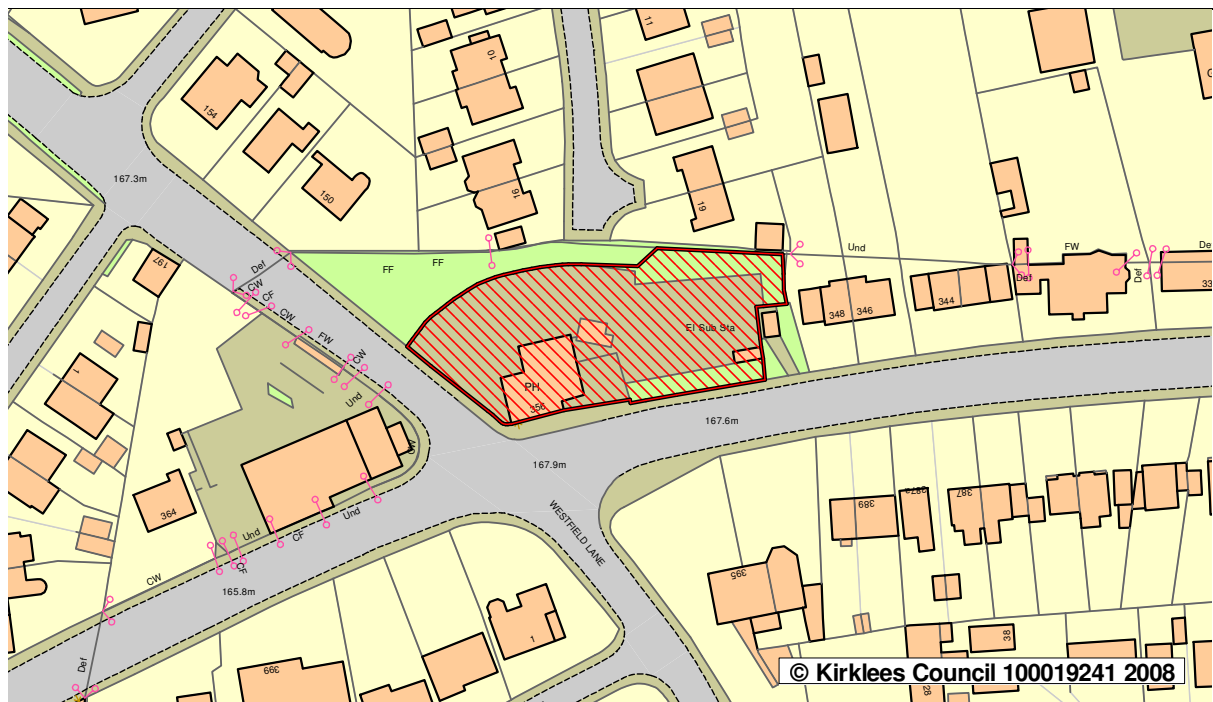
17-Jul-2018

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

**LOCATION PLAN**

**Map not to scale – for identification purposes only**

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**Electoral Wards Affected: Cleckheaton Ward**

Yes

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**RECOMMENDATION:**

**DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.**

**1.0 INTRODUCTION:**

- 1.1 The application is brought to Heavy Woollen Sub Committee at the request of Councillor Andrew Pinnock for the following reason:

“I would still like this application to be considered by the Sub-Committee, and for there to be a site visit, as I consider it important that committee members look at the relationship of the access to the Westfield traffic lights. This is notwithstanding the fact that there is an existing access for the public house: the fact remains that the access is very close to the junction, and this needs to be considered carefully.”

- 1.2 The Chair of the Sub Committee has confirmed that Councillor Pinnock’s reason for making this request is valid having regard to the Councillors’ Protocol for Planning Sub Committees.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site includes a large detached building known as ‘The Westfield’ which is set within a large expanse of parking/hardstanding. The building is located to the southwestern corner of the site at the junction of Westfield Lane and Whitehall Road. The building immediately fronts the footway and a stone wall extends along the site frontage. The site is at a slightly higher level than the road.
- 2.2 An existing access is located to the rear of the existing building from Westfield Lane. The access is approximately 20 metres from the junction with Whitehall Road. This extends into the site in the areas of parking at the rear of the building adjacent to 150 Westfield Lane. The existing car park can accommodate 50 vehicles.
- 2.3 The site is bound by residential properties to the north, and east and opposite Whitehall Road to the south. A petrol station is located on the opposite corner with egress also onto Westfield Lane.

### **3.0 PROPOSAL:**

- 3.1 The application is for the demolition of the existing building and the erection of 8 dwellings in its place. The dwellings are shown as four pairs of semi-detached properties fronting Whitehall Road with access and parking located to the rear. All the properties are two storey with pitched roofs. Plot 2 to 8 front onto Whitehall Road with Plot 1 turned to provide presence onto Westfield Lane. The scheme includes 3 different house types with all but one of the dwellings being 3 bedroomed. Each plot includes garden spaces to the rear and small landscaped area to the front.
- 3.2 The development proposes the use of the existing access which will extend to the rear of the development proposed. Each dwelling would have two parking spaces. There is no vehicular access from Whitehall Road. A pedestrian access point is located within the site frontage to the front of Plots 3 and 4 facing Whitehall Road. The access is stepped back from the footway and extends to provide a pedestrian walkway to Plots 2 to 8. The site boundary along this frontage is secured by wall and railings. The boundary to the rear of the site is shown as timber fencing.
- 3.3 The materials proposed are specified as natural coursed stone with blue slate roof.

### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 An application for the erection of two dwellings located adjacent to the existing petrol station off Westfield Lane was refused by Bradford City Council and an appeal dismissed. Unlike the application site at The Westfield, this application introduced new residential development to a vacant site and was refused on highway grounds.

### **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

- 5.1 In accordance with Policy requirements further information has been sought with regards to the loss of the public house (community facilities and services). A statement containing relevant information in this respect has been received and the content considered.

### **6.0 PLANNING POLICY:**

- 6.1 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 Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At

this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The application site is unallocated on the Kirklees UDP proposals map and is not proposed to change as part of the PDLP.

6.2 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

**D2** – Unallocated land  
**BE1** – Design principles  
**BE2** – Quality of design  
**BE11** – Materials  
**BE12** – Space about buildings  
**BE23** – Crime prevention  
**H1** – Housing needs of the district  
**NE9** - Trees  
**T10** – Highway safety  
**T19** – Parking standards  
**G6** – Land contamination  
**EP4** – Noise sensitive development  
**EP11** – Ecological landscaping

6.3 Kirklees Publication Draft Local Plan: Submitted for examination April 2017

**PLP1** – Presumption in favour of sustainable development  
**PLP2** – Place shaping  
**PLP3** – Location of new development  
**PLP11** – Housing mix and economy  
**PLP20** – Sustainable travel  
**PLP21** – Highway safety and access  
**PLP22** – Parking  
**PLP24** – Design  
**PLP28** - Drainage  
**PLP30** – Biodiversity and geodiversity  
**PLP33** - Trees  
**PLP48** – Community facilities and services  
**PLP52** – Protection and improvement of environment  
**PLP53** – Contaminated and unstable land

6.4 National Planning Policy Framework:

**Chapter 2** – Achieving sustainable development  
**Chapter 5** - Delivering a sufficient supply of homes  
**Chapter 6** – Building a strong, competitive economy  
**Chapter 8** – Promoting Healthy and Safe Communities  
**Chapter 9** – Promoting sustainable transport  
**Chapter 11** – Making efficient 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

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 As a result of re-advertising the site proposals three representations were received and can be summarised as follows:

- Access and egress (dangerous junction) (reference to an appeal across the road)
- Requested a traffic survey in view of increased traffic at the junction (PH not been in use for a number of years)
- Coal Authority and preparatory work required (health & Safety and consequences for other nearby occupants and property)
- Land ownership and use of HMS Stationery Office and not Land Registry
- Oversubscribed schools
- Planting to boundary with 19 Greenacres Way and potential damage and maintenance issues

For completeness the comments received to the original submission are summarised below (11 comments):

- Overdevelopment
- Access & egress
- Refusal of site opposite
- No objection in principle but concerns regarding access & egress
- Maintenance of trees & bushes
- Concerns regarding the fencing
- Noise, damage
- Loss of open space, light and outlook
- Additional traffic & pedestrians & accidents

## **8.0 CONSULTATION RESPONSES:**

8.1 Below is a summary of the consultation responses received at the time of submission of the application; where appropriate these are expanded upon in the assessment section of this report:

### **8.2 Statutory:**

**K.C Highways Development Management** – No objection.

**The Coal Authority** – No objection

### **8.3 Non-statutory:**

**K.C Environmental Services** – No objections.

**K.C. Ecology** – No objections.

## 9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Housing issues
- Highway issues
- Representations
- Other matters

## 10.0 APPRAISAL

### Principle of development

- 10.1 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states “planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]”.
- 10.2 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, Paragraph 11 of the NPPF sets out what this means for decision taking as follows:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.3 Furthermore Chapter 11 of the NPPF promotes the effective use of land in meeting the need for homes whilst safeguarding and improving the environment. Paragraph 122 states that planning decisions should support development that makes efficient use of land. This is caveated to ensure that the development continues to contribute to the area’s prevailing character and setting (including residential gardens). Development should be well designed, attractive and secure healthy places (para 122 (e) of the NPPF)). The redevelopment of the site would make a modest contribution to the supply of housing where there currently is insufficient supply.
- 10.4 The existing site is gradually falling into a state of disrepair having been vacant for some time. Further assessment regarding matters of access and amenity are later assessed in this report. In principle, it is considered that the provision of additional residential units in a sustainable location would help with the provision of housing with in the district and therefore be in compliance with Policy H1 of the UDP.

10.5 *Loss of community facilities & services*

Although currently vacant the loss of the existing business/commercial premises and community facilities should be considered in view of Policy B4 of the UDP in addition to Policy PLP48 and paragraphs 17.16 and 17.17 of the Publication Draft Local Plan. Paragraph 92 of the NPPF further reiterates considerations in relation to guarding against the loss of valued facilities and services.

- 10.6 The agent has provided further details in this respect. The report concludes that the use has not been in operation since September 2015. Enterprise Inns subsequently marketed the site with interest from a fish and chip operator. An application was received for extension for operation as a fish and chip outlet. This was approved in 2016. As a result of closure of the premises it has not been possible to provide accounting information, licensee or opening hours are unknown and there is an absence of information relating to the amount of dining.
- 10.7 Furthermore, the physical state of the building both externally and internally does not lend itself to reuse currently and total refurbishment would be required to bring the building back into viable use.
- 10.8 The statement concludes that due to the economically troubled record for the public house, its closure approximately 3 years ago and the lack of interest in its reopening that the loss can be allowed under the terms of PDL Policy PLP48. Officers have considered the information submitted and recognise the challenges of reuse of the site. It is considered that the supporting information demonstrates that the use as a Public House was not viable thereby meeting criteria b) of Policy PLP48. The applicant is only required to meet one of the criteria specified unless it is an asset of community value which it is not.
- 10.9 Additionally, the existing use is not considered to be a high employment provider and as the site has been vacant for some time it is considered that the redevelopment of the site for a residential purpose will contribute to wider benefits in terms of the provision of affordable housing in the locality. The alterations will provide some employment for a short interim period.
- 10.10 As such officers are satisfied that there is justification to allow the redevelopment of the site and consider that the development would not be contrary to Policy BE4 of the UDP or PDL Policy PLP48 in this instance.

Urban Design issues

- 10.11 Any development should sit comfortably within its surroundings and respect the prevailing pattern of existing responding to local character and design standards. Chapter 12 of the NPPF emphasises the importance of good design. Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

- 10.12 The revised scheme submitted reduces the number of dwellings to 8 and introduces 4 pairs of semi-detached properties located so they front Whitehall Road. Whilst set forward of the pair of semi-detached properties neighbouring the site it is considered that the layout proposed continues the general linear form of existing dwellings, some of which are already closer to the road frontage, located along the road. Areas of hardstanding associated with the access are located to the rear (as currently) ensuring the development relates well to the street frontage.
- 10.13 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. Decisions should ensure that developments are visually attractive, sympathetic to local character and history and establish a strong sense of place (paragraph 127). Policies BE1 and BE2 of the UDP reiterate considerations in relation to design, materials and layout. The layout of buildings should respect any traditional character the area may have. New development should also respect the scale, height and design of adjoining buildings and be in keeping with the predominant character of the area.
- 10.14 The pair of dwellings located at the cross road junction of Westfield Lane and Whitehall Road ensures presence in a prominent location. The mass is concentrated on the corner as it is currently and the orientation of Plots 1 and 2 ensures a frontage aspect to both highways. The dwellings fronting Whitehall Road include architectural elements that ensure a frontage relationship and aspect when viewed from the highway. The design and inclusion of mixed window proportions and small door canopy to the elevation to Whitehall Road ensures that the development is both sympathetic to local character and integrates well with its surroundings. This design ensures that the development contributes positively to the local character which is a continuation of existing residential form. The scale and height of proposed buildings corresponds well to the form of existing development located adjacent to the site.
- 10.15 The use of materials in the vicinity of the site is very much mixed with a high proportion of render in those dwellings located along Whitehall Road. The existing building is natural stone and used, in part, for properties along Westfield Lane, dwellings located on Greenacres to the rear are brick. The materials of construction proposed are natural coursed stone and roof similar in material to the existing building on the site. Taking into account the prominence of the location and number of units proposed it is considered that natural stone is acceptable for use in the construction of the houses. There is a mixed palate of roofing materials in the area with rosemary roof tiles prevalent along the southern stretch of Whitehall Road and slate and grey tile in remaining locations. Due to the prominent location it is considered that a condition should be imposed to ensure the materials and resulting development is in accordance with Policy BE11 and Publication Draft Local Plan Policy PLP24.
- 10.16 The retention of green space to the main site frontage is welcomed and will soften the visual impact upon the street scene. The layout proposed facilitates the retention of the trees at the rear of the site (which are beyond the site boundary) and also offer the potential for additional tree planting. It is noted that the layout proposed shows a number of new trees which are considered beneficial in terms of landscaping and enhancement of the environment.



- 10.17 It is considered that the development would meet the aims of chapter 12 of the NPPF by contributing positively to the surrounding area and would also be in accordance with Policies BE1, BE2 and D2 of the Kirklees UDP and Publication Draft Local Plan Policies PLP2 and PLP24 of the Publication draft Local Plan.

#### Residential Amenity

- 10.18 In assessing the impact of the development on both dwellings externally surrounding the site and dwellings proposed within the site, Policy BE12 of the UDP is of relevance. This policy recommends a separation distance of 12m between existing habitable room windows and non-habitable room windows and 21m between habitable room windows of any two dwellings. A distance of 10.5m is recommended from a habitable room window and the boundary of any adjacent undeveloped land and 1.5m between any wall of a new dwelling and the boundary of any adjacent land other than a highway.
- 10.19 The proposed layout locates the dwellings along the site frontage with Whitehall Road thereby retaining access and open space to the rear minimising any potential impact on occupants abutting the site. There are no concerns regarding the scale and mass due to the distance maintained. Habitable room windows are incorporated into the design of the properties both in the front and rear elevations.
- 10.20 Plots 7 and 8 face the gable of number 19 Greenacres Way which contains non habitable windows at ground floor level. It is considered to be set a sufficient distance to avoid any loss of privacy. It is also worth noting that the existing and proposed boundary treatment will provide screening to the development. Plots 1 and 2 are located in a position similar to the existing building and measured to be in excess of 29 metres to the gable of 16 Greenacres Way. There is also a detached garage in between. It is not considered that the development will result in any loss of amenity to the occupants.
- 10.21 It is not considered that the scale, layout and design will result in any loss of amenity to any existing occupants. Each dwelling includes ample amenity space to the rear for future occupants. It is considered that the scale, design and layout of development accords with the aims of Policy D2 of the UDP as well as policy BE12 of the UDP and Publication Draft Local Plan policy PLP24 in terms of residential amenity and as such is acceptable.

#### Landscape issues

- 10.22 UDP Policy EP11 and Publication Draft Local Plan Policy PLP30 requires that applications for planning permission should incorporate landscaping which protects/enhances the ecology of the site. It is recognised that the existing site offers limited value in ecological terms and as such any development should incorporate measures of enhancement to comply with the objectives of Chapter 15 of the NPPF. The development does not impact on the trees beyond the site boundary to the rear and incorporates some tree planting as well as introducing green space to the site frontage. To ensure further mitigation and enhancement a condition is imposed.

### Housing issues

- 10.23 Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 68 of the NPPF recognises that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should... support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes". The redevelopment of the site results in the erection of 8 houses that would contribute to housing delivery where a five year supply cannot currently be demonstrated.
- 10.24 The development would contribute to the aims of Policy H1 of the UDP and Chapter 5 of the NPPF in that it would provide additional housing in a sustainable location.

### Highway issues

- 10.25 The site is situated at the cross roads of Whitehall Road (A58) and Westfield Lane (B6120) and is currently occupied by the Westfield Hotel and car park. It is understood that the pub ceased to trade in 2016. A Texaco petrol filling station is located opposite the site with egress onto Westfield Lane.
- 10.26 Access to the dwellings is maintained from Westfield Lane as currently existed for the Public House. The proposal utilise the existing point of access onto Westfield Lane which is in close proximity to the Whitehall Road/Westfield Lane signal controlled junction. The stop line for the signals appears to be within the access junction area. Given the location of the stop line right turn access will be blocked by traffic queueing back from the stop line. This could result in accessing vehicles blocking Westfield Lane in the immediate vicinity of the traffic signals.
- 10.27 The car park to the existing public house had 33 off-street parking spaces and utilised the same point of access. Based upon an assessment using the TRICs data base a residential development of 9 dwellings (as originally submitted) could generate in the region of 7 two way vehicle movement's in the peak hours. A public house with restaurant would generate minimal traffic movements in the AM peak but potentially a far greater number in the PM peak. Based on a TRICs survey of a public house with restaurant with a gross floor area of 500sqm the Westfield Hotel could have generated 24 two way movements in the PM peak hour for traffic 17.00 to 18.00 increasing to over 30 two way movements per hour between 18.00 and 20.00.
- 10.28 The applicants have provided further revised plans including a revised proposed site layout plan Martin Walsh Architectural plan number 0004 rev C and a Vehicle Tracking Plan Paragon Highways plan number 1551 01 rev B. These show the location of the existing stop line on Westfield Lane, visibility splays onto Westfield Lane from the site entrance, Keep Clear markings and an access and turning head sufficient in size to accommodate an 11.85m refuse vehicle.

- 10.29 UTC have recently undertaken works to update the controller at that junction and new loops have been cut between the access and the stop line to pick up vehicles from the development.
- 10.30 KC Highways DM raise no objections to the proposed development and recognise that a residential development could generate less traffic than a public house. To ensure compliance with Policies T10 and T19 of the UDP in addition to Publication Draft Local Plan Policies PLP21, PLP22 and PLP24 conditions are recommended.

### Representations

- 10.31 The representations received have been carefully considered and are responded to by officers as follows:-

Access and egress (dangerous junction) (reference to an appeal across the road)

**Response:** Highways DM have fully assessed the proposals and raise no objections to the development.

Requested a traffic survey in view of increased traffic at the junction (PH not been in use for a number of years)

**Response:** Highways DM have fully assessed the proposals. The only time a developer would be expected to undertake traffic surveys would be if a formal Transport Assessment were needed. A development of only 8 dwellings would not justify such an assessment. The industry standard TRICs database can however be used to estimate traffic generation from developments, as set out above. Taking into account the traffic generation associated with the proposed development and that which could be generated by the existing use (although it is acknowledged that this use has not taken place for some time), there are no objections raised by Highway DM in relation to traffic generation.

Coal Authority and preparatory work required (health & Safety and consequences for other nearby occupants and property)

**Response:** The application is accompanied by a Coal Mining Risk Assessment which has been assessed by The Coal Authority. No objections have been raised to the development.

Land ownership and use of HMS Stationery Office and not Land Registry

**Response:** The LPA is satisfied that the information submitted provides accurate information for the purposes of determination.

Oversubscribed schools

**Response:** Due to the scale of the development is not of a level to require contributions for education.

Planting to boundary with 19 Greenacres Way and potential damage and maintenance issues

**Response:** This is a private matter.

Overdevelopment

**Response:** The development has been designed to respond to local character and street scene and would not result in overdevelopment to the detriment of character of the area or any adjoining occupant.

Refusal of site opposite

**Response:** This application related to the erection of new development and not to a site where there is an existing lawful use.

Noise, damage from construction

**Response:** Any damage to external boundaries is a private matter. Any noise generated during construction cannot be controlled through the planning process.

Loss of open space, light and outlook

**Response:** The development has been designed to respond to local character and street scene and would not result in overdevelopment to the detriment of any adjoining occupant.

### Other Matters

#### 10.32 *Air Quality:*

The application proposals have been assessed in accordance with the West Yorkshire Low Emission Strategy Planning Guidance. The size is less than that of prescribed values set out in this document, which is why it is regarded as minor development. The development is also in an area of poor air quality and proposes to introduce relevant receptors to elevated pollutant levels. As a consequence the development should reduce pollution. Conditions are recommended in respect of air quality assessment and sustainable transport as outlined below:

#### 10.33 *Sustainable Transport:*

In order to mitigate impact on air quality and in accordance with Publication Draft Local Plan Policy PLP24 and the West Yorkshire Low Emissions Strategy development proposals such as this should aim to include sustainable transport methods. As such, this development should encourage the use of ultra-low emission vehicles such as electric vehicles. A condition is recommended in relation to the provision of facilities for charging plug-in electric vehicles.

#### 10.34 *Noise*

The application proposals was assessed due to its vulnerability to potential noise disturbance from road traffic. Environmental Health has recommended specific noise attenuation measures to be incorporated into the development, to be validated prior to any occupation. These are to be secured via suggested conditions and would ensure that the proposals accord with the aims of policy EP4 of the UDP and chapter 15 of the NPPF.

#### 10.35 *Land contamination*

The site of the proposed development is in close proximity to an historic Coal Pit (Westfield Pit) located to the North West. In addition the site has previously been developed as a pub with various associated out buildings. There is potential that land at the proposed development has been contaminated by these historic activities. In order to protect the human health of future occupants conditions are recommended for the submission of further information. The inclusion of conditions would ensure that the proposals comply with the aims of Chapter 15 of the NPPF.

10.36 *Coal Authority*

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority information indicates that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth and the presence of a thick coal seam outcrop that may have been worked in the past. In accordance with the Coal Authority's information, these historic workings would appear to be predominantly within the southern part of the site where the existing public house and secured yard are currently sited.

- 10.37 A Coal Mining Risk Assessment has been submitted with the application which has been referred to by the Coal Authority. The Coal Authority considers that an adequate assessment of the coal mining risks associated with this site has been carried out. In order to ensure that sufficient information is provided by the applicant to demonstrate to the Local Planning Authority that the site is, or can be made, safe and stable for the development proposed (as per the requirement of the emerging local policy PLP 53 – Contaminated and Unstable Land of Kirklees Draft Local Plan Strategy & Policies, Publication Version and the NPPF, paragraphs 120-121) there are no objections to the proposals providing conditions are imposed to ensure there is no risk as a consequence of development. With the inclusion of such conditions the proposals would comply with the aims of the NPPF.

## 11.0 CONCLUSION

- 11.1 The proposal is considered to comply with current planning policies and it is the opinion of officers that there would be no significant adverse impact in terms of visual or residential amenity. Furthermore there would be no issues with regard to highway or pedestrian safety. For the reasons detailed above, it is considered by officers that, subject to the imposition of appropriate conditions, the proposal is acceptable.
- 11.5 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.

## **12.0 CONDITIONS**

1. Time limit for implementation – 3 years
2. Development to be completed in accordance with plans to be approved
3. Submission of a Phase I Report
4. Submission of a Phase II Report
5. Site investigation
6. Remediation Strategy
7. Validation
8. Noise mitigation in accordance with submitted report
9. Ventilation scheme
10. Air quality impact assessment
11. Materials (natural stone and slate to be submitted)
12. Remove permitted development rights for new extensions / outbuildings
13. Scheme for provision of electric vehicle charging points- minimum 16amps
14. Ecological Design Strategy
15. Internal Adoptable Roads
16. Surfaced and drained

### **Background Papers:**

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f91467>

Certificate of Ownership – Notice served on/ or Certificate A signed and dated 02/05/2018