



**Town and Country Planning (Development Management Procedure) (England)  
Order 2015**

**PLANNING PERMISSION FOR DEVELOPMENT**

**NOTE: This approval should be read in conjunction with an Agreement made  
under Section 106 of the Town and Country Planning Act 1990**

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**Application Number: 2014/62/93136/W**

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**To:** Alistair Flatman,  
I D Planning  
Atlas House  
31, King Street  
Leeds  
LS1 2HL

**For:** STIRLING SCOTFIELD (HUDDS)/, HARRON HOMES/TAYLOR WIMPEY

**In pursuance of its powers under the above-mentioned Act and Order the  
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning  
Authority hereby permits:-**

DEMOLITION OF EXISTING BUILDINGS, OUTLINE APPLICATION FOR  
INDUSTRIAL DEVELOPMENT (CLASS B1C B2 OR B8) PLOT A - (160,000SQ  
FT./14,864 SQM) WITH ENGINEERING WORKS TO FORM DEVELOPMENT  
PLATEAUX, FORMATION OF ACCESS FROM LINDLEY MOOR ROAD,  
PROVISION OF SERVICES AND DRAINAGE INFRASTRUCTURE. ERECTION  
OF INDUSTRIAL UNIT.

PLOT B - (50,000SQFT/ 4648 SQM) UNIT ACCESS FROM CROSLAND ROAD  
DETAILED APPLICATION (PLOT C) FOR RESIDENTIAL DEVELOPMENT OF  
252 DWELLINGS WITH ACCESS FROM CROSLAND ROAD, ENGINEERING  
WORKS TO CREATE UNDERGROUND DRAINAGE ATTENUATION,  
PROVISION OF OPEN SPACE AND LANDSCAPING

**At:** PEAT POND FARM, LINDLEY MOOR ROAD, LINDLEY MOOR,  
HUDDERSFIELD, HD3 3TD

**In accordance with the plan(s) and applications submitted to the Council on 11-Nov-2014, subject to the condition(s) specified hereunder:-**

**OUTLINE PERMISSION (BUSINESS AND INDUSTRY)**

1. Approval of details of the layout, scale, appearance and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** Approval of the details of the layout, scale, appearance, access and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale, appearance, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

**Reason:** Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale, appearance, access and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

3. Application for approval of any reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**Reason:** Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

4. 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.

5. Construction works to the industrial development shall not commence until details of a sound insulation scheme designed to protect the amenities of the proposed residential development from noise emitted from the proposed industrial premises has been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the works comprised within the approved sound insulation scheme have been completed and thereafter those works shall be retained.

**Reason:** To protect the residential amenities of future residents in accordance with Policy EP6 of the Kirklees Unitary Development Plan.

6. Before development of any industrial unit commences, a scheme which indicates the measures to be taken for the control of glare or stray lighting arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the hours of use of any artificial lighting. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

**Reason:** To protect the residential amenities of future residents, and in the interests of visual amenity.

7. Before development of any industrial unit commences a scheme to promote green, sustainable transport shall be submitted for the written approval of the Local Planning Authority. This scheme shall include details of

- Charging points in 10% of parking spaces;
- A mechanism to ensure that all commercial vehicles comply with the most recent European Emissions Standards from the time of any of the businesses hereby approved, opening, and the future maintenance and updating of the said scheme;
- A strategy to reduce emissions, including the possibilities for the uptake of low emissions fuel and technologies.

**Reason:** To accord with the guidance contained in part 4 of the National Planning Policy Framework "Promoting sustainable transport".

8. No development shall take place until fencing has been erected, of a type and in a manner to be agreed in writing with the Local Planning Authority, about the area of archaeological sensitivity confirmed by archaeological survey and no works shall take place within the area inside the fence without the consent, in writing, of the Local Planning Authority.

Note: The West Yorkshire Archaeology Advisory service should be informed in writing when the fence has been erected.)

**Reason:** To accord with the guidance contained in part 12 of the National Planning Policy Framework "Conserving and enhancing the historic environment".

### **FULL PERMISSION (RESIDENTIAL)**

9. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.

**Reason:** Pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Order 2004.

10. The development authorised by this permission shall not begin until a phasing plan for the development has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** So as to ensure the satisfactory appearance of the development on completion.

11. The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions.

**Reason:** So as to ensure the satisfactory appearance of the development on completion.

12. No development of each phase, (as specified on the phasing plan approved by condition 10) shall take place until details of the boundary treatments for that phase have been submitted to and approved in writing by the Local Planning Authority. The approved details shall subsequently be implemented prior to the completion of each phase to which those details relate, and shall be retained thereafter.

**Reason:** In the interests of the visual amenities of the area and to accord with the guidance contained in part 7 of the National Planning Policy Framework "Requiring good design".

13. No development of each phase (as specified on the phasing plan approved by condition 10) shall take place until a comprehensive scheme for landscaping treatment of the site within that phase, including the indication of all existing trees and hedgerows on and adjoining the site, details of what is to be retained together with measures for their protection during the course of the development has been submitted to and approved in writing by the Local Planning Authority

**Reason:** In the interests of the visual amenities of the area and to accord with the guidance contained in part 7 of the National Planning Policy Framework "Requiring good design".

14. Any planting, seeding or tree management works for each phase of the development (as specified on the phasing plan approved by condition 10) forming part of the scheme referred to in Condition 13 shall be carried out in the first planting, seeding or management season following the commencement of development of the phase of development to which they relate, or as otherwise may be approved in writing by the Local Planning Authority and shall be maintained for a period of 5 year from the completion of the works. All specimens which die or become, in the opinion of the Local Planning Authority seriously damaged or defective within this period shall be replaced with specimens of the same species and size as that originally planted at the same place.

**Reason:** In the interests of the visual amenities of the area and to accord with the guidance contained in part 7 of the National Planning Policy Framework "Requiring good design".

15. Before first occupation, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the following internal sound levels have been achieved:

- 1 The 16hr  $L_{Aeq}$  shall not exceed 35dB between 0700 and 2300 hours when readings are taken in any noise sensitive rooms in the development.
- 2 The 8hr  $L_{Aeq}$  shall not exceed 30dB between 2300 and 0700 hours when readings are taken inside any bedroom in the development.
3. The  $L_{AF1}$  (15min) indoor shall not exceed 45 dB between 2300 and 0700hrs when readings are taken inside any bedroom in the development.

If it cannot be demonstrated that the aforementioned sound levels have been achieved, a further scheme incorporating further measures to achieve those sound levels shall be submitted for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

(Note: Proposed gardens to the northeast and northwest of the site have noise levels that exceed 55dB  $L_{Aeq}$ . Therefore it is recommended that a close boarded fence 2m in height is provided. The fence should have a minimum mass per unit of  $7\text{kg/m}^2$  ).

**Reason:** To protect the residential amenities of the future residents in accordance with Policy EP4 of the Kirklees Unitary Development Plan.

16. Before development commences the applicant shall submit a scheme detailing facilities/options to be provided for charging plug-in and other ultra low emissions vehicles. The scheme shall be agreed in writing by the Local Planning Authority before development commences, and shall be implemented before the occupation of the dwellings to which it relates.

**Reason:** To accord with the guidance contained in part 4 of the National Planning Policy Framework "Promoting sustainable transport."

17. Prior to development commencing a scheme detailing biodiversity enhancement measures, including the provision and location of bird nesting and bat roosting opportunities shall be submitted for the written approval of the Local Planning Authority. The approved details shall be implemented prior to the occupation of the dwellings to which they relate and shall thereafter be retained.

**Reason:** To accord with the guidance contained in part 11 of the National Planning Policy Framework "Conserving and enhancing the natural environment".

18. With reference to the layout plan P13:4725:01 Rev. K; development shall not commence until a scheme detailing the layout (relative to its user hierarchy and Manual for Streets guidance), materials, gradients, drainage, highway retaining structures, relighting, construction specification, programme of works, any associated highway works, and including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit 2008) has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the approved scheme has been implemented. Thereafter, the approved scheme shall be retained throughout the lifetime of the development.

**Reason:** In the interests of the free and safe use of the highway and to comply with Policy T10 of the Kirklees Unitary Development Plan.

19. No dwelling shall be brought into use until all areas indicated to be used for parking on private driveways on the approved plan(s) have been laid out with a hardened and drained/permeable surface that shall thereafter retained throughout the lifetime of the development

**Reason:** In the interests of the free and safe use of the highway and to accord with Policy T10 of the Kirklees Unitary Development Plan.

20. No part of the residential development shall be brought into use until the Full Residential Travel Plan for Plot C, as submitted with the application and dated 26<sup>th</sup> August 2014, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall be implemented in accordance with the agreed Travel Plan.

**Reason:** To comply with the Council's sustainability objectives set out in Unitary Development Plan Policy T1 and the National Planning Policy Framework.

## **OUTLINE & FULL PERMISSIONS**

21. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report, 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.

**Reason:** To ensure the site is fit to receive the new development in accordance with Policy G6 of the Kirklees Unitary Development Plan.

22. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 21. 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. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason:** To ensure the site is fit to receive the new development in accordance with Policy G6 of the Kirklees Unitary Development Plan.

23. Following completion of any measures identified in the approved Remediation Strategy 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 the site is fit to receive the new development in accordance with Policy G6 of the Kirklees Unitary Development Plan.

24. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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. Unless otherwise agreed in writing with the Local Planning Authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

**Reason:** To ensure the site is fit to receive the new development in accordance with Policy G6 of the Kirklees Unitary Development Plan.

25. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change".

26. Surface water from vehicle parking and hardstanding areas on plots A and B shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change.

27. Development shall not commence until a scheme detailing separate foul, surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority. None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained throughout the lifetime of the development.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change.

28. Unless otherwise agreed in writing by the Local Planning Authority there shall be no pumped discharge of surface water from this development to local drainage networks.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change.

29. The development shall only be carried out in accordance with the approved Flood Risk & Outline Drainage Assessment Study, produced by Curtins dated 16<sup>th</sup> March 2015 and shall incorporate all the proposed mitigation measures into the development, namely:

- A 15l/s discharge restriction to the watercourse locate under Crosland Road flowing to the East.
- A 15l/s discharge restriction to the watercourse located to the north of the site from Lindley Moor Road and under the M62.
- The 1 in 100 year critical storm event (including an appropriate allowance for climate change) must be stored on site.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework " Meeting the challenge of climate change, flooding and coastal change.

30. The development shall not commence until an assessment of the effects, and mitigation thereof, of 1 in 100 year storm events, with an additional allowance for climate change, exceedance events and blockage scenarios on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions, in order to provide safe flood routing has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter throughout the lifetime of the development.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change".

31. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of temporary drainage provision and include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change".

32. Development shall not commence until a condition survey of all watercourses/ highway drainage linked to proposed outfalls at Lindley Moor Road and Crosland Road has been undertaken and a scheme detailing the remedial works including a construction phase plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until any remedial works approved have been implemented.

**Reason:** In the interest of the satisfactory drainage of the site and to accord with the guidance contained in part 10 of the National Planning Policy Framework "Meeting the challenge of climate change, flooding and coastal change".

33. Prior to development commencing a detailed scheme for the provision of the buffer zone area within the site shall be submitted for the written approval of the Local Planning Authority. These details shall include landscaping, timing/ phasing of provision and future maintenance of the buffer zones. The approved scheme shall subsequently be implemented and thereafter maintained.

**Reason:** In the interests of visual, and residential amenity, and to accord with Policy B3 of the Kirklees Unitary Development Plan.

34. Prior to development commencing a detailed Landscape Management Scheme shall be submitted to for the written approval of the Local Planning Authority. This scheme shall include details of landscaping, timing of provision and future maintenance. The approved details shall subsequently be implemented and thereafter maintained.

**Reason:** In the interests of visual amenity and to accord with the guidance contained in part 11 of the National Planning Policy Framework "Conserving and enhancing the natural environment".



35. Development shall not commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall contain the following details:

- a) Access arrangements (including routing and timing) to and from the site for construction traffic;
- b) Hours of construction work, including any works of demolition
- c) Hours of delivery of materials
- d) Location of site management offices
- e) Location of materials storage compound including loading/ unloading areas
- f) Car parking areas for construction workers
- g) Wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt on to the highway
- h) Temporary warning and direction signing on the approaches to the site

The construction plan approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed.

**Reason:** In the interests of the free and safe use of the highway, and to accord with Policy T10 of the Kirklees Unitary Development Plan.

36. Development shall not commence until a phasing plan for the development, together with the scheme (or schemes) or works relevant to each phase detailing the following off-site works, has been submitted to and approved in writing by the Local Planning Authority:

1. Capacity improvements at the Ainley Top Roundabout on the Brighouse Road and Lindley Moor Road approaches in accordance with Sanderson Associates drawing 7038-005 (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
2. The signalisation of the Lindley Moor Road/ Crosland Road junction in accordance with Sanderson Associates drawing 7038-009 rev B (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)) ;
3. An improvement of Crosland Road between footpath HUD408/10 and Romsey Close to provide a continuous footway on the west side, the formation of central refuges and hatching to control speed, general widening incorporating highway drainage and street lighting in accordance with Sanderson Associates drawing 7038-009 rev B (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
4. Management of speeds along Crosland Road (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
5. Management of speeds along Lindley Moor Road between Weatherhill Road and Lindley Old Road (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
6. Provision of footway cycleway facilities along the route of footpath HUD408/10 between Crosland Road and Lindley Moor Road (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));

7. Plot A site access arrangements off Lindley Moor Road in accordance with Sanderson Associates drawing 7038-003 (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
8. Plot B site access arrangements off Crosland Road in accordance with Sanderson Associates drawing 7038-009 rev B (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)));
9. Plot C site access arrangements off Crosland Road in accordance with Sanderson Associates drawing 7038-009 rev B (including the relevant Stage 1, 2 or/and 3 Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008))).

The development shall not commence until scheme 9 above has been approved and shall not be occupied until all the works are complete in accordance with the approved scheme.

Scheme 1 shall be delivered before full occupation of Plot C.

Schemes 2 and 5 shall be submitted to and agreed in writing by the Local Planning Authority before occupation of the 81<sup>st</sup> dwelling and implemented before occupation of 126<sup>th</sup> dwelling or by the end of 2017 whichever is the earlier.

The development of Plot C shall not be occupied until all the works under the approved schemes 3 and 4 have been adhered to in accordance with the approved schemes.

Scheme 6 shall be delivered before first occupation of Plot A or Plot B, whichever is the earliest.

Scheme 7 shall be delivered before first occupation of Plot A.

Scheme 8 shall be delivered before first occupation of Plot B.

These works shall thereafter be retained for the lifetime of the development.

**Reason:** In the interests of highway safety and in accordance with Unitary Development Plan Policy T10.

#### **FOOTNOTES:**

It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-221000 who can advise further on this matter.

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, Flint Street, Fartown, Huddersfield Tel: 01484 221000 with regard to 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.

The public footpath HUD408/10 which crosses/abuts the site shall not, at any time, prior to, during or after building works, be unofficially obstructed or closed without prior written consent of the Local Highway Authority.

This decision is based on the following documents and plan(s):-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Environmental Statement(Volume 1)			November 2014
Environmental Statement (Volume 2- Technical Appendices)			November 2014
Non Technical Summary			November 2014
Statement of Conformity pursuant to Reg 22 of the Town and Country Planning(Environmental Impact) Regulations 2011			February 2015
Transport Assessment (Updated Feb 2015)			February 2015
Travel Plans for Plots A, B &C).			November 2014
Planning Support Statement			November 2014
Design and Access Statement			November 2014
Statement of Community Involvement			November 2014
Geo Environmental Reports (1-Plots A and B; 2- Plots C)			November 2014
Archaeological Assessment			November 2014
Noise Assessment. (Updated January 2015)			January 2015
Air Quality Assessment (Updated Jan 2015)			January 2015
Ecological/ Bio-diversity assessment and Mitigation Statement.			November 2014
Health Impact Assessment			February 2015
Comprehensive Framework(Addendum)			November 2014.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Materials Schedule	P13:4725:175		24/4/15.
Location Plan	6.1		November 2014
Master Plan Proposed Planning Layout (Residential)	2008-047/111 P13:4725:01	M K	23/3/15 23/4/15
Proposed Access to Plot A	6.7038-003		November 2014
Proposed Access to Plots B&C	6.7038-009	B	November 2014
<u>House Types</u> <u>Taylor Wimpey</u>			
Shelford	PA48/5/PL3		November 2014
Eynesham	PD410/5/PL1		November 2014
Kentdale	PT42/5/PL1	A	November 2014
Eskdale	PT41/5/PL1		November 2014
Bradenham	PD48/5/PL1	A	November 2014
Alton	PB35/5/PL1		November 2014
Milldale	PT310/5/PL1		November 2014
Gosford	PA34/5/PL1		November 2014
Madrid FoF	YT21/PL1		November 2014
<u>Harron</u>			
Edlingham	P.04.0101		November 2014
Warkworth	P.61.01		November 2014
Salcombe VO	P06.01 VO		November 2014
Hereford	P.60.01.01		November 2014
Ingleton	P.59.01		November 2014
Settle	P.56.01		November 2014
Windsor	P.55.01		November 2014
Nidderdale	P.54.01		November 2014
Bamburgh	P.72.01.VO	A	November 2014
Hadleigh	P.70.01		November 2014

Pursuant to article 35(2) of the Town and Country Planning (Development Management) Procedure Order 2015 and the guidance contained in the National Planning Policy Framework, the Local Planning Authority have, where possible made a pre application advice service available, complied with the Leeds City Region Development Management Pledge and otherwise actively engaged with the applicant in dealing with the application.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-225397 for further advice on this matter.

#### **Development within a Coal Mining Area**

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
  - i) 28 days of the date of service of the enforcement notice, or
  - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals can be made online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs) or in writing on a form that must be obtained from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate). Further information on the Planning Appeal process can be found online at the Planning Inspectorates website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk).
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 08-May-2015

**Signed:** 

**Jacqui Gedman**  
**Director of Place**

### **Application Plans**

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

[planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk)

or telephone 01484 414746 with the application number.

There may be a charge for this service.

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Address to which all communications should be sent:

Planning, Strategic Investment Service,  
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR

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