KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

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

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2017/60/90272/E
Site Address:	Land to rear of, 119/127, Marsh Lane, Shepley, Huddersfield, HD8 8AS
Description:	Outline application for erection of residential development (2 dwellings)
Recommending Officer:	Katie Wilson

DECISION – CONDITIONAL OUTLINE PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report contained within the Heavy Woollen Planning Sub-Committee agenda dated 28 September 2017 and the decision authorisation annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 02-Oct-2017

Decision Authorisation – Committee Decision

Committee: Heavy Woollen Planning sub-committee

Date of Committee: 28th September 2017

Application Number: 2017/90272

Officer Recommendation: Approval of Outline application and issuing of the decision notice subject to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

Committee Decision: Conditional outline permission as per officer recommendation

Summary of Committee Decision

Members resolved to grant conditional outline permission subject to the delegation of Authority to officers, as per officer recommendation, with no additional conditions. (NOTE: The Chair has asked that any subsequent Reserved Matters is referred to the HW sub for decision)

Conditions and reasons

1. Approval of the 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 commenced.
Reason: No details of the matters referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority

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: No details of the matters referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority

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 & Country Planning Act 1990, as amended by the Planning & 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 & Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

5. Nothing shall be permitted to be planted or erected within a strip of land 2.4m deep measured from the carriageway edge of Marsh Lane along the full frontage of the site which exceeds 1.0m in height above the level of the adjoining highway.
Reason: To ensure adequate visibility in the interests of highway safety and to accord with the aims of policies D2, T10, BE1 and BE2 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework.

6. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's' Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained.
Reason: In the interests of amenity and traffic safety, so as to ensure adequate space within the site for vehicle movements and parking and in accordance with Policy T10 of the Kirklees Unitary Development Plan.

7. Plans and particulars of the reserved matters referred to in Conditions 1 and 2 above, relating to layout, shall include details of arrangements for the storage and access for collection of wastes. The approved storage and collection arrangements shall be provided before the new dwellings are first brought into use and thereafter retained.
Reason: To ensure that adequate provision is made for refuse storage and collection in the interests of visual amenity and highway safety and to accord with the aims of Policies BE1-2 of the Unitary Development Plan and chapter 7 of the National Planning Policy Framework.

8. Full details of surface water disposal shall be submitted to and approved in writing before development commences. The agreed surface water disposal scheme shall be implemented and thereafter retained.
Reason: This is a "pre-commencement" condition, to ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being and to accord with Policy BE1(iv) of the Kirklees Unitary Development Plan and the aims of chapter 10 of the National Planning Policy Framework.

9. Prior to occupation of the dwellings an electric vehicle recharging point, per dwelling shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Thereafter the electric vehicle recharging point shall be retained.
Reason: To accord with the guidance contained in chapter 4 of the National Planning Policy Framework and to encourage low carbon forms of

transport in accordance with chapter 11 of the National Planning Policy Framework

10. 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 approved 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.

    Following completion of any measures identified in the approved Remediation Strategy Validation Report shall be submitted to the local planning authority. Unless otherwise approved in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority.
    Reason: In order that proper account is taken of any contamination on the site in the interests of future occupiers of the site and the surrounding environment and to accord with Policy G6 of the Kirklees Unitary Development Plan and chapter 11 of the National Planning Policy Framework.

11. Development shall not commence until a preliminary ecological appraisal and any follow up work or assessment has been submitted to and approved in writing by the Local Planning Authority. The findings and recommendations shall be implemented and thereafter retained.
    Reason: In the interests of the biodiversity of the area and to accord with chapter 11 of the National Planning Policy Framework. This is a pre-commencement condition in order to ensure that adequate mitigation and enhancement measures are incorporated into the development at the appropriate stage of the development.

NOTE: It is brought to the applicant / developers notice that an arboricultural method statement and tree survey to BS5837 will be required at reserved matters stage to ensure that trees subject to Tree Preservation Orders are fully taken into account.

NOTE: It is brought to the applicant / developers notice that if the method of surface water disposal is by soakaway, this requires evidence that they will work and that they must be located 5m from any property.

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 Highways Authority is required. You are required to consult the Design Engineer (Kirklees Street- Scene: 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.

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 work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			25.1.2017
Location plan annotated with access point only and all internal design to be shown on detailed application.			26.09.2017

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer requested additional plan to clarify that it is just point of access which is being considered, with all other details reserved matters.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA – STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.**gov.uk/government/organisations/the-coal-authority**

Report Dated: 02.10.2017