



Town and Country Planning Act 1990

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

APPROVAL OF RESERVED MATTERS

Application Number: 2018/61/93201/W

To: Mark Johnson,
Johnson Mowat
Coronet House
Queen Street
Leeds
LS1 2TW

For: Pennine Property Partnership & Avant Homes

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority, having considered your application submitted to the Council for approval of:-

RESERVED MATTERS APPLICATION FOR RESIDENTIAL DEVELOPMENT
PURSUANT TO OUTLINE PERMISSION 2018/93098

At: LAND AT, FORMER ST LUKE'S HOSPITAL, BLACKMOORFOOT ROAD,
CROSLAND MOOR, HUDDERSFIELD, HD4 5RQ

NOTE Development pursuant to the outline planning permission to which this approval of reserved matters relates, must be commenced no later than 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.

In accordance with the plan(s) and applications submitted to the Council on 01-Oct-2018, being matters reserved in a permission granted on 09-Aug-2019 the Council have approved the said matters in terms of, and subject to compliance with the details specified in your application, subject to the following conditions:-

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

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

2. The development shall be constructed of materials identified in the approved Materials schedule 1835-203, and subsequently maintained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

3. Any planting, seeding or tree management works forming part of the agreed landscape scheme shall be carried out following the commencement of the development, or in accordance with a timetable agreed with the Local Planning Authority and shall be maintained for a period of five years from the completion of the planting works. All specimens that die within this period shall be replaced.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

4. Prior to any development commencing, the trees and vegetation to be retained shall be protected in accordance with the approved details within the Arboricultural Impact and Method Statement (LDP2217)

Reason: To safeguard mature and protected trees in accordance with Policy LP33 of the Kirklees Local Plan.

5. Prior to any of the dwellings hereby permitted being occupied, details of all boundary treatment shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented and thereafter retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

6. No development shall commence until a scheme detailing the provision of electric charging points within the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development or in accordance with a timeframe to be agreed with the Local Planning Authority, and subsequently be retained permanently thereafter

Reason: To accord with Policy LP26 of the Kirklees Local Plan.

7. No development shall take place until a scheme detailing the proposed internal adoptable estate roads have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surfacing, and the treatment of sight lines, together with a safety audit covering all aspects of the work. The agreed scheme shall be implemented in accordance with an agreed timetable, and thereafter retained for the lifetime of the development.

Reason. In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

8. Prior to any occupation a scheme detailing bio-diversity enhancement (including bird and bat roost opportunities within the development) has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to occupation of the affected properties, or in accordance with a timetable to be agreed with the local Planning authority, and retained permanently thereafter.

Reason: To accord with Policy LP30 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	1835-1	a	1/10/18
Layout plan	1835.200	D	6/7/19
Landscape plan			
Materials schedule	1835-203		1/10/18
<u>Boundary types</u>			
1.8 m screen fence	1835.B.01		1/10/18
Brick pier and timber panel	1835.B.02		1/10/18
1.2m post and rail divisional fence	1835.B.03		1/10/18
<u>House types</u>			
Sudbury (OP)	1835-SBY-OP		1/10/18
Sudbury (AS)	1835-SBY-AS		1/10/18
Ramsbury (OP)	1835-SBY-OP		1/10/18
Ramsbury(AS)	1835-RBY-AS		1/10/18
Overbury (OP)	1835-OBY-OP		1/10/18
Overbury (AS)	1835-OBY-AS		1/10/18
Paignton	1835-PTN.01		1/10/18
Lorton	1835.LTN.01		1/10/18
Bampton And Easton	1835.BTN.01		1/10/18
Bampton and Easton	1835.BTN.02		1/10/18
Ulbridge	1835.ULB.01		1/10/18
Trowbridge(OP)	1835-TRO OP		1/10/18
Trowbridge (AS)	1835-TRO-AS		1/10/18
Merebridge and Seatbridge	1835-MER-01		1/10/18
	02		1/10/18
	03		1/10/18
	04		1/10/18
	05		1/10/18
Ironbridge	1835-IRT-01		1/10/18
Fenbridge and Ironbridge	1835-FEN-01		1/10/18
Fenbridge and Ironbridge	1835-FEN -02		1/10/18
Beckford	1835-BFD-01		1/10/18
Beckridge	1835-BEC-01		1/10/18
Streetscenes	1835.104		1/10/18

Plan Type	Reference	Version	Date Received
Cross Sections	1835.05 (C-C)		1/10/18
	1835.051(B-B)		1/10/18
	1835.052 (A-A)		1/10/18
Design and Access Statement			1/10/18
Transport Assessment	S2.P2		1/10/18
Residential Travel Plan	S2.P2		1/10/18
Air Quality Assessment	LDP2217		1/10/18
Noise Impact Assessment	LDP2217		1/10/18
Lighting Assessment	LDP2217		1/10/18
Arboricultural Impact and Method Statement	LDP2217		1/10/18
Preliminary Ecological Appraisal	LDP2217		1/10/18
Planning Case Report			1/10/18
Statement of Community Involvement			1/10/18
Drainage Strategy Plan	E/18/7232/HH/001	B	1/10/18
Flood Risk Assessment	E18/7232/FRO1	C	1/10/18
Geo-technical report	42948.002		1/10/18
Supplementary letter	PR/KE/42948-006		11/12/18

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

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. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “submitted to and approved in writing by the Local Planning Authority”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

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 must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
 - 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 so that we can work on continually improving our customer service. Thank you.

Dated: 09-Aug-2019

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2018/61/93201/W .

If a paper copy of the decision notice or decided plans are required please email planning.contactcentre@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: planning.contactcentre@kirklees.gov.uk

Write to: Planning Services
Investment and Regeneration
PO Box B93, Civic Centre III
Off Market Street, Huddersfield
HD1 2JR
