



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

PLANNING PERMISSION FOR DEVELOPMENT SUBJECT TO REGULATION 4

Application Number: 2018/49/93965/W

To: Katrina Hulse,
Cushman & Wakefield LLP
St Pauls House
23, Park Square South
Leeds
LS1 2ND

For: Naz Parker, Kirklees Council

Description and location of development:

ERECTION OF 105 DWELLINGS WITH ASSOCIATED HIGHWAYS WORKS
AND LANDSCAPING

At: LAND AT, TITHE HOUSE WAY, BRADLEY, HUDDERSFIELD

Date of submission: 30-Nov-2018

In pursuance of its powers under the above mentioned Act and Regulations KIRKLEES COUNCIL (hereinafter called "The Council") hereby grants planning permission for the above development subject to the following condition(s):-

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. No development shall commence on the land until all persons with an interest in the land have entered into and completed a Section 106 agreement with the Local Planning Authority to provide planning obligations to the satisfaction of the Local Planning Authority for the provision of financial contributions and/or works in kind in respect of the following matters:

- a) Affordable housing: Arrangements for the provision of a minimum of 25 affordable housing units, with details covering the number, type, layout, disposition, timescale and mechanism for provision to ensure that the same are provided in perpetuity;
- b) Open space: Arrangements for the provision of open space, with details covering the layout, disposition, timescales and mechanism for provision of open space which shall be publicly-accessible in perpetuity.
- c) Education: Arrangements for the provision of educational facilities to serve the needs of the development;
- d) Highway works and improvements: Arrangements to mitigate the highway impacts of the development;
- e) Sustainable transport: Arrangements to encourage the use of sustainable modes of transport, including Travel Plan implementation and monitoring arrangements;
- f) Biodiversity: Arrangements to ensure a biodiversity net gain is achieved;
- g) Drainage: Arrangements to secure long-term maintenance and management of the approved drainage measures, and arrangements for any necessary off-site upgrading works;
- h) Management: Arrangements for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure including surface water drainage until formally adopted by the statutory undertaker;
- i) Decentralised energy: Arrangements for future connection of residential units to a decentralised energy network, should such a network be provided locally; and
- j) Any other reasonable requirements to meet the planning policies of the Local Planning Authority, including arrangements related to mitigation of impacts of other parts of allocated site HS11.

Reason: To ensure the delivery of the necessary infrastructure and other mitigation in accordance with Policies LP4, LP5, LP11, LP20, LP21, LP24, LP26, LP27, LP28, LP30, LP49, LP63 and LP65 and site allocation HS11 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure mitigation of the development's impacts are agreed and secured at an appropriate stage of the development process.

4. Prior to the commencement of development (including ground works) a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include a timetable of all works, any phasing of development, details of point(s) of access for construction traffic, construction vehicle sizes and routes, times of vehicle movements, parking for construction workers, signage, temporary drainage arrangements, pre-development road condition surveys, wheel washing facilities within the site, hours of works, details of dust suppression measures, details of measures to control noise and vibration from construction-related activities, details of artificial lighting to be used during construction, and details of the disposal of surface water from the development during the construction phase including methods to manage silt. The development shall be carried out strictly in accordance with the CMP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.

Reason: In the interests of amenity and highway safety, to ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on-site surface water features, and to accord with Policies LP4, LP5, LP21, LP24, LP27 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, to avoid increased flood risk, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

5. Prior to the commencement of development, tree protection measures in accordance with BS5837:2012 and Tree Protection Plan THW 03 shall be implemented and maintained throughout the construction phase in respect of all trees to be retained within and adjacent to the development site.

Reason: To protect trees in the interests of visual amenity and to accord with Policy LP33 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure tree protection measures are implemented at an appropriate stage of the development process.

6. The development hereby approved shall be provided with separate systems of drainage for foul and surface water and these systems shall be completed prior to the occupation of the development.

Reason: In the interests of satisfactory and sustainable drainage and so as to accord with policies LP27, LP28 and LP34 of the Kirklees Local Plan.

7. Prior to the commencement of development, a revised Flood Risk and Drainage Assessment shall be submitted to and approved in writing by the Local Planning Authority. The revised document shall include:

- a) Details of proposals for the potential culvert / land drain noted at location TT1;
- b) Drawings illustrating a 6m easement for the pipework connecting the attenuation tank to the outfall;
- c) Details of depths of flood predicted in the southeast part of the site;
- d) Details of flood routing from road and property drainage;
- e) Details of the foundation design for unit 1; and
- f) Details of an upgraded outfall including associated land drainage.

The development shall be implemented in accordance with the amended Flood Risk and Drainage Assessment (and related detailed drainage scheme) so approved, and the approved drainage scheme shall thereafter be retained during the life of the development.

Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure tree protection measures are implemented at an appropriate stage of the development process.

8. Prior to the commencement of development, actual land contamination at the site shall be investigated and a Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures agreed at an appropriate stage of the development process.

9. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 8 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures agreed at an appropriate stage of the development process.

10. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 9. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered (in either the Phase I Geo-Environmental Appraisal (Alan Wood and Partners, JS/BD/41576-Rp-001 rev B) 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 two 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures agreed at an appropriate stage of the development process.

11. 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

12. Prior to the commencement of development, details of a scheme of intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority, the approved site investigations shall be carried out, and a report on the findings of the site investigations shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority. Where the report on the findings of the site investigations recommends remediation to address the site's coal mining legacy, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority prior to the commencement of development. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Remediation shall be carried out and completed in accordance with the Remediation Strategy so approved prior to the commencement of superstructure works.

Reason: To minimise risk associated with the area's coal mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that coal mining legacy risks are assessed appropriately prior to development commencing in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

13. Prior to any part of the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with "Guidance on the permeable surfacing of front gardens (parking areas)", 13/05/2009 (ISBN 9781409804864) as amended or superseded, and shall thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

14. Prior to any part of the development being brought into use, turning facilities shall be provided in accordance with the details shown on drawing 100-501 rev B. The turning facilities shall therefore be made available for use at all times by vehicles and shall be kept free from obstruction to such use.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

15. Prior to the commencement of development, a scheme detailing the proposed internal adoptable roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. No part of the development shall be brought into use until the internal adoptable roads have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of internal adoptable roads are agreed at an appropriate stage of the development process.

16. Prior to the commencement of superstructure works, the design and construction details of all temporary and permanent highway retaining structures shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, together with structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be completed in accordance with the approved details before any of the dwellings are occupied and shall be retained as such thereafter.

Reason: To ensure that any new retaining structures do not compromise the stability of the highway and to accord with Policy LP21 of the Kirklees Local Plan.

17. Prior to the commencement of development, a report specifying the measures to be taken to protect the development from noise shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate;
- b) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development; and
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Unless otherwise agreed in writing with the Local Planning Authority the development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that noise is identified and mitigation measures are agreed at an appropriate stage of the development process.

18. Prior to the commencement of superstructure works, details of measures to prevent and deter crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority. These details shall include details of windows overlooking footpaths and publicly-accessible area, and details of landscaping and boundary treatments corresponding with details to be provided pursuant to conditions 21 and 23. No part of the development shall be brought into use until the development has been implemented in accordance with the details so approved.

Reason: In the interests of minimising the risk of crime and anti-social behaviour and creating a safer, more secure and sustainable neighbourhood, and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

19. Prior to the commencement of superstructure works, details including plans and sections of redesigned external areas (including parking areas, outdoor amenity spaces and a pedestrian through-route) adjacent to units 76 to 81 shall be submitted to and approved in writing by the Local Planning Authority. No residential units adjacent to these external areas shall be brought into use until the development has been implemented in accordance with the details so approved.

Reason: In the interests of visual amenity, residential amenity, crime and anti-social behaviour prevention and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

20. Prior to the commencement of superstructure works, details and samples of all external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and chapter 12 of the National Planning Policy Framework.

21. Prior to the commencement of superstructure works, details (including sections and details of levels) of all boundary treatments, retaining walls and gabions shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved, and shall be retained thereafter.

Reason: In the interests of visual amenity and highways safety, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

22. Prior to the commencement of superstructure works, details of measures to protect the development from potential light pollution impacts from existing or future adjacent sports and recreation facilities shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the amenities of the residential units hereby approved are protected, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan.

23. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- a) Details of existing and proposed levels, and regrading;
- b) Species schedule and planting plans;
- c) Details of initial aftercare and long-term maintenance;
- d) Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- e) Details (including samples, if requested), of paving and other hard surface materials;
- f) Details of the Locally Equipped Area for Play and other designated, informal incidental and/or doorstep play;
- g) Details of outdoor gym equipment to be provided in the development's open spaces;
- h) Confirmation that hard and soft landscaping has been designed to correspond with measures set out in the revised Flood Risk and Drainage Assessment to be provided pursuant to condition 7 and any related detailed drainage scheme;
- i) Revised drawings and maintenance details confirming no planting or other feature would exceed 1m in height in the area immediately to the east of unit 1.

No residential unit hereby approved shall be occupied until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value and visual amenity, to ensure adequate facilities for play and exercise are secured, to ensure conflict between drainage and landscaping proposals is avoided, to ensure adequate visibility is maintained adjacent to unit 1, and to accord with Policies LP21, LP24, LP27, LP28, LP30, LP32, LP33, LP47, LP50 and LP63 of the Kirklees Local Plan, and chapters 8, 12, 14 and 15 of the National Planning Policy Framework.

24. Prior to the commencement of superstructure works, an Ecological Design Strategy (EDS) addressing mitigation and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed ecological works, in relation to site potential and constraints;
- b) Location (shown on appropriate scale plans) of specific make and model, or design, of bat and/or bird boxes to be installed integral to the residential units hereby approved;
- c) Planting schedule and planting plan showing the inclusion of native species of tree, shrub and ground flora to be included within or at the boundary of the application site, and details of how this achieves the stated purpose under (a) above.
- d) Persons responsible for implementing the works;
- e) Details of initial aftercare and long-term maintenance;
- f) Details for monitoring and remedial measures; and
- g) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure biodiversity impacts are adequately addressed, to ensure a biodiversity net gain is achieved, and to accord with policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, D and E of Part 1 and Class A of Part 2 of Schedule 2 to that Order shall be carried out at units 28, 29, 30, 31, 32, 34 and 40 without the prior written consent of the Local Planning Authority.

Reason: To ensure the amenities of the residential units hereby approved are protected in accordance with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

26. Prior to the occupation of any part of the development hereby approved details of secure, covered and conveniently-located cycle parking for use by residents of the residential units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of encouraging the use of sustainable transport modes, visual amenity and conservation and to accord with policies LP20, LP21, and LP22, LP24 and LP35 of the Kirklees Local Plan.

27. Prior to occupation of any residential unit hereby approved electric vehicle charging points shall be provided for that residential unit. One charging point shall be provided per residential unit where residential units have dedicated parking, and one charging point shall be provided per 10 spaces where parking is unallocated. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16Amps and a maximum demand of 32Amps.

Reason: To encourage the use of low carbon and low emission forms of transport and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with chapters 9 and 15 of the National Planning Policy Framework, Policies LP20, LP21, LP24, LP51 and LP52 of the Kirklees Local Plan, and the West Yorkshire Low Emissions Strategy.

28. Prior to the commencement of superstructure works, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out measures to discourage the use of high emission vehicles and encourage the use of public transport, cycling and walking, as well as the uptake of low emission fuels and technologies.

Reason: To encourage the use of low carbon and low emission forms of transport, active transport, and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with chapters 9 and 15 of the National Planning Policy Framework, Policies LP20, LP21, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, and the West Yorkshire Low Emissions Strategy.

29. Prior to the commencement of superstructure works, details of storage and access for collection of wastes from the residential units hereby approved, and details of management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The works and arrangements comprising the approved details shall be implemented before first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

NOTE: All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) supply is, however, more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles would be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

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, and 08:00 and 13:00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Management Plan to be submitted to the Local Planning Authority for approval. 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.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) 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: 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. Please contact the council's Highways Structures section on 01484 221000 for further advice.

NOTE: To discuss road adoption arrangements under Section 38 of the Highways Act 1980, please contact the council's Section 38 team on Highways.Section38@kirklees.gov.uk. Please note that attenuation structures with a span 900mm or greater under the highway are likely to prevent adoption of said highway.

NOTE: The responsibility for securing a safe development rests with the developer and/or landowner. It is advised where a site could be affected by land stability issues this be taken into account and dealt with appropriately by the developer and/or landowner.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Location plan	100-001		03/12/2018
Planning application red line plan	100-030	rev B	22/08/2019
Proposed site layout	100-002	rev D	30/08/2019
Proposed site layout – northern cluster	100-003	rev D	14/08/2019
Proposed site layout – southern cluster	100-004	rev E	22/08/2019
Plot 1 layout	500-001		11/02/2020
Site sections	100-010	rev A	21/08/2019

Additional planning sections	100-011	rev A	21/08/2019
Additional planning sections	100-012		21/08/2019
Site renders	100-013		21/08/2019
House type 1 plans and elevations	001-001		03/12/2018
House type 2 plans and elevations	002-001		03/12/2018
House type 2A – GA plans and elevations	002A-001	rev A	20/08/2019
House type 3 – GA plans	003-001		03/12/2018
House type 3 – GA elevations	003-002		03/12/2018
House type 3A – GA plans	003A-001		03/12/2018
House type 3A – GA elevations	003A-002		03/12/2018
House type 4 GA plans	004-001		03/12/2018
House type 4 elevations	004-002		03/12/2018
House type 5 GA plans	005-001		03/12/2018
House type 5 elevations	005-002		03/12/2018
House type 6 GA plans and elevations	006-001		03/12/2018
House type 6A – GA plans and elevations	006A-001	rev A	20/08/2019
House type 7 GA plans and elevations	007-001		03/12/2018
House type 8 GA plans	008-001		03/12/2018
House type 8 GA elevations	008-004		03/12/2018
House type 8 GA elevations	008-005		03/12/2018
House type 8 GA sectional elevations sheet 1	008-002		03/12/2018
House type 8 GA sectional elevations sheet 2	008-003		03/12/2018
House type 9 GA plans	009-001		03/12/2018
House type 9 GA elevations sheet 1	009-002		03/12/2018
House type 9 GA elevations sheet 2	009-003		03/12/2018
House type 10 GA plans	010-001		03/12/2018
House type 10 GA elevations sheet 1	010-002		03/12/2018
House type 11 – GA plans	011-001	rev A	20/08/2019

House type 11 – GA elevations	011-002	rev 1	20/08/2019
Typical coloured elevations and materials	100-005		03/12/2018
Typical coloured elevations and materials	100-006		03/12/2018
Typical coloured elevations and materials	100-007		03/12/2018
Proposed open space areas	100-032	rev B	14/08/2019
Overall landscape proposals	100-020	rev B	06/09/2019
Landscape proposals – northern cluster	100-021	rev B	06/09/2019
Landscape proposals – southern cluster	100-022	rev B	06/09/2019
Landscape proposals – POS area	100-023	rev B	06/09/2019
Refuse vehicle tracking plan	100-501	rev B	30/08/2019
Highway junction layout (bus)	100-500	rev D	27/08/2019
Highway junction layout (refuse vehicle)	100-500	rev D	27/08/2019
Planning Statement	Cushman & Wakefield	November 2018	03/12/2018
Statement of Community Involvement	Cushman & Wakefield	November 2018	03/12/2018
Design and Access Statement	Cushman & Wakefield / Kirklees Council / Vaughan Architecture & Design	November 2018	03/12/2018
Residential Housing Mix Report	Cushman & Wakefield, 180KR000	20/11/2018	03/12/2018
Transport Assessment	Local Transport Projects, LTP/18/3332	issue 1, rev B, 15/02/2019	19/02/2019
Note re: future highway improvements	Cushman & Wakefield, 180KR000	Letter dated 29/08/2019	29/08/2019
Road Safety Audit	Local Transport Projects, LTP/18/3332/RSA1	10/12/2018	20/12/2018

Designer's Response to Stage I Road Safety Audit	Vaughan Architecture		24/01/2019
Travel Plan	Local Transport Projects, LTP/18/3332	23/11/2018	03/12/2018
Health Impact Assessment	Cushman & Wakefield	November 2018	03/12/2018
Flood Risk and Drainage Assessment	Alan Wood & Partners, 41576	rev G, 11/12/2019	11/12/2019
Land Survey	Ellam Land Surveys, 7754_2D/1		03/12/2018
Phase I Coal Mining Risk Assessment	Alan Wood & Partners, JS/BD/41576-Rp002	11/01/2019	14/01/2019
Phase I Geo-Environmental Appraisal	Alan Wood & Partners, JS/BD/41576-Rp-001	rev B, 11/01/2019	14/01/2019
Air Quality Assessment	BWB, LDT2281	rev P01.2, 28/11/2018	03/12/2018
Lighting Assessment	BWB, LDT2281	rev P2, 30/11/2018	03/12/2018
Tree Survey	Weddle Landscape Design, THW 01	September 2018	03/12/2018
Tree Constraints Plan	Weddle Landscape Design, THW 02	September 2018	03/12/2018
Tree Protection Plan	Weddle Landscape Design, THW 03	September 2018	03/12/2018
Phase I Habitat Survey	Weddle Landscape Design, THW 04	September 2018	03/12/2018
Bat Survey	Whitcher Wildlife, 180924	15/10/2018	03/12/2018
Preliminary Ecological Appraisal	Weddle Landscape Design	September 2018	03/12/2018
Ecological Impact Assessment	Weddle Landscape Design	November 2018	03/12/2018

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and 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. During the life of the application the case officer undertook negotiations with the applicant to secure an amended layout to address highway concerns, and to secure an acceptable drainage scheme. The Council (as Local Planning Authority) proactively engaged with the applicant in order to ensure planning matters were adequately addressed.

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 Tel No: (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.

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).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

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 or a similar service provider.

If any 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

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them to avoid harm to the appearance of the local area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or 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 you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- 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: 04-Sep-2020

Signed:



Karl Battersby
Strategic Director Economy and Infrastructure

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:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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