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: 2019/62/90356/W

Site Address: Land Off, Station Road, Meltham, Holmfirth, HD9 4NL

Description: Erection of 7 dwellings

Recommending Officer: Adam Walker

DECISION – Conditional full permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Teresa Harlow

AUTHORISED OFFICER

Date: 06-Sep-2019

Decision Authorisation – Committee Decision

Committee: Huddersfield Sub Committee

Date of Committee: 18/7/19

Application Number: 2019/90356

Officer Recommendation:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report.

Committee Decision: Conditional full permission subject to delegation of authority to officers (in accordance with officers' recommendation)

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

3. The dwellings shall be faced in natural stone and slate. Samples of the facing and roofing materials for the development shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of any dwelling commences. The dwellings shall be faced in the approved materials and thereafter retained as such.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

4. A site remediation strategy specific to the development shall be submitted to and approved in writing by the Local Planning Authority before development commences. The remediation strategy shall include a timetable

for the implementation and completion of the approved remediation measures.
Reason: To address unacceptable risks to human health and the environment arising from potential contamination. This is to accord with Policy LP53 of the Local Plan and guidance given in the National Planning Policy Framework. This is a pre-commencement condition to ensure that such matters are addressed at an appropriate stage.

5. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 4. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. 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 remove unacceptable risks to human health and the environment arising from potential contamination. This is to accord with Policy LP53 of the Local Plan and guidance given in the National Planning Policy Framework. This is a pre-commencement condition to ensure that such matters are addressed at an appropriate stage.

6. 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. 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 address unacceptable risks to human health and the environment arising from potential contamination. This is to accord with Policy LP53 of the Kirklees Local Plan and guidance given in the National Planning Policy Framework.

7. Development shall not commence until a scheme demonstrating an adequately designed soakaway for an effective means of drainage of surface water on this development/site has been submitted to and approved in writing by the Local
Planning Authority. The scheme shall include percolation tests in accordance with
BRE Digest 365 along with calculations demonstrating that the designed soakaways can store a critical 1 in 30 year storm event and can empty by 50% within 24 hours.

No part of the development shall be brought into use until the works comprising the approved scheme have been completed and the drainage system shall be thereafter be retained.

In the event that soakaways are found to be unsuitable as a means of surface water disposal, details of a revised surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. No part of the development shall be brought into use until the revised drainage scheme so approved has been provided on the site and shall thereafter be retained.
Reason: To ensure that the site can be suitably drained in a sustainable manner and to accord with LP28 of the Kirklees Local Plan and guidance given in the National Planning Policy Framework. This is a pre-commencement condition to ensure that an appropriate method of surface water drainage is incorporated into the overall design for the scheme at an appropriate time.

8. An electric vehicle recharging point shall be provided within the garage or on the exterior wall of each dwelling. The recharging points shall be provided before the dwelling to which the recharging point relates is first occupied. 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. The electric vehicle recharging points shall be retained thereafter.
Reason: To promote ultra-low carbon forms of transport and to mitigate the impact of the development on air quality and to accord with LP24 of the Kirklees Local Plan, guidance in the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

9. Details of one visitor parking space adjacent to the approved turning head and located within the land edged in blue on the location plan shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The visitor parking space shall be provided before the 4th dwelling is occupied and shall thereafter be retained.
Reason: To provide adequate parking provision in the interests of highway safety and to accord with LP21 and LP22 of the Kirklees Local Plan.

10. Bin storage and presentation points shall be provided in accordance with the details shown on the approved plans. The bin storage and presentation points shall be provided before the dwelling to which they relate is first occupied and shall be so retained thereafter.
Reason: In the interests of amenity and highway safety and to accord with LP21 and LP24 of the Kirklees Local Plan.

11. The turning head as shown on the approved site plan shall be provided before any dwelling is first occupied. The turning facilities shall thereafter 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 and to accord with LP21 and LP24 of the Kirklees Local Plan.

12. A construction management plan for the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority before development commences. The management plan shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers' and delivery parking facilities, measures to demonstrate how the highway will be kept clear of mud/debris, a scheme to ensure that access is maintained to the existing residential properties on Station Road throughout the construction period and measures to protect users of the adjacent public right of way. All construction arrangements shall be carried out in accordance with the approved construction management plan throughout the period of construction.
Reason: In the interests of highway safety and amenity and to accord with Policies LP21 and LP24 of the Kirklees Local Plan. This is a pre-commencement condition so that such matters are addressed at an appropriate stage of the development process.

13. 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 before the dwelling to which they relate is first occupied. The parking spaces shall thereafter be retained as such.
Reason: In the interests of highway safety and to mitigate flood risk and to accord with LP21 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

14. Notwithstanding the submitted information, a detailed scheme for the proposed improvement works to Station Road, including surfacing, drainage, street lighting and the provision of the footway, shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the 3rd dwelling commence. Surfacing of the carriageway shall be done using the existing and reclaimed/new stone setts. The works to Station Road shall be provided in full before the 6th dwelling is occupied and shall thereafter be retained as such.
Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with LP21 and LP24 of the Kirklees Local Plan.

15. A "lighting design strategy for biodiversity" for the access route shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The strategy shall:

a. identify those areas/features on site that are particularly sensitive for bats and otters and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so

that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be retained thereafter in accordance with the strategy.
Reason: To mitigate the impacts of the development on the local bat population and otter population and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

16. No development shall take place (including any demolition, ground works, site clearance) until a method statement for the avoidance of construction related impacts to the Kirklees Wildlife Habitat Network has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:
a. purpose and objectives for the proposed works;
b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
c. extent and location of proposed works shown on appropriate scale maps and plans;
d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
e. persons responsible for implementing the works;
f. initial aftercare and long-term maintenance (where relevant);
g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details.
Reason: To mitigate the impacts of the construction of the development on land designated as Kirklees Wildlife Habitat Network and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework. This is a pre-commencement condition so that such matters are addressed at an appropriate stage of the development process.

17. An ecological design strategy (EDS) addressing ecological enhancement shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the 2nd dwelling commence. The EDS shall include the following:
a. Purpose and conservation objectives for the proposed works.
b. Review of site potential and constraints.
c. Detailed design(s) and/or working method(s) to achieve stated objectives.
d. Extent and location/area of proposed works on appropriate scale maps and plans.
e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
g. Persons responsible for implementing the works.
h. Details of initial aftercare and long-term maintenance.

i. Details for monitoring and remedial measures.
j. 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 as such thereafter.
Reason: To provide ecological mitigation and enhancement in accordance with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

18. The boundary walls to the site frontage shall be constructed of natural stone. The boundary walls shall be either drystone walling or mortared stonework that matches that used in the construction of the dwellinghouses.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

NOTE:
Public Footpath No MEL/23/60, which crosses the access road, shall not at any time prior to, during or after construction of the proposed development be unofficially obstructed or closed without the prior written consent of the Local Planning Authority.

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	1565-100	-	5/2/19
Site Plan & Sections A-D & I	1565-101	Rev C	9/7/19
Site Sections E-H & Garage Type	1565-101	Rev B	5/2/19
Proposed Plans & Elevations (House Types A, B & C)	1565-103	Rev A	5/2/19
Site Section (Street Scene)	1556-104	Rev A	5/2/19
Planning Statement	Assent Planning	-	5/2/19

Plan Type	Reference	Version	Date Received
	January 2019		
Highways Statement	Paragon Highways Project 802(G)	Rev 1 Jan 2019	5/2/19
Contaminated Land Report	Arc Environmental 15-154.01L 13/8/15	-	5/2/19
Ecological Impact Assessment	Bagshaw Ecology BE-889.1a	-	5/2/19
Flood Risk Assessment	BDN R2708 22/7/14	-	5/2/19
Flood Risk Letter	ARP 1887/01/L1a/SAB 15/11/18	-	5/2/19
Indicative Soakaway Plan	1887/01/SK01	-	5/2/19

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. Negotiations were undertaken in relation to the proposed roofing material, the improvement works to Station Road (surfacing and widening) and parking provision. This enabled the application to be supported. Pre-commencement conditions have been shared with the agent in writing.

Report Dated: 5/9/19