



**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

Application Number: 2019/70/90756/E

To: G Dunkley,
Taylor Wimpey Yorkshire
Sandpiper House
Peel Avenue
Wakefield
WF2 7UA

For: Taylor Wimpey Yorkshire

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:-

VARIATION OF CONDITION 2. (PLANS AND SPECIFICATIONS) ON PREVIOUS PERMISSION NO. 2014/90688 FOR OUTLINE APPLICATION FOR ERECTION OF COMMERCIAL FLOORSPACE (B1C, B2, B8) INCLUDING DETAILS OF ENGINEERING OPERATIONS TO FORM SERVICED EMPLOYMENT PLOTS AND FULL APPLICATION FOR THE ERECTION OF 166 DWELLINGS

At: LAND AT, SLIPPER LANE, MIRFIELD

In accordance with the plan(s) and applications submitted to the Council on 14-Mar-2019 [together with those plans and application(s) submitted to the Council on 24-Apr-2014 and incorporated into planning permission ref no. 2014/60/90688/E granted on 29-Apr-2015] and subject to the condition(s) specified hereunder:-

1. 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 Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications as listed at the end of this decision notice except as may be required by other conditions.

Reason: To safeguard the amenities of nearby residents and to accord with Policy LP24 of the Kirklees Local Plan.

3. The development shall be completed using the facing, roofing, hard landscaping and boundary materials that are agreed under Discharge of Condition application 2015/93216.

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

4. 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 in plots 1-11;13-16;19-24;83-89;and 102-112

1. The 16hr LAeq shall not exceed 35dB between 0700 and 2300 hours when readings are taken in any noise sensitive rooms in the development.
2. The 8hr LAeq shall not exceed 30dB between 2300 and 0700 hours when readings are taken inside any bedroom in the development.
3. The LAF1 (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.

Reason: To safeguard the amenity of occupiers of the dwellings from potential road traffic noise in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

5. The ventilation scheme for habitable rooms to plots 1-11;13-16;19-24;83-89;and 102-112 agreed under Discharge of Condition application 2018/91005 shall be prior to occupation of the aforementioned plots.

Reason: To safeguard the amenity of occupiers of the dwellings from potential noise and to accord with Policy LP52 of the Kirklees Local Plan.

6. Before the development is first brought into use all barrier works which form part of the sound attenuation scheme as specified in the Noise Report dated February 2014 produced by WSP Ltd :-

- i. shall be completed; and
- ii. written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise 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.

Reason: To safeguard the amenity of occupiers of the dwellings from potential road traffic noise in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

7. The Dust Suppression scheme agreed under 2018/91005 shall be operated throughout the life of the planning permission.

Reason: To safeguard the amenity of occupiers of the dwellings from dust and to accord with Policy LP52 of the Kirklees Local Plan.

8. The site remediation is recommended in the Phase II Intrusive Site Investigation Report, development shall not commence until a The Remediation Strategy agreed under Discharge of Condition application 2015/922679 shall be implemented in accordance with the agreed timetable.

Reason: To ensure that the development is safely completed in accordance with Policy LP53 of the Kirklees Local Plan.

9. Remediation of the site (in so much as it is required) shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. 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 in the affected area 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 that the development is safely completed in accordance with Policy LP53 of the Kirklees Local Plan.

10. 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 affected area shall be brought into use until such time as the remediation measures for the affected area 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 that the development is safely completed in accordance with Policy LP53 of the Kirklees Local Plan.

11. The development shall be carried out in complete accordance with Sections 12.6 of the submitted Ecology and Nature Conservation Report. The features specified in this report shall be provided prior to occupation of the final dwelling on the site, and retained thereafter.

Reason: In the interests of biodiversity and to accord with the guidance in the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

12. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.

Reason: To accord with Policy 28 of the Kirklees Local Plan.

13. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.

Reason: To accord with Policy 28 of the Kirklees Local Plan.

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

Reason: To accord with Policy 28 of the Kirklees Local Plan

15. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

Reason: To accord with Policy LP28 of the Kirklees Local Plan.

16. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To accord with Policy LP28 of the Kirklees Local Plan

17. The programme of archaeological recording agreed under Discharge of Conditions Application 2015/93520 shall be carried out by an appropriately qualified and experienced archaeological consultant or organisation.

Reason: In the interests of archaeological conservation and to accord with the guidance in the National Planning Policy Framework and accord with Policy LP35 of the Kirklees Local Plan.

18. Before development commences (excluding infrastructure works as set out in footnote 1 below), a landscape management plan shall be submitted to the Local Planning Authority detailing retention of existing features and ecological connectivity and compensation measures for any lost features. The approved scheme shall be implemented prior to first occupation of the final dwelling.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with the guidance in the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

19. The development shall not be brought into use until a Full Travel Plan for the site (or part of the site), produced in accordance with the Framework Travel Plan dated 07/02/2014, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

- Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- The provision of travel Information;
- Implementation and review timescale; and Enforcement, sanctions and corrective/review mechanisms.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

Reason: To accord with Policy LP20 of the Kirklees Local Plan.

20. The scheme detailing access provision to and from the site for construction traffic, including arrangements for restricting such vehicles to approved points of access and egress, agreed under Discharge of Condition application 2018/90414 he approved shall be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Policy LP21 of the Kirklees Local Plan.

21. The scheme detailing provision for on-site parking for construction workers for the duration of the construction period agreed under Discharge of Condition application 2018/90414 ,shall be then be implemented throughout the construction period.

Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Policy LP21 of the Kirklees Local Plan.

22. A scheme detailing the following off-site works, including the relevant Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)) shall be submitted to and approved in writing by the Local Planning Authority, prior to the implementation of the access points:

- A62 / Sunny Bank Road Junction as set out on WSP drawing number 0467-S278-TS-005 Rev E.
- Two priority junctions to provide site access off the A62 as shown on drawing no's 1004/GA/01 Rev B (residential only) and 075699-00-ZZ-DR-C-75001 04 (industrial only)

The development shall not be brought into use until the all the works under the approved scheme have been carried out complete accordance with the approved scheme. These works shall thereafter be retained for the lifetime of the development.

Reason: In the interests of highway safety and in accordance with Policy LP30 of the Kirklees Local Plan.

23. No development shall commence (excluding infrastructure works as set out in footnote 1 below) until the scheme of details of finished floor levels of each dwelling, together with corresponding finished ground levels and of surface and land drainage associated with any works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details so approved and no dwelling shall be occupied until the works relating to that property have been completed. These shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory drainage of the site, in the interests of visual and residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and the guidance contained within the National Planning Policy Framework.

24. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing the piping of ordinary watercourses and Leeds Road Highway Drain within the site, has been submitted to and approved in writing by the Local Planning Authority. There shall be no buildings or structures located within 3 metres of ordinary watercourses and the highway drain serving Leeds Road. The scheme shall include a plan to protect the works throughout the construction phase and detailed maintenance and management regime for the piped watercourse and works for the lifetime of the development. These works should be completed in accordance with an approved phasing plan. No part of the development shall be brought into use until the watercourse piping works comprising the approved scheme have been completed. The maintenance and management regimes shall be implemented for the lifetime of the development.

Reason: To accord with Policy LP28 of the Kirklees Local Plan.

25. The development shall not commence (excluding infrastructure works as set out in footnote 1 below) until an assessment of the effects 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, has been submitted to and approved in writing by the Local Planning Authority. The assessment will be substantially in accordance with the details in the Flood Risk Assessment (revised 11th September 2014). 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: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework and Policy LP28 of the Kirklees Local Plan.

26. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing foul, surface water and land drainage, (including a scheme to integrate off and on 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. Discharge rates shall be limited to the specific outfalls noted in a Flood Risk Assessment by WSP revision dated 11th September 2014. There shall be no pumped discharge of surface water from this site. Attenuation should accommodate the 1 in 100 year critical storm event with an appropriate allowance for climate change. None of the dwellings/buildings shall be occupied until such approved drainage scheme(s) 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: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework and Policy LP28 of the Kirklees Local Plan

27. 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.
- 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: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework and to accord with Policy LP28 of the Kirklees Local Plan.

28. The details facilitating the provision of charging plug in or other ultra-low emission vehicles agreed under Discharge of Condition application 2018/91005 shall be implemented prior to the occupation of each of the affected premises .

Reason: In the interests of achieving sustainable development and meeting the challenges of climate change, in accordance with the guidance contained within the National Planning Policy Framework.

Industrial development only:

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

Reason: No details of the matter 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 appearance, layout, scale and 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 matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

3. In the event of the submission of reserved matters being phased then submission shall be phased in accordance with a phasing plan to be approved by the Local Planning Authority. Application for approval of the first set of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of subsequent reserved matters shall be made to the Local Planning Authority before the expiration of five 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, before the expiration of two years from the date of 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. Prior to development commencing, intrusive site investigation works should be undertaken, in accordance with the requirements of the submitted Coal Mining Risk Assessment. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings, these works shall be fully completed prior to commencement of the development.

Reason: To ensure the safety and stability of the proposed development, in accordance with the guidance contained within the National Planning Policy Framework.

6. The development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works comprising the approved scheme have been completed. The works comprising the scheme shall thereafter be retained.

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

7. 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 that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

8. Remediation of the site (in so much as it is required) shall be carried out and completed in accordance with the Remediation Strategy. 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 in the affected area 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 that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

9. 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 affected area shall be brought into use until such time as the remediation measures for that area 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 that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan.

10. Before the development is brought into use a report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises (Nos 46, 61, 73, 75 Slipper Lane and 56, 58, 60 & 60a Leeds Road) from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of noise emissions from the proposed development
- b) details of background and predicted noise levels at the boundary with the aforementioned properties
- c) a written scheme of how the occupants of the aforementioned properties will be protected from noise from the proposed development with noise attenuation measures as appropriate

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise disturbance in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

11. Prior to the development being brought into use, details of any audible warning devices to be used on vehicles based at the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise disturbance in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

12. The use hereby permitted shall not begin until details of the installation and/or erection of any extract ventilation system, including details of the methods of treatments of emissions and filters to remove odours have been submitted and approved in writing by the Local Planning Authority and the works specified in the approved scheme have been installed. Such works shall thereafter be retained, operated at all times when the businesses are in use and maintained in accordance with the manufacturers instructions.

Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise and odour disturbance in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

13. Before any permanent external lighting is installed, a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

The scheme should include the following information:-

- 1) The proposed design level of maintained average horizontal illuminance for the site.
- 2) The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity.
- 3) The proposals to minimise or eliminate glare from the use of the lighting installation
- 4) The proposed hours of operation of the lighting

Reason: To safeguard the amenity of occupiers of nearby dwellings from potential light pollution in accordance with the provisions of Policy LP52 of the Kirklees Local Plan.

14. Prior to development commencing, a Construction Environmental Management Plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include, as a minimum, the recommendations in sections 9.6.13 to 9.6.15 of the Environmental Statement submitted as part of the application. The agreed plan shall be adhered to throughout the construction of the development.

Reason: In the interests of residential amenity and to accord with Policy LP52 of the Kirklees Local Plan.

15. Prior to the development being brought into use a further Air Quality Impact Assessment should be submitted to and agreed with the Local Planning Authority. The Assessment must calculate the pollutant damage emissions costs from the development and use this figure to determine measures to mitigate against this impact. The mitigation must be agreed by the Local Planning Authority and all works carried out prior to occupation of the development.

Within 6 months of occupation of the final unit, a further Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment should assess the effectiveness of the aforementioned mitigation measures and calculate any residual pollutant damage emissions costs from the development and use this figure to determine further measures to mitigate against this impact. The mitigation must be agreed by the Local Planning Authority and all works carried out within 3 months of those measures being approved in writing.

Reason: In the interests of amenity in respect of Air Quality and to accord with Policy LP51 of the Kirklees Local Plan.

16. Before the installation of car parking areas, the applicant must submit a plan detailing facilities to be provided for charging plug in or other ultra-low emission vehicles. This plan must be agreed in writing by the Local Planning Authority before development commences and the plan implemented before first occupation of any premises on the development.

Reason: In the interests of achieving sustainable development and meeting the challenges of climate change, in accordance with the guidance contained within the National Planning Policy Framework and to accord with Policy LP51 of the Kirklees Local Plan.

17. Prior to development commencing within 30 metres of the Protected Trees on site (at the junction of Taylor Hall Road and Leeds Road), an Arboricultural method statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots and the type of surfacing. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: To protect mature trees within the site, in accordance with the requirements of Policy LP33 of the Kirklees Local Plan.

18. The development shall be carried out in complete accordance with Sections 12.6 of the submitted Ecology and Nature Conservation Report. The features specified in this report shall be provided prior to occupation of the final unit on the site, and retained for the lifetime of the development.

Reason: In the interests of biodiversity and to accord with the guidance in the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

19. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

20. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

21. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

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

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

23. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

24. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

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

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

26. Before any soft landscaping is provided, a landscape management plan shall be submitted to the Local Planning Authority detailing retention of existing features and ecological connectivity and compensation measures for any lost features. The approved scheme shall be implemented prior to first occupation of the final unit.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with the guidance in the National Planning Policy Framework and policy LP30 of the Kirklees Local Plan.

27. No part of the development shall be brought into use until a Full Travel Plan for the site (or part of the site), produced in accordance with the Framework Travel Plan dated 07/02/2014, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

- Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- The provision of travel Information;
- Implementation and review timescale; and
- Enforcement, sanctions and corrective/review mechanisms.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

Reason: To accord with Policy LP20 of the Kirklees Local Plan.

28. Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, including what arrangements will be made for restricting such vehicles to approved points of access and egress, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be operated throughout the period of construction work.

Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Policy LP21 of the Kirklees Local Plan.

29. Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented throughout the construction period.

Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Policy LP22 of the Kirklees Local Plan.

30. A scheme detailing the following off-site works, including the relevant Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)) shall be submitted to and approved in writing by the Local Planning Authority, prior to the implementation of the access points:

- A62/ Sunny Bank Road Junction as set out on WSP drawing number 0467-S278-TA-005 Rev E
- Two priority junctions to provide site access off the A62. as shown on 1004/GA/01 Rev B (residential only) and 075699-CUR-00-ZZ-DR-C-75001 P04 (Industrial only)

The development shall not be brought into use until all the works under the approved scheme have been carried out in complete accordance with the approved scheme. These works shall thereafter be retained for the lifetime of the development.

Reason: To accord with Policy LP21 of the Kirklees Local Plan.

31. The development shall not commence (excluding infrastructure works as set out in footnote 1 below) until an assessment of the effects 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, has been submitted to and approved in writing by the Local Planning Authority. The assessment will be substantially in accordance with the details in the Flood Risk Assessment (revised 11th September 2014). No part of the development shall be brought into use 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: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and Policy LP28 of the Kirklees Local Plan.

32. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme, detailing the treatment of all surface water flows from parking areas and hardstandings for commercial/industrial development through an oil interceptor, (or a full petrol oil interceptor) reedbed or alternative treatment system, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstandings shall not commence until the works comprising the approved treatment scheme have been completed. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development. Roof water shall not pass through the interceptor.

Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

33. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing 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. Discharge rates shall be limited to the specific outfalls noted in a Flood Risk Assessment by WSP revision dated 11th September 2014. There shall be no pumped discharge of surface water from this site. Attenuation should accommodate the 1 in 100 year critical storm event with an appropriate allowance for climate change. None of the buildings shall be occupied until such approved drainage scheme(s) 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: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

34. 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.
- 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: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework and accord with Policy LP28 of the Kirklees Local Plan.

35. Notwithstanding the submitted information, prior to any site infrastructure works taking place, details of the revised ground levels for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved and completed prior to commencement of the first dwelling taking place.

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

NOTE: For the avoidance of doubt, infrastructure works as referenced in the above conditions include the approved reserved matters plans for application 2018/61/90801/E including the following:

- Earthworks to create a flat/level site including importation of fill where required
- Access, junction and highway works
- Undertake any necessary remediation
- Provision of services to development plots

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: In relation to Condition 11 of the Industrial permission, consideration should be given to the use of white noise reversing alarms on permanent site vehicles (principally site fork lift truck), which give a full spectrum of noise rather than a single tone, and are understood to be as effective as single tone alarms at close range, whilst at a distance blend into the ambient noise climate.

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.

NOTE: Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provides multiple benefits, reducing costs and maintenance needs.

NOTE: Environment Agency advice:

For further information and advice about pollution prevention please refer to the Environment Agency's website to access Pollution Prevention Guidance Notes (<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>) and advice on how to get your site design right (http://www.environment-agency.gov.uk/static/documents/Business/pp_pays_booklet_e_1212832.pdf).

You may also wish to contact our National Customer Contact Centre on tel. 08708 506 506 for site-specific advice on pollution prevention.

We recommend that developers should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3) Refer to our guiding principles on groundwater protection are set out in our document GP3 - Groundwater Protection Policy and Practice, which is intended to be used by anyone interested in groundwater and particularly those proposing an activity which may impact groundwater. GP3 is available on our website at: <http://www.environment-agency.gov.uk/research/library/publications/40741.aspx>

4) Refer to our website at www.environment-agency.gov.uk for more information.

Foul Drainage:

A mains connection has been proposed for foul drainage disposal. You are strongly advised to satisfy yourself, prior to determination, that there is capacity in both the receiving sewer and sewage treatment works to accommodate the discharge proposed. Please contact the sewerage undertaker, Yorkshire Water, to attain this information. If capacity is not available, an alternative means of foul drainage disposal may need to be explored or improvement works to resolve the capacity issue secured as part of the planning permission. If a non-mains solution is to be considered we should be re-consulted, prior to determination, and given the opportunity to comment further.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			4/3/14
Indicative industrial layout plan	112 rev E		8/9/14
Proposed floor plans	P11-4464-32 – PD49		5/3/14
Proposed floor plans	P11-4464-34 PD49		5/3/14
Proposed floor plans	P11-4464-36 PA48		5/3/14
Proposed floor plans	P11-4464-38 PA48		5/3/14
Proposed floor plans	P11-4464-50 – PT310		5/3/14
Proposed floor plans	P11-4464-40 PD411		5/3/14
Proposed floor plans	P11-4464-52 – PT310		5/3/14
Proposed floor plans	P11-4464-48 – PA25		5/3/14
Proposed floor plans	P11-4464-46 – PB51		5/3/14
Proposed floor plans	P11-4464-44 – PB51		5/3/14
Proposed floor plans	P11-4464-42 – PD411		5/3/14
Proposed floor plans	P11-4464-30 – PE41		5/3/14
Proposed floor plans	P11-4464-24 – PD410		5/3/14
Proposed floor plans	P11-4464-28 – PD48		5/3/14
Proposed floor plans	P11-4464-26 – PD48		5/3/14
Proposed floor plans	P11-4464-16 – PA34		5/3/14
Proposed floor plans	P11-4464-22 – PD410		5/3/14
Proposed floor plans	P11-4464-18 – PB35		5/3/14
Proposed metal railings	P11-4464-09		5/3/14
Proposed knee rail	P11-4464-08		5/3/14
Proposed timber fence boundary treatment	P11-4464-07		5/3/14
1800mm timber fence	P11-4464-06		5/3/14

Plan Type	Reference	Version	Date Received
Garage details	P11-4464-04		5/3/14
Garage details 2/2	P11-4464-03		5/3/14
Streetscenes	P11-4464-11 rev A		5/3/14
Proposed landscaping layout (residential)	P11-4464-100 rev D		8/9/14
Indicative landscaping layout (industrial)	P11-4464-101 rev. B		8/9/14
Site sections	P11-4464-12 rev A		5/3/14
Environmental Impact Assessment & Environmental Assessment update	February 2014		6/3/14 8/3/18
Design & Access statement	February 2014		5/3/14
Planning Policy Statement	February 2014		5/3/14
Statement of Community Involvement	February 2014		6/3/14
Transport Assessment & Transport Assessment update			7/3/14 8/3/18
Travel plan – residential			6/3/14
Travel Plan – framework			6/3/14
A62/ Sunnybank Road junction	0467-S278-TA-005	E	
Two priority junctions for access to the A62	1004/GA/01(residential only) 075699-CUR-00-ZZ-DR C 75001 P04	B	7/6/18 7/6/18
Amended residential layout plan	P11:4464:01	G	8/3/19
Kentdale house type floor plan	PT42/7/PL1	A	8/3/19
Kentdale house type elevations	PT42/7/PL1		8/3/19

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.

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.

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

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 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 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: 28 days of the date of service of the enforcement notice, or within 6 months of 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 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: 21-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 2019/70/90756/E .

If a paper copy of the decision notice or decided plans are required please email dc.admin@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: dc.admin@kirklees.gov.uk

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