

**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: 2019/62/91836/E

Site Address: Land adjacent to Inkerman Court, Barnsley Road,
Denby Dale, Huddersfield, HD8 8XA

Description: Erection of 34 dwellings

Recommending Officer: Victor Grayson

DECISION – S106 Full Permission

I hereby authorise the approval of this application for the reasons set out in the agenda of the Heavy Woollen Sub Committee on 17/02/21 and the committee decision authorisation sheet annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 06/10/21

Decision Authorisation – Committee Decision

Committee: Heavy Woollen Planning Sub-Committee

Date of Committee: 17th February 2021

Application Number: 2019/62/91836/E

Officer Recommendation:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a Section 106 agreement to cover the following matters:

- 1) Affordable housing – Seven affordable housing units (1-bedroom starter homes) to be provided in perpetuity.
- 2) Open space – £44,969 contribution towards off-site provision, and an additional contribution payable in the event that development comes forward at the adjacent allocated site (HS136) and the cumulative impacts of the developments require mitigation.
- 3) Education – Contribution of £36,007.
- 4) Sustainable transport – Measures to encourage the use of sustainable modes of transport, and a contribution towards Travel Plan monitoring payable in the event that development comes forward at the adjacent allocated site (HS136) such that a Travel Plan is required.
- 5) Biodiversity – Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain.
- 6) Management – The establishment of a management company 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).
- 7) Traffic Regulation Order – Funding of consultation on, and implementation of (if deemed appropriate, following consultation) a Traffic Regulation Order reducing the speed limit on Barnsley Road to 40mph.

In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

Committee Decision:

Agreed with officer recommendation.

Events since committee:

- Agreement of planning conditions
- Receipt of signed and sealed section 106 agreement

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 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. Prior to the commencement of development (including ground works) a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include a timetable of all works, details of any phasing of development, details of point(s) of access for construction traffic, vehicle sizes and routes, times of vehicle movements, parking for construction workers, signage, 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 any artificial lighting to be used during construction, details of any additional measures required in relation to cumulative impacts (should construction be carried out at other sites during the same period), and details of engagement with local residents and occupants during the period of construction. The development shall be carried out strictly in accordance with the C(E)MP 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, to ensure the highway is not obstructed and in the interests of highway safety, and to accord with Policies LP21, LP24 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, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

4. Prior to the commencement of development (including ground works) a scheme detailing temporary surface water drainage for the construction phase

(after soil and vegetation strip) shall be 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; and
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and details of 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 risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

5. Where implementation of the development hereby approved is to be phased, and/or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of those residential units. The temporary arrangements so approved shall be implemented prior to the first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, 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.

6. Prior to commencement of development (including ground works) and notwithstanding the details shown on the drawings hereby approved, a scheme detailing arrangements and specification for layout (including the carriageway build-out to provide the sight lines illustrated on drawing 1903-SI-01 rev K), construction specification, surfacing, drainage, kerbing, and associated highway works together with independent safety audits covering all aspects of the works shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been implemented and the approved scheme shall thereafter be retained. The visibility splays shall be cleared and kept clear of all obstructions to visibility thereafter.

Reason: To ensure adequate intervisibility is provided and maintained in the interests of pedestrian and highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that adequate visibility is provided to enable works vehicles to enter and exit the site.

7. Prior to the commencement of development (including ground works), 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 details, 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.

8. Prior to the first occupation of any specified dwelling hereby approved, the approved vehicle parking areas for that dwelling 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 be 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.

9. Prior to development commencing on the superstructure of any dwelling hereby approved, the design and construction details of any permanent highway retaining structures (and any temporary highway retaining structures that may be deemed necessary) 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 in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

10. Prior to the first occupation of any specified dwelling hereby approved, details of secure, covered and conveniently-located cycle parking for use by residents of that dwelling 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 visual amenity and encouraging the use of sustainable transport modes, and to accord with policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

11. Prior to the installation of the electrical system of the development hereby approved, a scheme detailing the dedicated facilities to be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space; and
- One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) for every 10 unallocated residential parking spaces

Dwellings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. The charging points installed shall be retained thereafter.

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

12. 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 details shall confirm that waste collection points shall not obstruct access to private driveways, and shall include details of management measures and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to 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.

13. Prior to the commencement of development (including ground works), an Arboricultural Method Statement and a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the documents so approved.

Reason: To protect trees in the interests of visual amenity and biodiversity and to accord with Policy LP33 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of tree protection measures are agreed at an appropriate stage of the development process.

14. Prior to the commencement of development (including ground works), 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, and percolation tests, where appropriate) shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be occupied until the drainage scheme has been implemented in full. The approved scheme shall thereafter be retained during the life of the development. No additional surface water and land drainage works, or deviation from the approved drainage scheme, shall be carried out without the prior written consent of the Local Planning Authority.

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 that details of drainage are agreed at an appropriate stage of the development process.

15. Prior to the commencement of development (including ground works), a detailed drainage scheme restricting the rate of surface water discharge from the site to a maximum of 5 litres per second in accordance with the Flood Risk Assessment (Haigh Huddleston & Associates, E19/7371/FR01A, revised February 2021) shall be submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority, unless it can be demonstrated to the satisfaction of the Local Planning Authority that discharge from site does not cause an increased risk in flooding elsewhere. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development hereby approved shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime 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 that details of drainage are agreed at an appropriate stage of the development process.

16. Prior to the commencement of development (including ground works), an assessment of the effects of 1 in 100-year storm events, with an additional allowance for climate change, on drainage infrastructure and surface water run-off pre- and post-development between the development and the surrounding area, in both directions, shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby

approved 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 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 that details of drainage are agreed at an appropriate stage of the development process.

17. Remediation of the site shall be carried out in accordance with the approved details, which includes the Geo-environmental Ground Investigation Report by Haigh Huddleston and Associates (Ref: E19/7371/R001) and the Supporting Letter regarding Gas Report (Ref: E19/7371/DP/001) by Haigh Huddleston and Associates. 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 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 are agreed at an appropriate stage of the development process.

18. 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. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary 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.

19. Prior to the commencement of superstructure works, a report specifying the measures to be taken to protect the development from noise from the A635 Barnsley Road shall be submitted to and approved in writing by the Local Planning Authority. The report shall:-

- Determine the existing noise climate;
- Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development; and
- 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 none of the dwellings hereby approved shall be occupied until all works specified in the approved report have been carried out in full. The approved works shall be retained thereafter.

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

20. 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 publicly-accessible areas, and details of boundary treatments, pedestrian connections, lighting and landscaping corresponding with details to be provided pursuant to conditions 22, 23, 24 and 26. 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.

21. Prior to the commencement of superstructure works, details of all external materials to be used shall be submitted to the Local Planning Authority, and samples shall be left on site for the inspection and approval in writing of the Local Planning Authority. The submitted details shall include natural stone for the walls of the dwellings hereby approved, and natural slate for the roofs. 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.

22. Prior to the commencement of superstructure works, notwithstanding what is shown in the enclosures plan (ref: 1903-SI-04 rev C) hereby approved, details (including sections and details of levels) of all boundary treatments, and any retaining walls and gabions, shall be submitted to and approved in writing by the Local Planning Authority. The details shall correspond with measures relating to flood routing to be submitted pursuant to conditions 15 and 16 and shall provide for the movement of hedgehogs. The development

shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.

Reason: In the interests of visual amenity, highways safety and biodiversity, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to accord with Policies LP21, LP24, LP27 and LP30 of the Kirklees Local Plan.

23. Prior to the commencement of superstructure works, details of pedestrian connections between the site and adjacent open space to the north shall be submitted to and approved in writing by the Local Planning Authority. The details shall relate to levels, surface materials, any steps and boundary treatments/gates. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.

Reason: In the interests of ensuring usable, convenient, safer and attractive pedestrian routes are provided, to contribute toward the provision of a walkable and well-connected neighbourhood, to encourage the use of sustainable modes of transport, and to accord with Policies LP20, LP24 and LP47 of the Kirklees Local Plan.

24. Prior to the first occupation of any part of the development hereby approved, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, and disturbance to wildlife. The details shall identify areas or features within or adjacent to the development that are visited by bats, and where external lighting may cause disturbance to bat breeding, resting or foraging places or to important routes used by bats to access key areas of their territory. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to safeguard habitat and to accord with Policies LP21, LP24 and LP30 of the Kirklees Local Plan.

25. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

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

26. 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. The landscaping scheme shall have regard to the details to be submitted pursuant to conditions 27 and 28 with regard to biodiversity management and enhancement. These shall include:

- Details of existing and proposed levels, and regrading;
- Species schedule and planting plans;
- Details of initial aftercare and long-term maintenance;
- 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;
- Details (including samples, if requested), of paving and other hard surface materials; and
- Details of the on-site open space (including details of its purpose and management) and of any areas for designated, informal, incidental and/or doorstep play.

No part of the development 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, and to accord with Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan, and chapters 12 and 15 of the National Planning Policy Framework.

27. Prior to the commencement of development (including ground works), a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The BEMP shall ensure that no less than a 10% biodiversity net gain (i.e., 10% above the baseline biodiversity value of the site as assessed by the Biodiversity Metric 3.0) is achieved post-development, and shall include the following:

- Description and evaluation of features to be managed and enhanced;
- Details of the extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- Details corresponding with details to be submitted pursuant to conditions 26 and 28;
- Details of ecological trends and constraints on site that might influence management;
- Aims and Objectives of management;
- Appropriate management actions for achieving the Aims and Objectives;
- An annual work programme (to cover an initial five-year period capable of being rolled forward over a period of 30 years);
- Details of the management body or organisation responsible for implementation of the BEMP; and
- Details of an ongoing monitoring programme and remedial measures.

The BEMP will be reviewed and updated every five years and implemented for a minimum of 30 years. The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the management body responsible for its delivery. The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully-functioning biodiversity objectives of the originally-approved BEMP. The development shall be implemented in accordance with the approved BEMP and all measures and features shall be retained in that manner thereafter.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain (based on biodiversity metric calculations which require data relating to the site's predevelopment condition) are agreed at an appropriate stage of the development process.

28. Prior to the commencement of development (including ground works), a Biodiversity Gain Plan (BGP) shall be submitted to and approved in writing by the Local Planning Authority. The BGP shall demonstrate a measurable biodiversity net gain and shall include:

- Details of the measures taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat; The pre-development biodiversity value of the onsite habitat, measured using the Biodiversity Metric 3.0 (or latest version, if available);
- The post-development biodiversity value of the onsite habitat, measured using the Biodiversity Metric 3.0 (or latest version, if available); Details of any offsite habitat enhancement required to achieve a biodiversity net gain, including pre-development and target biodiversity value.
- The BGP shall inform the BEMP referred to under condition 27 and the landscaping scheme referred to under condition 26.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain (based on biodiversity metric calculations which require data relating to the site's predevelopment condition)

29. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

30. 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 without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected in accordance with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Location Plan	1903-SI-03		10/06/2019
Presentation Layout	1903-SI-02	F	03/02/2021
Site Layout Plan	1903-SI-01	K	03/02/2021
Enclosures Plan	1903-SI-04	C	03/02/2021
POS Site Plan	1903-SI-05	B	03/02/2021
Refuse Vehicle Tracking Plan	1903-SI-11	A	11/02/2021
Refuse Vehicle Tracking Plan Option 2	1903-SI-12		12/02/2021
Engineering Feasibility	E18/7371/001-03	H	08/02/2021
Denby Dale House Type Booklet	1903-HT-01	E	05/02/2021
Streetscenes – Plots 1-9	1903-SS-05	B	17/12/2020
Streetscenes – Plots 17-20	1903-SS-06	B	17/12/2020
Streetscenes – Plots 26-34	1903-SS-07	B	17/12/2020
Streetscenes – Plots 9-12	1903-SS-08	A	17/12/2020
Design and Access	1903-RE-01		10/06/2019

Statement (as amended)			
Geo-environmental Ground Investigation Report	E19/7371/R001		10/06/2019
Supporting Letter (Gas Report)	E19/7371/DP/001		17/03/2021
Transport Statement	18124	1	10/06/2019
Survey Details For Trees At Barnsley Road, Denby Dale			10/06/2019
Tree Survey Plan			10/06/2019
Preliminary Ecological Appraisal	2019-666		10/06/2019
Supporting Letter (Drainage)	E19/7371/HH/002mh		20/04/2020
Micro Drainage Calculations			20/04/2021
Ecological Impact Assessment	2019-666	3	20/02/2021
Schedule of Accommodation			05/02/2021
Flood Risk Assessment	E19/7371/FR01A		08/02/2021

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 current application, the applicant submitted amended layouts, details of amended house types, details of levels and boundary treatments, schedules of accommodation, drainage and flood routing information, details to address Section 38 matters, and other highways information. The Council proactively engaged with the applicant in order to ensure relevant planning matters were addressed.

Report Dated: 05/10/2021

