



**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**

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**Application Number: 2020/62/90494/E**

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**To:** Andy Rushby  
Assent Planning Consultancy Ltd  
Unit 12a, Railway Sawmills  
Burbeary Road  
Lockwood  
Huddersfield  
HD1 3UN

**For:** JOHN BROOKE BUILDERS LTD

**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:-**

**ERECTION OF 19 DWELLINGS**

**At:** LAND AT, LANDS BECK WAY, HIGHTOWN, LIVERSEDGE, WF15 6NB

**In accordance with the plan(s) and applications submitted to the Council on  
25-Feb-2020, subject to the condition(s) specified hereunder:**

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

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

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

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Prior to development commencing

3. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187 and 196 of the National Planning Policy Framework.

4. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 3 further groundworks shall not commence until a Remediation Strategy by a suitably competent person 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:** So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187 and 196 of the National Planning Policy Framework.

5. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 4. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason:** So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187 and 196 of the National Planning Policy Framework.

6. Development shall not commence (including demolition, ground works, vegetation clearance) until a Construction (Environmental) Management Plan (C(E)MP) has been submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

- a) Any phasing of development and timetable of all works;
- b) Hours of works;
- c) Details of construction access arrangements;
- d) Construction vehicle sizes and routes;
- e) Numbers and times of construction vehicle movements;
- f) Locations of HGV waiting areas and details of their management;
- g) Parking for construction workers;
- h) Loading and unloading of plant and materials;
- i) Storage of plant and materials;
- j) Signage;
- k) Lighting during construction works;
- l) Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;
- m) Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
- n) Street sweeping;
- o) Measures to control and monitor the emission of dust and dirt during construction;
- p) Site waste management, including details of recycling/disposing of waste resulting from construction works;
- q) Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- r) Artificial lighting used in connection with all construction-related activities and security of the construction site;

- s) Site manager and resident liaison officer contact details, including information of their remit and responsibilities;
- t) Means of engagement undertaken, and means of ongoing engagement proposed, with local residents, occupants and/or their representatives; and
- u) Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

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.

**Reason:** In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 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 and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

7. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information.
- b) Identification of “biodiversity protection zones”, where appropriate.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.
- f) Responsible persons and lines of communication
- g) Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

**Reason.** To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Kirklees Local Plan Policy LP30. This is a pre-commencement condition to ensure appropriate consideration of necessary mitigation measures is undertaken at the appropriate time, before harm may be caused.

8. Prior to development commencing, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate of 3.8 l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details / design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include separate systems of drainage for foul and surface water on and off site, and a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage in the interest of amenity, environmental well-being and to accord with Policy LP 24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework. This is a pre-commencement condition so as to ensure that the drainage scheme is implemented at the appropriate stage of the development.

9. Prior to development commencing, an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), shall be submitted to and approved in writing by the Local Planning Authority. 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.

**Reason:** To ensure the provision of adequate and sustainable systems of drainage in the interest of amenity, environmental well-being and to accord with Policy LP 24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework. This is a pre-commencement condition so as to ensure that the drainage scheme is implemented at the appropriate stage of the development.

10. Prior to development commencing, a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation/site 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.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.

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 provision of adequate and sustainable systems of drainage in the interest of amenity, environmental well-being and to accord with Policy LP 24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework. This is a pre-commencement condition so as to ensure that the drainage scheme is implemented at the appropriate stage of the development.

11. Prior to development commencing, a scheme detailing the proposed internal adoptable estate roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout. This is a pre-commencement condition so as to ensure that the highway design is acceptable and implemented at the appropriate stage of the development.

12. Prior to development commencing, notwithstanding the details shown on the approved plan, a scheme detailing the provision of a 2.0m wide footway along the eastern side of Lands Beck Way from the proposed site access to the existing footway to the north creating a continuous footway from the proposed site access to Halifax Road, construction specification, surfacing, drainage and kerbing and associated highway 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 thereafter retained throughout the lifetime of the development.

**Reason:** In the interests of highway safety and to achieve a satisfactory layout, in accordance with Policy LP24 of the Kirklees local Plan. This is a pre-commencement condition so as to ensure that the highway design is acceptable and implemented at the appropriate stage of the development.

13. Prior to development commencing, details of the proposed ground levels and retaining structures within the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the means of construction, height, and facing materials of the retaining walls. Thereafter, the development shall be completed in accordance with the approved details.

**Reason:** In the interest of visual and residential amenity, to comply with the aims and objectives of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework. This is a pre-commencement condition so as to inform the design of the proposal at the appropriate stage, prior to potentially harmful / abortive works commencing.

#### Prior to superstructure works commencing

14. Prior to super-structure works commencing, notwithstanding the submitted plans, a comprehensive boundary treatment plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the layout and typical elevations for all boundary treatments proposed and shall include the provision of a 1.5m high fence to the rear of plots 5, 6, and 7, as shown on plan ref. 0684/410 rev. E. Thereafter the development shall be undertaken in accordance with the approved details. No dwelling shall be occupied until its respective boundary treatment, that within or upon the plot's boundary, has been completed in accordance with the approved details.

**Reason:** To protect the amenity of future and neighbouring residents, ensure good quality design, and to preserve the significance of nearby heritage assets, in accordance with Policies LP24 of the Kirklees Local Plan.

15. Prior to superstructure works commencing, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall demonstrate how a minimum of 0.76 habitat units and 0.31 hedgerow units are to be achieved post-development and include details of the following:

- a) Description and evaluation of features to be managed and enhanced;
- b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- c) Ecological trends and constraints on site that might influence management;
- d) Details of faunal provisions to be incorporated into the development;
- e) Aims and Objectives of management;
- f) Appropriate management Actions for achieving Aims and Objectives;
- g) An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
- h) Details of the management body or organisation responsible for implementation of the BEMP;
- i) Ongoing monitoring programme and remedial measures; and
- j) The BEMP will be reviewed and updated every 5 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 approved BEMP will be implemented in accordance with the approved details.

**Reason:** In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

16a. Prior to superstructure works commencing, notwithstanding the submitted details, a strategy detailing the maintenance and management regime for drainage infrastructure, open and piped watercourses, and ancillary structures such as outfalls, weirs, and safety barriers shall be submitted to, and approved in writing by, the Local Planning Authority. The approved maintenance and management regimes shall be implemented for the lifetime of the development.

16b. Prior to superstructure works commencing, details of the legal and funding mechanism(s) by which the long-term management and maintenance of the site's drainage infrastructure, open and piped watercourses, and ancillary structures such as outfalls, weirs, and safety barriers will be secured by the developer, with the management body(ies) responsible for it's the management and maintenance, shall be submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** In the interest of securing appropriate long-term management and maintenance of necessary infrastructure on site, as well as securing appropriate management bodies, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan

#### Prior to specific trigger

17. Prior to their use, details of the external facing material(s) and external roofing material(s) for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed using the approved material(s).

**Reason:** To ensure good quality design in accordance with Policies LP24 of the Kirklees Local Plan.

18. 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 occupation of those residential units. The temporary arrangements so approved shall be implemented prior to first occupation of those residential units in that phase and shall be so retained thereafter for the duration of the construction works.

**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, LP24, and LP35 of the Kirklees Local Plan.

19. Prior to the installation of any external lighting, notwithstanding the submitted information, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

**Reason:** To avoid indirect impacts to bats and other local species in the interest of ecological mitigation, to comply with Policy LP30 of the Kirklees Local Plan.

20. Following completion of any measures identified in the approved Remediation Strategy, pursuant to condition 4, or any approved revised Remediation Strategy, pursuant to condition 5, a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site 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 the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

21. Before the electrical system is installed a scheme detailing the dedicated facilities that will 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:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings.

Buildings 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. Charging points installed shall be retained thereafter.

**Reason:** In the interest of supporting and encouraging low emission vehicles, in the interest

### Prior to occupation

22. Prior to the occupation of the hereby approved dwellings, a comprehensive schedule of hard and soft landscaping and a maintenance plan shall be submitted, to and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species. The hard landscape proposals shall be retained for the lifetime of the development.

**Reason:** In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

23. Prior to the occupation of the hereby approved dwellings, a Crime Mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, before the development is brought into use, the agreed mitigation measures shall be installed and shall thereafter be retained.

**Reason:** In the interest of crime prevention and mitigation, so as to comply with Policy LP24 of the Kirklees Local Plan

24. Prior to the occupation of the hereby approved dwellings, notwithstanding the submitted plans, a waste storage and collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall confirm the location and layout of the dedicated waste storage area(s), whether a separate collection point is proposed and its location, along with any proposed screening. The development shall be implemented in accordance with the approved scheme and shall thereafter be retained.

**Reason:** To ensure satisfactory arrangements are implemented in relation to waste, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to preserve the significance of nearby heritage assets, and to accord with Policies LP21, LP24, and LP35 of the Kirklees Local Plan.

25. Prior to the occupation of the hereby approved dwellings, notwithstanding the submitted plans, details of secure and covered cycle storage for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved cycle parking facilities for that dwelling have been provided. The cycle storage facilities shall thereafter be retained.

**Reason:** To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

### Ongoing requirements

26. 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) no development included within Classes A, B, or E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

**Reason:** In the interest of preserving the amenity of neighbouring residents, in accordance with LP24 of the Kirklees Local Plan.

**Note:** All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group

**Note: Electric Vehicle Charging Points.**

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

**Note:** Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**Note:** The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:

| <b>Plan Type</b>                                                        | <b>Reference</b>         | <b>Version</b> | <b>Date received</b> |
|-------------------------------------------------------------------------|--------------------------|----------------|----------------------|
| StormBrake Performance Report by fpmccann dated 25.01.2024              | FPM-SB1-01900-00380-0100 | -              | 01.05.2024           |
| Stage 1 Road Safety Audit Response by Paragon Highways dated 12th March | 963G                     | -              | 18.03.2024           |
| Road Safety Audit stage 1 dated March 2024 by Sevenairs Consulting Ltd  | 2024-03 Liversedge RSA1  | -              | 18.03.2024           |
| Vehicle tracking and visibility                                         | 936 001B                 | B              | 18.03.2024           |
| Proposed site layout and SW drainage outfall                            | 0684/423                 | -              | 18.03.2024           |
| Ecological Impact Assessment by Middleton Bell Ecology                  | -                        | -              | 18.03.2024           |
| Biodiversity Metric start page dated 29.02.2024                         | -                        | -              | 18.03.2024           |
| Biodiversity Metric calculation tool (excel)                            | -                        | -              | 18.03.2024           |
| Outline landscape proposals                                             | IS-23-007-01             | -              | 26.07.2023           |
| Proposed site sections 1                                                | 0684/421                 | C              | 21.06.2023           |
| Proposed site sections 2                                                | 0684/422                 | C              | 21.06.2023           |
| Plot 10 details                                                         | 0684/417                 | B              | 21.06.2023           |
| Long Sections                                                           | 963 002                  | -              | 21.06.2023           |
| Long Section changes                                                    | 936 003                  | -              | 21.06.2023           |

|                                                          |             |   |            |
|----------------------------------------------------------|-------------|---|------------|
| Plots 16 and 19 details                                  | 0684/419    | A | 21.06.2023 |
| Plot 15, 17 and 18 details                               | 0684/420    | A | 21.06.2023 |
| Surface water drainage strategy                          | EWE/2518/01 | A | 21.06.2023 |
| Drainage Assessment by EWE Associates Ltd dated May 2023 | -           | A | 21.06.2023 |
| Proposed site Layout                                     | 0684/410    | E | 06/03/2026 |
| Proposed site footprint                                  | 0684/411    | H | 06/03/2026 |
| Visibility and lining                                    | 1936-301    | E | 28.07.2023 |
| Vertical Alignment - Layout                              | 1963-300-1  | - | 23.09.2021 |
| Road Layout and visibility                               | 1963-301    | D | 23.09.2021 |
| Outline Landscape Proposals                              | JB/L5801/1C | - | 23.09.2021 |
| Plots 1, 4 and 11 details                                | 0684/412    | A | 23.09.2021 |
| Plots 2, 3, 7 and 8 details                              | 0684/413    | A | 23.09.2021 |
| Plots 5 and 13 details                                   | 0684/418    | A | 23.09.2021 |

|                                                                              |              |   |            |
|------------------------------------------------------------------------------|--------------|---|------------|
| Plot 6 details                                                               | 0684/414     | A | 23.09.2021 |
| Plots 9 and 12 details                                                       | 0684/416     | A | 23.09.2021 |
| Preliminary Ecological Appraisal by Meddleton Bell Ecology                   | -            | - | 18.03.2024 |
| Coal Mining Risk Assessment by Rogers Geotechnical Services Ltd              | J4170/18/EDS | - | 25.02.2020 |
| Statement of Community Involvement – Responses                               | -            | - | 10.03.2020 |
| Design and Access Statement by Assent Planning Consultancy Ltd February 2020 | -            | - | 10.03.2020 |
| Existing Site Survey                                                         | 0684/101     | - | 10.03.2020 |
| Existing Site Sections 1                                                     | 0684/102     | - | 10.03.2020 |
| Existing Site Sections 2                                                     | 0684/103     | - | 10.03.2020 |
| Flood map for planning created 19.12.2019                                    | -            | - | 10.03.2020 |
| Plots 10 and 11 details                                                      | 0684/417     | - | 10.03.2020 |
| Plots 8 and 9 details                                                        | 0684/416     | - | 10.03.2020 |
| Site Location Plan                                                           | 0684/100     | - | 10.03.2020 |

|                                                                 |      |   |            |
|-----------------------------------------------------------------|------|---|------------|
| Highway Statement by<br>Paragon Highways dated<br>February 2020 | 936A | - | 10.03.2020 |
|-----------------------------------------------------------------|------|---|------------|

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

**Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.**

**It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.**

#### **Details Reserved by Condition**

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "*submitted to and approved in writing by the Local Planning Authority*".
- You can apply online for approval of these details at the Planning Portals website at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). Alternatively the forms and supporting guidance for submitting an application can be found online at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning).
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.

- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

#### **Development within a Coal Mining Area**

##### **DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation

Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>  
[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://www.gov.uk/mining-remediation-authority)

### **Digital Infrastructure: Fibre To The Property (FTTP)**

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

**Note:** The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

**Note:** Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

**Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
  - i) 28 days of the date of service of the enforcement notice, or
  - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. 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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 30-Mar-2026

**Signed:**



David Shepherd  
Executive Director for Place

#### **Application Plans**

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

[dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

or telephone 01484 414746 with the application number.

There may be a charge for this service.

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**Address to which all communications should be sent:**

Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL