KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING CONDITIONS PREVIOUSLY ATTACHED

Reference No:	2020/70/93548/W
Site Address:	106, Greenfield Road, Holmfirth, HD9 2LP
Description:	Variation of conditions 9, 10, 11, 12, 14 and 15 on previous permission 2019/91004 for removal of condition 6 (affordable housing) on previous permission 2015/94106 for outline application for erection of 8 dwellings and demolition of existing dwelling
Recommending Officer:	Stuart Howden

DECISION – Approve Variation of Conditions with Section 106 Obligation

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

Teresa Harlow

AUTHORISED OFFICER

Date: 08-Apr-2021

Officer Report

Site Description

106 Greenfield Road, Holmfirth, HD9 2LP

The application site accommodates two buildings, one of which is a detached split level dwelling set back from Greenfield Road and the other a two storey outbuilding abutting Greenfield Road, which appears to be used ancillary to the dwelling house. There is a generous sized garden to the north and south of the existing dwelling and open land to the east and north west of the units on the site. The site is accessed from Greenfield Road via a steep drive.

The site is set within a predominately residential area being bound by large, more recently constructed properties to the north and older properties to the south. The nature of the surrounding land and site is such that the land rises in the northerly direction with the consequence of existing properties to the north being at a much higher level than the application site and Greenfield Road to the south.

The site is not within a Conservation Area and is not within close proximity to any listed buildings.

Description of Proposal

Planning permission is sought to vary Conditions 9, 10, 11, 12, 14 and 15 of permission 2019/91004, which was approved on 11th September 2019. This previous permission varied Condition 6 of the original outline permission 2015/94106 which was approved on 29th April 2016 and related to the erection of 8 dwellings and the demolition of the existing dwelling.

The conditions subject to this Variation of Condition application were attached on the grounds of highways safety.

The applicant has submitted this Variation of Condition application following concerns that they would not be able to discharge Condition 12 of 2019/91004. Condition 12 of 2019/91004 stated that:

"Prior to the development commencing, a scheme detailing the proposed internal adoptable estate road layout as shown on the Howarth Consultants Ltd drawing no.
579/004A, pursuant to application no. 2015/94106, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, lining, surface finishes, and the treatment of visibility splays, 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: This is pre-commencement condition to ensure all works associated to provide the proposed internal road layout are carried out to appropriate and

suitable standards and to ensure the safety of all users, in the interests of highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework."

However, it appears that the access road into the site cannot be made to an adoptable standard. This Section 73 application seeks to vary the wording of Condition 12 so that it does not include the wording 'adoptable estate road'. Further to this, a private road maintenance and management plan has been submitted alongside this application, as well as a plan (Drg No. 579-101E-S38) which provides certain details of the access into the site including surface finishes, visibility splays, streetlighting and drainage details. It is therefore sought to discharge this condition through this Variation of Condition Application process too and supersede Drawing No.579/004A.

A number of other conditions attached to permission 2019/91004 refer to Drawing No.579/004A and given that the applicant wishes to seeks to supersede this with the revised drawing submitted under this current application (i.e. Drg No. 579-101E-S38), the applicant seeks to vary these compliance conditions too under this application. These relate to:

- Condition 9 (private drives and visitor parking areas)
- Condition 10 (means of vehicular access to the site)
- Condition 11 (visibility splays)
- Condition 15 (internal access specifications/dimensions)

Further to this, Condition 14, which is a compliance condition relating to vertical alignment details, is sought to be varied under this application and the applicant has submitted revised details in this respect.

History of negotiations/amendments received

Initially, Officers raised concerns with the lack of details in the internal access layout, these including no details of drainage works, surface finishes and visibility splays. Officers also raised concerns regarding the lack of a bin collection point near to Greenfield Road given the access may be compromised in bad weather and given concerns that a larger refuse vehicle cannot access the properties on the access lane (given the gradient) and that there may not be capacity to assign a smaller refuse vehicle to service these properties. An amended plan which addresses these matters has been received. Further to this, no vertical alignment details were initially submitted alongside the application and the applicant's agent was informed, and they later submitted these additional details.

Following the agreement of the applicant's agent, the application description has been changed to reflect the latest approval at the site (2019/91004), and not the original outline application (2015/94106), and also include Condition 9 of 2019/91004.

The deed of variation to the original Section 106 Agreement was sealed and completed 8th April 2021.

Relevant Planning History

2020/93327 – Discharge of condition 18 (retaining walls/structures) on previous permission 2015/94106 for outline application for erection of 8 dwellings and demolition of existing dwelling – Approved.

2019/91004 – Removal of condition 6 (affordable housing) on previous permission 2015/94106 for outline application for erection of 8 dwellings and demolition of existing dwelling – Approved 11th September 2019.

2019/91279 – Discharge of condition nos. 7, 14, 15, 16, & 17 on previous application
2015/94106 for outline application for 8 dwellings and demolition of existing dwelling – Split Decision February 2020. Condition 17 was not discharged as it was considered that the internal road layout was not adoptable and that Conditions 15 and 16 were compliance conditions. Condition 14 was discharged. Condition 7 related to public open space and was discharged subject to the sum referred to in a legal agreement being received by the Local Planning Authority within one month of implementing the scheme (as set out in the S106 agreement). Given this, a deed of variation has been agreed which relates to this legal agreement.

2019/90727 – Reserved matters application pursuant to outline permission 2015/94106 for erection of 8 dwellings and demolition of existing dwelling – Approved 10th October 2019.

2015/94106 – Outline application for erection of 8 dwellings and demolition of existing dwelling – Approved April 2016.

2012/91909 – Outline application for eight dwellings and demolition of existing dwelling – Approved January 2013.

2013/93537 – Discharge condition 6 (affordable housing) on previous permission 2012/91909 for outline application for erection of 8 dwellings and demolition of existing dwelling – Not discharged (details submitted not sufficient).

2011/90398 – Extension to time limit to previous permission 2007/91725 for demolition of existing dwelling and erection of 11 dwellings – Approved August 2011.

2007/91725 – Demolition of existing dwelling and erection of 11 dwellings – Approved July 2008.

Representations

Final publicity date Expires:
Neighbour letters expired on 5th January 2021.

No representations have been received as a result of the above publicity.

The application was sent out for re-consultation following the submission of an amended layout plan with more detail. Further amendments were following this but the details included in the amendments were considered to be minor and it was considered that further rounds of re-consultation were not necessary. The description of development has also been amended following this period of re-consultation given that the application was attempting to vary conditions to an older permission at the site, however as the wording of the conditions had not changed since this original permission and the plans were no amended following this, it was not considered necessary to re-consult.

Consultation Responses

Holme Valley Parish Council: Difficult to understand the variations; defer to the Kirklees Officer.

KC Highways Development Management: No objections to variation of conditions 10, 11, 12, 14 and 15.

KC Waste Strategy Officer: No objections.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan Proposals Map.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 21** – Highways and Access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 28** – Drainage

Draft Holme Valley Neighbourhood Development Plan (2020-2031)
Holme Valley Neighbourhood Development Plan has been formally submitted to Kirklees Council and Peak District National Park Authority. It covers the whole of the Holme Valley Parish Area. The plan has not been subject to publicity (Regulation 16, The Neighbourhood Planning (General) Regulations 2012) at this time. There are unresolved objections between the Kirklees Council and the neighbourhood plan body therefore the plan has no weight at this stage.

National Policies and Guidance:
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving Sustainable Development
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 12** – Achieving Well-Designed places

Assessment
The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity
2) Highways safety
3) Other matters
4) Representations
5) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Chapter 2 of the NPPF states that:

"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"

Chapter 2 of the NPPF goes onto further state that objectives should:

"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"

In line with the NPPF, policy LP1 of the Kirklees Local Plan declares that:

"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."

LP1 goes further and states:

"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

In this instance, the principle of the 8 dwellings at the site has already been established through the approval of planning application 2015/94106 at the site, and approval of planning application 2019/91004 relating to the variation of condition 6 of this outline application. Reserved matters relating to outline permission 2015/94106 have also been approved under application 2019/90727.

The conditions subject to this Variation of Condition application were attached on the grounds of highways safety and so that the development accorded with Policies LP24 and LP21 of the Kirklees Local Plan, therefore the principle of the application to vary these condition is largely subject to the impact upon visual amenity and the impact upon highway safety.

2 –Impact on visual amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby paragraph 124 provides a principal consideration concerning design which states:

"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Policy LP24 also seeks to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…

The principle of the access road into the site has already been established through the approval of the of the original outline application 2015/94106, in which access was a consideration. The position of the internal road within the site on the plan submitted under this variation of condition application is broadly similar to what has been approved under this outline application and is only slightly wider in certain parts. It is considered that the further details provided under this application, this including the bin storage area set back from the road and streetlighting, would have a negligible impact upon the visual amenities of the locality.

It is therefore considered that approving these plans and varying these conditions would not cause detrimental harm to the visual amenities of the locality and that the variations are in compliance with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

3 – Highways Safety:

Condition 9

Condition 9 relates to a compliance condition for the surfacing and drainage of private drives and visitor parking areas displayed in Drg No. 2011-25 PL01 revision C. It is proposed to supersede the approved drawing with Drg No. 579-101E-S38 submitted under this application and the proposed changes relating to visitor parking areas in the plan are negligible and not considered to cause any highways safety concerns.

Condition 10

Condition 10 relates to the vehicular means of access being in accordance with Drawing No.579/004A. It is proposed to supersede this drawing with Drg No. 579-101E-S38 submitted under this application, and the means of access now proposed are considered to be acceptable and KC Highways Development Management (HDM) have not objected to these details.

Condition 11

In relation to Condition 11 of 2019/91004, this relates to visibility splays being in accordance with Drg No. 579/004A. Drg No. 579-101E-S38 submitted alongside this variation of condition application has provided details of visibility splays from the vehicular access onto Greenfield Road and Officers are satisfied that this plan demonstrates adequate visibility from the access will be achieved, subject to them being retained free of any obstruction exceeding 1 metre in height. KC HDM have raised no objections to the proposed variation of this condition.

Condition 12

Moving to Condition 12 of 2019/91004, this relates to a scheme detailing the proposed internal adoptable estate road layout, but as noted above, it appears that the access road into the site cannot be made to an adoptable standard hence why it is sought to vary the wording of this condition (i.e. it is now proposed to be a private road). Further to this, a private road maintenance and management plan has been submitted alongside this application, as well as a plan (Drg No. 579-101E-S38) which provides certain details of the access into the site including surface finishes, visibility splays, streetlighting and drainage details (which was requested by Condition 12). It is therefore also sought to discharge this condition through this Variation of Condition Application process and supersede Drawing No.579/004A approved under 2015/94106 and 2019/91004.

Given the difficulties with adopting this internal road in the site, KC HDM have raised no objections to the principle of this road being a private estate road. KC HDM have also raised no objections to the details outlined in the Private Road Management and Maintenance Plan submitted alongside this application.

Drg No. 579-101E-S38 submitted alongside this application is considered to provide acceptable details in relation to the internal estate road layout. Of note KC Waste Strategy have raised no objections to the details submitted which display bin storage close to the Greenfield Road (for instances where refuse vehicles cannot access the properties in the site). This condition can be reworded to a compliance condition to note that the private estate road will be in compliance with these details.

Condition 14

This condition relates to vehicular alignment details, and a revised vehicular alignment plan has been submitted alongside this application and this is considered acceptable from highways safety grounds. It should be noted that KC HDM have not objected to these details.

Condition 15

Condition 15 outlines that the access and internal road specifications/dimensions shall be undertaken in accordance with Drawing No.579/004A. It is proposed to supersede this drawing with Drg No. 579-101E-S38 submitted under this application, and the access and internal road specification/dimensions now proposed are considered to be acceptable and KC HDM have not objected to these details.

Other Matters

Legal Agreement
The development has previously been subject to a legal agreement relating to a financial contribution of £21,160 towards the provision of off-site public open space and a deed of variation has been agreed between the applicant and the Local Planning Authority so that the legal agreement relates to this application. This was sealed and completed 8th April 2021

5 – Representations:

No representations have been received.

6 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation **Approve Variation of Condition**

Decision Authorisation - Delegated Powers
Application Number: 2020/93548
Officer Recommendation: Approve Variation of Condition
Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the reserved matters application reference no. 2019/90727 (this being 11th September 2021).
Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The proposed finished floor levels of the development hereby approved shall be in complete accordance with details on amended drawing no. drawing nos. 2011-25 PL02 Revision C, 2011- 25 PL04 Revision C and 2011- 25 PL03 C, pursuant to application no. 2015/94106.
Reason: In the interests of visual amenity and to ensure the residential amenities of neighbouring sites is not compromised and to accord with Policy LP24 of the Kirklees Local Plan and Government guidance contained within the National Planning Policy Framework.

3. 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, B, C, 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 visual amenity and to ensure that unsatisfactory extensions and buildings do not result in close overlooking of adjoining property and to accord with Policy LP24 of the Kirklees Local Plan and Government guidance contained within the National Planning Policy Framework.

4. Notwithstanding the submitted information, two bird nesting features in the form of one sparrow terrace and one multi-chamber swift box, to be located close to the southern eaves at least 3 metres above finished ground level, shall be included integral to each dwelling before first occupation and retained thereafter.
Reason: To enhance ecological interest within the site, in accordance with the guidance contained within the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Notwithstanding the submitted plans, a bat box, in the form of a Schweglar type 1FR/2FR bat boxes or similar, located away from external windows and lighting at least 5 metres above ground level, shall be installed on the northern elevation of each dwelling before first occupation and retained thereafter.
Reason: To enhance ecological interest within the site, in accordance with the guidance contained within the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan and Government guidance contained within the National Planning Policy Framework.

6. The development shall not be brought into use until all areas indicated to be used for private drives and visitor parking areas on the approved Drg No. 579-101E-S38 by Paragon Highways have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance;
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) this shall be so retained, free of obstructions and available for the use(s) specified on the submitted/listed plan(s) thereafter.
Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking, and in the interest of mitigating an increase in flood risk, to accord with Policies LP24 and LP21 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

7. The construction of the hereby approved dwellings shall not be begun, except the construction of foundations for plot 3, until the means of vehicular access to the site has been constructed in accordance with the details shown on Drg No. 579-101E-S38 by Paragon Highways.
Reason: To ensure adequate visibility in the interests of highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

8. The visibility splays as shown on Drg No. 579-101E-S38 by Paragon Highways shall be laid out and provided with no obstruction to visibility exceeding 1metre in height, within the splays so formed above the road level of the adjacent carriageway of Greenfield Road, before any of the dwellings on site are first occupied. The visibility splays shall thereafter be retained free of any such obstruction exceeding 1m in height.
Reason: To ensure that visibility can be achieved and maintained at all times in the interests of highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

9. Notwithstanding the general layout and access approved on drawing no. 2011- 25 PL01 Revision C, pursuant to application no. 2015/94106, prior to the first occupation of the dwellings hereby approved, the proposed private internal estate road layout shall be constructed in accordance with Drg No. 579-101E-S38 by Paragon Highways, and retained as such thereafter. Once completed, the private internal estate road shall be managed in accordance with 'Private Road Maintenance and Management Plan'.
Reason: To ensure all works associated to provide the proposed internal road layout are carried out to appropriate and suitable standards and to ensure the safety of all users, in the interests of highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

10. The construction of the hereby approved dwellings shall not commence, except the construction of foundations for plot 3, until completion of the retaining structures/walls in accordance with Drawing No.1739/02/100 Revision B and Kirklees Council Approval in Principle (AIP) for the design of the structure ref K60978 dated 22 September 2020, pursuant to Discharge of Condition Application No. 2020/93327. These shall be retained in accordance with the approved details thereafter.
Reason: To ensure the safety of all road users is not compromised and to ensure the new retaining structures do not compromise the stability of the public highway, in the interest of public safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

11. The vehicular access and internal road shall be constructed in accordance with the vertical alignment details as shown on Drg No. 579-102 LSEC by Paragon Highways.
Reason: To ensure that visibility can be achieved and maintained at all times in the interests of highway safety and to accord with Policies LP24 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

12. Notwithstanding the general layout and access approved on drawing no. 2011- 25 PL01 Revision C, pursuant to application no. 2015/94106 and for the avoidance of doubt, the access from Greenfield Road and internal road specifications/ dimensions shall be undertaken in accordance with as shown on Drg No. 579-101E-S38 by Paragon Highways.
Reason: To clarify the details of access and layout as the internal road shown on the two drawings referred to do not correspond in dimensions and to accord with Policies LP24 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

13. Prior to occupation of the dwellings, in all residential units that have a dedicated parking area and/or a dedicated garage, an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicles charging points so installed shall thereafter be retained.
Reason: To encourage the use of low carbon forms of transport in accordance with Chapter 9 of the National Planning Policy Framework, Policy LP24 of the Kirklees Local Plan and the West Yorkshire Low Emissions Strategy.

NOTE: Attention is drawn to a Legal Agreement related to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.

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, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-221000 who can advise further on this matter.

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

NOTE: Link to Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens' published 13th May 2009 (ISBN 9781409804864): www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

NOTE: Bats are known to occur in this area and may use these structures for roosting. All structures should be surveyed, by a suitably experienced and licensed surveyor for evidence of use by bats. If bats are found to use these structures DEFRA will need to be contacted. All species of bat in Britain are protected under UK and European legislation (Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats &c.) Regulations 1994. It is illegal to kill, injure or disturb bats, obstruct access to bat roosts or damage or disturb bat roosts. Under the law, a roost is any structure or place used by bats for shelter or protection. Because bats tend to re-use the same roosts year after year, the roost is protected whether or not bats are present at the time.

NOTE: The granting of planning permission does not override any private ownership rights or legal covenants that apply to the land forming part of this planning application.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application Form	-	-	20th October 2020
Private Road Management and Maintenance Plan	-	-	20th October 2020
Internal Road Layout	579-101E S38	-	15th January 2021
Vertical Alignment Details	579-102 S38 LESC	A	15th January 2021
Proposed Retaining Wall Plan pursuant to application no. 2020/93327	1739/02/100	B	12th November 2020
Kirklees Council Approval in Principle (AIP) for the design of the structure ref K60978 dated 22 September 2020 pursuant to application no. 2020/93327	-	-	5th October 2020
Site layout pursuant to application no. 2015/94106	2011-25 PL01	C	2nd February 2016
Sections A,B,C,D & E pursuant to application no. 2015/94106	2011-25 PL02	C	2nd February 2016
Sections F,G,L,M,N & O pursuant to application no. 2015/94106	2011-25 PL03	C	2nd February 2016
Sections H,I,J,KP,Q & R pursuant to application no. 2015/94106	2011-25 PL04	C	2nd February 2016
Deed of Variation			8th April 2021

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 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.

Initially, Officers raised concerns with the lack of details in the internal access layout, these including no details of drainage works, surface finishes and visibility splays. Officers also raised concerns regarding the lack of a bin collection point near to Greenfield Road given the access may be compromised in bad weather and given concerns that a larger refuse vehicle cannot access the properties on the access lane (given the gradient) and that there may not be capacity to assign a smaller refuse vehicle to service these properties. An amended plan which addresses these matters has been received. Further to this, no vertical alignment details were initially submitted alongside the application and the applicant's agent was informed, and they later submitted these additional details.

Following the agreement of the applicant's agent, the application description has been changed to reflect the latest approval at the site (2019/91004) rather than the original outline application (2015/94106), and also include Condition 9 of 2019/91004. The wording of conditions was agreed with the agent.

Report Dated:	8.04.2021