



**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2020/62/93954/W

**To: William Best RIBA
Chapel House
22, Pole Gate
Scammonden
Huddersfield HD3 3FW**

For: STEPHEN BYRAM, S B HOMES 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 42 DWELLINGS AND ASSOCIATED WORKS

At: LAND AT, LINGARDS ROAD, SLAITHWAITE, HUDDERSFIELD, HD7 5HY

**In accordance with the plan(s) and applications submitted to the Council on
18-Nov-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.

3. The removal of vegetation should be undertaken outside of the bird breeding season, March to August inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

Reason: In the interests of preserving the biodiversity of the site, in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

4. Prior to development commencing, notwithstanding the submitted information, a Phase II Intrusive Site Investigation Report shall be submitted to, and approved 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 178 and 179 of the National Planning Policy Framework.

5. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 4 further groundworks shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: 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 178 and 179 of the National Planning Policy Framework.

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 5. 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: 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

7. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for 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.

8. 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 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 details of their remit and responsibilities;
- t) Engagement with local residents and occupants 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.

9. Prior to development commencing, (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) shall be 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.
- a. Identification of “biodiversity protection zones”.
- b. 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).
- c. The location and timing of sensitive works to avoid harm to biodiversity features.
- d. The times during construction when specialist ecologists need to be present on site to oversee works.
- e. Responsible persons and lines of communication.
- f. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- g. Use of protective fences, exclusion barriers and warning signs.

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 ensure avoidance of impacts to protected and priority species in order to prevent significant ecological harm in accordance with Policy LP30 of the Kirklees Local Plan. This is a pre-commencement condition to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated to the construction phase.

10. Prior to development commencing, a survey of the condition of the surrounding road network shall be submitted to, and approved in writing by, the Local Planning Authority. Within one month of the development’s completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.

Reason: Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway, to ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition given the need to undertake a baseline assessment.

11. Prior to development commencing, a scheme detailing the proposed internal estate road(s) be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be to an adoptable standard and include full sections, details of speed reducing features, construction specifications, drainage works, lighting, signage, white lining, surface finishes, and treatment of sightlines together with an independent safety audit covering all aspects of the works. 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: To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

12. Prior to development commencing, notwithstanding the details shown on the approved plan(s), a scheme detailing the provision of a 2.0m wide footway to the Lingards Road frontage of the development site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the proposed construction specification, surfacing, drainage, kerbing, the relocation of existing telegraph poles and street lighting columns, and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwelling shall be occupied until the approved scheme has been implemented.

Reason: To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

13. Prior to development commencing, a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing / proposed highways including footpath COL/133/10 shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development. The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Reason: To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

14. Prior to development commencing, a scheme assessing the adequacy of the embankment(s) which will be surcharged by the new development shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include an assessment statement, all necessary ground investigations on which assessment assumptions are based on, method statements for the removal of any bulk excavation together with a full slope stability analysis and structural calculations to verify the structural adequacy of the embankment.

Reason: In the interest of protecting the safe use of the highway network, in accordance with policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure appropriate investigation and remediation is undertaken to not risk the safe use of the public highway.

15. Prior to development commencing, where the ground investigations undertaken pursuant to condition 14 identified for the need for remedial measures to deal with instability issues, a Stability Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: In the interest of protecting the safe use of the highway network, in accordance with policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure appropriate investigation and remediation is undertaken to not risk the safe use of the public highway.

16. Prior to development commencing, a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint shall be submitted to, and approved by, the Local Planning Authority. The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Reason: To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

17. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including agreed off site works, finalised surface water discharge limits agreed with the LLFA, attenuation design, catchment analysis and pipe design for land drainage to be agreed with LLFA, longitudinal sections, hydraulic calculations, existing drainage maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detail maintenance and management plan for surface water and land drainage incorporating a risk assessment and method statement. None of the dwellings 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 to which the dwellings relate and thereafter retained.

Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.

18. Prior to development commencing, an assessment of, and a design to mitigate, 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, in both directions, 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: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the appropriate investigations and design work be undertaken before the site is materially changed.

19. Prior to development commencing, a strategy 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.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the appropriate investigations and mitigation be undertaken before the site is materially changed.

20. Prior to development commencing and prior the installation of any drainage infrastructure, an Arboricultural Method Statement with Tree Protection Plan in accordance with British BS5837 shall be submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include details on how the construction work, to include the installation of drainage features, will be undertaken with minimal damage to the adjacent trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: So as to protect to viability of the protected mature and protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (again harm to trees) prior to works commencing on site.

21. Prior to above ground works commencing, a scheme detailing the proposed design and construction details for the new bridge structure(s), including any wing walls, carrying the new access roads over the un-named watercourse shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the new bridge structures shall be implemented in accordance with the approved details and shall thereafter be retained so.

Reason: To ensure acceptable design details of the bridge structures, in accordance with policy LP21 of the Kirklees Local Plan.

22. Prior to above ground works commencing, details of the proposed Green Retaining Wall System, as shown on plan ref. "E19/7567/000 Rev. N", shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include, but not be limited to design, management and maintenance arrangements. Thereafter the Green Retaining Wall System shall be implemented in accordance with the approved details and thereafter retained so.

Reason: In the interest of visual and residential amenity, to comply with the aims of Policy LP24 of the Kirklees Local Plan.

23. Prior to above ground works commencing, an Ecological Design Strategy (EDS) to ensure that a biodiversity net gain is achieved post-development shall be submitted to, and agreed in writing by, the Local Planning Authority. The EDS shall be in accordance with the Biodiversity Metric 3.1 calculations received on the 17th of September 2023,

and shall provide a minimum of 6.32 habitat units and 2.18 hedgerow units post-development. The EDS shall also include the following:

- a) Purpose and conservation objectives for the proposed works.
- a) Review of site potential and constraints.
- b) Detailed design(s) and/or working method(s) to achieve stated objectives.
- c) Extent and location/area of proposed works on appropriate scale maps and plans.
- d) Details on the establishment of hedgerow planting on the site.
- e) Type and source of materials to be used where appropriate, e.g., native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works and long-term maintenance.
- h) Details of initial aftercare and long-term maintenance, for a minimum of 30 years.
- i) Details for monitoring and (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers a measurable biodiversity net gain.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan.

24. Prior to above ground works commencing, pursuant to the requirements of condition 23, details of the following ecological provisions and a timetable for their implementation shall be submitted to, and approved in writing by, the Local Planning Authority:

- the location, both within the site and upon dwellings, and design of 1 swift box per dwelling (100% provision across site)
- the location, both within the site and upon dwellings, and design of 1 bat box per five dwellings (20% provision across site)
- Location and design of access holes for hedgehogs (i.e., “hedgehog holes”) within fences throughout the site

The development shall thereafter be implemented in accordance with the approved details and timetable. The ecological provisions shall thereafter be retained.

Reason: To ensure the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan.

25. Prior to their use, details of all the external facing materials, to include natural stone, and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

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

26. Prior to above ground works commencing, a scheme detailing the proposed ‘Footpath Link’s, as shown on plan ref. “E19/7567/000 Rev. N” shall be submitted to,

and approved in writing by, the Local Planning Authority. This shall include where the path(s) connect to PROW COL/133/10 and COL/117/10. The scheme shall include full sections, construction specifications, drainage works, lighting, surface finishes, signage, and treatment of sightlines. Before any building is brought into use the footpath(s) shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: To ensure that suitable and safe access is available for the development, in the interest of the safe and efficient operation of the highway and amenity, to comply with the aims of Policy LP21 and LP24 of the Kirklees Local Plan.

27. Notwithstanding the submitted information, prior to landscaping works commencing and/or the occupation of any of the hereby approved dwellings, a comprehensive schedule of hard and soft landscaping with management and maintenance strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include:

- a) Layout, species, number, density and size of trees and plants and/or seed mixes and sowing rates, including extensive use of native species across the site. This shall include, but not be limited to:
 - a. Appropriate trees and hedgerow planting along the site's north boundary, to provide screening between the new properties and existing properties fronting onto Manchester Road
 - b. Planting specifications to provide appropriate screening between the new access road and no. 45 Lingards Road.
- b) Details of all hard landscape materials and boundary treatments for the site including garden fences/walls etc. and proposed treatment to existing boundaries and retained features. This shall include, but not be limited to:
 - a. Specifications for the western boundary to the adjacent open land.
 - b. Specifications for the boundary treatment between the site and the adjacent property Lower Wood Farm
 - c. Boundary treatment to provide screening between the new access road and no. 45 Lingards Road, to include section plan(s).
- c) Timescales for implementation of the hard and soft landscaping, to include the land identified as Public Open Space on plan ref. R/2646/1 Rev. E.
- d) A management and maintenance strategy of the hard and soft landscaping to cover a minimum of five years.

The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. The approved soft 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 thereafter be retained.

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 Policies LP24 and LP63 of the Kirklees Local Plan.

28. Prior to the installation of any external lighting (excluding that within the adoptable highway), a 'lighting design strategy' giving due regard to amenity, biodiversity and security, shall be submitted to and approved in writing by the local planning authority. The strategy shall include, but not be limited to:

- a. identify those areas/features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their breeding / nesting areas and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- a. 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.
- b. Specific lighting measures with specific regard relating to crime mitigation for public paths and the car parking spaces associated with plots 6 – 8, 15, 17 and 19 – 23.

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 on local species in the interest of ecological mitigation, while balancing residential amenity and crime mitigation, to comply with Policies LP24 and LP30 of the Kirklees Local Plan.

29. 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 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.

30. Prior to the occupation of the hereby approved dwellings, notwithstanding the details shown on the approved plan(s), a scheme detailing the improvement of pedestrian provisions between the junctions of Lingards Road and Nields Road, and Lingards Road and Manchester Road shall be submitted to, and approved in writing by, the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include details of construction specification, surfacing, drainage, kerbing and any necessary Transport Regulation Orders and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwellings shall be occupied until the approved scheme has been implemented.

Reason: In the interests of mitigating highway impacts of the proposal, to ensure highway safety and compliance with LP21 of the Kirklees Local Plan.

31. Prior to the occupation of the hereby approved dwellings, notwithstanding the details shown on the approved plan(s), a scheme for the provision of pedestrian improvements along Lingards and Nields Road at the Springfield Avenue and Yew Tree Lane junctions shall be submitted to, and approved in writing by, the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include

details of the proposed construction specifications, white lining, signing, surface finishes, Traffic Regulation orders, with an independent Safety Audit covering all relevant aspects of the work. No dwellings shall be occupied until the approved scheme has been implemented.

Reason: In the interests of mitigating highway impacts of the proposal, to ensure highway safety and compliance with LP21 of the Kirklees Local Plan.

32. Prior to the occupation of the hereby approved dwellings, an electric vehicle recharging point shall be installed within the dedicated parking area of each of the approved dwellings. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.

Reason: In the interest of supporting low emission vehicles, to accord with the guidance contained in Policies LP24 and LP51 of the Kirklees Local Plan.

33. Prior to the occupation of the hereby approved dwellings, details of secure and covered cycle parking for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and therefore retained.

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

34. Prior to the occupation of the hereby approved dwellings, each dwelling's respective bin collection point, as shown on plan ref. "E19/7567/000 Rev. N", shall be provided and made ready for use. Thereafter each waste collection point shall be retained.

Reason: To ensure the provision of adequate waste storage, in the interest of highway efficiency and to comply with Policy LP21 of the Kirklees Local Plan.

35. Prior to the occupation of the hereby approved dwellings, the vehicle parking areas as shown within the submitted plans shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. The vehicle parking areas shall thereafter be retained and available for use as vehicle parking.

Reason: To ensure that sufficient parking is provided and retained to serve the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan.

36. Prior to the occupation of the hereby approved dwellings, the sightlines of the new junction onto Lingards Road, as shown on plan ref. "E19/7567/000 Rev. N", shall be cleared of all fixed obstructions to visibility exceeding 1.0m in height. The sightlines as made shall thereafter be retained free of any fixed obstruction.

Reason: To ensure adequate visibility in the interests of highway safety, in accordance with Policy LP21 of the Kirklees Local Plan.

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

Reason: To ensure appropriate and sustainable drainage infrastructure is in place, to accord with Policy LP27 of the Kirklees Local Plan.

38. 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 within any plot without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and residential amenity, to comply with Policy LP24 of the Kirklees Local Plan.

Note from K.C. Highways Structures

All new storm water attenuation tanks/pipes/culverts with internal diameter/ spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements.

The adopting authority (i.e., Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures. Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and must be accredited with a BBA (The British Board of Agreement Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate

Note on Crime Mitigation

For general guidance and advice on crime mitigation please see comments from the Council's Designing Out Crime officer.

https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2020/93954&file_reference=936339

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.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

Note: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition

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:

Monday to Friday: 0730 – 1830

Saturday: 0800 – 1300

With no working Sundays or Public Holidays

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

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

Note: Public footpaths COL/133/10 and COL/117/10 are partly within / adjacent to the development site. Neither path must be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by email address publicrightsofway@kirklees.gov.uk.

Note: It is the developer and landowner's responsibility to secure a safe development.

Note: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	2019/572/01		19.11.2020

Plan Type	Reference	Version	Date Received
Block Plan	2019/572/50	Rev. E	09.01.2023
Block Plan	2019/572/51	Rev. F	09.01.2023
Block Plan	2019/572/52	Rev. E	09.01.2023
Proposed Site Sections	2019/572/53	Rev. C	09.01.2023
Proposed Site Sections	2019/572/54	Rev. C	09.01.2023
Proposed Site Sections	2019/572/55	Rev. D	09.01.2023
Proposed Site Sections	2019/572/56	Rev. D	09.01.2023
Proposed Site Sections	2019/572/60	Rev. D	09.01.2023
Proposed Site Sections	2019/572/61	Rev. B	27.01.2023
Proposed Site / Block Layout	2019/572/62 / POS Designations		20.10.2022
Grouped Plans and Elevations	2019/572/101	Rev. D	09.01.2023
Grouped Plans and Elevations	2019/572/102	Rev. C	25.11.2022
Grouped Plans and Elevations	2019/572/103	Rev. C	25.11.2022
Grouped Plans and Elevations	2019/572/104	Rev. C	21.10.2022
Grouped Plans and Elevations	2019/572/105	Rev. C	21.10.2022
Grouped Plans and Elevations	2019/572/106	Rev. A	01.06.2022
Grouped Plans and Elevations	2019/572/107	Rev. A	01.06.2022
Grouped Plans and Elevations	2019/572/108	Rev. A	01.06.2022
Grouped Plans and Elevations	2019/572/109	Rev. B	01.06.2022
Grouped Plans and Elevations	2019/572/112	Rev. A	01.06.2022
Grouped Plans and Elevations	2019/572/111	Rev. A	01.06.2022
Grouped Plans and Elevations	2019/572/113	Rev. B	25.11.2022
Grouped Plans and Elevations	2019/572/114	Red. C	09.01.2023
Grouped Plans and Elevations	2019/572/116	Red. C	09.01.2023
Block Plan	E19/7567/000	Rev. N	09.01.2023
Proposed Site Sections	E19/7567/005	Rev. B	23.01.2023
Block Plan	E19/7567/034	Rev. H	23.01.2023
Proposed Landscaping Layout	R/2646/1	Rev. E	17.01.2023
Proposed Site Section	Attenuation Tank Section / 2019/572/63	Rev. A	30.11.2022
Design and Access Statement		Rev. M	09.01.2023

Plan Type	Reference	Version	Date Received
Conservation / Heritage Assessment	Heritage Statement Extract	Rev. L	09.01.2023
Flood Risk Assessment	E20/7567/FR01	Rev. E	26.01.2023
Drainage / Foul Sewerage Assessment	E19/7567/004	Rev. k	26.01.2023
Drainage / Foul Sewerage Assessment	E19/7567/019	Rev. E	26.01.2023
Drainage / Foul Sewerage Assessment	E19/7567/035	Rev. A	23.01.2023
Drainage / Foul Sewerage Assessment	E19/7567/036	Rev. A	23.01.2023
Ecological / Biodiversity Statement	Ecological Impact Assessment		17.01.2023
Ecological / Biodiversity Statement	Biodiversity Metric 3.1 auditing and accounting for biodiversity calculation tool		17.01.2023
Transport Assessment	Road Safety Audit Designer's Response		20.10.2022
Transport Assessment	Road Safety Audit		20.10.2022
Transport Assessment	1804A	Rev. 2	20.10.2022
Supporting Information	Retaining Wall: Case Study		20.10.2022
Supporting Information	SuDS Retaining Wall: Case Study		20.10.2022

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Following initial concerns being expressed by the case officer, consultees, and residents, the applicant and LPA worked proactively to address the issues raised. Various amendments and iterations were progressed through, until a final scheme was reached which was considered acceptable. In accordance with the Council's Delegation Agreement the application was referred to the Huddersfield Area Planning Sub-Committee on the 2nd of February 2023, where members resolved to support the application.

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.

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk

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.

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. Alternatively the forms and

supporting guidance for submitting an application can be found online at 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.

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 so that we can work on continually improving our customer service. Thank you.

Dated: 11-Oct-2023

Signed:



**David Shepherd
Strategic Director Growth and Regeneration**

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

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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