



Kirklees Council
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Date: 22-Dec-2022
Our Ref: 2020/94371

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of conditions 3 (temporary drainage), 4 (temporary waste storage/collection), 5 (cycle parking), 6 (visitor parking), 12 (boundary treatments), 13 (external lighting), 14 (landscaping) and 15 (biodiversity) of previous Reserved Matters consent 2018/92309 (pursuant to outline permission 2016/93411) for residential development of 41 dwellings

**Land to rear of, 125, Helme Lane, Meltham, Holmfirth, HD9 5RJ
Application Number: 2020/94371**

I write with reference to your application to discharge the conditions for the above development as submitted on 23/12/2020.

Condition 3 (temporary drainage)

You have submitted the following document pursuant to condition 3:

- Temporary Run-Off Management document (Eastwood and Partners, ref: 001, January 2021).
- Temporary Surface Water Management Plan (001 rev A).
- Temporary Drainage Plan (18D33 FBA ZZ XX DR A 9201 rev P02).

The details set out in the above documents are hereby approved for the purposes of condition 3. Please be reminded that the condition includes an ongoing requirement for the development to be carried out in strict accordance with the temporary drainage arrangements hereby approved.

Condition 4 (temporary waste storage/collection)

The details set out in the drawing titled Temporary Waste Collection Point (BBH-(TWCP)-001) are hereby approved for the purposes of condition 4. Please be reminded that condition 4 includes an ongoing requirement for the temporary arrangements to be implemented and retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Condition 5 (cycle parking)

The details set out in the document titled Cycle Storage (18/D33) and its later revision A are hereby approved for the purposes of condition 5. Please be reminded that condition 5 includes an ongoing requirement for the cycle parking provisions to be implemented and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 6 (visitor parking)

The details set out in drawings 18D33 FBA ZZ GF DR A 0101 rev P13 and ELL-18051-CB-L-140 rev F are hereby approved for the purposes of condition 6. Please be reminded that condition 6 includes an ongoing requirement for the visitor parking to be implemented and retained for public use thereafter unless otherwise agreed in writing by the Local Planning Authority.

Condition 12 (boundary treatments)

The details set out in drawings BBH-(F)-001, 18051-EPW-00-F-DR-S-0003-GA-S4 rev A02 and 18051-EPW-00-F-DR-S-0004-GA-S4 rev A03 are hereby approved for the purposes of condition 12 in respect of Phase 1 of the development, subject to the corners of the 1.8m wall around the parking spaces for units 27 and 28 being chamfered to improve visibility. Please be reminded that condition 12 includes an ongoing requirement for the boundary treatments to be implemented and retained thereafter. A further submission will be necessary in relation to Phase 2 of the development.

Condition 13 (external lighting)

You have submitted the following documents pursuant to condition 13:

- Drawing 6685
- Lighting Schedule 18/D33 rev A
- Prolectric Lighting Design Booklet
- AE3 Solar Street Lighting product sheet
- Prolectric Solar Street Light column product sheet

The details set out in these documents are hereby approved for the purposes of condition 13. Please be reminded that condition 13 includes an ongoing requirement for the approved lighting to be installed and maintained thereafter.

Condition 14 (landscaping)

You have submitted the following documents pursuant to condition 14:

- Drawing 14296_LD_01
- Drawing 14296_LD_02
- Planting Schedule and Outline Planting Specification (14296_LD_03)
- Five-year maintenance schedule (14296_LD_04)
- Landscape Management Plan (V4.0, November 2020)

The details set out in the above documents are hereby approved for the purposes of condition 14, subject to the following species (which are considered to be at risk of becoming invasive) not being planted:

- *Euphorbia amygdaloides robbiae*
- *Lonicera nitida*
- *Pyracantha coccinea*

Please be reminded that condition 14 includes an ongoing requirement for the approved landscaping to be implemented and maintained.

Condition 15 (biodiversity)

You have submitted a Biodiversity Habitat Enhancement Scheme document (dated 01/07/2018) pursuant to condition 15. Only elements of that document (specifically relating to bird and bat boxes, and provisions for hedgehogs) are hereby approved for the purposes of condition 15. The remainder of the document (including its appendix 1) is out-of-date and has been disregarded. Furthermore, condition 15's requirement relating to biodiversity net gain remains outstanding. Condition 15 can therefore only be partially discharged at this stage, and a further submission pursuant to the condition will be necessary. Please also be reminded that – in connection with the details that are hereby approved – condition 15 includes an ongoing requirement for the approved details to be implemented and retained.

Other matters

As noted in earlier correspondence, drawings submitted under this Discharge of Conditions application suggest that unit 34 has been moved closer to the adjacent trees (which potentially raises concerns regarding impacts on TPO-protected trees), show a new building adjacent to unit 7 (which intrudes into the development's open space, such that an

additional off-site open space contribution would need to be secured) and omit units 8-13 and 41. For the avoidance of doubt, these amendments are not hereby approved (and cannot be approved, procedurally) under this Discharge of Conditions 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.

Yours faithfully

Victor Grayson

Victor Grayson
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for Mathias Franklin
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