



**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: 2021/62/90800/W

To: Mark Lee
One 17 Architects & Interior Designers
The Dyehouse
35 Armitage Road
Armitage Bridge
Huddersfield
HD4 7PD

For: M D ONE 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:-**

**REDEVELOPMENT AND CHANGE OF USE OF FORMER MILL SITE TO FORM
19 RESIDENTIAL UNITS**

At: HINCHLIFFE MILL, WATER STREET, HOLMBRIDGE, HOLMFIRTH, HD9 2NX

**In accordance with the plan(s) and applications submitted to the Council on
25-Feb-2021, subject to the condition(s) specified hereunder:-**

Conditions and Reasons

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

Reason: Pursuant to the requirements of Section 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, so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies 2 and 5 of the Holme Valley Neighbourhood Plan, Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3) The works relating to the conversion of the mill building to dwellinghouses (units 3, 4, 5, 6, 7, 8 and 9) shall be completed and the units shall be made fit for habitation prior to the occupation of new-build units 1, 2, 17, 18 and 19. Occupation of new-build units 1, 2, 17, 18 and 19 shall be subject to written approval by the Local Planning Authority following inspection of the renovated mill building by the Local Planning Authority. For the avoidance of doubt, the units referred to within this condition are those indicated on the Overall Site Plan ref: 3372 (0-) 623 rev I.

Reason: To ensure that the primary beneficial part of the development (the conversion of the mill) is capable of being brought fully into use and that any elements that constitute less than substantial harm to the non-designated heritage asset are not prioritised over and above the primary beneficial part of the scheme, in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan as well as LP35 of the Kirklees Local Plan.

4) Prior to the commencement of the development, the following details relating to design and appearance shall be submitted to and approved in writing by the Local Planning Authority:

- a) Samples of external masonry (walling stone and ashlar) in the form of a sample panel showing coursing and pointing to be inspected on-site;
- b) External material samples (photographic imagery) for all dwellinghouses (mill conversion and new-build), including but not limited to the proposed roofing, soffits, fascias and drainage runs;
- c) Window and external door design schedule in the form of annotated 1:20 elevations and 1:5 sections, to include details of locations of the window designs within the elevations, their material, colour, and fixed/opening configurations. The details must be submitted for the fenestration in both the mill conversion (inclusive of the loading doors), and new-build dwellings (including details of the projecting window features);
- d) Design of roof lights including patent glazing and conservation styles, where applicable, in the form of annotated 1:20 elevations and 1:5 sections; and
- e) Heritage architect report setting out how internal and external heritage features (including but not limited to the cast iron structural pillars, pulley mechanisms, loading doors) are to be retained, exposed and restored alongside any internal floor plan alterations to enable such works.

The development shall be implemented in accordance approved details.

Reason: To ensure appropriate standards of design whilst maintaining the heritage significance of the mill and the wider Hinchliffe Mill Conservation Area in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure design details are prepared and approved at an appropriate stage of the development process.

5) Development shall not commence until a programme of archaeological investigation and recording of the area within the northern section of mill building (under an archaeological watching brief) is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved written scheme of investigation and recording shall be carried out by an appropriately qualified and experienced archaeological organisation / consultant.

Reason: In the interests of recording the historic environment of the local area in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that archaeological remains are recorded before they are disturbed, and potentially removed, by the development.

6) Prior to commencement of superstructure works, the following boundary treatment details shall be submitted to and approved in writing by the Local Planning Authority:

- a) An updated boundary treatment strategy;
- b) Boundary treatment elevations and plans;
- c) Detailed material(s) schedule and hedge species; and
- d) Height(s) of boundary treatments.

The development shall be implemented in accordance with the approved boundary treatment details.

Reason: To ensure boundary treatments are appropriate to their setting and serve to sufficiently enclose and secure spaces in accordance with Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies LP24 and LP35 of the Kirklees Local Plan.

7) Prior to the occupation of unit 9, any glazing below or intersecting 1500mm above floor level, in all of the windows serving the northern elevation of the mill, shall be obscure glazed and maintained as such in perpetuity.

Reason: To ensure the privacy of residents of Water Street is maintained in accordance with Policy LP24 of the Kirklees Local Plan.

8) Prior to occupation of no more than 14 dwellinghouses on the site, details of the content, provision, location(s) and installation of heritage information boards explaining the history of the mill and its value to the local area shall be submitted to and approved in writing by the Local Planning Authority. The boards, once approved, shall be installed in accordance with the agreed details and retained thereafter.

Reason: To communicate the heritage significance of the mill to the local community and the wider public in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan.

9) The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (KRS Environmental Ltd, ref: KRS.0646.001.R.001.A, dated September 2022) and in compliance with the following mitigation measures detailed within the approved FRA:

- a) All new build development shall be located wholly within Flood Zone 1;
- b) The finished floor level of the lower ground floor of units 3, 4, 5, 6, 7, 8 and 9 shall be no lower than 166.50 metres Above Ordnance Datum (AOD);
- c) There shall be no residential living space on the lower ground floor of units 3, 4, 5, 6, 7, 8 and 9;

d) A scheme of flood proofing for units 3, 4, 5, 6, 7, 8 and 9 shall be submitted to and approved in writing by the Local Planning Authority and implemented no lower than the 1% AEP plus 23% climate change level with a suitable allowance for freeboard.

These mitigation measures shall be fully implemented prior to occupation of any dwellings of the development hereby approved. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

10) Development shall not commence until a design scheme detailing foul, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include discharge rates (agreed with the Lead Local Flood Authority) indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details / design, plans and longitudinal sections, hydraulic calculations, and details of phasing of drainage provision. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and an itinerary of maintenance tasks with schedules. No part of the development shall be occupied until the approved drainage scheme has been provided on the site to serve the development, and the approved scheme shall be retained thereafter.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity and environmental wellbeing, and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring that could harm the existing and approved dwellinghouses.

11) Development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre- and post-development between the development and the surrounding area (both upstream and downstream of the development), has been 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 the approved scheme shall be retained thereafter.

Reason: To ensure the provision of satisfactory overland flood routing is employed, in the interests of amenity and environmental wellbeing, and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring that could harm the existing and approved dwellinghouses.

12) No development shall take place until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Detail phasing of the development and phasing of temporary drainage provision; and
- b) Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and explain how flooding of adjacent land would be prevented.

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

Reason: To ensure the provision of adequate temporary means of drainage, in the interests of amenity and environmental wellbeing, and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring during the construction period.

13) Prior to any part of the development being brought into use, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) Show how and where external lighting would 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 would not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To prevent significant ecological harm in respect of direct impacts to bats in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

14) No groundworks or material operations, as defined in section 56(4)(a) through to (d) of the Town and Country Planning Act 1990 (other than operations required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report has been 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 Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure potential site contamination is investigated and addressed at an appropriate stage of the development process.

15) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 14, no further groundworks / material operations in the affected areas of the site shall commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

16) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 15. 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 two 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 Chapter 15 of the National Planning Policy Framework.

17) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

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

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

The approved dedicated facilities for charging electric vehicles shall be installed and made operational prior to the occupation of the units they serve, and shall be maintained and retained thereafter.

Reason: In the interests of supporting and encouraging the use of low emission vehicles, in the interests of air quality enhancement, to comply with the aims and objectives of Policy 12 of the Holme Valley Neighbourhood Development Plan HVNDP, Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

19) No development shall take place until a Construction Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include:

- a) A timetable of all works;
- b) Details of construction vehicle sizes, access locations and routes, including indicative times of vehicle movements, the location of any HGV waiting areas and details of the management of said areas;
- c) Details of the parking of vehicles of site operatives and visitors;
- d) Details and location(s) of signage;
- e) Details of loading and unloading of plant and materials;
- f) Details of storage of plant and materials used in constructing the development;
- g) 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;
- h) Measures to control and monitor the emission of dust and dirt during construction;
- i) A Site Waste Management Plan, detailing recycling / disposing of waste resulting from demolition and construction works;
- j) Mitigation of noise and vibration arising from all construction related activities to (these details shall also include suitable restrictions on the hours of working on the site including times of deliveries);
- k) Details of artificial lighting used in connection with all construction related activities and security of the construction site;
- l) Site manager and resident liaison officer contact details (including their remit and responsibilities); and
- m) Details of a complaint handling system.

The development shall be carried out strictly in accordance with the approved CEMP and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policy 2 of the Holme Valley Neighbourhood Development Plan, Policy LP24 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure construction management details are prepared and approved at an appropriate stage of the development process.

20) Development shall not commence until a scheme detailing locations and including cross-sectional information together with the proposed design and construction details of all new retaining walls / building retaining walls adjacent to existing and proposed highways including any modifications to the existing retaining walls on Dobb Lane / Spring Lane / Dam Head has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented prior to superstructure works of any dwellinghouse hereby approved and thereafter retained throughout the life of the development.

Reason: To ensure that any new retaining structure or modifications to existing retaining structures do not compromise the stability of the highway in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that load-bearing highway structures are designed and agreed to a satisfactory standard prior to their use by vehicular traffic.

21) Development shall not commence until a scheme detailing locations and including cross-sectional information together with the proposed design and construction details of all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint or influence zone of highway loading has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of development relating to the foul and surface water drainage system and thereafter retained during the life of the development.

Reason: To ensure that any new retaining structures do not compromise the stability of the highway in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that load-bearing highway structures are designed and agreed to a satisfactory standard prior to their use by vehicular traffic.

22) Details of the facing materials for the retaining walls within the site shall be submitted to and approved in writing by the Local Planning Authority before works to construct the retaining walls commence. The retaining walls shall be faced in the approved materials and thereafter maintained as such.

Reason: In the interests of visual amenity and to accord with Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

23) Development shall not commence until a Tree Protection Plan (TPP), written in accordance with BS:5837, has been submitted to and approved in writing by the Local Planning Authority. The TPP shall include details on how retained trees shall be protected during both demolition and construction. The development shall be carried out in complete accordance with the approved TPP.

Reason: To protect the viability of the retained trees within the application site during works on site, including to prevent compaction and damage to the roots of the trees as well as damage to the branches and stems of the trees, in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure tree protection measures are devised and approved at an appropriate stage of the development process.

24) Prior to the commencement of superstructure works, a Waste Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Waste Management Plan shall:

- a) Identify the location of sufficiently sized bin stores, either internal or external, for all dwellinghouses; and
- b) Set out the construction and detailing of all external bin collection point screening (with a preference for grit stone gabion fencing) and door detailing.

The development shall be implemented in accordance with the approved Waste Management Plan.

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, and to assist in achieving sustainable development, in accordance with Policies 5 and 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP24 of the Kirklees Local Plan.

25) Where any of the residential units hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of waste 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, as approved, shall be implemented prior to first occupation of those residential units, and shall be retained until construction works are complete.

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, and to assist in achieving sustainable development, in accordance with Policies 5 and 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP24 of the Kirklees Local Plan.

26) Development shall not commence until a survey of the existing condition of the highway on the following roads: Co-op Lane, Ford Gate, Spring Lane / Dam Head, Dobb Top and Water Street has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any dwellinghouse is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on the aforementioned streets attributable to the types of vehicles serving the development during the construction period shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before no more than 50% of the dwellinghouses on the site are occupied.

Reason: In the interests of highway safety, and to accord with Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures are implemented to avoid increased risks to highway safety.

27) Prior to the commencement of superstructure works, a scheme of works to re-surface the private roads forming the accesses into the site (Water Street / Dam Head / Pond Track to units 1 and 2) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide the following:

- a) A condition survey and justification statement including photographic imagery setting out which areas of the access roads require re-surfacing; and
- b) A remediation statement for the areas requiring resurfacing to include the materials and methods for repairing the carriageway.

The re-surfacing shall be implemented in accordance with the approved scheme prior to the occupation of no more than 14 dwellinghouses on the site and thereafter maintained to that standard for the lifetime of the development.

Reason: Given the sub-standard nature of the accesses, the potential for the access surfaces to further degrade through re-intensification of the use, and the resultant impacts on highway safety through increased stopping distances, and to accord with Policy LP21 of the Kirklees Local Plan.

28) Notwithstanding the details shown on the approved drawing 3372 (0-) 623 rev I, a scheme detailing arrangements and specification for the parking layby on Dam Head including surfacing and drainage of the parking bays shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works of units 1, 2, 17, 18 and 19. The parking layby shall be completed in accordance with the details shown on the approved plans prior to the occupation of units 1, 2, 3, 4, 17, 18 and 19 and shall be retained exclusively for the use of residents of Spring Lane thereafter.

Reason: In the interests of highway safety, and to accord with Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

29) The approved vehicle parking areas shall be surfaced and drained in accordance with the Department for Communities and Local Government / Environment Agency publication "Guidance on the permeable surfacing of front gardens (parking areas)" published 13/05/2009 (ISBN 9781409804864) as amended or superseded before the dwelling to which they relate is first occupied. The parking spaces shall thereafter be retained as such.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP22 of the Kirklees Local Plan.

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

- a) Details of minimisation of vegetation removal, including how the removal of trees, woodland and scrub shall be minimised as far as practicable by minimising working areas;
- b) A Schedule 9 Invasive Weed Management Plan to prevent the illegal spread of Variegated Yellow Archangel within and beyond the site;
- c) A risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information and specifically to nesting birds, badgers and invasive plant species;
- d) Identification of "biodiversity protection zones", where appropriate;
- e) 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);
- f) The location and timing of sensitive works to avoid harm to biodiversity features;
- g) The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate;
- h) Details of responsible persons and lines of communication; and

- i) Details of the use of protective fences, exclusion barriers and warning signs, where appropriate.

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

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure details relating to the required biodiversity protection measures are devised and agreed at an appropriate stage of the development process.

31) Development shall not commence until a Landscape Ecological Design Strategy (LEDS) is submitted to and agreed in writing by the Local Planning Authority. The LEDS shall:

- a) Detail how 8.64 habitat units (as per the Biodiversity Metric dated 31/10/2022) are to be achieved post-development;
- b) Set out on-site provision for roosting bats and nesting bird as detailed in the Ecological Impact Assessment (Quants, 1504c rev 2, 24/08/2022); and
- c) Hard and soft landscaping design.

The proposed works of the LEDS shall also include the following details:

- d) Purpose and conservation objectives for the proposed works;
- e) Review of site potential and constraints;
- f) Detailed design(s) and/or working method(s) to achieve stated objectives;
- g) Extent and location / area of proposed works on appropriate scale maps and plans;
- h) Type and source of materials to be used where appropriate, e.g. stone setts and/or native species of local provenance;
- i) Specifications of tree pits or root barriers for trees within drainage easements;
- j) A timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- k) Persons responsible for implementing the works;
- l) Details of initial aftercare and long-term maintenance;
- m) Details for monitoring and (where the results from monitoring show that conservation aims and objectives of the LEDS are not being met) how contingencies and/or remedial action shall be identified, agreed and implemented so that the development still delivers a measurable biodiversity net gain;
- n) Details for disposal of any wastes arising from works; and
- o) A Landscape Management Plan to include details of initial aftercare and long-term maintenance for minimum of five years. This shall also include any existing trees and vegetation retained on site, plus management of the mill pond.

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

Reason: In order to ensure the development provides adequate visual amenity, ecological enhancement and creation measures sufficient to provide no net loss to biodiversity in accordance with Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details relating to the required no net loss to biodiversity are devised and agreed at an appropriate stage of the development process.

32) Prior to commencement of superstructure works, details of the arrangements for the provision of public open space to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The arrangements shall cover the following matters:

- a) The layout and landscaping features of the public open space;
- b) The timescale(s) for the implementation and completion of the works to provide the public open space;
- c) The mechanism for ensuring that the public open space will be available to the public in perpetuity; and
- d) Maintenance of the public open space in perpetuity.

The development shall be implemented in accordance with the approved details.

Reason: To ensure the provision of open space to serve the development in accordance with Policy LP63 of the Kirklees Local Plan.

33) Prior to the occupation of no more than 14 of the dwellinghouses on the site, a report confirming that all invasive plant species (including Japanese Knotweed, Cotoneaster and Himalayan Balsam) have been removed from within the site's red line boundary and disposed of in an appropriate manner shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide photographic imagery confirming removal.

Reason: To ensure that invasive plant species which pose a threat to native ecology are eradicated for the benefit of the site's biodiversity in accordance with Policy 13 of the Home Valley Neighbourhood Development Plan and Policy LP30 of the Kirklees Local Plan.

34) No material operation, as defined in section 56(4)(a) through to (d) of the Town and Country Planning Act 1990, shall be carried out to commence the development pursuant to this planning permission until the Local Planning Authority has been provided with either of the following:

- a) An appropriate protected species licence for the specified activity/development; or
- b) Written confirmation of Site Registration under the Low Impact Bat Class Licence; or
- c) A statement in writing from the relevant licensing body confirming that it does not consider that the specified activity/development will require a licence.

The development shall be implemented in accordance with the requirements of the licensing body.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure details relating to the required biodiversity protection measures are devised and agreed at an appropriate stage of the development process.

35) Development to construct the superstructure of any of the new-build dwellings hereby approved shall not commence until a scheme detailing the construction specification and works programme for the provision of:

- a) Diversion of PROW HOL/95/10 to its new definitive position;
- b) Surfacing and accessibility of PROW HOL/95/10; and

c) An independent Safety Audit covering all aspects of the work submitted under points (a) and (b).

has been submitted to and approved in writing by the Local Planning Authority. All of the works thereby approved shall be implemented before any part of the new-build development is first brought into use and the scheme shall be maintained throughout the lifetime of the development.

Reason: To ensure that suitable, safe access is provided for the development in the interests of highway safety in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and with LP21 and LP28 of the Kirklees Local Plan.

Footnotes

Definition of “new-build” in the above conditions

For the avoidance of doubt, “new-build” refers to the dwellinghouses numbered as units 1, 2, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19.

Public open space definition

For the avoidance of doubt, “public open space” is defined as the managed areas set out in purple and red on the POS Site Plan (3372 (0-) 628 rev A).

Discharge of conditions submissions

This permission is subject to conditions requiring the submission of further and/or amended information prior to commencement of development or at other points during the development process. To assist in the prompt discharge of conditions, you may wish to submit separate Discharge of Conditions applications for each of those conditions that require submissions. This may be particularly advisable where your submissions are likely to require extensive consultation, consideration of complex technical matters, and/or negotiation. Alternatively, grouping submissions relevant to a specific topic, or interrelated topics (for example, pursuant to highways-related conditions) under a single application, and/or grouping submissions pursuant to pre-commencement, pre-superstructure and pre-occupation conditions, may assist prompt discharge. For further advice on conditions-stage submissions, please contact the case officer.

Materials

It is strongly advised that the applicant consults the Local Planning Authority with their preferred materials and window designs alongside the provision of physical samples prior to the bulk purchase of materials for the scheme. The Local Planning Authority shall take no responsibility for abortive bulk materials which have been purchased in advance of submission to and approval by the Local Planning Authority.

Mill conversion

The proposal for multi-paned windows reflects the industrial character of the retained mill building. KC Design and Conservation expect the number of panes in each window and the external doors to be reduced in the submission of details pursuant to condition 4 relative to the approved elevation plans.

Likewise, the loading doors should be shown on the elevation drawings and the pulley mechanisms retained in the wall above these doors. It is recommended that the loading doors be designed to reflect the style of the historic doors.

Heritage information boards

It is notionally advised that two information boards should be provided, one in the eastern corner of the site adjacent the POS area accessed from PROW HOL/95/10 and the other at one of the site access entrances.

Highway works

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. You are advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

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 (Sections 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

Retaining structures

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 the Highways Structures Section on 01484 225616 for further advice on this matter

Highway 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.

See <https://www.kirklees.gov.uk/beta/regeneration-anddevelopment/highways-guidance-and-standards.aspx> for further details.

Retaining wall materials

The facing material of the retaining walls on the site should be agreed in conjunction with the AiP process with the Local Highway Authority.

Street lighting specification

The street lighting specifications to be submitted via detail of conditions applications shall include private drives and shall not include the provision of bollard lighting.

Tree Protection Plan

There is significant overlap between the Tree Protection Plan and the CEMP:Biodiversity required by conditions 23 and 30 respectively. It will be acceptable to provide the Tree Protection Plan within the CEMP:Biodiversity.

Contaminated land

All contamination reports shall be prepared in accordance with guidance in:

- 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

Imported soils

A Validation Report for Imported Soils by a suitably competent person needs to demonstrate that the requirements of the current version of "Verification Requirements for Cover Systems - Technical Guidance for Developers, Landowners and Consultants" by Yorkshire and Lincolnshire Pollution Advisory Group have been met.

Electric vehicle charging

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. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

Construction Environmental Management Plan

Noisy construction related activities should not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no noisy activities on Sundays or Public Holidays.

Institute of Air Quality Management document “Guidance on the assessment of dust from demolition and construction” Version 1.1 2014 provides detailed information regarding dust control. Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Environment Agency advice

Please see the Environment Agency’s comments of 12/10/2022 for further advice regarding The Environmental Permitting (England and Wales) Regulations 2016, flood resistance and resilience, and flood warnings.

West Yorkshire Archaeological Advisory Service

WYAAS recommend that any below the ground disturbance in the north of the standing mill building should be subject to an archaeological watching brief. This is to record potential evidence relating to the means of generating and distributing power within the mill including both the original water wheel and later steam engine installations.

Plans and specifications schedule:-

Plan/document type	Reference	Version	Date received
OS Location Plan	3372 (OS) 01		04/11/2022
Overall Site Plan	3372 (0-) 623	Rev I	20/10/2022
POS Site Plan	3372 (0-) 628	Rev A	10/11/2022
Landscape Layout	M3320-PA-01	V12	28/11/2022
Soft Landscape Strategy	M3320-PA-02	V10	28/11/2022
Hardscape Strategy	M3320-PA-03	V10	28/11/2022
Proposed Lower Ground Floor Site Plan	3372 (0-) 614	Rev D	20/10/2022
Proposed Ground Floor Site Plan	3372 (0-) 615	Rev D	20/10/2022
Proposed First Floor Site Plan	3372 (0-) 617	Rev D	20/10/2022

Proposed Second Floor Site Plan	3372 (0-) 619	Rev C	20/10/2022
Site Elevations	3372 (0-) 621	Rev E	26/09/2022
Site Sections	3372 (0-) 622	Rev B	26/09/2022
Unit 1 Housetype	3372 (0-) 01	Rev D	26/09/2022
Unit 2 Housetype	3372 (0-) 02	Rev C	26/09/2022
Units 3 to 9 Mill Units	3372 (0-) 300	Rev E	20/10/2022
Units 3 to 9 Mill Units	3372 (0-) 301	Rev E	26/09/2022
Units 10 / 11 / 12 / 13 / 14 / 15 Housetype	3372 (0-) 403	Rev E	26/09/2022
Unit 16 Housetype	3372 (0-) 404	Rev D	26/09/2022
Unit 17 Housetype	3372 (0-) 850		26/09/2022
Unit 18 Housetype	3372 (0-) 851		26/09/2022
Unit 19 Housetype	3372 (0-) 852		20/10/2022
Footpath View – West	3372 (SK) 16		31/10/2022
Footpath View – North	3372 (SK) 17		31/10/2022
Planning Policy Supporting Statement	Robert Halstead, September 2022		27/09/2022
Addendum to Transport Statement	HDC, HDC/ENG/0421, 30/11/2021	Issue 3	07/12/2021
Addendum No 2	HDC, HDC/ENG/0922, September 2022	Issue 2	27/09/2022
Flood Risk Assessment	KRS, KRS.0646.001.R.001.A, September 2022		26/09/2022
SUDS Assessment	Collins Hall Green, G560-CHG-XX-00-DR-C-0001, 16/09/2022	Rev P5	27/09/2022
Drainage Strategy	Collins Hall Green, G560, 22/09/2022	Version 1.5	27/09/2022
Proposed Drainage Layout (1 of 2)	Collins Hall Green, G560-CHG-XX-00-DR-C-0300, 21/09/2022	Rev P5	27/09/2022
Proposed Drainage Layout (2 of 2)	Collins Hall Green, G560-XX-00-DR-C-0301, 21/09/2022	Rev P6	27/09/2022
Design and Access Statement including Heritage Impact Assessment	One17, 3372, September 2022	Rev C	05/10/2022
Material Schedule	3372 (SK) 15		31/10/2022
Archaeological Building Recording	Andrew Swann, 003, June 2011		09/03/2021
Report on the Structural Appraisal	Collins Hall Green, G777-CHG-00-XX-RP-S-0002, 21/01/2021		26/02/2021
Arboricultural Survey	Quants, 1507b, January 2021	Rev 1	26/02/2021

Arboricultural Impact Assessment	Quants, 1507c, 02/12/2021	Rev 1	07/12/2021
Tree Assessment Plan	Quants, 1507, 02/12/2021	Rev 1	07/12/2021
Extended Phase 1 Habitat Survey	Whitcher Wildlife, 200829, 21/08/2020		26/02/2021
Ecological Impact Assessment	Quants, 1504c, 24/08/2022	Rev 2	05/10/2022
Biodiversity Metric 3.1	Quants, 31/10/2022		02/11/2022
Biodiversity Net Gain Statement	Quants, 1507d, 31/10/2022	Rev 1	02/11/2022
Phase 1: Desk Top Study and Coal Mining Risk Assessment Report	ARC, 17-760, 12/10/2017		26/02/2021
Phase 2: Ground Investigation Report	ARC, 10-015, 21/10/2011		26/02/2021
Addendum to Phase 2: Ground Investigation Report	ARC, 10-015.01L, 04/11/2011		26/02/2021

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

During the life of the application the case officer undertook negotiations with the applicant to secure further information and amended drawings relating to the quantum of development, highways, flood risk, trees, viability and other planning matters. The council proactively engaged with the applicant in order to ensure relevant planning matters were addressed.

Digital Infrastructure: Fibre To The Property (FTTP)

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

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

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

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

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

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.

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

Appeals to the Secretary of State

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

<https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website

<https://www.gov.uk/government/organisations/planning-inspectorate>.

- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 20-Aug-2025

Signed:



David Shepherd
Executive Director for Place

Application Plans

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

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

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

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

dc.admin@kirklees.gov.uk

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