



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

PLANNING PERMISSION FOR DEVELOPMENT SUBJECT TO REGULATION 4

Application Number: 2021/49/93689/E

To: Ian Gilbert,
Barton Willmore
Tower 12
Bridge Street
Manchester
M3 3BZ

For: Kirklees Council

Description and location of development:

HYBRID APPLICATION FOR FULL PLANNING PERMISSION FOR ENGINEERING WORKS, DRAINAGE AND UTILITIES CONNECTION FOR THE PROVISION OF SITE ACCESS FROM FORGE LANE AND RAVENSTHORPE ROAD AND ASSOCIATED WORKS; AND FOR OUTLINE PERMISSION FOR ERECTION OF RESIDENTIAL DEVELOPMENT AND MIXED USE DEVELOPMENT (INCLUDING COMMUNITY FACILITIES) WITH ASSOCIATED WORKS INCLUDING THE PROVISION OF INTERNAL ESTATE ROADS AND PARKING, LANDSCAPE WORKS (INCLUDING PROVISION OF PUBLIC OPEN SPACE, TREE CLEARANCE/REPLACEMENT/WOODLAND MANAGEMENT AND ECOLOGICAL MANAGEMENT) AND SUSTAINABLE URBAN DRAINAGE WORKS DRAINAGE PRINCIPLES

At: LAND TO THE SOUTH OF, RAVENSTHORPE ROAD / LEES HALL ROAD,
DEWSBURY

Date of submission: 30-Sep-2021

In pursuance of its powers under the above mentioned Act and Regulations KIRKLEES COUNCIL (hereinafter called “The Council”) hereby grants planning permission for the above development subject to the following condition(s):-

Conditions and reasons (outline element):

1. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of appearance, means of access, landscaping, layout and scale (hereinafter called the “Reserved Matters”) of that phase shall be submitted to and approved in writing by the Local Planning Authority. For the purposes of this permission, all references to a “phase” or “phase of development” shall be interpreted as being a reference to a phase as defined on a phasing plan to be submitted pursuant to outline condition 5 below.

Reason: No details of the matters referred to having been submitted, they are reserved for the subsequent approval in writing of the Local Planning Authority.

This is a pre-commencement condition to ensure that sufficient detail is provided and agreed at an appropriate stage of the development process.

2. The development hereby approved shall be implemented in complete accordance with the plans and specifications schedule listed in this decision notice, and in complete accordance with the plans and particulars of the Reserved Matters referred to in outline condition 1 above, except as may be specified in the conditions attached to this permission or attached to future approvals of Reserved Matters, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

3. All applications for the approval of Reserved Matters for the development hereby approved shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

4. Implementation of the first phase of the development hereby approved shall commence either before the expiration of two years from the final approval of Reserved Matters or in the case of approvals of different dates, the final approval of the last such matter to be approved.

Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

5. Prior to the submission of any application for the approval of Reserved Matters, a plan showing the phases of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved phasing plan.

Reason: To define the scope of this permission and to provide clarity in relation to the progression of development across the site.

6. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, all persons and parties with an interest in the land to which this permission relates shall enter into and complete a Section 106 agreement with the Local Planning Authority to provide planning obligations to the satisfaction of the Local Planning Authority for the provision of financial contributions and/or works in kind in respect of the following matters:

- Affordable housing, including a minimum 20% provision and details including tenure split, locations, designs, unit size mix and delivery (if a minimum 20% affordable housing provision has not been secured via an appropriate alternative method approved in writing by the Local Planning Authority);
- Off-site open space provision to address shortfalls in specific open space typologies (if necessary in light of details of on-site provision to be submitted at Reserved Matters stage);
- Education and childcare provision (to be reviewed at Reserved Matters stage when number of units is confirmed and full unit size mix is known);
- Off-site highway works at the Forge Lane / Station Road / Thornhill Road junction (contribution to be calculated);
- Junction improvements at Calder Road / Huddersfield Road junction (contribution);
- Monitoring of parking on Lees Hall Road (contribution) and funding to enable additional “no waiting” restrictions (if necessary in light of findings of monitoring);
- Sustainable Travel Fund (contribution);
- Public transport improvements (contribution);
- Travel Plan monitoring (contribution);
- Biodiversity net gain contribution (if necessary in light of details to be submitted pursuant to outline condition 13 below);
- Air quality impact mitigation (if necessary in light of details to be submitted pursuant to outline condition 15 below);
- Drainage management and maintenance arrangements (a scheme detailing a maintenance and management regime for surface water infrastructure, watercourses and flood routing measures (including safe access to and into attenuation systems) which shall be risk assessed, a method statement (overseen by the Principal Designer in accordance with CDM regulations 2015) and a schedule and itinerary of maintenance tasks), and establishment of a HS61-wide drainage working group;
- Agreement to enable adjacent development, and to not create and/or exploit ransom scenarios; and
- Arrangements for the establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, including open space.

Reason: To ensure the delivery of the necessary infrastructure and other mitigation in accordance with Policies LP4, LP5, LP11, LP20, LP21, LP24, LP27, LP28, LP30, LP49, LP63 and LP65 and site allocation HS61 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure mitigation of the development’s impacts are agreed and secured at an appropriate stage of the development process.

7. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, 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 a timetable of all works, and details of:

- Any phasing of development;
- Hours of works;
- Point(s) of access and routes for construction traffic (which shall avoid Ravenshall School);
- Construction vehicle sizes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- 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;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- 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;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- 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 hereby approved 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.

8. Prior to the commencement of the development (including ground works), a survey of the existing condition of the highway (the extent of highway to be surveyed to be agreed with the Local Planning Authority in advance) shall be carried out jointly with the Local Highway Authority and 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 hereby approved (or at any earlier stage to be agreed with the Local Planning Authority in advance) a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out following the completion of all construction works related to the development and prior to the occupation of no more than 90% of the dwellings of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. Should any highways defects (affecting highway safety) attributable to the construction traffic of the development hereby approved be identified during the construction period, remediation of these shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to ensure the effective maintenance of the highway and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure highways surrounding the site are appropriately surveyed prior to works commencing, and to ensure responsibility for remedial works can be fairly assigned with reference to evidence.

9. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme 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 details of how flooding of adjacent land would be prevented; and
- Include methods of preventing contamination of watercourses once the new drainage has been installed.

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

Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

10. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, and unless submitted and approved under a Reserved Matters application submitted pursuant to outline condition 1 above, details of the spine road and associated works between the internal roundabout and Calder Road shall be submitted to and approved in writing by the Local Planning Authority. The section of spine road that is within the site boundary shall be implemented prior to the occupation of 200 dwellings of the development hereby approved or in accordance with a timescale otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of masterplanning, neighbourhood connectivity and distribution of traffic, and in accordance with Policies LP5, LP19, LP21, LP23 and LP24 of the Kirklees Local Plan.

11. Prior to the first occupation of any part of the development hereby approved, a Travel Plan for that part of the development shall be submitted to and approved in writing by the Local Planning Authority. Separate Travel Plans shall be submitted for the residential and non-residential uses hereby approved. The Travel Plans shall include proposals for enabling and encouraging the use of active and/or sustainable modes of transport, and proposals for monitoring, review and timings for delivery. The approved Travel Plans and measures shall be implemented prior to occupation or in accordance with timescales otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of enabling and encouraging the use of active and/or sustainable transport modes, to mitigate the air quality impacts of the development and to accord with Policies LP20, LP21, LP22, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

12. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, 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 (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. The approved scheme shall be retained thereafter.

Reason: To ensure the effective disposal of water from the development so as to avoid an increase in flood risk and so as 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 that details of drainage are agreed at an appropriate stage of the development process.

13. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a revised Biodiversity Net Gain metric calculation shall be submitted to and approved in writing by the Local Planning Authority. The revised calculation shall confirm the net gains to be achieved post-development in respect of habitat units, hedgerow units and river units.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain are agreed at an appropriate stage of the development process.

14. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of ecological mitigation and enhancement (in compliance with details to be approved pursuant to outline condition 13 above) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an Ecological Design Strategy, which shall include measures to address impacts on birds including ground-nesting farmland birds. The development shall be implemented in accordance with the approved details and all measures and features shall be retained in that manner thereafter.

Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain are agreed at an appropriate stage of the development process.

15. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme detailing fully-costed air quality mitigation measures based on the cost damage calculation as detailed in section 6.3 of the Air Quality Assessment (Buro Happold, ref: 048206-BHE-XX-XX-RP-AQ-0001 rev 04, 27/09/2021) shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, no more than 100 dwellings of the development hereby approved shall be occupied prior to the implementation of the air quality mitigation measures so approved. Following completion of the approved air quality mitigation measures a verification report detailing a breakdown of costs shall be submitted to and approved in writing by the Local Planning Authority. The verification report shall detail the expenditure of each of the mitigation measures agreed, reflecting the total sum of cost damages that have been calculated for the development.

Reason: In the interests of amenity and to mitigate the air quality impacts of the development in accordance with Policies LP20, LP21, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

16. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a further noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall specify the measures to be taken to protect the development hereby approved from noise from all significant noise sources (including noise from road traffic, commercial uses and community uses) and shall:

- Determine the existing noise climate;
- Predict the noise climate in living rooms and gardens (daytime), bedrooms (night time) and other habitable rooms of the development; and
- Detail the attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Prior to the first occupation of any specified dwelling hereby approved, all works specified for that dwelling in the approved noise assessment shall be carried out in full and such works shall thereafter be retained.

Reason: In the interests of amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that noise mitigation measures are agreed at an appropriate stage of the development process.

17. Prior to the commencement of development (including ground works, other than those required to inform a site investigation report) of any phase of the development hereby approved, a further Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified at an appropriate stage of the development process.

18. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to outline condition 17 above, prior to the commencement of development (including ground works, other than those required to inform a site investigation report) a Remediation Strategy shall be 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

19. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to outline condition 18 above. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all works in the affected area (other than site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

20. 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. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

21. Prior to the submission of the Reserved Matters applications referred to in outline condition 1 above, details of a scheme of intrusive investigations (which shall be carried out on site to establish the risks posed to the development hereby approved by past coal mining activity) shall be submitted to and approved in writing by the Local Planning Authority. This shall include proportionate consideration of risks related to the likely greater use of Lady Wood. Should any remediation works and/or mitigation measures to address land instability arising from coal mining legacy prove necessary in light of the findings of the intrusive investigations, these works and/or measures shall be implemented on site in full prior to the commencement of development (including ground works, other than those required as part of the approved remediation works and/or mitigation) of any phase of the development hereby approved.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of remedial and/or mitigatory measures related to the site's coal mining legacy are agreed at an appropriate stage of the development process.

22. Prior to any part of the development hereby approved being brought into first use, a validation statement/declaration related to coal mining legacy shall be submitted to and approved in writing by the Local Planning Authority. The statement/declaration shall be prepared and signed by a suitably competent person, shall confirm that the site is, or has been made, safe and stable for the development hereby approved, and shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

23. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a written scheme of archaeological investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include:

- A statement of significance and research objectives;
- A programme and methodology of site investigation and recording and the nomination of (a) competent person(s) or organisation to undertake the agreed works; and
- A programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure buried heritage assets are appropriately recorded and protected and to accord with Policy LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework.

This pre-commencement condition is necessary as intrusive works on site have the potential to damage or disturb buried heritage assets.

Conditions and reasons (full element):

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

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

25. 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 in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

26. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, 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 a timetable of all works, and details of:

- Any phasing of development;
- Hours of works;
- Point(s) of access and routes for construction traffic (which shall avoid Ravenshall School);
- Construction vehicle sizes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- 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;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- 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;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- 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 hereby approved 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.

27. Prior to the commencement of the development (including ground works), a survey of the existing condition of the highway (the extent of highway to be surveyed to be agreed with the Local Planning Authority in advance) shall be carried out jointly with the Local Highway Authority and 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 hereby approved (or at any earlier stage to be agreed with the Local Planning Authority in advance) a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out following the completion of all construction works related to the development and prior to the occupation of no more than 90% of the dwellings of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. Should any highways defects (affecting highway safety) attributable to the construction traffic of the development hereby approved be identified during the construction period, remediation of these shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to ensure the effective maintenance of the highway and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure highways surrounding the site are appropriately surveyed prior to works commencing, and to ensure responsibility for remedial works can be fairly assigned with reference to evidence.

28. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme 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 details of how flooding of adjacent land would be prevented; and
- Include methods of preventing contamination of watercourses once the new drainage has been installed.

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

Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

29. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a vehicular access (or vehicular access) into and from the site shall be created for use by construction traffic in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This access shall be used by construction traffic for the duration of the construction phase, and no other access to or egress from the site for construction traffic shall be provided, enabled or used unless approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, to ensure adequate intervisibility is provided and maintained, to ensure the highway is not obstructed, in the interests of highway safety, and to accord with Policies LP21, LP24 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 impacts are devised and agreed at an appropriate stage of the development process, and to ensure that adequate visibility is provided to enable works vehicles to enter and exit the site.

30. Notwithstanding the details submitted to date, prior to the commencement of development and prior to the submission of any Reserved Matters application pursuant to this permission, a scheme detailing surface water and land drainage (including details of compatibility with an integrated sustainable drainage masterplan, details of storage, off-site works, outfalls, balancing works with discharge rates approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority, plans and longitudinal sections, hydraulic calculations, details of any phasing of drainage provision, details of existing drainage to be maintained / diverted / abandoned, and details of water quality improvements) for the detailed (highways) part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be brought into use until the drainage scheme so approved has been implemented. The approved drainage scheme shall be retained thereafter.

Reason: To ensure that sufficient space for water is provided, to ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk, 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 that details of drainage are agreed at an appropriate stage of the development process.

31. Prior to their first use, the parking areas hereby approved shall be laid out, surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Private parking areas shall be designed in accordance with "Guidance on the permeable surfacing of front gardens (parking areas)", 13/05/2009 (ISBN 9781409804864) as amended or superseded. The approved parking areas ~~and~~ shall thereafter be retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

32. Where highway retaining structures are necessary, prior to the commencement of development (including ground works) of any phase of the development hereby approved, the design and construction details of any such structures (and any temporary highway retaining structures that may be deemed necessary) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, together with structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be completed in accordance with the approved details prior to the highway being first brought into use and shall be retained as such thereafter.

Reason: To ensure that any new retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure details of highway retention are agreed at an appropriate stage of the development process.

33. Notwithstanding the details submitted to date, prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme detailing the proposed final designs of the Forge Lane / Lees Hall Road / spine road junction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all highway design details, including crossings, verges, trees and other planting, cycleways, footways, bridleway, details of swept paths for HGVs and a 11.85m refuse vehicle, full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with independent Stage 1, 2 and 3 Road Safety Audits, Designers' Responses and Agreed Actions covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 278 approval. No more than 150 dwellings of the development hereby approved shall be first occupied until the construction of the Forge Lane / Lees Hall Road / spine road junction has been completed, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and amenity, to achieve a satisfactory layout, and to ensure street trees and adequate drainage is provided in accordance with Policies LP20, LP21, LP24, LP27, LP28 and LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of the junction are agreed at an appropriate stage of the development process.

34. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme detailing yellow box markings to be provided at the Vicarage Road / Savile Road junction shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include independent Stage 1, 2 and 3 Road Safety Audits, Designers' Responses and Agreed Actions, and details of the delivery of the works under an appropriate Section 278 approval.

Reason: In the interests of highway safety and mitigating the impacts of the development, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of the markings are agreed at an appropriate stage of the development process.

35. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme detailing a pedestrian refuge island to be provided on Ravensthorpe Road shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include independent Stage 1, 2 and 3 Road Safety Audits, Designers' Responses and Agreed Actions, and details of the delivery of the works under an appropriate Section 278 approval.

Reason: In the interests of highway safety and mitigating the impacts of the development, in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure details of the refuge are agreed at an appropriate stage of the development process.

36. Notwithstanding the details submitted to date, prior to the commencement of development (including ground works) of any phase of the development hereby approved, a scheme detailing the proposed internal adoptable roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all highway design details, including swept paths for HGVs and a 11.85m refuse vehicle, full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with independent Stage 1, 2 and 3 Road Safety Audits, Designers' Responses and Agreed Actions covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 38 approval. No part of the development shall be brought into use until the internal adoptable roads for that part of the development have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and amenity, to achieve a satisfactory layout, and to ensure street trees and adequate drainage is provided in accordance with Policies LP20, LP21, LP24, LP27, LP28 and LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details of internal adoptable roads are agreed at an appropriate stage of the development process.

37. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of the treatment of Public Rights of Way in and adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include levels information, and details of construction, surface materials, and drainage. The development hereby approved shall be implemented in accordance with the approved details and the Public Rights of Way shall be maintained in that manner thereafter. Unless otherwise agreed in writing by the Local Planning Authority, until such time as the legal diversion of the Public Rights of Way have been formally confirmed and the approved diverted routes have been completed, the existing Public Rights of Way shall not be altered and shall remain available for use.

Reason: To ensure diverted and otherwise affected Public Rights of Way are accessible, attractive, maintained to an acceptable standard and appropriate for their operation in accordance with Policies LP20, LP23, LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that details relating to Public Rights of Way are agreed at an appropriate stage of the development process.

38. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of replacement community facilities (to replace the mosque and playgroup currently located at 555 Lees Hall Road) shall be submitted to the Local Planning Authority under an application for the approval of Reserved Matters and approved in writing by the Local Planning Authority.

Construction of the replacement community facilities shall be completed and the replacement community facilities shall be ready for occupation prior to the demolition of 555 Lees Hall Road. No more than 150 dwellings of the development hereby approved shall be first occupied until the construction of the replacement community facilities has been completed and the replacement community facilities are ready for occupation.

Reason: To ensure existing community facilities are appropriately reprovided and no significant interruption in provision occurs, and to accord with Policy LP48 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure details of the reprovion of the existing community facilities are agreed at an appropriate stage of the development process.

39. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, an Arboricultural Impact Assessment and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the documents so approved.

Reason: To protect trees in the interests of visual amenity and biodiversity and to accord with Policy LP33 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of tree impacts are considered at an appropriate stage of the development process.

40. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the documents so approved.

Reason: To protect trees in the interests of visual amenity and biodiversity and to accord with Policy LP33 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of tree protection are agreed at an appropriate stage of the development process.

41. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted in writing to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

42. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- Details of existing and proposed levels, and regrading;
- Planting plans, including additional treeplanting notwithstanding what is shown in the drawings hereby approved;
- Details of tree pit sizes and soils;
- Species schedules;
- Details of initial aftercare and long-term maintenance;
- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- Details (including samples, if requested), of paving and other hard surface materials; and
- Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour.

No more than 150 dwellings of the development hereby approved shall be first occupied until all hard and soft landscaping shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value, visual amenity and highways safety, to minimise flood risk, to ensure the amenities of existing neighbouring residential units are protected, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP27, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan, and chapters 8, 12 and 15 of the National Planning Policy Framework.

43. Prior to the commencement of development (including ground works, other than those required to inform a site investigation report) of any phase of the development hereby approved, a further Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment are identified, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified at an appropriate stage of the development process.

44. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 43 above, prior to the commencement of development (including ground works, other than those required to inform a site investigation report) a Remediation Strategy shall be 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

45. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 44 above. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all works in the affected area (other than site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.

46. 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. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

47. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, details of a scheme of intrusive investigations (which shall be carried out on site to establish the risks posed to the development hereby approved by past coal mining activity) shall be submitted to and approved in writing by the Local Planning Authority. Should any remediation works and/or mitigation measures to address land instability arising from coal mining legacy prove necessary in light of the findings of the intrusive investigations, these works and/or measures shall be implemented on site in full prior to the commencement of development (including ground works, other than those required as part of the approved remediation works and/or mitigation) of any phase of the development hereby approved.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of remedial and/or mitigatory measures related to the site's coal mining legacy are agreed at an appropriate stage of the development process.

48. Prior to any part of the development hereby approved being brought into first use, a validation statement/declaration related to coal mining legacy shall be submitted to and approved in writing by the Local Planning Authority. The statement/declaration shall be prepared and signed by a suitably competent person, shall confirm that the site is, or has been made, safe and stable for the development hereby approved, and shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To minimise risk associated with the area's mining legacy in accordance with Policy LP53 of the Kirklees Local Plan.

49. Prior to the commencement of development (including ground works) of any phase of the development hereby approved, a written scheme of archaeological investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include:

- A statement of significance and research objectives;
- A programme and methodology of site investigation and recording and the nomination of (a) competent person(s) or organisation to undertake the agreed works; and
- A programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure buried heritage assets are appropriately recorded and protected and to accord with Policy LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework.

This pre-commencement condition is necessary as intrusive works on site have the potential to damage or disturb buried heritage assets.

NOTE: 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.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. 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; and*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.*

NOTE: All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants (<http://www.association-of-noiseconsultants.co.uk/> and 020 8253 4518) or the Institute of Acoustics (<http://www.ioa.org.uk> and 0300 999 9675) for a list of members.

NOTE: A ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable. Acoustic trickle ventilation alone is unlikely to provide sufficient ventilation to help control thermal comfort without the need to open windows and would therefore not be acceptable.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of 07:30 and 18:30 Mondays to Fridays, and 08:00 and 13:00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. 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: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Council with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: To discuss road adoption arrangements under Section 38 of the Highways Act 1980, please contact Highway Adoptions on 01484 221000 or highways.section38@kirklees.gov.uk.

NOTE: 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. 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/or must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally-binding undertaking to the Local Highway Authority explicitly stating that they have a full understanding of 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 *CS 450 - Inspection of highway structures* or any subsequent superseding document.

NOTE: Please refer to the comments of Yorkshire Water (dated 13/05/2022) regarding new sewer adoption.

NOTE: 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. At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point. For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may 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. The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: The contents of highways- and landscaping-related drawings prefixed “DPL”, “DR-BH” and “4678” in the plans and specifications schedule below may need to be reviewed in light of detailed information to be submitted pursuant to condition 30 and other conditions, including in relation to footways and cycleways, drainage pipework, attenuation, swales, verges, and street trees. Conditions 10, 30, 36 and 42 allow for amendments to be made to the relevant drawings, provided the amendments would not necessitate public consultation.

NOTE: References to “(as amended)” documents in the plans and specifications schedule below reflect the amendments made during the life of the application. Not all documents were (or needed to be) updated to reflect these amendments.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Location Plan	DWG05	rev I	17/10/2022
Illustrative Masterplan	18	rev E	17/10/2022
Scale Parameter Plan	Ai14	rev F	17/10/2022
Green Infrastructure Parameter Plan	Ai15	rev F	17/10/2022
Land Use and Access Parameter Plan	Ai16	rev F	17/10/2022
Site Access Layout Plan Preliminary Site Access Prior to Link Road Construction	DPL SK161	rev A	18/10/2022
Site Access Layout Plan Preliminary Site Access Articulated HGV	DPL SK162	rev A	18/10/2022
Site Access Layout Plan Preliminary Site Access Refuse Vehicle – Turning Head	DPL SK163	rev A	18/10/2022
Site Access Layout Plan Wide Area and Key	DPL SK164	rev A	18/10/2022
Site Access Layout Plan Central Gateway Signal Junction	DPL SK165	rev A	18/10/2022

Plan/document type	Reference	Version	Date received
Site Access Layout Plan Preliminary Access Following Link Road Construction	DPL SK166	rev A	18/10/2022
Site Access Layout Plan Link Road	DPL SK167	rev A	18/10/2022
Site Access Layout Plan Compact Roundabout	DPL SK168	rev A	18/10/2022
Site Access Layout Plan Allotment Active Travel Access	DPL SK169	rev A	18/10/2022
Site Access Layout Plan Western Active Travel Access	DPL SK170	rev A	18/10/2022
Highways Phase 1 and 2 Index Plan	DR-BH-XX-XX-DR-C-00-2150	rev P04	12/11/2022
Highways Phase 1 and 2 General Arrangement	DR-BH-XX-XX-DR-C-00-2151	rev P05	12/11/2022
Highways Phase 1 General Arrangement	DR-BH-XX-XX-DR-C-00-2152	rev P04	12/11/2022
Highways Phase 1 Earthworks - Isopach	DR-BH-XX-XX-DR-C-00-2157	rev P04	12/11/2022
Highways Phase 1 and 2 Earthworks – Isopach Sheet 1	DR-BH-XX-XX-DR-C-00-2158	rev P03	12/11/2022
Highways Phase 1 and 2 Earthworks – Isopach Sheet 2	DR-BH-XX-XX-DR-C-00-2159	rev P03	12/11/2022
Highways Phase 1 and 2 Road Markings	DR-BH-XX-XX-DR-C-00-2160	rev P05	12/11/2022
Highways Phase 1 Road Markings	DR-BH-XX-XX-DR-C-00-2161	rev P04	12/11/2022
Highways Typical Sections	DR-BH-XX-XX-DR-C-00-2163	rev P02	12/11/2022
Highways Phase 1 and 2 Long Sections	DR-BH-XX-XX-DR-C-00-2164	rev P02	12/11/2022
Highways Phase 1 Long Sections	DR-BH-XX-XX-DR-C-00-2165	rev P02	12/11/2022

Plan/document type	Reference	Version	Date received
Proposed Landscape Masterplan	4678 01	rev B	30/09/2021
Planting Plan 1 of 4	4678 02	rev A	30/09/2021
Planting Plan 2 of 4	4678 03	rev A	30/09/2021
Planting Plan 3 of 4	4678 04	rev A	30/09/2021
Planting Plan 4 of 4	4678 05	rev A	30/09/2021
Planting Plan 1 of 2	4678 06		25/10/2022
Planting Plan 2 of 2	4678 07		25/10/2022
Planning Statement (as amended)	Barton Willmore, 32147/A5/LS/IG, 15/09/2021	rev 3	24/09/2021
Statement of Community Involvement	Barton Willmore, September 2021, 32147/A5/SCI/LS/IG,	rev 03	
Design and Access Statement (as amended)	Barton Willmore, 16/09/2021	rev B	24/09/2021
Archaeological Desk Based Assessment and Heritage Statement	Wardell Armstrong, ST18374 0001, September 2021	V1.0b	30/09/2021
Landscape and Visual Appraisal	DEP, 24/09/2021		30/09/2021
Health Impact Assessment	Barton Willmore, 32147/A5/HIA, September 2021	rev 03	30/09/2021
Transport Assessment	DPL, 001, September 2021	issue A	24/09/2021
Transport Assessment Addendum	DPL, 006, October 2022	issue A	31/10/2022
Traffic Distribution Manual Assignment	DPL, 004, March 2022	issue E	17/03/2022
Technical Note 7 – Dewsbury Riverside Saturn Modelling	Systra, GB01T19A18/2PROJ/10844612, 15/11/2021	v3	04/01/2022
Stage 1 Road Safety Audit	Local Transport Projects, LTP/22/5240, 02/11/2022	issue 1	03/11/2022
Road Safety Audit Designer's Response	DPL, 03/11/2022		03/11/2022
Residential Travel Plan	DPL, 002, September 2021	issue A	24/09/2021
Preliminary Geoenvironmental Investigation	Lithos, 3901/1A, September 2021		24/09/2021
Geoenvironmental Appraisal	Lithos, 3901/2A, July 2021		24/09/2021

Plan/document type	Reference	Version	Date received
Remediation Strategy	Lithos, 3901/3, August 2021		24/09/2021
Flood Risk Assessment	Buro Happold, 0048206-BH-XX-XX-RP-FR-0001, 27/09/2021	rev 04	30/09/2021
Surface Water Drainage Strategy	Buro Happold, 0048206-BHE-XX-XX-RP-C-0001, 18/02/2022	rev P05	23/03/2022
Drainage CCTV Survey Plan 1		v2	23/03/2022
Drainage CCTV Survey Plan 2		v2	23/03/2022
Drainage CCTV Survey Plan 3		v2	23/03/2022
Manhole Cards	GR29565		23/03/2022
Noise and Vibration Impact Assessment	Vanguardia, VC-103588-EN-RP-0001, 29/09/2021	R01	01/10/2021
Air Quality Assessment	Buro Happold, 048206-BHE-XX-XX-RP-AQ-0001, 27/09/2021	rev 04	30/09/2021
Climate Change Statement	Buro Happold, 0048206-BHE-XX-XX-RP-SP-0001, 24/09/2021	rev P02	30/09/2021
Ecological Impact Assessment	Buro Happold, 0048206-BHE-XX-XX-RP-YM-0001, 12/10/2021	rev P04	18/10/2021
Bat Survey Report	Penny Anderson Associates, October 2021		18/10/2021
Bat Activity Survey Report	Penny Anderson Associates, September 2022		18/10/2022
Breeding Bird Survey Report	Penny Anderson Associates, September 2021		24/09/2021
Wintering Bird Survey Report	Penny Anderson Associates, April 2022		29/06/2022
Survey Details for Trees at Dewsbury Riverside (and accompanying drawings titled "Dewsbury, Riverside" and "Dewsbury Riverside Part 2")	Iain Tavendale, 20/07/2021		24/09/2021

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 drawings relating to layout, drainage, highways and other planning matters. The Local Planning Authority proactively engaged with the applicant in order to ensure relevant planning matters were addressed.

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 Tel No: (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](#). Alternatively the forms and supporting guidance for submitting an application can be found online at [Kirklees Council Planning](#).
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

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

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

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Digital Infrastructure: Fibre To The Property (FTTP)

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

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

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

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.

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 refuse permission for the proposed development or 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 you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- 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 [the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#).
- 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: 01-Aug-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:

[Kirklees Council Planning](#)

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
