



**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: 2021/62/92086/W

To: Jonathan Dunbavin
ID Planning
9 York Place
Leeds
LS1 2DS

For: Redrow Homes Yorkshire

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

**ERECTION OF 277 RESIDENTIAL DWELLINGS AND ASSOCIATED
INFRASTRUCTURE AND ACCESS**

At: LAND AT, BRADLEY VILLA FARM, BRADLEY ROAD, BRADLEY,
HUDDERSFIELD, HD2 2JX

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

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

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

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule 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.

3. Prior to the commencement of development (including ground works), a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include a timetable of all works, and details of:

- Any phasing of development;
- Hours of works;
- Point of access for construction traffic (as stipulated by condition 6);
- Confirmation that no construction traffic shall use Shepherds Thorn Lane;
- Construction vehicle sizes and routes;
- 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 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.

4. Prior to the commencement of the development (including ground works), a survey (including photographic evidence) of the existing condition of the highway on Bradford Road, Bradley Road and Shepherds Thorn Lane (the extent of highway to be surveyed to be agreed in writing by 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. The submission made pursuant to this condition shall also include a timetable of works and a commitment (with responsibilities assigned to named parties) to undertake remedial works (the details of which shall be submitted to and approved in writing by the Local Planning Authority) to maintain the highway during the entirety of the construction phase to the condition documented in the pre-commencement highway condition survey. The final highway remediation works so approved shall be completed prior to the occupation of the 277th dwelling.

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.

5. Prior to the commencement of development (including vegetation clearance and ground works) a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following.

- 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;
- Identification of “biodiversity protection zones” where appropriate;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works where appropriate;
- Responsible persons and lines of communication; and
- Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP: Biodiversity shall be implemented and adhered to 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 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 measures to prevent or minimise biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Prior to the commencement of development (including ground works), a vehicular access into the site shall be created at Bradford Road for use by construction traffic. Prior to being brought into use, visibility splays at this access shall be cleared of vegetation and boundary treatments and visibility splays shall be kept clear of all obstructions to visibility above 0.6m measured from the ground thereafter. 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.

7. Prior to the commencement of development (including ground works) 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.

8. Where implementation of the development hereby approved is to be phased, and/or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of those residential units. The temporary arrangements so approved shall be implemented prior to the first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

9. Prior to the commencement of development (including ground works), 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.

10. Prior to the commencement of development (including ground works) full details of the permanent site entrance and junction at Bradford Road, the toucan crossing and combined cycle/footway works on Bradford Road, and all other associated works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of sight lines, road markings, construction specifications, signals, crossings, surface finishes and signage, an independent road safety audit covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 278 approval. The scheme shall also include the additional verge and landscaped areas that are required to allow for further junction works that may be required in relation to the potential future development of the HS11 allocated site. Unless otherwise agreed in writing by the Local Planning Authority, no dwellings of the development hereby approved shall be occupied prior to the implementation of the approved scheme for use by residential traffic.

Reason: To ensure suitable vehicular access is provided for residents of the development hereby approved, in the interests of highway safety, to achieve a satisfactory layout, and to allow for future development of the HS11 allocated site in accordance with Policies LP5, LP20, LP21 and LP65 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of the Bradford Road entrance and junction are agreed, and that the entrance and junction are provided, at an appropriate stage of the development process.

11. Prior to the commencement of development (including ground works) full details of the junction of Shepherds Thorn Lane and the spine road of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of sight lines, road markings, construction specifications, signals, crossings, surface finishes, signage and temporary (vehicular restriction, turning and emergency access) arrangements, an independent road safety audit covering all aspects of this work, and details of the delivery of the scheme under an appropriate Section 278 approval. The scheme shall also include provisions for further works required in relation to the potential future development of the HS11 allocated site. Unless otherwise agreed in writing by the Local Planning Authority, no more than 200 dwellings of the development hereby approved shall be occupied prior to the implementation of the approved scheme.

Reason: To ensure a suitable connection is provided, in the interests of highway safety, to achieve a satisfactory layout, and to allow for future development of the HS11 allocated site in accordance with Policies LP5, LP20, LP21 and LP65 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure that details of the junction of Shepherds Thorn Lane and the spine road are agreed, and that the junction is provided, at an appropriate stage of the development process.

12. Prior to the commencement of development, a scheme detailing the proposed internal adoptable roads, internal cycle paths and footpaths shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of an empty duct for high-voltage cabling beneath the full length of the spine road, swept paths for a 11.85m refuse vehicle, full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent road safety audit covering all aspects of this work. 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 to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

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

13. Prior to the first occupation of any specified dwelling hereby approved, details of secure, covered and conveniently-located cycle parking for use by residents of that dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and encouraging the use of sustainable transport modes, and to accord with Policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

14. Prior to development commencing on the superstructure of any dwelling hereby approved, a scheme detailing the dedicated facilities to 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:

- One Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space; and
- One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) for every 10 unallocated residential parking spaces.

Dwellings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. The charging points installed shall be retained thereafter.

Reason: To ensure residents of the development are encouraged to use lower-carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with Policies LP20, 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.

15. The following units (as annotated on drawing BVF-16-02-03 rev T) shall not be occupied prior to odorous activities at the adjacent farm permanently ceasing in accordance with the Unilateral Undertaking dated 13/06/2023:

- Units 8 to 20;
- Units 21 to 26;
- Units 59 to 61;
- Units 107 to 120;
- Units 134 to 142;
- Units 143 to 158; and
- Units 246 to 264

Reason: In the interests of residential amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan.

16. Prior to the commencement of superstructure works, details of storage and access for collection of wastes from the residential units hereby approved, and details of management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm that waste collection points shall not obstruct access to private driveways, and shall include details of management measures (including measures to control odour and vermin) and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

17. Where highway retaining structures are necessary, prior to development commencing on the superstructure of any dwelling 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 before any of the dwellings are occupied 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.

18. Prior to the commencement of development, a scheme of intrusive investigations shall be carried out on site to establish the risks posed to the development hereby approved by past coal mining activity. 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 any part of the development hereby approved being brought into first use.

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.

19. 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

20. Prior to the commencement of development, a scheme detailing foul, surface water and land drainage (including off-site works, outfalls, balancing works, plans and longitudinal sections and hydraulic calculations) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management plan for surface water infrastructure. None of the dwellings hereby approved shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phase of the development to which the dwellings relate. The approved drainage 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.

21. Prior to the commencement of development 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 hereby approved 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.

22. Prior to the first occupation of any specified dwelling hereby approved, unless otherwise agreed in writing by the Local Planning Authority the approved vehicle parking area(s) for that dwelling shall be surfaced and drained in accordance with "Guidance on the permeable surfacing of front gardens (parking areas)", 13/05/2009 (ISBN 9781409804864) as amended or superseded, and shall thereafter 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.

23. Prior to the commencement of development (including ground works, other than those required to inform a site investigation report) 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.

24. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 23, 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.

25. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 24. 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.

26. 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.

27. Prior to the commencement of development (excluding ground works) a further Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- Clearly show which habitable rooms in which plots would not achieve satisfactory indoor sound levels with windows open, and for these rooms provide a detailed specification of the noise mitigation measures that would be necessary to achieve satisfactory indoor sound levels, including an alternative ventilation scheme which shall show how these rooms shall be provided with sufficient ventilation to help control thermal comfort and avoid overheating during hot weather without the need to open windows; and
- Clearly show which external amenity areas at which plots would have daytime noise levels that exceed 50dB LAeq,16hour, and for these plots provide a detailed specification for the noise mitigation measures that would be required for outdoor noise levels of no more than 55dB LAeq, 16hour to be achieved at these plots.

Prior to the first occupation of any specified dwelling hereby approved all works specified for that dwelling in the approved Noise Impact 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.

28. Prior to the commencement of development (excluding ground works) a ventilation scheme for rooms where windows would need to be kept closed to prevent excessive indoor noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall:

- Identify which rooms of which plots (referenced to the Noise Assessment prepared by Sharps Redmore dated 09/02/2021, ref: 2019711) require a ventilation system;
- Include the acoustic specification of the proposed ventilation system demonstrating that when operated it would not cause indoor noise target levels to be exceeded; and
- Demonstrate how habitable rooms of these plots shall be provided with sufficient ventilation to help control thermal comfort and avoid overheating during hot weather without the need to open windows. This shall include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour. A Standard Assessment Procedure (SAP) assessment would be acceptable to demonstrate that a risk of overheating is minimised.

Prior to the first occupation of any specified dwelling hereby approved the ventilation scheme specified for that dwelling shall be provided 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 ventilation measures are agreed at an appropriate stage of the development process.

29. Prior to the commencement of superstructure works, a scheme detailing fully-costed air quality mitigation measures (based on the cost damage calculation set out in chapter 12 of the submitted Environmental Statement) 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, and this shall reflect 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.

30. Notwithstanding what is shown on drawing BVF-16-02-04 rev E, prior to the commencement of superstructure works, details of all external materials to be used shall be submitted to the Local Planning Authority, and samples shall be left on site for the inspection and approval in writing of the Local Planning Authority. The proposals shall be informed by a review of the site's context and the development's streetscape and character areas (details of which shall also be submitted pursuant to this condition). No materials other than those approved in accordance with this condition shall be used.

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

31. Prior to the commencement of superstructure works, and notwithstanding what is shown on the drawings hereby approved, details of all electricity substations to be provided on-site in association with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans, elevations and sections, and details of external materials and any boundary treatments. The substation(s) shall be constructed in accordance with the details so approved.

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

32. Prior to the commencement of superstructure works, and notwithstanding what is shown on the drawings hereby approved, details (including sections and details of levels) of all boundary treatments, and any retaining walls and gabions, shall be submitted to and approved in writing by the Local Planning Authority. The details shall correspond with measures relating to flood routing, shall be designed to prevent and deter crime and anti-social behaviour, and shall provide for the movement of hedgehogs. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.

Reason: In the interests of visual amenity, highways safety and biodiversity, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved 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 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

33. Prior to the commencement of superstructure works, details of external air source heat pump units to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and specifications, shall confirm locations of the units, shall include screening measures where necessary, and shall include noise and maintenance information. The units shall be installed in accordance with the details so approved and shall be maintained in accordance with the details so approved thereafter.

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

34. Prior to the commencement of superstructure works, and notwithstanding what is shown on the drawings hereby approved, details of the foul water pumping station to be provided on-site in association with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans, elevations and sections, and details of external materials, surface treatments and any bollards and boundary treatments. The foul water pumping station shall be constructed in accordance with the details so approved.

Reason: In the interests of visual amenity, to ensure impacts upon the openness of the green belt are minimised, and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

35. Prior to the commencement of superstructure works, and notwithstanding what is shown on the drawings hereby approved, details of the drainage infrastructure works (including works providing access thereto) to be provided in association with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans, elevations and sections, and details of levels, regrading, vegetation removal, surface treatments, boundary treatment removal, landscaping, any external materials and any bollards and boundary treatments. The drainage infrastructure works shall be constructed in accordance with the details so approved.

Reason: In the interests of visual amenity, to ensure impacts upon the openness of the green belt are minimised, and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

36. Prior to the first occupation of any dwelling with external lighting (other than street lighting on streets to be adopted), details of the external lighting for that dwelling shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a scheme detailing street lighting to all private (unadopted) roads/drives/courtyards and shall not include low-level or bollard street lighting. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, risk of creating opportunities for crime and anti-social behaviour, and disturbance to wildlife. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. No dwellings accessed from a private (unadopted) road/drive/courtyard shall be brought into use until the street lighting so approved for that road/drive/courtyard has been installed and brought into use, and the street lighting shall be retained as such thereafter. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to safeguard habitat, 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, LP30 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

37. Prior to the commencement of superstructure works, 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;
- Details of all on-site open spaces (including details of their purpose(s) and management) and of any areas for designated, informal, incidental and/or doorstep play;
- Details of all on-site play spaces;
- Details of covenants (or other suitable arrangements) regarding street tree retention, management and maintenance where these trees are not within adopted highways;
- Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour; and
- Details of natural surveillance and windows overlooking publicly-accessible areas (including open spaces, pedestrian connections and public footpaths).

No part or phase of the development hereby approved shall be occupied until all hard and soft landscaping for that part or phase has been 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 ensure high quality open spaces are provided, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved 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.

38. Prior to the commencement of superstructure works, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority. The BEMP shall be in accordance with the submitted Biodiversity Impact Assessment (Futures Ecology, April 2022, ref: FE30/BIA01), shall provide a minimum of 15.5 habitat units and 4.52 hedgerow units post-development and shall include the following:

- Description and evaluation of features to be managed;
- Details of the extent and location/area of proposed enhancement works on appropriately-scaled maps and plans;
- Details corresponding with landscaping details to be submitted pursuant to condition 37;
- Details of ecological trends and constraints on site that might influence management;
- Aims and Objectives of management;
- Appropriate management actions for achieving Aims and Objectives;
- An annual work programme (to cover an initial five-year period capable of being rolled forward over a period of 30 years);
- Details of the management body or organisation responsible for implementation of the BEMP;
- Details of an ongoing monitoring programme and remedial measures; and
- Arrangements for the review and update of the BEMP every five years and its implementation for a minimum of 30 years.

The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer through the management body responsible for its delivery. The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers conservation Aims and Objectives for the site. The development shall be implemented in accordance with the approved BEMP 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.

39. Prior to the commencement of development (including ground works), an Arboricultural Method Statement and 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 measures are agreed at an appropriate stage of the development process.

40. 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.

41. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, D and E of Part 1 and Class A of Part 2 of Schedule 2 to that Order shall be carried out at units 1, 5, 7, 8, 11, 15, 18, 21, 23, 40, 43, 66, 68, 75, 77, 81, 84, 85, 87, 91, 106, 112, 114, 132, 134, 137, 174, 176, 180, 181, 185, 188, 213, 216, 217, 218, 222, 225, 227, 230, 255 and 259 (as annotated on drawing BVF-16-02-03 rev T) without the prior written consent of the Local Planning Authority. No development shall be carried out, no boundary treatment or other obstacle shall be installed, and no trees shall be planted within the space immediately to the west of the curtilage of unit 143 without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk in accordance with Policies LP24, LP27 and LP28 of the Kirklees Local Plan and the National Planning Policy Framework.

42. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, open space or green belt land, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.

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

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: For the avoidance of doubt, condition 11 relates to the junction of Shepherds Thorn Lane and the development's spine road adjacent to units 191-199 and 204-212 (as numbered on drawing BVF-16-02-03 rev T). Condition 11 does not relate to the site entrance for pedestrians and cyclists at the southeast corner of the site adjacent to 398 Bradley Road. Condition 11 is intended to ensure levels and the finished surfaces of the carriageways correspond, to ensure that appropriate feathering in is proposed (in connection with this, there will be a need for limited work on Shepherds Thorn Lane, outside the application site red line boundary), to ensure adequate visibility is provided for users, and to ensure other details of the junction are appropriately designed and implemented.

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: Reference below to a drawing titled "Section 38 Agreement" (drawing 4607-16-06-201 rev E) should not be taken as confirmation that roads and land within the development hereby approved will be adopted as highway under Section 38 of the Highways Act 1980.

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 National Grid (dated 09/07/2021) and Cadent (dated 04/06/2021) regarding energy supply infrastructure in the vicinity of the application site.

NOTE: Please refer to the comments of Yorkshire Water (dated 29/06/2021) 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: 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
Site Location Plan	BVF-16-02-02	Rev A	11/03/2022
Proposed Site Layout	BVF-16-02-03	Rev T	22/06/2023
Land Adjacent to Plot 143	4607-16-06-906		11/08/2022
Proposed Site Sections (as amended)	BVF-16-02-07	Rev C	11/08/2022
Section 38 Agreement (showing proposed highway adoption)	4607-16-06-201	Rev E	31/08/2022
Internal Layout – Refuse Collection Vehicle Swept Path Analysis	19154/ATR/04	Rev B	11/08/2022
Internal Layout Private Driveway Delivery Van Tracking	19154/ATR/09	Rev B	02/09/2022

Plan/document type	Reference	Version	Date received
A641 Bradford Road Proposed Site Access Arrangement	19154/GA/01	Rev H	11/07/2022
A641 Bradford Road Proposed Site Access – Swept Path Analysis	19154/ATR/06	Rev C	11/07/2022
Proposed Pedestrian / Cycle Link to Bradley Road	19154/GA/04	Rev C	30/05/2022
Bradley Road – Swept Path Analysis	19154/ATR/05	Rev B	30/05/2022
Proposed Drainage Strategy Sheet 1	4607-16-06-901	Rev F	22/06/2023
Proposed Drainage Strategy Sheet 2	4607-16-06-902	Rev F	28/03/2022
Sections Through Basin, Tank and Access Track	4607-16-06-904		20/12/2021
Proposed Materials Plan	BVF-16-02-04	Rev E	22/06/2023
Proposed Boundary Treatment Plan	BVF-16-02-05	Rev E	22/06/2023
Boundary Wall and Fence Detail	RHY-SD-801	Rev D	23/06/2022
Free Standing Brick Walls	F-SD0806		25/05/2021
Typical Horizontal Railing Fence	F-SD0926		25/05/2021
Screen Fencing	F-SD0906	Rev B	25/05/2021
Post and Rail Fencing	F-SD0900		25/05/2021
Proposed EV Charging Plan	BVF-16-02-07	Rev E	22/06/2023
Proposed Affordable Housing Plan	BVF-16-02-08	Rev E	22/06/2023
Proposed Levels Strategy	4607-16-06-903	Rev D	22/06/2023
Landscape Strategy Plan (as amended)	865A-02E		15/08/2022
Tree Assessment Plan – Sheet 1 (as amended)	135.14	Rev 5	05/05/2022
Tree Assessment Plan – Sheet 2 (as amended)	135.14	Rev 5	05/05/2022

Plan/document type	Reference	Version	Date received
Tree Assessment Plan – Sheet 3 (as amended)	135.14	Rev 5	05/05/2022
On-site open space plan (as amended)	Hand-annotated version of drawing BVF-16-02-03	Rev K	25/04/2022
Amberley detached house type (brick and render) plans and elevations	EF_AMBY_DM.8	Rev A	04/07/2022
Bakewell semi house type (brick) plans and elevations	EF_BB4_M.1	Rev A	07/07/2022
Cambridge detached house type (brick and render) plans and elevations	EF_CAMB_DM.7 elevation code: A1	Rev A	25/05/2021
Cambridge detached house type (brick) plans and elevations	EF_CAMB_DM.7 elevation code: B1		25/05/2021
Charterhouse apartment block (brick and render) elevations	SRG-16-02-T1-904		30/06/2022
Charterhouse apartment block (brick and render) elevations	SRG-16-02-T1-905		30/06/2022
Charterhouse apartment block ground floor plan	SRG-16-02-T1-901		30/06/2022
Charterhouse apartment block first floor plan	SRG-16-02-T1-902		30/06/2022
Charterhouse apartment block second floor plan	SRG-16-02-T1-903		30/06/2022
Chester detached (brick and render) plans and elevations	EF_CHTR_DM.1 elevation code: A1		30/06/2022
Chester detached (brick) plans and elevations	EF_CHTR_DM.1 elevation code: B1		30/06/2022
Dart, Dart 3 (4 block) house type (brick) elevations	EF_DD4_M.2, EF_DART_EM.3, EF_DART_MM.3, EF_DAR3_MM.2		30/06/2022

Plan/document type	Reference	Version	Date received
Dart, Dart 3 (4 block) house type plans	EF_DD4_M.2		30/06/2022
Dart mid-terrace house type (brick) plans and elevations	EF_DD4_M.3		25/05/2021
Dart end-terrace house type (brick) plans and elevations	EF_DD4_M.3		25/05/2021
Harrogate detached house type (brick) plans and elevations	EF_HARR_DM.8	Rev B	25/05/2021
Harrogate detached house type (brick and render) plans and elevations	EF_HARR_DM.8	Rev A	25/05/2021
Ledbury, Ledbury 3 (4 block) house type (brick and render) elevations	EF_LL4_M.4, EF_LEDB_EM.4, EF_LEDB_MM.4, EF_LED3_MM.4		30/06/2022
Ledbury, Ledbury 3 (4 block) house type plans	EF_LL4_M.4, EF_LEDB_EM.4, EF_LEDB_MM.4, EF_LED3_MM.4		30/06/2022
Lincoln semi house type (brick and render) elevations	EF_LNC3_SM.1 elevation code: A1	Rev A	30/06/2022
Lincoln semi house type (brick) elevations	EF_LNC3_SM.1 elevation code: B1	Rev A	30/06/2022
Lincoln semi house type plans	EF_LINC_SM.2	Rev C	21/06/2022
Maisonette unit type (brick) plans and elevations			25/05/2021
Marlow detached house type (brick and render) plans and elevations	EF_MARO_DM.3 elevation code: A1		25/05/2021
Oxford detached house type (brick and render) plans and elevations	EF_OXFO_DM.4 elevation code: A1		25/05/2021
Oxford detached house type (brick) plans and elevations	EF_OXFO_DM.4 elevation code: B1		25/05/2021

Plan/document type	Reference	Version	Date received
Oxford detached house type (brick) plans and elevations	EF_OXFOQ_DM.4 elevation code: B1		25/05/2021
Shaftesbury detached house type (brick and render) plans and elevations	EF_SHAF_DM.8		25/05/2021
Shrewsbury detached house type (brick and render) plans and elevations	EF_SHRB_DM.3 elevation code: A1		25/05/2021
Shrewsbury detached house type (brick) plans and elevations	EF_SHRB_DM.3 elevation code: B1		25/05/2021
Stratford detached house type (brick and render) plans and elevations	EF_STRAQ_DM.1 elevation code: A1	Rev A	25/05/2021
Stratford detached house type (brick) plans and elevations	EF_STRAQ_DM.1 elevation code: B1	Rev A	25/05/2021
Tavy semi house type (brick) elevations			30/06/2022
Tavy semi house type plans	EF_TAVY_EM.3		30/06/2022
Tavy mid-terrace house type (brick) plans and elevations	EF_TT3_M.4		25/05/2021
Tavy end-terrace house type (brick) plans and elevations	EF_TT3_M.4		25/05/2021
Tavy, Tavy 3 (4 block) house type (brick) elevations	EF_TT3_M.3, EF_TAVY_EM.3, EF_TAVY_MM.3, EF_TAV3_MM.3		30/06/2022
Tavy, Tavy 3 (4 block) house type plans	EF_TT3_M.3		30/06/2022
Tweed semi house type (brick) plans and elevations	EF_TWEE_SM.2.0	Rev A	07/07/2022

Plan/document type	Reference	Version	Date received
Warwick detached house type (brick and render) plans and elevations	EF_WARW_DM.6 elevation code: A1	Rev A	25/05/2021
Warwick detached house type (brick and render) plans and elevations	EF_WARW_DM.6 elevation code: A2	Rev A	25/05/2021
Warwick detached house type (brick) plans and elevations	EF_WARW_DM.6 elevation code: B1	Rev A	25/05/2021
Warwick detached house type (brick) plans and elevations	EF_WARW_DM.6 elevation code: B2	Rev A	25/05/2021
Welwyn detached house type (brick and render)	EF_WELW_DM.8 elevation code: A1		26/07/2021
Welwyn detached house type (brick) elevations	EF_WELW_DM.8 elevation code: B1		26/07/2021
Welwyn detached house type plans	EF_WELW_DM.8		26/07/2021
Single Garage Type 1	Gar01-901		25/05/2021
Twin Garage Type 10	Gar10-903		25/05/2021
Double Garage Type 12	Gar12-905		25/05/2021
Environmental Statement Volume 1 (as amended)	ID Planning, April 2021		24/05/2021
Environmental Statement Volume 2 (appendices) (as amended)	ID Planning, April 2021		25/05/2021
Environmental Statement Non-Technical Summary (as amended)	ID Planning, April 2021		25/05/2021
Planning Policy Statement (as amended)	ID Planning, May 2021		25/05/2021
Design and Access Statement (as amended)	Redrow, 865A DAS V3, 06/05/2021		15/06/2021

Plan/document type	Reference	Version	Date received
Mix Analysis (accommodation schedule)	31/08/2022		31/08/2022
Transport Assessment Addendum (as amended)	Optima, 191954, 11/10/2021		13/10/2021
Response Report to Road Safety Audit Stage 1 (as amended)	Optima, 19154, 12/07/2022	Rev 1	13/07/2022
Parking Compliance matrix	Redrow		31/08/2022
Flood Risk and Drainage Assessment	Weetwood, 05/05/2021	Version 1.5	24/05/2021
Email from Jon Dunbavin regarding drainage	05/05/2022, 09:33		05/05/2022
Unilateral Undertaking (odour)	13/06/2023		04/07/2023
Odour Assessment	Redmore, 3841-1r1, 23/02/2021	Version 1	25/05/2021
Odour Assessment (further information)	Redmore, 3841-2r1, 02/06/2023	Version 1	05/06/2023
Lighting Study and Report (as amended)	Buro Happold, BVFL-BHE-XX-XX-RP-E-0001, 04/05/2021		25/05/2021
Noise Impact Assessment	Sharps Redmore, 2019711, 09/02/2021		25/05/2021
Health Impact Assessment	ID Planning, March 2021		25/05/2021
Arboricultural Survey	Quants, 135.14, 07/12/2020	Rev 2	24/05/2021
Arboricultural Impact Assessment (as amended)	Quants, 135.14b, 05/05/2021	Rev 3	24/05/2021
Ecological Impact Assessment	Futures Ecology, FE30/EclA01, 06/05/2021	Rev B	25/05/2021
Biodiversity Impact Assessment	Futures Ecology, FE30/BIA01, 04/04/2022		26/04/2022
Bat Report	Futures Ecology, FE30/BAT01, 04/05/2021	Rev A	26/05/2021
Addendum Bat Report	Futures Ecology, FE30/BAT02, 13/09/2021		08/10/2021
Breeding Bird Survey Report	Sterna Ecology, 152, 20/10/2020	Rev R1	25/05/2021

Plan/document type	Reference	Version	Date received
Energy and Sustainability Statement	AES, 08/04/2022	Rev 3	05/05/2022
Planning Statement (utility report) (as amended)	TDS	Rev V0	07/06/2021
Geophysical Survey	ASWYAS, 3489, November 2020	Version 1.0	24/05/2021
Archaeological Evaluation	CFA Archaeology, Y510/21, June 2021	Version 3.0	08/07/2021
Heritage Impact Assessment (as amended)	ID Planning, May 2021		25/05/2021
Preliminary Geoenvironmental Investigation	Lithos, 3319/2B, April 2021		05/07/2021
Statement of Community Involvement	ID Planning, March 2021		25/05/2021

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 quanta, layout, the application site red line boundary, unit size mix, dwelling types, energy and sustainability, trees and landscaping, drainage, geoenvironmental investigation, archaeology, site entrances, off-site highway works and other planning matters. The council 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 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.

Development within a Coal Mining Area

The proposed development lies partly 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 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: 24-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:

<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
