



**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: 2021/62/92206/W

To: Paul Butler,
PB Planning
PO Box 778
York
YO1 0LT

For: Miller Homes

**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 137 HOMES WITH OPEN SPACE, LANDSCAPING AND
ASSOCIATED INFRASTRUCTURE

At: LAND OFF, WOODHEAD ROAD, BROCKHOLES, HOLMFIRTH

**In accordance with the plan(s) and applications submitted to the Council on
26-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 91 of the Town and Country Planning
Act 1990.

2/. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies 2 and 5 of the Holme Valley Neighbourhood Plan and Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3/. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall provide details of:

- a) a schedule of the means of access to the site for construction traffic, including the point(s) of access and associated details;
- b) a Phasing Management Plan, which shall include a timetable of planned works relevant to implementation of re-grading operations, drainage and highway installation works (including planned temporary closure and diversion of public rights of way) and any other infrastructure works as well as the sequence by which the dwellinghouses on the site are intended to be commenced and the in-curtilage and out of curtilage landscaping and planting is to be conducted (inclusive of areas of Public Open Space). As the phasing management plan relates to an ongoing process, it shall be reviewed every 6-months and updated where necessary.
- c) routing plans and control measures relating to the route(s) to be used by construction traffic on the public highway and within the site, to prevent construction traffic using unsuitable routes to access the site and to ensure safety of users of the PROW;
- d) vehicle waiting areas and include details of the management of said areas;
- e) the parking of vehicles of site operatives and visitors;
- f) details and location of signage;
- g) loading and unloading of plant and materials;
- h) storage of plant and materials used in constructing the development;
- i) 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;
- j) measures to control the emission of dust during construction;
- k) a Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works;
- l) mitigation of noise and vibration arising from all construction related activities to (these details should also include suitable restrictions on the hours of working on the site including times of deliveries);
- m) artificial lighting used in connection with all construction related activities and security of the construction site;
- n) site manager and resident liaison officer contact details (including their remit and responsibilities); and
- o) details of engagement with local residents and occupants or their representatives.

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

Reason: This pre-commencement condition is necessary to safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF, Policy LP24 of the Kirklees Local Plan and Policy 2 of the Holme Valley Neighbourhood Development Plan.

4/. The development shall not commence until a survey of the existing condition of the highway on Woodhead Road, Smithy Place Lane and Smithy Place as well as PROW HOL/31/30, HOL/31/60 & HOL/31/40, have been undertaken in conjunction with the Local Highway Authority, with a report submitted to and approved in writing by the Local Planning Authority. The survey shall include all highway features including surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development, a highway condition survey identifying a scheme and timescales to reinstate any subsequent defects in the condition of the highway shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before no more than 120 of the dwellinghouses are occupied.

Reason: In the interests of highway safety, and to accord with Policy 11 of the Holme Valley Neighbourhood Plan and Policies LP21, LP24 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures are implemented to avoid increased risks to highway safety.

5/. Notwithstanding the submitted information, a detailed scheme and works programme for the provision of the site access and right turn lane from Woodhead Road into the site, with associated central traffic islands, footways and bus stop works shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the 1st dwelling commence. The scheme shall include construction specifications and sections, drainage, street lighting, white lining, signage and surface finishes, together with an independent Road Safety Audit covering all aspects of the work. All of the works so approved shall be implemented before any part of the development is first brought into use.

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

6/. A scheme detailing the construction of the internal estate roads, footpaths and all associated works to adoptable standards shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the 1st dwelling commence. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Pursuant to condition 3, the scheme shall also include a phasing plan for the completion of the estate roads in accordance with the approved details. The development shall be carried out in accordance with the approved scheme and phasing and thereafter retained as such.

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

7/. The access roads '8' and 8a' (set out on the approved Road Numbers Plan – 425/58/SK06 by ARP Associates) shall be completed to binder course level prior to the occupation of any dwellings within the area indicated as Phase 3 (as set out on the approved phasing plan Ref. 09 Rev A). The roads shall be constructed in accordance with the details to be agreed under condition 6.

Reason: To enable a vehicular connection to the adjacent land within allocated site HS161 and to prevent sterilisation of the land parcel through approval of this scheme in accordance with Policies LP5 and LP7 of the Kirklees Local Plan.

8/. The stone boundary wall set between the garages serving plots 108 and 111 (as indicated on the approved Stone Wall Location Plan – 10 Rev C) shall be completed prior to the occupation of Plot 111 and 112. Any damage to the retained stone walls incurred during the construction period, as indicated on the approved Stone Wall Location Plan (10 Rev C), will be repaired in full prior to the commencement of superstructure works on the 130th dwellinghouse.

Reason: To ensure the delivery of a high-quality boundary treatment in accordance with the requirements of Policy 1 of the Holme Valley Neighbourhood Development Plan and Policy LP24 of the Kirklees Local Plan.

9/. Visibility splays of 4.5x160m shall be provided at the permanent site access onto Woodhead Road as shown on Plan: 18001/P/003 Rev E. The visibility splay shall be cleared of all obstructions to visibility and surfaced to current standards in accordance with details to be agreed with the Local Planning Authority prior to the access being brought into use and thereafter retained as such.

Reason: To ensure adequate visibility in the interests of highway safety to accord with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures are secured to avoid increased risks to highway safety.

10/. With reference to plan numbers HWAY 001 Rev. B and HWAY 002 Rev. E, works to construct the superstructure of the 1st dwelling shall not commence until a scheme detailing the construction specification and works programme for the provision of:

- a) Surfacing Improvements to PROW HOL/31/30, PROW HOL/31/60 & HOL/31/40, including improvements to the steps between Smithy Place and Smithy Place Lane;
- b) 'No Motor Vehicle – Except for Access' vehicular restrictions along Smithy Place (PROW HOL/31/30);
- c) Signage and road marking improvements to Smithy Place Lane;
- d) an independent Road Safety Audit covering all aspects of the work submitted under points (a), (b) and (c);

To be submitted to and approved in writing by the Local Planning Authority. All of the works thereby approved shall be implemented before any part of the development is first brought into use.

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

11/. Prior to the commencement of superstructure works of any part of the development hereby approved, a detailed scheme for the provision of street lighting to public right of way HOL/31/30 (where achievable within adopted highway land) shall be submitted by the developer to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Be designed to an adoptable specification standard including appropriate long-term maintenance arrangements;
- Be sensitively located and directed to minimise adverse glare to habitable room windows on nearby existing and proposed residential properties; and,
- Be subject to a consultation of local residents residing on Smithy Place.

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

Reason: To ensure the delivery of improvements to a Core Walking and Cycling Route for the benefit of promoting sustainable forms of travel in accordance with Policy 11 of the Holme Valley Neighbourhood Development Plan as well as Policies LP20 and LP23 of the Kirklees Local Plan.

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

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

13/. No development shall take place until a scheme is submitted to, and approved by, the Local Planning Authority that details the location and cross-sectional information together with the proposed design and construction details for all new retaining walls adjacent to the existing and proposed adoptable highways. The submitted scheme shall include details of any modifications to the existing retaining walls supporting the A6024 Woodhead Road and public footpath (HOL/31/30) and the timescales of delivery. The approved scheme shall be implemented in accordance with the agreed timescales and thereafter be retained throughout the lifespan of the development.

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

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

14/. No development shall take place until the design and construction details for all temporary and permanent retaining structures supporting the embankment within the site have been 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 on, method statements for both temporary and permanent works, removal of any bulk excavations, a full slope stability analysis together with structural calculations and all associated safety measures for the protection of adjacent public highway. All highway retaining structures shall be designed and constructed in accordance with the approved details and shall be so maintained throughout the life of the development. The permanent retaining structures relating to the main access embankment shall be implemented before works to construct the superstructure of the 1st dwelling commence.

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

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

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

Reason: In the interests of visual amenity and to accord with Policy 1 and 2 of the Holme Valley Neighbourhood Development Plan and Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

16/. The temporary construction access shall be removed with the land permanently landscaped in accordance with the approved landscaping masterplan (fda Landscape - R/2491/1K) prior to the commencement of superstructure works within phase 3 set out on the approved phasing plan (Ref. 09 Rev A).

Reason: To ensure that a suitable highway access is installed for the purposes of serving phase 1 in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

17/. No development shall take place until a scheme, detailing the location and cross-sectional information together with the proposed design and construction details, and timescales of delivery for all new surface water attenuation pipes/manholes located within the proposed highway footprint, is submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the agreed timescales and thereafter retained during the life of the development.

Reason: To ensure that any engineered structural highway features do not compromise the stability and safety of the highway in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that load-bearing highway structures are designed and agreed to a satisfactory standard prior to their use by vehicular traffic.

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

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, in accordance with Policies 5 and 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP24 of the Kirklees Local Plan.

19/. Prior to the occupation of each dwellinghouse the dedicated facilities that will be provided for charging electric vehicles for that dwelling shall be installed and made operational in accordance with those detailed in the Electric Vehicle Charging Point Plan by Miller Homes Ltd, dated May 2021 (Drawing No 05 – Rev F). Once installed the charging points shall be retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policy 11 of the Holme Valley Neighbourhood Plan and Policies LP20, LP24, LP47 and LP51 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

20/. The development shall be carried out in accordance with the submitted Flood Risk Assessment by ARP Associates reference 425/58r5 revision J dated 15 March 2022, the Statement on Flood Risk and Drainage Strategy by ARP Associates reference 425-58- S1d dated May 2022, Appendix A of the Statement on Flood Risk and Drainage Strategy (drawing 'Environment Agency Data Assessment Layout' reference 0425/58/SK12 revision L dated 11/5/22 by ARP Associates), Appendix B of the Statement on Flood Risk and Drainage Strategy (drawing 'Levels Assessment Layout' by ARP Associates) and the following mitigation measures detailed therein:

- Finished floor levels shall be no lower than 109.81mAOD (600mm above the 1% plus climate change level) as detailed on page 1 of the Statement on Flood Risk and Drainage Strategy.

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of Policy LP27 of the Kirklees Local Plan and the NPPF (Para 167).

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring which could impact the dwelling houses hereby approved.

21/. Works to, and affecting, trees on and adjacent to the site shall be undertaken in accordance with the approved Arboricultural Method Statement (16820-D/AJB).

Reason: So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy 5 of the Holme Valley Neighbourhood Plan and Policies LP32 and LP33 of the Kirklees Local Plan.

22/. Development shall not commence until a scheme detailing foul, and surface water drainage (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, attenuation plans and cross section) has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with separate systems of drainage for foul and surface water on and off site. The separate system shall extend to the points of discharge to be agreed. The scheme shall also include a detailed maintenance and management plan for attenuation solutions and flow control devices. None of the dwellinghouses hereby approved shall be constructed until the drainage scheme, to be approved, has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and retained thereafter.

Reason: In the interests of satisfactory and sustainable drainage to accord with Policy LP28 of the Kirklees Local Plan and the NPPF (Para 167). This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring that could harm the existing and approved dwellinghouses.

23/. The development shall be carried out in accordance with the following principles of the Flood Risk Assessment, produced by ARP dated 8th March 2022 (ref 25/58r5j). No development shall take place until a further detailed scheme is submitted to and agreed in writing by the Local Planning Authority that incorporates detail of the following solutions:

- A separate land drainage system to mitigate flood risk with an outfall into main river.
- Repairing of exiting highway drainage in Woodhead Road to prevent water ingress into the site.
- Capping of boreholes to prevent water re-emergence in site.
- Capping/Packing of identified wells to prevent water re-emergence in site
- 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, has been submitted to and approved in writing by the Local Planning Authority.

The agreed scheme shall also include a plan for inspection, maintenance and management of wells, boreholes and land drainage. None of the dwellings shall be occupied until the agreed scheme has been fully installed on the site to serve the development. The scheme shall be retained thereafter. A validation certificate shall be provided after completion of this scheme.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan as well as the NPPF (Para 167). This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring that could harm the existing and approved dwellinghouses.

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

- phasing of the development and phasing of temporary drainage provision; and,
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

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

Reason: To ensure the provision of adequate temporary means of drainage, in the interests of amenity, environmental well-being and to accord with Policy LP28 of the Kirklees Local Plan and the NPPF (Para 167). This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring during the construction period.

25/. 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 within the parameters of sub section (j) of Class A (side extensions) shall be carried out within the curtilage of plot 122 without the prior written consent of the Local Planning Authority. The occupant/resident of the affected property will be informed of the restriction of permitted development rights set out under this condition.

Reason: To protect drainage infrastructure within the site and to accord with Policy LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework

26/. 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 the parameters of Class E of Part 1 of Schedule 2 (outbuildings) to that Order shall be carried out within the curtilage of plot 123 without the prior written consent of the Local Planning Authority. The occupant/resident of the affected property will be informed of the restriction of permitted development rights set out under this condition.

Reason: To protect drainage infrastructure within the site and to accord with Policy LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework

27/. 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 the parameters of Class A of Part 2 of Schedule 2 to that Order shall be carried out within or upon the boundary of the curtilage of the following plots without the prior written consent of the Local Planning Authority: 1, 4, 11, 15,16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, 53, 102, 104, 105, 108, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 137. The occupant/resident of the affected property will be informed of the restriction of permitted development rights set out under this condition.

Reason: To protect managed areas and public open space within the site and to accord with Policy LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework

28/. Prior to the first occupation of the specified plots which require noise mitigation at the development, all works which form part of the sound attenuation scheme for that plot, as specified in the Noise Assessment Report authored by Environmental Noise Solutions dated 11 June 2021 Ref IA/9576/21/9617/v2/ Woodhead Road, Honley:

a) shall be completed; and

b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the required noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

Reason: To ensure the amenity of future residents in accordance with the principles set out within Policy 2 of the Holme Valley Neighbourhood Plan and Policy LP52 of the Kirklees Local Plan.

29/. Prior to the occupation of residential plots identified in the Noise Assessment Report (ref NIA/9576/21/9617/v2), a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels, shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information –

- Identify specific rooms of specific plots, with reference to the approved Noise Assessment, that require a ventilation system;
- The acoustic specification of the proposed ventilation system demonstrating that, when operated, it will not cause indoor noise target levels to be exceeded;

All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots and retained thereafter.

Reason: To ensure the amenity of future residents in accordance with the principles set out within Policy 2 of the Holme Valley Neighbourhood Plan and Policy LP52 of the Kirklees Local Plan.

30/. Upon commencement of the development, mitigation measures to control fugitive dust emissions during the construction phase of the development shall be implemented in accordance with those detailed in Table 5.5 of the Air Quality Assessment by BWB Consulting (ref: LDP2535-001) (dated: November 2021) and retained for the duration of the construction period.

Reason: To ensure the amenity of existing and future residents in accordance with the principles set out within Policy 2 of the Holme Valley Neighbourhood Plan and Policy LP24 of the Kirklees Local Plan

31/. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either:

(a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority, or;

(b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

32/. Before the development is brought into use a 'Verification Report' by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority for any topsoil or subsoil that has been imported onto the site. The verification report shall demonstrate how all imported topsoil and subsoil is safe and suitable for use on the site.

Reason: To ensure the safe occupation of the site in accordance with Policy 2 of the Holme Valley Neighbourhood Plan, Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

33/. Prior to the commencement of superstructure works of any part of the development, written specifications and physical samples of all external facing materials, including mortar, rain water goods and fenestration detailing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials.

Reason: In the interests of the visual amenity and to accord with Policy 2 of the Holme Valley Neighbourhood Plan and Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

34/. Prior to the occupation of the dwelling houses, further detailing of the boundary treatments across the entire site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the colour and materials composing the boundary treatments set out in approved plans (Boundary Treatments Plan – 02 – Rev H & Stone Wall Plan – 10 – Rev C). Each dwelling shall not be occupied until the works comprising the approved boundary treatment scheme for that dwelling has been completed and thereafter retained for the lifetime of the development.

Reason: In the interests of providing defensible private amenity space in accordance with Policy 1 (Landscape Character Area 4) of the Holme Valley Neighbourhood Plan as well as the requirements of Policy LP24 Design of the Kirklees Local Plan

35/. Prior to the commencement of superstructure works of any part of the development hereby approved, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

(a) Location and detailed design & layout of any public on-site open space and of any areas for designated local areas of play (LAPs), allotment/community growing area, informal, incidental and/or playable space, safety surfacing, site furniture, bins seats etc. and play equipment etc;

(b) Maintenance responsibility for Public Open Space (POS), any equipped area and playable space. This will include, where relevant, make, model and means of installation of proposed play equipment, safety surfacing, habitat boxes, and/or detailed designs for these elements including bespoke habitat structures, play elements compliance with current BS EN including BS EN 1176 and 1177.

(c) Landscape works at the access points where the POS areas meet the boundaries, including but not limited to Public Rights of Way;

(d) Materials to be used for all hard surfaced areas;

(e) Soft landscape works to include planting plans, plant schedules noting species, plant sizes and proposed numbers/densities; and an implementation, management, and maintenance programme;

(f) Landscape Management Plan to include details of initial aftercare and long-term maintenance for minimum of 5 years. This should also include any SuDS features, existing trees and vegetation retained on site, plus management of any playable space including where relevant RoSPA safety inspections.

(g) Details of how the landscaping scheme will be implemented with reference to the phases of the development set out in the approved phasing plan (Ref. 09 Rev A).

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with the implementation programme agreed with the Local Planning Authority.

Reason: To enhance and conserve visual amenity as well as the natural environment to accord with Policies 2 and 13 of the Holme Valley Neighbourhood Plan, Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that a detailed landscaping scheme is designed and secured for the development in advance of potential abortive works being undertaken.

36/. The approved landscaping scheme required under condition 35 shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance and conserve visual amenity as well as the natural environment to accord with Policies 2 and 13 of the Holme Valley Neighbourhood Plan, Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

37/. Prior to the commencement of superstructure works of any part of the development hereby approved a Biodiversity Management Plan (BMP) is submitted and agreed in writing by the Local Planning Authority. The BMP shall accord with the enhancement and management measures detailed within the Ecological Impact Assessment dated May 2022. The BMP shall include the following:

- a. Description and evaluation of features to be managed and enhanced;
- b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and Objectives of management;
- e. Appropriate management Actions for achieving Aims and Objectives;
- f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
- g. Details of the management body or organisation responsible for implementation of the BEMP;
- h. Ongoing monitoring programme and remedial measures; and
- i. The BEMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years

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

Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP30 of the Kirklees Local Plan and the requirements of Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

38/. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a. Risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information and specifically to nesting birds, badgers and invasive plant species.
- b. Identification of “biodiversity protection zones”, where appropriate.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.
- f. Responsible persons and lines of communication.
- g. Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason. To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP30 of the Kirklees Local Plan and the requirements of Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated to the construction phase.

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

- a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and,
- b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

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

40/. Phase two of the development (as set out on the approved phasing plan Ref. 09 Rev A) shall not commence until a comprehensive Badger mitigation strategy has been

submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall detail the precautionary measures to be taken throughout the construction phase in order to ensure that there are no impacts on Badgers. In addition, the mitigation strategy shall detail the measures to be taken to ensure the foraging and commuting areas are maintained to the north and south of the site, post development. Prior to the mitigation strategy being prepared, a series of Badger surveys, conducted by an appropriately qualified ecologist, shall be undertaken at the site in order to determine if the species has expanded further within the site and to inform the mitigation strategy.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species bats in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP30 of the Kirklees Local Plan and the requirements of Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated to the construction phase that could harm badgers on and adjacent to the development site.

41/. Construction or remediation work comprising the use of plant, machinery, equipment or deliveries of materials shall only take place between the hours of:

- 07:30-18:30 Mondays to Fridays;
- 08:00-13:00 on Saturdays; and,
- no working on Sundays or Public Holidays.

Reason: In the interests of the amenities of local residents in accordance with the requirements of Policy LP24 of the Kirklees Local Plan.

42/. No development to take place until the implementation of a programme of archaeological investigation and recording expanding upon the findings from trenches 12 and 32 of the WYAS Archaeological Evaluation (Report No. 3758 – May 2022) is submitted to and approved by the Local Planning Authority. The investigation and recording must be carried out by an appropriately qualified and experienced archaeological organisation or consultant, in accordance with an agreed written scheme of investigation.

Reason: In the interests of recording the historic environment of the local area in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that the archaeological remains are recorded before they are disturbed, and potentially removed, by the development.

43/. Prior to the installation of any electrical substation(s) or drainage pumping station(s) serving the development, details of the appearance, scale, layout and landscaping of the aforementioned infrastructure shall be submitted to and approved by the Local Planning Authority. The infrastructure shall be installed in accordance with the submitted details prior to completion of the development.

Reason: To ensure supplementary infrastructure serving the development is designed in an attractive and supplementary manner so as not to detract from the appearance of the development and surrounding area in accordance with Policy 1 of the Holme Valley Neighbourhood Development Plan and Policy LP24 of the Kirklees Local Plan.

44/. The definitive footpath that traverses from the parking spaces serving plot 11, beside Tree T18 and onward beside the curtilage of the dwellinghouse 'Ashlea', shall be

installed in accordance with the note/annotation on the approved Landscape Masterplan (R/2491/1K). Prior to the commencement of superstructure works, details of the means of surfacing and constructing the definitive footpath in this location shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that users of the Public Right of Way retain access to its definitive alignment in accordance with Policy 11 of the Holme Valley Neighbourhood Development Plan and Policy LP23 of the Kirklees Local Plan.

45/. Prior to the commencement of superstructure works, a scheme detailing arrangements and specification for the temporary diversion work of definitive public footpaths shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- large scale plans showing the proposed location, design and landscape of any diverted public footpaths within or adjacent to the site;
- existing and proposed full cross and long sections, including gradients and boundary treatments;
- any temporary construction specifications, signing, and surfacing materials;
- an independent Safety Audit covering all aspects of the work;
- pedestrian safety measures in respect of guarding the public footpaths; and
- a timescale for its implementation.

The development shall then be carried out in accordance with this approved scheme in accordance with the approved timescales and thereafter retained. Unless otherwise agreed in writing until such time as the legal diversion of the public rights of way has been formally confirmed and the approved diverted routes completed, the existing line of the public right of way shall remain available for use.

Reason: To ensure public footpaths are accessible, attractive and appropriately designed, and constructed, and to accord with Policy 11 of the Holme Valley Neighbourhood Development Plan and Policies LP23, LP24 and LP47 of the Kirklees Local Plan as well as Chapter 8 of the National Planning Policy Framework.

46/. The riverside footpath (as indicated on the approved Landscape Masterplan Ref. R-2491-1K) shall be constructed to the location and surfacing details indicated on the Masterplan prior to the occupation of dwellings within Phase 3 (as set out on the approved phasing plan Ref. 09 Rev A).

Reason: To ensure that the footpath is constructed in a location that meets flood risk requirements and which delivers pedestrian connectivity through a public open space in accordance with Policies LP23 and LP27 of the Kirklees Local Plan and Paragraph 167 of the National Planning Policy Framework.

47/. Prior to the commencement of superstructure works of any part of the development hereby approved, a Rapid Health Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Rapid Health Impact Assessment shall be informed by Public Health England's *Health Impact Assessment in Spatial Planning (October 2020)* document and will identify enhancements to the scheme necessary which contribute to population health improvement outcomes and reduce health inequalities within the proposed development and where appropriate, in the surrounding area. The Rapid Health Impact Assessment shall be submitted using the Local Planning Authority's template. Thereafter, Kirklees Public Health will review and respond to the completed Rapid Health Impact Assessment. Any recommendations set out in the response should be considered for implementation prior to the commencement of superstructure works.

Reason: This condition is necessary to ensure that healthy lifestyles are enabled and supported through development of the site in accordance with NPPF Paragraph 92 (c), Policy LP47 of the Kirklees Local Plan.

Informatives

1/. Highway Works 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 Design Engineer (Kirklees Street Scene: 01484 221000) 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.

2/. Highway Adoption Note:

It is brought to the Applicants' notice that the Highway Development, Investment & Regeneration, Civic Centre 3, Market Street, Huddersfield HD1 2JR (Kirklees Street Care: 0800 7318765 or 'Highways.Section38@kirklees.gov.uk') must be contacted to discuss road adoption arrangements under Section 38 of the Highways Act 1980.

3/. Retaining Structures Note:

It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-225616 who can advise further on this matter

4/. Contaminated Land Note:

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

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers,*

Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

5/. Noise Assessments 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/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

6/. Pollution Note

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

7/. EVCP Advice Footnote:

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof
- Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- 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.

8/. PROW - Note:

The public footpaths that cross and are adjacent to the site shall not, at any time, prior to, during or after construction of the dwellings, be unofficially obstructed or closed without prior written consent of the Local Planning Authority.

9/. Highway Structures:

All new storm water attenuation tanks/pipes/culverts with internal diameter/ *spans exceeding 0.9m must be located off the adoptable highway*. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450-Inspection of Highway structures. See <https://www.kirklees.gov.uk/beta/regeneration-anddevelopment/highways-guidance-and-standards.aspx> for further details.

10/. CEMP Construction Environmental Management Plan - Footnote

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

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

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

11/. Flood risk and surface water design

The majority of the site is flood zone 1, other than the site boundary with the river Holme. We suggest the surface water pumping station shown on drawing EA data assessment Layout reference 0425/58/SK12 revision L within appendix A of the statement on flood risk and drainage strategy is located above the 1% plus climate change flood level at the central node EA12312468_HOLM01i7253 of 107.06 mAOD. We have commented on the fluvial flood risk to the site, but the mill race is non-main river and we hold no further information on this. Flood risk relating to groundwater, surface water including features such as the Mill Race and the detailed surface water design such as the cut off/filter drain need to be discussed and agreed with Kirklees Council's Flood Risk and Drainage Teams. Thereby ensuring development of the site does not increase flood risk from these sources within the site, alter existing flood flow routes or transfer flood risk to others beyond the site boundary. The surface water is proposed to be discharged via a new outfall into the River Holme which is designated as a main river. An Environmental Permit will be needed from us as indicated below.

12/. Environmental Flood Risk Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river;
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
- on or within 16 metres of a sea defence;
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert;
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance the applicant can visit <https://www.gov.uk/guidance/flood-riskactivities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

13/. Flood resistance and resilience - advice to LPA/applicant

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>

14/. Signing up for flood warnings

The site lies adjacent to both a flood alert and a flood warning area. The applicant/future occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

15/. Safe access and egress routes

The majority of the site of the site is within flood zone 1 other than the site boundary with the river Holme. Access and egress are Emergency planning matters. The LLFA need to be satisfied that safe access/egress is accessible for all users of the site, is available during a flood and that you can accept the risk if, for whatever reason, they are not able to do this.

16/. Acoustic Ventilation 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.

17/. Retaining Wall Materials

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

18/. Infrastructure Design

The substation and pumping station designs are expected to be set out so as to minimise their intrusion within the Streetscene. Innovative approaches are expected which can include green-rooves or walls so as to minimise their built form.

19/. Definitive Footpath Construction

The details required for the condition relating to the definitive footpath adjacent to T18 are expected to provide a minimum width to the footpath design of 1.2m and at a length of 80m between the end of the turning head and where the path rejoins the tarmac link. Construction should be a minimum of 30 mm clean local sandstone aggregate base, then geotextiled and topped with 40mm of local sandstone aggregate with a blinding of 10mm down local sandstone aggregate, with a slight crossfall to stop water pooling.

20/. Street Lighting Specification

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

21/. Imported Soils Footnote

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

22/. Residual Land within Housing Allocation

The remaining undeveloped land within housing allocation HS161 shall be treated cumulatively with regard to calculating planning obligations/contributions. Consequently, the trigger point from which the planning obligations are required on applications received for the residual land will include the yield of 2021/92206 (137 dwellinghouses) in addition to the yield proposed under the residual land planning application.

Plans and Specifications Schedule

Plan Type	Reference	Version	Date Received
Plans			
Location Plan	2108.02	C	13th May 2022
Planning Layout	2108.01	O	27th June 2022
Boundary Treatments Plan	02	H	27th June 2022
Materials Plan	03	G	13th May 2022
Construction Management Plan	04	G	13th May 2022
Electric Vehicle Charging Points (EVCP)	05	G	13th May 2022
Tree Removal Plan	06	H	11th May 2022
Managed Areas Plan	08	D	September 2022
Phasing Plan	09	A	13th May 2022
Stone Wall Plan	10	B	11th May 2022
SITE SECTION A-A	(90) 110	-	11th May 2022
Affordable Housing Plan	10	-	September 2022
Design and Access Statement – January 2022	-	2	24th January 2022
Landscape Masterplan	R-2491-1K	K	28th June 2022
Kingston House Type	305T801S	B	8th August 2022
Baywood House Type	417T801S	A	13th May 2022
Sherwood House Type	416N801S	A	13th May 2022
Thetford House Type	502N801S	A	13th May 2022
Rosamond House Type	M202801S	A	13th May 2022
Overmont House Type	OM-100	A	13th May 2022
The Harrison House Type	M300801S	A	13th May 2022
Tiverton House Type	307M801S	A	13th May 2022
Eaton House Type	309 T801S	A	13th May 2022

Plan Type	Reference	Version	Date Received
Maplewood House Type	411N801S	A	13th May 2022
Oakwood House Type	415C801S	A	13th May 2022
Cedarwood House Type	419C801S	A	13th May 2022
Castleford House Type	501N801S	A	13th May 2022
Tree Constraints Plan	16820-C	-	19th May 2022
Arboricultural Implications Plan	16820-C	-	19th May 2022
Road Numbers	425/58/SK06	-	2nd June 2021
Longitudinal Sections 1 of 6	0425-58-06.01	C	21st March 2022
Longitudinal Sections 2 of 6	0425-58-06.02	C	21st March 2022
Longitudinal Sections 3 of 6	0425-58-06.03	C	21st March 2022
Longitudinal Sections 4 of 6	0425-58-06.04	C	21st March 2022
Longitudinal Sections 5 of 6	0425-58-06.05	C	21st March 2022
Longitudinal Sections 6 of 6	0425-58-06.06	C	21st March 2022
Proposed Off Site Works to Smithy Place Lane	HWAY-001	B	28th March 2022
Public Rights of Way Improvements	HWAY-002	E	29th June 2022
Proposed Junction Arrangement	18001-P-003	E	28th March 2022
Section 38 Phase 1 Layout	0425/58/02.01	D	21st March 2022
Section 38 Phase 2 Layout	0425/58/02.01	C	
Internal Visibility Splays	18001-VIS-001	H	14th March 2022
Swept Path Analysis Standard Car	18001-SPA-002	G	14th March 2022
Swept Path Analysis	18001-SPA-003	A	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-110 (109)	E	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-109	E	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-108	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-107	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-106	C	14th March 2022

Plan Type	Reference	Version	Date Received
Swept Path Analysis Refuse Vehicle	18001-SPA-105	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-104	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-103	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-102	C	14th March 2022
Swept Path Analysis Refuse Vehicle	18001-SPA-101	C	14th March 2022
Documents			
Plot Parking Schedule	-	A	13th May 2022
Arboricultural Method Statement	16820 - D	-	20th June 2022
Arboricultural Implications Assessment	16820 - C	-	23rd May 2022
Arboricultural Report	16820	B	24th January 2022
Ecological Impact Assessment – May 2022	ER-5300-02	B	27th June 2022
Biodiversity Net Gain Metric	BM-220531-JAR-5300-01	C	27th June 2022
Bat Activity Survey	ER-5300-05	-	2nd June 2021
Badger Survey and Assessment	ER-5300-02	-	2nd June 2021
BWB – Heritage Assessment	WRB-BWB-ZZ-XX-RP-LH-0001	P01	2nd June 2021
Archaeological Evaluation (WYAAS)	3758	-	21st June 2022
Flood Risk Assessment (ARP Associates – March 2022)	425/58r5	J	1st April 2022
Statement on Flood Risk Assessment (ARP Associates – May 2022)	425-58-S1	D	12th May 2022
Foul and Surface Water Drainage Strategy	425-58r6	B	25th January 2022
Proposed Drainage and FFLs Sheet 1 of 2	425-58-SK14.01	A	17th May 2022
Proposed Drainage and FFLs Sheet 2 of 2	425-58-SK14.02	B	17th May 2022
Phase 1 Geo-Environmental Report (ARP Associates)	MLR/07r2	2	27th June 2022
Phase 2 Geo-Environmental Report (ARP Associates)	MLR/07r4	1	18th June 2021

Plan Type	Reference	Version	Date Received
Noise Impact Assessment (ENS)	NIA-9576-21-9617	2	17th June 2021
Energy Statement: Carbon Reduction Study	-	A	22nd June 2021
Transport Assessment (ATTP)	AT/18001/TA	B	14th March 2022
Travel Plan (TPS – May 2022) & Appendices A through to E	P1401P_20220317	6	30th May 2022
Combined Stage 1-2 Road Safety Audit (Optima July 2021)	210712	-	24th January 2022
Air Quality Report	RB-BWB-ZZ-ZZ-RP-LA-0001-AQA	1	14th December 2021

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

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 within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also 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: 18-Nov-2022

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
