



Town and Country Planning Act 1990

Town and Country Planning General Regulations 1992

PLANNING PERMISSION FOR DEVELOPMENT SUBJECT TO REGULATION 3

Application Number: 2021/48/92734/W

To: Andrew Moss,
Ward Hadaway
Sandgate House
102, Quayside
Newcastle Upon Tyne
NE1 3DX

For: Kirklees Council, Major Projects

Description and location of development:

IMPROVEMENT AND WIDENING OF THE A629 TO INCLUDE JUNCTION IMPROVEMENTS, RE-POSITIONING OF FOOTWAYS AND FOOTWAY IMPROVEMENTS, PEDESTRIAN CROSSING PROVISION, THE ALTERATION, DEMOLITION AND ERECTION OF WALLS, CONSTRUCTION OF RETAINING WALLS, ERECTION OF FENCING, HARD AND SOFT LANDSCAPING TO INCLUDE THE REMOVAL OF TREES AND REPLACEMENT PLANTING, REPLACEMENT STREET LIGHTING, CHANGE OF USE OF LAND TO HIGHWAY AND CHANGE OF USE TO AND FORMATION OF CAR PARK ON LAND ADJOINING 103 HALIFAX ROAD (WITHIN A CONSERVATION AREA)

At: VARIOUS LOCATIONS - A629 HALIFAX ROAD, HUDDERSFIELD

Date of submission: 08-Jul-2021

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

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 Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

3. The car park hereby approved (as indicated on plan reference TF5/Area C/P/GA-1 Revision B), shall not be brought into use until a car park management plan (CPMP) has been submitted and approved in writing by the Local Planning Authority. The CPMP shall incorporate the following details:

- a) The designation of spaces to identified residential properties and/or visitors;
- b) The operation of the parking permit scheme; and
- c) Identification and contact details of the persons or organisations responsible for the on-going management and maintenance of the car-park and its charging infrastructure, inclusive of enforcement and dispute resolution relating to parking of ineligible vehicles or users.

The approved CPMP shall be implemented and abided by throughout the lifespan of the car park's use.

Reason: For the purpose of ensuring the car park is maintained and operated in a manner which ensures the safe operation of the highway network in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

4. No development within an Area shall commence until a Construction Traffic Management Plan (CTMP) for that Area has been submitted to and approved in writing by the Local Planning Authority. The CTMP for each Area shall include but shall not be limited to:

- i. Details of construction access routes;
- ii. Prohibited routes for construction traffic;
- iii. Any time restrictions imposed on any route;
- iv. Temporary road closures and diversions;
- v. A signage strategy for each construction access route adopting the principles set out in Chapter 8 Traffic Signs Manual;
- vi. Details of the audit and performance monitoring for construction traffic to ensure their adherence to the stated routes and restrictions;
- vii. Traffic control measures (including details of traffic signal installations);
- viii. Site specific controls in consideration of potential nuisance concerning mud and dust emissions;
- ix. Prohibition of parking of any construction site vehicles along the public highway;
- x. Details of control of access/site security and prevention of unauthorised pedestrian access;
- xi. Parking, including for site operatives, turning, loading and off-loading facilities.
- xii. Details of the storage of materials, plant and machinery;

- xiii. Details of the management and handling of the movement of any excess excavated material and any new imported material; and,
- xiv. Contact and communication details of site management liaison for local residents as well as communication/consultation of planned works with the local community;

The CTMP so approved shall be implemented upon commencement of development and shall be maintained throughout the construction period.

Reason: To protect public amenity and highway safety in accordance with Policies LP24 and LP21 of the Kirklees Local Plan.

5. Notwithstanding the approved plans relevant to 'Area C' (as set out on Location Plan – TF5-P-LP-1-Rev1), revised details of the layout of the car park and the footway serving Halifax Road to allow inclusion of a minimum of 3no. street trees shall be submitted to and approved by the Local Planning Authority prior to the commencement of hard and soft landscaping works in Area C. The submission shall include provision of the following details:

- a) The revised layout of the car park and footway inclusive of the requirements of condition 7;
- b) The type and specification of the proposed trees; and,
- c) The root protection and construction methods;

The car park will be constructed in accordance with the approved details and shall be maintained thereafter.

Reason: For the purpose of ensuring that the development is designed to maximise opportunities to improve or mitigate its impact on the streetscene as required by Policies LP24 and LP32 of the Kirklees Local Plan as well as National Planning Policy Framework Paragraph 131. This pre-commencement condition is required to ensure that no abortive works are undertaken which may prevent street trees from being incorporated into the development.

6. Notwithstanding the approved plans relevant to 'Area B' (as set out on Location Plan – TF5-P-LP-1-Rev1), a detailed tree pit and rootspace specification in the former curtilage of the Church of Latter Day Saints shall be submitted to and approved by the Local Planning Authority prior to any soft or hard landscaping works commencing within Area B. The submission shall include the following details:

- a) Details of sufficiently sized root space and barrier protection systems beneath and for the protection of the highway footway (with regard to the requirements of condition 11). The system(s) should utilise a crate/cell method of construction to provide adequate rooting volume whilst having adequate load-bearing capacity for the hard surface above; and
- b) The methodology and timescales for tree planting inclusive of tree support, aeration and irrigation as well as on-going maintenance for a minimum of five years and replacement should the trees become damaged, diseased, be removed and/or die.

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

Reason: To ensure an adequate replacement scheme is provided to comply with the requirements of Policy LP33 Trees of the Kirklees Local Plan.

7. Notwithstanding the approved plans relevant to 'Area B' and 'Area C' (as set out on Location Plan – TF5-P-LP-1-Rev1), a revised boundary treatment plan shall be submitted to and approved by the Local Planning Authority prior to any soft or hard landscaping works commencing within Area B and C. The submission shall include the following details:

- a) The provision of either dry stone, masonry or gabion walls to replace wooden rail fencing in Area C to a minimum height of 600mm; and
- b) Revised layout and elevational details for all walls in Areas B and C providing their specified height, length and depth as well as their construction and pointing methods.

Reason: For the purpose of ensuring that the development is designed to maximise opportunities to improve or mitigate its impact on the streetscene as required by Policies LP24 and LP32 of the Kirklees Local Plan as well as National Planning Policy Framework Paragraph 126.

8. No development shall commence in Areas C or Area D (as set out on Location Plan – TF5-P-LP-1-Rev1) until a written scheme of archaeological investigation (WSI) for each Area has been submitted to and approved in writing by the Local Planning Authority, respectively. 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) A statement of significance and the project's research objectives, and;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and,
- c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

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

Reason: To ensure the nearby archaeological remains are recorded in accordance with Policy LP35 of the Kirklees Local Plan.

9. No development shall take place in Area C (as set out on Location Plan – TF5-P-LP-1-Rev1) until a revised Arboricultural Impact Assessment ([AIA] to BS5837:2012), which includes precise information relating to the effects of the drainage infrastructure between Man Hole 2 and Man Hole 3 (as set out on plan TF5/Area C/DR-3B) on the trees located within Area C, is submitted to and approved by the Local Planning Authority. The revised AIA shall minimise tree removal having regard to the requirements of condition 10.

Reason: To ensure that tree loss is minimised in accordance with the requirements of Policy LP33 of the Kirklees Local Plan. This pre-commencement condition is required on the basis that commencement works to provide the drainage infrastructure would be undertaken very early in the scheme's delivery process and therefore the provision of satisfactory arboricultural information prior to commencement is justified to minimise tree removal as much as possible.

10. No development shall take place in Areas B, C or D (as set out on Location Plan – TF5-P-LP-1-Rev1) until an Arboricultural Method Statement ([AMS] to BS5837:2012) for each Area is submitted and approved by the Local Planning Authority. The AMS shall detail all works that could impact retained trees within or adjacent to the site and will have full regard to the approved AIAs listed in the approved document schedule and any other subsequent AIA approved pursuant to condition 9.

Reason: To ensure that impacts on trees are minimised in accordance with the requirements of Policy LP33 of the Kirklees Local Plan. This pre-commencement condition is required on the basis that appropriate arboricultural measures are in place prior to works commencing which could otherwise irreversibly damage trees along the A629.

11. The 'new retaining wall' indicated on plan 'Ainley Top Junction General Construction, reference TF5/Area D/P/GC-1' and the newly formed boundary wall within the curtilage of 123 Yew Tree Road that is to be located at the rear of the footway of Halifax Road [A629] shall be composed of natural stone.

Reason: For the purpose of ensuring that the development is designed to maximise opportunities to improve or mitigate its impact on the streetscene as required by Policy LP24 of the Kirklees Local Plan as well as National Planning Policy Framework Paragraph 126.

12. No development shall commence until a Biodiversity Enhancement and Management Plan (BEMP) is submitted to and approved by the Local Planning Authority. The plan shall demonstrate how a minimum 15.46% net gain in habitat units and a 1,273.33% net gain in hedgerow units are to be achieved post-development and will include details of 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 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 with 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 the fully functioning biodiversity objectives of the originally approved BEMP. The approved BEMP 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 LP30 of the Kirklees Local Plan and 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.

13. No development within an Area 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) for each Area shall include the following:

- a. 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; and,
- 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.

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

14. Construction noise shall be controlled in accordance with the mitigation recommended in the approved Construction Noise & Vibration assessment authored by Waterman, dated February 2023 Ref WIE14496-105-R-21.2.2 throughout the construction period. Vibration monitoring shall be installed and operated during the construction period at a location to be agreed with the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the National Planning Policy Framework and Policy LP52 of the Kirklees Local Plan.

15. Where further intrusive investigation is recommended in the Preliminary Risk Assessments (approved pursuant to the Phase 1 assessments set out in the approved document schedule), no material operation (as defined under Town and Country Planning Act 1990, Section 56, (4) – as amended) other than those required for a site investigation report shall commence until a Phase II Intrusive Site Investigation Report (for all areas B, C & D) is submitted to and approved in writing by the Local Planning Authority. The Phase II Report(s) shall be authored by a suitably competent person.

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. The purpose of this pre-commencement condition is to ensure that land is remediated appropriately for safe use by the public.

16. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 15 further material operations shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework. The purpose of this pre-commencement condition is to ensure that land is remediated appropriately for safe use by the public.

17. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 16. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all material operations 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

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

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

19. Within 3 months of the car park in Area C being brought into use, a scheme shall be submitted detailing when the dedicated facilities for charging electric vehicles will be installed and made operational in accordance with the specifications detailed on the approved plan (drawing no. TF5/AREA C/SL6531-2E). Once installed the charging points shall be retained for use thereafter. Should 3 months of use elapse before all of the charging points are installed, use of the car park shall cease until the infrastructure is installed.

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 Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework

20. Notwithstanding the approved plans relevant to 'Area B' (as set out on Location Plan – TF5-P-LP-1-Rev1), a detailed design of the hard and soft landscaping at the southern corner of the junction between Birkby Road and Halifax Road adjacent to 52 Inglewood Avenue shall be submitted to and approved by the Local Planning Authority prior to any soft or hard landscaping works commencing within Area B. The design shall minimise maintenance whilst ensuring that some soft landscaping is retained. The approved details shall be implemented prior to the junction becoming fully operational.

Reason: In the interest of providing an optimal landscaping design across the corner between Birkby Road and Halifax Road in accordance with the requirements of Policy LP24 Design of the Kirklees Local Plan.

21. Prior to the commencement of development, a full Air Quality Impact Assessment (AQIA) shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- Determine the impact that the development will have on air quality (taking into consideration any cumulative impact from other local developments) and if necessary provide a suitable mitigation plan; and
- Include a dust mitigation plan which should consider dust arising from all construction related activities and any necessary mitigation measures to control dust during construction.

The requirements of the AQIA shall be implemented prior to completion of the development.

Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the National Planning Policy Framework and Policies LP20, LP24, LP47, LP51 of the Kirklees Local Plan. The requirement for this pre-commencement condition is on the basis of the need to establish appropriate mitigation prior to development commencing which may otherwise undermine the assessment.

Footnotes

NOTE 1 – Noise Insulation

The applicant is reminded that following the completion of the development in Area D, an assessment under the Noise Insulation Regulations 1975 (as amended) needs to be undertaken as to the impact of the development on 121 Yew Tree Road, Huddersfield which should identify appropriate noise mitigation for that property. The recommendations of the assessment should be implemented in full.

NOTE 2 – Definition of an Area

An 'Area' as referenced in the conditions above is defined under the approved document 'Location Plan (Red Line Boundaries) – reference TF5-P-LP-1-rev1' and relates to the distinct Areas labelled B, C and D therein.

NOTE 3 – Condition 20

The LPA advise that the details submitted for condition 20 should include provision of a street tree with root barrier protection. Similarly soft landscaping should be designed to ensure that the space does not lead to thin strips which will be unlikely to survive the harsh environment of the junction and which could be difficult to maintain by the Highways Authority.

NOTE 4 – Contaminated Land

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

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice-Development on Land Affected by Contamination
- Technical Guidance for Developers, Landowners & Consultants -(v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group

NOTE 5 – EVCP Advice

- 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 Home charge 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 at 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.

NOTE 6 – Pollution

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.

NOTE 7 - CEMP Construction Environmental Management Plan

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

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

Institute of Air Quality Management document “Guidance on the assessment of dust from demolition and construction” Version 1.1 2014 provides detailed information regarding dust control. Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under 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.

Plans and Specifications Schedule

Plan Type	Reference	Version
<i>Plans</i>		
Location Plan	TF5-P-LP-1	Rev 1
Ainley Top Road Marking Detail Sheet 1 of 4	TF5/Area D/P/RM1	-
Ainley Top Road Marking Detail Sheet 2 of 4	TF5/Area D/P/RM2	-
Ainley Top Road Marking Detail Sheet 3 of 4	TF5/Area D/P/RM3	-
Ainley Top Road Marking Detail Sheet 4 of 4	TF5/Area D/P/RM4	-
Ainley Top Junction, Cross Section- Chainage 0-120 Sheet 1 of 4	TF5/Area D/P/CS-1	-
Ainley Top Junction, Cross Section – Chainage 130 - 270 Sheet 2 of 4	TF5/Area D/P/CS-2	-
Ainley Top Junction, Cross Section – Chainage 280 – 374.482 , Sheet 3 of 4	TF5/Area D/P/CS-3	-
Ainley Top Junction – Typical Cross Section – Proposed Cycle Track with Footway Sheet 4 of 4	TF5/Area D/P/CS-4	-
Ainley Top Junction Long Section Sheet 1 of 1	TF5/Area D/P/LS-1	-
Accommodation Work, Proposed Plan & Elevation No 214	TF5Area D/P/AW-1	-
Accommodation Work, Proposed Plan & Elevation No 216	TF5/Area D/P/AW-2	-
Accommodation Work, Proposed Plan & Elevation No 218	TF5/Area D/P/AW-3	-
Accommodation Work, Proposed Plan & Elevation no 220	TF5/Area D/P/AW-4	-
Accommodation Work, Proposed Plan & Elevation No 220a	TF5 /Area D/P/AW-5	-
Accommodation Work, Proposed Plan & Elevation no 222	TF5/Area D/P/AW-6	-
Accommodation Work, Proposed Plan and Elevation No 224	TF5/Area D/P/AW-7	-
Area D, Elevation Plot 123 Yew Tree Road	TF5-Area D-P-Elev1	-
Area D, Elevation Plot 123 Yew Tree Road	TF5-Area D-P-Elev1	-
Ainley Top Drainage Details Plan & Long Section 1 of 4	TF5/Area D/P/DR-1	-
Ainley Top Drainage Details Plan & Long Section 2 of 4	TF5/ Area D/P/DR-2	-

Plan Type	Reference	Version
Ainley Top Drainage Design Plan & Long Section 3 of 4	TF5/Area D/P/DR-3	-
Ainley Top Drainage Design Plan & Long Section 4 of 4	TF5/ Area D/P/DR-4	-
Ainley Top Drainage Design Tank 2 Cross Sections Proposed Site / Block Layout	TF5/Area D/P/DR-5	-
Ainley Top Junction BT Diversion Sheet 1 of 1	TF5-Area D/P/DV-1	-
Ainley Top Junction Virgin Media Diversion, Sheet 1 of 2	TF5/Area D/P/DV-2	-
Ainley Top Junction Virgin Media Diversion, Sheet 2 of 2	TF5/ Area D/P/DV-3	-
Ainley Top Junction Northern Powergrid Sheet 1 of 1	TF5/Area D/P/DV-4	-
Ainley Top Junction General Arrangement	TF5/Area D/P/GA-1	-
Ainley Top Junction General Construction	TF5/Area D/P/GC-1	-
Ainley Top Junction Traffic Signal Details	TF5/Area D/P/TS-1	-
Ainley Top Structural Plan	TF5-Area D/P/ST-1	-
Ainley Top Junction Kerbing, Fencing and Gates	TF5-Area D/P/KB-1	-
Ainley Top Junction Landscaping Works, Sheet 1 of 4	TF5/Area D/P/LSC-1	-
Ainley Top Junction Landscaping Works, Sheet 2 of 4	TF5/Area D/P/LSC-2	
Ainley Top Junction Landscaping Works, Sheet 3 of 4	TF5/Area D/P/LSC-3	
Ainley Top Junction Landscaping Works, Sheet 4 of 4	TF5/Area D/P/LSC-4	
Prince Royd Car Park General Arrangement Plan	TF5/Area C/P/GA-1	Rev C
Prince Royd Car Park Landscape Plan Scheme Layout and Planting	TF5-Area C-P-LSC-1	-
Prince Royd Car Park Road Signing and Detail Plan	TF5/Area C/P/RS-1	-
Prince Royd Car Park Marking Plan	TF5/Area C/P/RM-1	-
Prince Royd Car Park Kerbing Plan	TF5/Area C/P/KB-1	-
Prince Royd Car Park Drainage General Arrangement	TF5/Area C/P/DR-1	-
Prince Royd Car Park, General Construction Plan	TF5/Area C/P/GC-1	-

Plan Type	Reference	Version
Prince Royd Car Park Fencing Plan, Sheet 1 of 2, 103 Halifax Road	TF5/Area C/P/FC-1	-
Prince Royd Car Park Fencing Plan, Sheet 2 of 2, 103 Halifax Road	TF5/Area C/P/FC-2	-
Prince Royd Car Park Drainage General Arrangement	TF5/Area C/P/DR-1	-
Prince Royd Car Park Drainage Plan & Section	TF5/Area C/P/DR-2	-
Prince Royd Car Park Drainage General Arrangement	TF5/Area C/P/DR-3	-
Prince Royd Car Park, Cross Section of MC01 CH0.00 to 228.076	TF5/Area C/P/CS-1	-
Headwall Close Coupled Grating	H6CA Headwall 01	-
Headwall Lifting Diagram	H6CA Headwall 02	-
Prince Royd Car Park Long Section Plan	TF5/Area C/P/LS-1	-
Cavalry Arms Junction Accommodation Work Plan 402 Birkby Road	TF5/Area B/P/AW-1	Rev B
Cavalry Arms Junction Drainage Strategy Plan	TF5/Area B/P/DR-1	Rev A dated 10/23
Cavalry Arm Junction Structure Plan - Parapet	TF5/Area B/ST-1	-
Cavalry Arms Junction Accommodation Work Plan 402 Birkby Road	TF5/Area B/P/AW-1	Rev C
Cavalry Arms Junction Accommodation Work Plan The Church	TF5/Area B/P/AW-2	Rev C
Cavalry Arms Junction Cross Section of MC00 CH0.00 to CH151.691	TF5/Area B/P/CS-1	Rev C
Cavalry Arms Junction Cross Section of MC03 CH0.00 to CH99.575	TF5/Area B/P/CS-2	Rev C
Cavalry Arms Junction BT – Diversion Plan	TF5/Area B/P/DV1	Rev A
Cavalry Arms Junction BT – Diversion Plan	TF5/Area B/P/DV2	Rev A
Cavalry Arms Junction NPG- Diversion Plan	TF5/Area/B/P/DV3	Rev A
Cavalry Arms Junction NPG- Diversion Plan	TF5/Area/B/P/DV4	Rev A

Plan Type	Reference	Version
Area B Elevations 402 Birkby Road	TF5/Area B/P/Elev-1	Rev C
Cavalry Arms Junction General Construction Plan	TF5/Area B/P/GC-1	Rev D
Cavalry Arms Junction General Layout Plan	TF5/Area B/P/GL-1	Rev C
Cavalry Arms Junction H&S Pre-Construction Information	TF5/Area B/P/HS-1	Rev A
Cavalry Arms Junction Kerbing and Fencing Plan	TF5/Area B/P/KB-1	Rev C
Cavalry Arms Junction Long Section Plan MC00 & MC03	TF5/Area B/P/LS-1	Rev C
Area B Proposed Tree Planting Church of Latter Day Saints	TF5/Area B/P/LSC-01	Rev C
Cavalry Arms Junction Tree and Hedge Planting 402 Birkby Road	TF5/Area B/P/LSC-02	Rev C
Cavalry Arms Junction Road Marking Plan	TF5/Area B/P/RM1	Rev C
Cavalry Arms Junction Road Signing and Detail Plan	TF5/Area B/P/RS-1	Rev C
Cavalry Arms Junction Site Clearance	TF5/Area B/P/SC-1	Rev A
Cavalry Arms Junction Site Extent	TF5/Area B/P/SE-1	Rev A
Cavalry Arm Junction Traffic Signal Plan	TF5/Area B/P/TS-1	Rev C
Cavalry Arms Junction Traffic Signal Ducting Plan	TF5/Area B/P/TS-2	Rev C
Cavalry Arms Street Lighting Proposals	TF5/Area B/P/SL-1	Rev A
<i>Documents</i>		
Ecological Impact Assessment, Yew Tree Road to Ainley Top, Huddersfield (Area D, June 2021) by Waterman	WIE14496-100-R-11-5-2-EcIA	Fifth
Ecological Impact Assessment, Prince Royd, (Area C, June 2021) by Waterman	WIE14496-100-R-10-5-2-EcIA	Fifth
Ecological Impact Assessment, Cavalry Arms, (Area B, June 2021) by Waterman	WIE14496-100-R-9-4-2-EcIA	Fourth
Arboricultural Impact Assessment, Yew Tree Road to Ainley Top, Huddersfield (Area D), June 2021	WIE14496-100-R-7-5-1-AIA	Fifth
Arboricultural Impact Assessment, Prince Royd, Area C	WIE14496-100-R-6-7-1-AIA	Sixth
Arboricultural Impact Assessment, Cavalry Arms, Area B, June 2021	WIE14496-100-R-5-5-2-AIA	Fifth

Plan Type	Reference	Version
Cavalry Arms Junction Phase 1 Desk Study Report November 2021 by LCC – City Development – Geotechnical Section	446368	Revision 1
Prince Royd Car Park, A629 Halifax Road, Huddersfield, Phase 1 Desk Study Report November 2021 by LCC – City Development – Geotechnical Section	446368A	Revision 1
Ainley Top Highway Improvements, A629, Halifax Road, Huddersfield, Phase 1 Desk Study Report, November 2021 by LCC – City Development – Geotechnical Section	446367	Revision 1
Prince Royd Car Park, Ground Investigation Report, December 2019 (LCC – City Development - Geotechnical Section)	446368	-
Cavalry Arms Junction, Ground Investigation Report, April 2022, (LCC – City Development - Geotechnical Section)	446368	Rev 1
Ainley Top Highway Improvements, Ground Investigation Report, December 2021 (LCC – City Development - Geotechnical Section)	446367	Rev 1
Open Space Assessment, March 2023 by Waterman	WIE14496-106-R-18-4-2-OSA	Fourth
Historic Environment Desk Based Assessment, January 2023 by Waterman	WIE14496-100-R17-4-1-HEDBA	Fourth
Construction Noise & Vibration Assessment February 2023 by Waterman	WIE14496-105-R21.2.2	Second
Bio Diversity Net Gain Assessment January 2023 by Waterman	WIE14496-100-R-19-12-3BNG-ISSUE	Twelfth
WebTAG Townscape & Visual Appraisal February 2023 by Waterman	WIE14496-100-R-1-8-2-WTVA	Eighth
Transport Statement – WYTF A629 Halifax Road – Phase 5 by KMC	25/05/2023	V3
Traffic Modelling and Network Performance – by Arcadis – April 2023 (21/04/23)	ARC-WYCA-KC-RP	V2.1

Plan Type	Reference	Version
Halifax Road Phase 5 Improvements – Artists Impressions – 29.09.2023	-	-
Air Quality Assessment – A629 Halifax Road – March 2023 - Arcadis	22/03/2023 NOTE (Subject to variance under condition 21)	03
Letter from Arcadis on Air Quality Matters dated 26 October 2023	NOTE (Subject to variance under condition 21)	-
Street Lighting Design Statement – A629 Halifax Road Scheme, 22/02/2023 by Yvonne Atkinson	-	-
Appendix A – Existing light levels	TF5-Area B-SL6531	-
Appendix B - Proposed lighting levels	TF5-Area B-SSSL6531	Rev B
Appendix C - Proposed lighting layout	TF5-Area B-SL6531-1B	-
Appendix D - Proposed light levels	TF5-Area C-SL6531 2E	-
Appendix E – Proposed lighting layout	TF5-Area C-SL6531 2E-	-
Appendix F – Existing light levels	TF5-Area D-SL6529	-
Appendix G – Proposed light levels	TF5-Area D-SL6529	-
Appendix H – Proposed lighting layout	TF5-Area D-SL6529	-
Flood Risk Assessment / Drainage Impact Assessment Technical Note, WYTF A629 Halifax Road, Phase 5 01/12/2022	-	Revision 9-0
A629 Phase 5, Environmental Noise Assessment, April 2023 by Waterman	WIE14496-105-R26.3.2	003
Carbon Assessment Report – West Yorkshire Plus Transport Fund – A629 Halifax Road Phase 5 by Arcadis	ARC-WYCA-KC-RP-A629-CAR-	V2.0

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 Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".
- You can apply online for approval of these details at [the Planning Portals website](#). Alternatively the forms and supporting guidance for submitting an application can be found online at [Kirklees Council Planning Website](#).
- 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.

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

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [the Planning Inspectorates website](#). Further information on the Planning Appeal process can be found online at [the Planning Inspectorates website](#)
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

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

Purchase Notices

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

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

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

Dated: 11-Dec-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

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

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

[Kirklees Council Planning Website](#)

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

planning.contactcentre@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
