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: 2022/62/91712/W

To: S Mitchell,
SB Homes Ltd
Empire House
Lewisham Road
Slaithwaite
Huddersfield
HD7 5AL

For: SB Homes Ltd

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

ERECTION OF ONE DWELLING (MODIFIED HOUSE TYPE)

At: LAND AT, 172, GILROYD LANE, LINTHWAITE, HUDDERSFIELD, HD7 5SR

In accordance with the plan(s) and applications submitted to the Council on 06-Jun-2022, 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 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 to ensure the satisfactory appearance of the development on completion, in accordance with Policies LP1, LP2, LP3, LP4, LP7, LP11, LP20, LP21, LP22, LP23, LP24, LP26, LP27, LP28, LP30, LP31, LP32, LP33, LP35, LP47, LP48, LP49, LP50, LP51, LP52, LP53, LP63, LP65 of the Kirklees Local Plan, Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15, 16, and 17 of the National Planning Policy Framework, and principles 2, 5, 6, 9, 12, 13, 14, 15, 17, 18, 19 of the Housebuilders Design Guide SPD.

3. Prior to the commencement of development (including ground works) a Construction (Environmental) Management Plan (C(E)MP shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall be submitted pursuant to either this condition or condition 3 of permission ref: 2018/90208. The C(E)MP shall include pre-development road condition surveys (covering an area to be agreed beforehand with Local Planning Authority officers), a timetable of all works, and details of:

- Any phasing of development;
- Point(s) of access for construction traffic;
- Construction vehicle sizes and routes;
- Times of construction vehicle movements;
- Parking for construction workers;
- Signage;
- Wheel washing facilities within the site;
- Street sweeping;
- Dust suppression measures;
- Measures to control noise and vibration from construction-related activities;
- Any artificial lighting to be used during construction;
- Hours of works;
- Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period); and
- The display of contact details for the site manager (including out-of-hours contact details).

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority. Upon completion of the development, post-development road condition surveys and a schedule of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development and prior to the occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure that the highway is not obstructed, in the interest of highway safety, and to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan and Chapters 9, 12 and 15 of the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity impacts are devised and agreed at an appropriate stage of the development process.

4. Prior to the commencement of development (including ground works) a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted pursuant to either this condition or condition 4 of permission ref: 2018/90208. 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 details of 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 be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: To ensure the risk of flooding does not increase during the construction phase, to limit the siltation of any on-or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

5. Where the dwelling hereby approved is to become occupied prior to the completion of the wider development approved under permission ref: 2018/90208, details of temporary arrangements for the storage and collection of wastes from that residential unit, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of that unit. The temporary arrangements so approved shall be implemented prior to the occupation of the dwelling and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

6. Prior to commencement of development (including ground works) and notwithstanding the details shown on the drawings hereby approved, a scheme detailing arrangements and the specification for layout (including the carriageway build-out to provide sight lines 2.4m x 50m to the south and 2.4m x 41m to the north), construction specification, surfacing, drainage, kerbing, relocation of existing street lighting column number 66 and associated highway works together with independent safety audits covering all aspects of works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted pursuant to either this condition or condition 6 of permission ref: 2018/90208. The development shall not be brought into use until the approved scheme has been implemented and the approved scheme shall thereafter be retained. The visibility splays shall be cleared and kept clear of all obstructions to visibility thereafter.
Reason: To ensure adequate intervisibility is provided and maintained in the interests of pedestrian and highway safety and to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that adequate visibility is provided to enable works vehicles to enter and exit the site.

7. Prior to the commencement of development (including ground works), a scheme detailing the proposed internal adoptable roads shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted pursuant to either this condition or condition 7 of permission ref: 2018/90208. The scheme shall include full sections, drainage details, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. No part of the development shall be brought into use until the internal adoptable roads have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure that details of internal adoptable roads are agreed at an appropriate stage of the development process.

8. Prior to the first occupation of the hereby approved dwelling, the approved vehicle parking areas shall be surfaced and drained in accordance with “Guidance on the permeable surfacing of front gardens (parking areas)”, 13/05/2009 (ISBN 978 1409804864) as amended or superseded and shall thereafter be retained throughout the lifetime of the development.
Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and Chapters 9 and 14 of the National Planning Policy Framework.

9. Prior to development commencing on the superstructure of the hereby approved dwelling, design and construction details of any permanent highway retaining structures (and any temporary highway retaining structures that may be deemed necessary) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 9 of permission ref: 2018/90208. The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, cross sections, and details of any works proposed to the existing retaining wall on Gillroyd Lane, together with structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be completed in accordance with the approved derails before any of the dwellings are occupied and shall be retained as such thereafter.
Reason: To ensure that any new retaining structures do not comprise the stability of the highway in the interests of highway safely and to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

10. Prior to the first occupation of the dwelling hereby approved, details of secure, covered and conveniently located cycle parking for use by residents of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and encouraging the use of sustainable transport modes, and to accord with Policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

11. One electric vehicle recharging point shall be installed within the dedicated parking area or the garage of the approved dwelling before the dwelling is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging point so installed shall thereafter be retained.
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(d(v)) and LP51 of the Kirklees Local Plan, Principle 18 of the Council's adopted Housebuilders Design Guide SPD, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

12. Prior to the commencement of superstructure works, details of storage and access for collection of wastes from the dwelling hereby approved, and details of management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm that waste collection points shall not obstruct access to private driveways and shall include details of management measures and measures to discourage fly tipping. The works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

13. Prior to the commencement of development (including ground works), the tree protection measures set out in the Arboricultural Method Statement (JCA, 13859-B/AJB, 04/01/2018) hereby approved shall be implemented in full and retained for the duration of the construction phase.
Reason: To protect trees in the interests of visual amenity and biodiversity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, and to accord with Policies LP33 and LP35 of the Kirklees Local Plan.
This pre-commencement condition is necessary to ensure tree protection measures are implemented at an appropriate stage of the development process.

14. Prior to the commencement of development (including ground works), a scheme detailing a maintenance and management regime for the surface water storage facility (including the flow restriction) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be submitted pursuant to either this condition or condition 14 of permission ref: 2018/90208. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter until such a time as the approved scheme is adopted by the Statutory Undertaker.
Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with Policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure that details of drainage are agreed at an appropriate stage of the development process.

15. Prior to the commencement of development (including ground works) a Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority. The report shall be submitted pursuant to either this condition or condition 15 of permission ref: 2018/90208.
Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure that contamination is identified, and suitable remediation measures are agreed at an appropriate stage of the development process.

16. Prior to the commencement of development (including ground works) a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall be submitted pursuant to either this condition or condition 16 of permission ref: 2018/90208. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure that contamination is identified, and suitable remediation measures are agreed at an appropriate stage of the development process.

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 works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.
This pre-commencement condition is necessary to ensure that contamination is identified, and suitable remediation measures are agreed at an appropriate stage of the development process.

18. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.
Reason: To ensure unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

19. Prior to the commencement of superstructure works, details of measures to prevent and deter crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 19 of permission ref: 2018/90208. The details shall include illustrations of windows overlooking publicly accessible areas, and details of boundary treatments, pedestrian connections, lighting and landscaping corresponding with details to be provided pursuant to conditions 21, 22, 23 and 25. No part of the development shall be brought into use until the development has been implemented in accordance with the details so approved.
Reason: In the interests of minimising the risk of crime and anti-social behaviour and creating a safer, more secure and sustainable neighbourhood, and to accord with Policies LP24 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

20. The dwelling hereby approved shall be constructed using the external materials set out in the Schedule of Materials approved under permission ref: 2018/90208. Unless otherwise agreed in writing by the Local Planning Authority, no other external materials shall be used.
Reason: In the interests of visual amenity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan.

21. Prior to the commencement of superstructure works, notwithstanding what is shown in the drawings hereby approved, details (including sections and details of levels) of all boundary treatments, and any retaining walls and gabions, shall be submitted to and approved in writing by the Local Planning Authority. The details shall correspond with measures relating to flood routing and shall provide for the movement of hedgehogs. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.
Reason: In the interests of visual amenity, highways safety and biodiversity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to accord with Policies LP21, LP24, LP27, LP30 and LP35 of the Kirklees Local Plan.

22. Prior to the commencement of superstructure works, details of pedestrian connections between the site and adjacent land (namely, public footpath COL/69/30) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 22 of permission ref: 2018/90208. The details shall relate to levels, steps, surface materials and any handrails or means of enclosure. The development shall be implemented in accordance with the details so approved. The approved works shall be retained thereafter.
Reason: In the interests of ensuring usable, convenient, safer and attractive pedestrian routes are provided, to contribute toward the provision of a walkable and well-connected neighbourhood, to encourage the use of sustainable modes of transport, and to mitigate the highway and air quality impacts of the development in accordance with Policies LP20, LP21, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

23. Prior to the first occupation of the dwelling hereby approved, details of the external lighting for that dwelling (other than street lighting on streets to be adopted) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 23 of permission ref: 2018/90208. The details shall include a scheme detailing street lighting to all private (unadopted) roads/drives/courtyards and shall not include low-level or bollard street lighting. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, risk of creating opportunities for crime and anti-social behaviour, and disturbance to wildlife. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. No dwellings accessed from a private (unadopted) road/drive/courtyard shall be brought into use until the street lighting so approved for that road/drive/courtyard has been installed and brought into use, and the street lighting shall be retained as such thereafter. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.
Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to safeguard habitat, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP30 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

24. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary, details of these shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with the details so approved.
Reason: In the interests of visual amenity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan.

25. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 25 of permission ref: 2018/90208. These shall include:

- Details of existing and proposed levels, and regrading;
- Species schedule and planting plans;
- Details of initial aftercare and long-term maintenance;
- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- Details (including samples, if requested), of paving and other hard surface materials; and
- Details of the on-site open space (including details of its purpose and management) and of any areas for designated, informal, incidental and/or doorstep play.

No part of the development hereby approved shall be occupied until all hard and soft landscaping has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.
Reason: In the interests of local ecological value and visual amenity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, to ensure high quality open spaces are provided, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP24, LP30, LP32, LP33, LP35, LP47 and LP63 of the Kirklees Local Plan, and chapters 8, 12 and 15 of the National Planning Policy Framework.

26. Prior to the commencement of development (including ground works), details of enhancement and mitigation measures to secure a biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted pursuant to either this condition or condition 26 of permission ref: 2018/90208. The measures shall be informed by biodiversity metric calculations. The details shall be set out in an Ecological Design Strategy or other appropriate document and shall correspond with details to be submitted pursuant to condition 25. The development shall be implemented in accordance with the approved details and all measures and features shall be retained in that manner thereafter.
Reason: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain (based on biodiversity metric calculations which require data relating to the site's pre-development condition) are agreed at an appropriate stage of the development process.

27. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless authorised in writing by the Local Planning Authority in response to evidence to be submitted to the Local Planning Authority demonstrating that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
Reason: To prevent significant ecological harm to birds, their eggs, nests and young and to accord with Policy LP30 of the Kirklees Local Plan and chapter 15 of the National Planning Policy Framework.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, D and E of Part 1 and Class A of Part 2 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.
Reason: In the interests of visual amenity, to preserve and enhance the character and appearance of the Linthwaite Conservation Area, and to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and the National Planning Policy Framework.

NOTE: Electric Vehicle Charging Points – 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 and the installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: All contamination reports shall be prepared in accordance with CLR11, PPS23 and the council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of 07.30 and 18.30 hours Mondays to Fridays, and 08.00 and 13.00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974 (Section 60), Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

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

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Council with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

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

NOTE: All new storm water attenuation tanks / pipes / culverts with internal diameter / spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements. Furthermore, all new precast pipes / culverts /storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and/or must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding undertaking to the Highway Authority explicitly stating that they have a full understanding of their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with the Well-managed Highway Infrastructure – A Code of Practice 2016 or any corresponding superseding document thereafter.

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

Plans and specifications schedule: -

Document Type/Title	Reference	Revision	Date Received
Planning Reference: 2022/91712			
Sk – Location Plan	-	-	24th May 2022
SK 17 – Plot 18 Tracking	-	-	18th August 2022
Plot 18 Amended House Type	SK 07G	H	17th November 2022
Design Statement – Supporting Information	-	-	24th May 2022
Planning Reference: 2018/90208			
Location Plan	0217_05	-	18th January 2018
Proposed Site Layout	0217-01	K	2nd September 2021
House Type Planning Drawings booklet	-	C	2nd September 2021
Proposed Street Scene A-A (as amended)	0217_07	-	30th January 2019
Proposed Street Scene B-B (as amended)	0217_08	-	30th January 2019
Proposed Site Sections (as amended)	0217_04	A	24th December 2019

Document Type/Title	Reference	Revision	Date Received
Preliminary Engineering Feasibility	E16/6781/001	R	11th March 2020
Preliminary Road Long Sections (as amended)	E16/6781/001/02	C	2nd January 2020
Main Road and Sewer Plan	E16/6781/004	E	23rd November 2021
Flood Routing Plan	E16/6781/019	G	23rd November 2021
Flood Routing Contour Plan	E16/6781/019-02	A	23rd November 2021
Section 104 – SWS Long Sections	E16/6781/005	E	23rd November 2021
Section 104 – Manhole Schedule	E16/6781/007	G	23rd November 2021
1st Lateral Schedule	E16/6781/008	D	23rd November 2021
Surface Water Calculations	Haigh Huddleston, 23/08/2021	-	23rd November 2021
Vehicle Tracking Plan (as amended)	E16/6781/001/03	B	2nd January 2020
Supporting Planning Statement (as amended)	Enzygo, SHF.1502.001.P.R.001, 12/01/2018	-	18th January 2018
Design and Access Statement (as amended)	MWR, December 2017	-	19th January 2018
Design and Access Statement Addendum (as amended)	MWR	-	24th December 2019
Schedule of Materials	April 2021	A	30th April 2021
Heritage Statement	December 2017	-	19th January 2018
Transport Technical Note (as amended)	Enzygo, SHF.1502.001. TR.R.001, January 2018	-	18th January 2018
Preliminary Ecological Appraisal	Middleton Ecological Consultancy, MEC/PEA/2017/29/1, 24/11/2017	-	18th January 2018
Arboricultural Report	JCA, 13859/AJB, 04/01/2018	-	18th January 2018
Arboricultural Impact Assessment	JCA, 13859-A/AJB, 04/01/2018	-	18th January 2018
Arboricultural Method Statement	JCA, 13859-B/AJB, 04/01/2018	-	18th January 2018
Phase 1 Desk Top Geo-environmental Report	Haigh Huddleston, E17/6781/R001, December 2017	-	19th January 2018

Document Type/Title	Reference	Revision	Date Received
Flood Risk Assessment (as amended)	Haigh Huddleston, E17/6781/FRA001, December 2017	A	19th January 2018

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments were sought to address KC Highways Development Management comments in respect of the revised access and parking arrangements not being acceptable with regard to highways safety. Solar panels were also added during the planning process, alongside the removal of a window within the hallway of the dwelling as per the case officer's request in the interests of visual amenity. A new 1.8m high timber hit and miss fence was added in the interests of residential amenity.

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.**

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 speeder 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: 27-Jun-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

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

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

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

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

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
