



**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: 2022/62/92406/W

To: D5 Planning
Suite 1
Wellington House
Lincoln Street
Huddersfield HD1 6RX

For: ECOHOLMES COMMUNITY LAND TRUST

**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 10 AFFORDABLE DWELLINGS, WITH ACCESS FROM
CHAPELGATE AND ASSOCIATED WORKS, INCLUDING RESIDENT PLAY
ZONE**

At: LAND ADJ, 67, CHAPELGATE, SCHOLDS, HOLMFIRTH, HD9 1SX

**In accordance with the plan(s) and applications submitted to the Council on
18-Jul-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 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 removal of vegetation shall be undertaken outside the bird breeding season, March to August inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist shall be undertaken immediately preceding the works. If any active nests are present work which may cause destruction of nests or, disturbance to the resident birds must cease until the young have fledged.

Reason: In the interests of preserving the biodiversity of the site, in accordance with Policy LP30 of the Kirklees Local Plan.

4. The hereby approved development shall be undertaken in accordance with the detailed contained within the Arboricultural Method Statement.

Reason: In the interests of protecting trees to be retained on and off site, in accordance with Policy LP33 of the Kirklees Local Plan.

5. The hereby approved development shall be undertaken in accordance with the provisions detailed within the approved Climate Change Statement. Prior to the occupation of the hereby approved dwellings, a Post Construction Report that demonstrates the measures contained within the Climate Change Statement have been implemented and achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable development, in accordance with Policy LP24(d) of the Kirklees Local Plan and Policy 12 of the Holme Valley Neighbourhood Development Plan.

6. Prior to development commencing, (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) shall be 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;
- b) Identification of "biodiversity protection zones";
- 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;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

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 ensure avoidance of impacts to protected and priority species in order to prevent significant ecological harm in accordance with Policy LP30 of the Kirklees Local Plan.

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.

7. Prior to development commencing, a schedule of the means of access to the site for construction traffic (a Construction Management Plan (CMP)) shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. It shall also include contact details of the site manager and/or a point of contact for residents in the event of any issues arising through the construction process. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: Due to the nature of the site and local road network, so as to ensure adequate arrangements are approved which allow heavy vehicles to safely access the site, in the interests of the safe and efficient operation of the highway, and in accordance with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary given the need to ensure safe access to the site and on-site arrangements prior to construction traffic attending the site.

8. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide details of:

- a) Timetable of all works;
- b) The construction access(es) and confirmation that adequate visibility splays shall be provided prior to the commencement of development including groundworks;
- c) Vehicle sizes and routes, times of vehicle movements, identify the location of any HGV waiting areas and include details of the management of said areas;
- d) The parking of vehicles of site operatives and visitors;
- e) Details and location of signage;
- f) Loading and unloading of plant and materials;
- g) Storage of plant and materials used in constructing the development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- 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 and monitor the emission of dust and dirt 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 and include contact details of the site manager and/or a point of contact for residents in the event of any issues arising through the construction process.

The agreed plan shall be adhered to throughout the construction of the development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

This pre-commencement condition is necessary given the need for adequate consideration of mitigation measures to ensure a safe and appropriate development, prior to works commencing on site.

9. Prior to development commencing, a survey of the condition of the surrounding road network shall be submitted to and approved in writing by the Local Planning Authority. Within one month of the development's completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. If a defect is identified during other routine inspections of the highway that is considered to be a danger to the public, it must be immediately made safe and repaired within 24 hours from the applicant being notified by the Local planning Authority.

Reason: Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway, to ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary given the need to undertake a baseline assessment prior to traffic associated with the development commencing movements.

10. Prior to development commencing, notwithstanding the submitted information, a Phase II Intrusive Site Investigation Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

The undertaking of intrusive site investigations, prior to the commencement of development, is considered, to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 10 further groundworks shall not commence until a Remediation Strategy 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: So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so as to accord with Policy LP52 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

The undertaking of intrusive site investigations, prior to the commencement of development, is considered, to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 11. 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 groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two 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 the National Planning Policy Framework.

13. 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. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

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

14. Prior to development commencing, an 'invasive non-native species protocol' shall be submitted to and approved in writing by the Local Planning Authority. The protocol shall detail the containment, control, and removal of buddleia *Buddleia davidii*, Japanese rose *Rosa rugosa* and *Cotoneaster* species on site. Thereafter the development shall be undertaken in accordance with the approved scheme.

Reason: To prevent the spread of non-native invasive species, to safeguard and enhance the function of the application site, in line with the aims and objectives of Policy

LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure ecological measures are capable of being fully integrated into the construction phase.

15. Prior to development commencing, notwithstanding the details shown on the approved plan(s), a scheme detailing the provision of a minimum 2.0m wide footway along the site's frontage to both Chapelgate and Dean Bridge Lane, as shown on plan ref (462)-GWP-01-01-D-A-(PA)-0003 rev P16 shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the proposed construction specification, surfacing, drainage, kerbing, the relocation of existing telegraph poles and street lighting columns, and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwelling shall be occupied until the approved scheme has been implemented.

Reason: To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure the design has been approved at an appropriate stage of the development process.

16. Prior to development commencing, a scheme including location details and cross-sectional information together with the proposed design and construction details of all new retaining walls / building retaining walls adjacent to the existing highway for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development for that phase and thereafter retained during the life of the development.

Reason: To ensure that suitable and safe means of access is available for the development.

This pre-commencement condition is necessary to ensure adequate pre-assessment is undertaken in the interest of protecting the integrity of the public highway.

17. Prior to development commencing, a scheme including location details and cross-sectional information together with the proposed design and construction details for all new surface water attenuation pipes / manholes located within the proposed highway footprint shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and thereafter retained.

Reason: To ensure that suitable and safe means of access is available for the development.

This pre-commencement condition is necessary to ensure adequate assessment and implementation may take place at the appropriate stage of the development process.

18. Prior to development commencing, a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate of 3.0 l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and an itinerary of maintenance tasks with schedules. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: To deliver effective sustainable drainage systems that will be operated, maintained, and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate assessment and implementation may take place at the appropriate stage of the development process.

19. Prior to development commencing, 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 (both upstream and downstream of the development) shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: To deliver effective sustainable drainage systems that will be operated, maintained, and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate assessment and implementation may take place at the appropriate stage of the development process.

20. Prior to development commencing, a strategy detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- Phasing of the development and phasing of temporary drainage provision;
- Methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented; and
- A plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100%. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed.

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 deliver effective sustainable drainage systems that will be operated, maintained, and managed for the lifetime of the development that it will serve, in accordance with Policy LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate assessment and implementation may take place at the appropriate stage of the development process.

21. Prior to above ground works commencing, a scheme detailing the design of the proposed internal estate road(s) to an adoptable standard shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include full sections, details of speed reducing features, construction specifications, drainage works, lighting, signage, white lining, surface finishes, and treatment of sightlines together with an independent safety audit covering all aspects of the works. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: To ensure that suitable access is available for the development, in the interests of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan.

22. Prior to above ground works commencing, an Ecological Design Strategy (EDS) to ensure that a biodiversity net gain is achieved post-development shall be submitted to and agreed in writing by the Local Planning Authority. The EDS shall be in accordance with the Biodiversity Metric 3.1 calculations contained within the "Ecological Assessment ref A5478 rev D" and shall provide a minimum of 0.58 habitat units post-development.

The EDS shall also include the following:

- a) Purpose and conservation objectives for the proposed works;
- b) Review of site potential and constraints;
- c) Detailed design(s) and/or working method(s) to achieve stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Details on the establishment of hedgerow planting on the site;
- f) Type and source of materials to be used where appropriate, e.g., native species of local provenance;
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- h) Persons responsible for implementing the works and long-term maintenance;
- i) Details of initial aftercare and long-term maintenance, for a minimum of 30 years;
- j) Details for monitoring and (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers a measurable biodiversity net gain; and
- k) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan.

23. Prior to their use, details of all the external facing materials, to include natural stone walling and natural slate roofing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

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

24. Notwithstanding the submitted information, prior to landscaping works commencing, a comprehensive schedule of hard and soft landscaping with timescale for implementation, and a maintenance plan to cover a minimum of five years, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. The approved landscaping scheme 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. The hard landscaping shall thereafter be retained.

Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policies LP24 and LP63 of the Kirklees Local Plan.

25. Prior to the occupation of the hereby approved dwellings, the retaining walls as shown on plans ref (462)-GWP-01-01-D-A-(PA)-0007 rev P01 and (462)-GWP-01-01-D-A-(PA)-0005 rev P04 shall be constructed using the Soil Rock Nailing and Gabion Basket System. Thereafter the retaining walls shall be so retained.

Reason: In the interest of visual amenity, residential amenity, and preserving the openness of the Green Belt, in accordance with Policy LP24 of the Kirklees Local Plan.

26. Prior to the occupation of any of the hereby approved dwellings, notwithstanding the submitted details, a 'lighting design strategy for biodiversity' 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 shall any other external lighting be installed without prior consent from the local planning authority.

Reason: To avoid indirect impacts to bats and other local species in the interests of ecological mitigation, to comply with Policy LP30 of the Kirklees Local Plan.

27. Prior to the occupation of the hereby approved dwellings, a strategy for the delivery of Ecological Enhancement features on site shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancements shall include:

- Five bat boxes;
- Five bird boxes;
- Five log piles; and
- Provision of hedgehog holes in garden boundaries

Thereafter the approved Ecological Enhancement shall be implemented prior to the first occupation of the dwellings. The Ecological Enhancements shall thereafter be retained.

Reason: To ensure appropriate details are secured relating the provision of ecological enhancements, in accordance with Policy LP30 of the Kirklees Local Plan.

28. Prior to the occupation of the hereby approved dwellings, a scheme detailing the boundary treatment of the all the site shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the works comprising the approved scheme have been completed.

Reason: In the interest of visual amenity, residential amenity, and preserving the openness of the Green Belt, in accordance with Policy LP24 of the Kirklees Local Plan.

29. Prior to the occupation of the hereby approved dwellings, a strategy for the provision of electric vehicle charging points (EVCP) on site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the minimum provision of:

- One EVCP for each residential unit with a dedicated parking space and/or a dedicated garage, or
- One EVCP for every ten unallocated parking spaces.

The strategy shall include a timetable and/or triggers for the installation of the EVCP. The cable and circuitry ratings for the EVCP shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. Prior to the occupation of the dwellings, the EVCP shall be provided in accordance with the approved details, and they shall be retained thereafter.

Reason: In the interests of supporting low emission vehicles, and to accord with Policies LP24 and LP51 of the Kirklees Local Plan.

30. Prior to the occupation of the hereby approved dwellings, the bin store as shown plans ref (462)-GWP-01-01-D-A-(PA)-0003 rev 16 and (462)-GWP-01-01-D-A-(PA)-0053 rev P01 shall be installed and made ready for use. Unless otherwise agreed in writing with the Local Planning Authority, the bin store as built shall thereafter be retained.

Reason: In the interest of effective waste arrangements and ensuring the amenity of residents, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan.

31. Prior to the occupation of the hereby approved dwellings, details of security measures to protect the car parking spaces as shown on plan ref (462)-GWP-01-01-D-A-(PA)-0003 rev P16 shall be submitted to and approved in writing by the Local Planning Authority. Any lighting proposed shall give due regard to the provisions of condition 26. The approved security measures shall thereafter be installed, prior to the occupation of any of the dwellings, and shall thereafter be so retained.

Reason: In the interest of promoting safety and ensuring the amenity of residents, in accordance with Policy LP24 of the Kirklees Local Plan.

32. Prior to the occupation of the hereby approved dwellings, details of the 'new village welcome sign', as approximately shown on plan ref (462)-GWP-01-01-D-A-(PA)-0003 rev P16, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design of the sign, its location, method of installation, and details of its ongoing management and maintenance. The approved details shall be implemented prior to the occupation of the approved dwellings and shall thereafter be retained.

Reason: To support and enhance the character of the local area, in accordance with Policy 5 of the Holme Valley Neighbourhood Development Plan.

33. Prior to the occupation of the hereby approved dwellings, the respective dwelling's cycle store, as shown on plan ref (462)-GWP-01-01-D-A-(PA)-0003 rev P16 and plan ref (462)-GWP-01-01-D-A-(PA)-0009 rev P02 shall be installed and made ready for use. Unless otherwise agreed in writing with the Local Planning Authority the bike stores as built shall thereafter be retained.

Reason: To promote alternative methods of travel in accordance with Policy LP21 of the Kirklees Local Plan.

34. Prior to the occupation of the hereby approved dwellings, the sightlines of the new junction onto Westgate, as shown on plan ref (462)-GWP-01-01-D-A-(PA)-0003 rev P16, shall be cleared of all fixed obstructions to visibility exceeding 1.0m in height. The sightlines as made shall thereafter be retained free of any fixed obstruction.

Reason: To ensure adequate visibility in the interests of highway safety, in accordance with Policy LP21 of the Kirklees Local Plan.

35. 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) no development included within Classes A, B, D or E of Part 1 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, residential amenity, and preserving the openness of the Green Belt, in accordance with Policy LP24 of the Kirklees Local Plan.

Note: Pursuant to condition 9 (Highway Condition Survey)

Highway condition surveys should be undertaken jointly with Kirklees Council Highways Maintenance Team. For further information please contact James Donoghue, Highway Maintenance, 01484 221000.

Note: Pursuant to condition 29 (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. 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.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

Note: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

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

Note: The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition

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:

- Monday to Friday: 0730 – 1830
- Saturday: 0800 – 1300
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Note: The responsibility of securing a safe development rests with the developer and landowner.

Note: Please note that the granting of planning permission does not override any private rights of ownership, and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	(462)-GWP-01-01-D-A-(PA)-0001	Rev. P02	17/08/2022
Existing Site levels	(462)-GWP-01-01-D-A-(PA)-0002	Rev. P03	19/01/2023
Block Plan	(462)-GWP-01-01-D-A-(PA)-0003	Rev. P16	24/02/2023
Block Plan	(462)-GWP-01-01-D-A-(PA)-0005	Rev. P04	19/01/2023
Proposed Elevations	(462)-GWP-01-01-D-A-(PA)-0006	Rev. P03	19/01/2023
Proposed Site Sections	(462)-GWP-01-01-D-A-(PA)-0007	Rev. P01	19/01/2023
Block Plan	(462)-GWP-01-01-D-A-(PA)-0008	Rev. P03	19/01/2023
Grouped Plans and Elevations	(462)-GWP-01-01-D-A-(PA)-0009	Rev. P02	19/01/2023
Grouped Plans and Elevations	(462)-GWP-01-01-D-A-(PA)-0010	Rev. P01	19/01/2023
Grouped Plans and Elevations	(462)-GWP-01-01-D-A-(PA)-0011	Rev. P01	19/01/2023
Proposed Elevations	(462)-GWP-01-01-D-A-(PA)-0020	Rev. P02	19/01/2023
Proposed Floor Plans	(462)-GWP-01-01-D-A-(PA)-0026	Rev. P03	19/01/2023
Proposed Elevations	(462)-GWP-01-01-D-A-(PA)-0027	Rev. P02	19/01/2023
Proposed Floor Plans	(462)-GWP-01-01-D-A-(PA)-0028	Rev. P02	19/01/2023
Proposed Elevations	(462)-GWP-01-01-D-A-(PA)-0029	Rev. P02	19/01/2023
Existing Sections	(462)-GWP-01-01-D-A-(PA)-0040	Rev. P02	17/08/2022
Proposed Site Sections	(462)-GWP-01-01-D-A-(PA)-0041	Rev. P04	26/01/2023
Proposed Floor Plan	(462)-GWP-01-01-D-A-(PA)-0050	Rev. P02	19/01/2023
Proposed Floor Plans	(462)-GWP-01-01-D-A-(PA)-0051	Rev. P02	19/01/2023
Proposed Floor	(462)-GWP-01-01-D-A-(PA)-	Rev. P02	19/01/2023

Plan Type	Reference	Version	Date Received
Plans	0052		
Grouped Plans and Elevations	(462)-GWP-01-01-D-A-(PA)-0053	Rev. P01	19/01/2023
Proposed Landscaping Layout	(462)-GWP-01-01-D-A-(PA)-0060	Rev. P05	19/01/2023
Proposed Elevations	(462)-GWP-01-XX-DR-A-(PA)-0075	Rev. P01	19/01/2023
Proposed Site Plan	EH-CG6230-02	Rev. A	17/08/2022
Ecology / Biodiversity Statement	Ecological Assessment / A5478	Rev. D	14/02/2023
Drainage / Foul Sewerage Assessment	Drainage Calculations / CAL01	Rev. A	09/08/2022
Drainage / Foul Sewerage Assessment	22055 / 100	Rev. P2	19/01/2023
Design and Access Statement	(462)2112-GWP-A-2A-01	Rev. P05	19/01/2023
Supporting Information	Addendum to Supporting Planning Statement		19/01/2023
Supporting Information	Housing Needs Survey 2021	February 2022 updated September 202	23/11/2022
Supporting Information	Addendum to the HNS Evidence of the housing mix for affordable rented housing for the Chippings Site		23/11/2022
Supporting Information	Report on Community Engagement & Consultations undertaken by EcoHolmes		18/07/2022
Supporting Information	Climate Change Statement		18/07/2022
Supporting Information	Planning Statement		18/07/2022
Supporting Information	Phase I Geo-Environmental Report		21/07/2022
Supporting Information	Phase II Geo-Environmental Report		21/07/2022
Transport Assessment	Transport Statement		18/07/2022
Transport Assessment	Road Safety Audit		21/07/2022
Tree / Arboricultural Survey	Arboricultural Impact Statement		18/07/2022
Tree / Arboricultural Survey	Arboricultural Method Statement		18/07/2022

Plan Type	Reference	Version	Date Received
Noise Assessment	Noise Impact Assessment		19/07/2022

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.

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.

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.

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.

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: 11-Oct-2024

Signed:



**David Shepherd
Executive Director for Place**

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