



Kirklees Council
Planning and Development Service
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Enquiries to: Nick Hirst

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Date: 01-Feb-2023
Our Ref: 2022/93608

Dear Sir,

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of conditions 24 (Landscape Strategy), 25 (Ventilation Mitigation Strategy), 26 (Secure Cycle Parking), 27 (Lighting Design Strategy for Biodiversity), 28 (Temporary Waste Storage and Collection) and 29 (EVCP) of previous permission 2021/91871 for erection of residential development (55 dwellings) including access and associated infrastructure

Land adj, High Street and Challenge Way, Hanging Heaton, Batley, WF17 6DP

Application Number: 2022/93608

I write with reference to your application to discharge the conditions for the above development as submitted on 07-Nov-2022.

Condition 24 (Landscape Strategy)

You have submitted the following information pursuant to condition 24:

- Plan ref. MR20-139/101 rev. G
- Plan ref. MR20-139/102 rev. H
- Plan ref. MR20-139/103

I can confirm that the submitted details are acceptable for the initial purpose of condition 24.

However, you are reminded that condition 24 has an ongoing requirement which must be adhered to, to ensure ongoing compliance:

The approved landscaping plan shall be implemented prior to the hereby approved development being brought into use. All planted materials shall thereafter be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Condition 25 (Ventilation Mitigation Strategy)

You have submitted the document Noise Survey authored by FES Acoustics dated October 2022 Ref A001230 Issue 5.1

I can confirm that the submitted details are acceptable for the initial purpose of condition 25.

However, you are reminded that condition 25 has an ongoing requirement which must be adhered to, to ensure ongoing compliance:

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

Condition 26 (Secure Cycle Parking)

You have submitted the plan ref. "4807/13 rev. C" pursuant to condition 26.

I can confirm that the submitted details are acceptable for the initial purpose of condition 26.

However, you are reminded that condition 26 has an ongoing requirement which must be adhered to, to ensure ongoing compliance:

The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and therefore retained.

Condition 27 (Lighting Design Strategy for Biodiversity)

You have submitted the document titled "Lighting Strategy, Project: High Street/Challenge Way Development" pursuant to condition 27.

I can confirm that the submitted details are acceptable for the initial purpose of condition 27.

However, you are reminded that condition 27 has an ongoing requirement which must be adhered to, to ensure ongoing compliance:

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

Condition 28 (Temporary Waste Storage and Collection)

You have submitted the plan ref. 301 Rev 11 pursuant to condition 28.

I can confirm that the submitted details are acceptable for the initial purpose of condition 28.

However, you are reminded that condition 28 has an ongoing requirement which must be adhered to, to ensure ongoing compliance:

The temporary arrangements so approved shall be implemented prior to first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Condition 29 (EVCP)

You have applied to discharge condition 29 with the plan titled "Site Plan – Proposed EVCP from Waller & Partners". However, condition 29 does not require discharging. It is a compliance condition which stipulates requirements to be adhered to. Therefore condition 29 cannot be formally discharged.

Notwithstanding the above, officers note that the submitted details comply with the stipulations of condition 29 and no objections over the provided details are raised.

Yours faithfully,

Mathias Franklin
Head of Planning and Development