



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England) Order
2015**

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2023/62/91092/E

To: Nick Willock,
Robert Halstead Chartered Surveyor
Office G of H
Bridge Mills
Huddersfield Road
Holmfirth
HD9 3TW

For: The Church Of England (Diocese Of Leeds)

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:-

DEMOLITION OF EXISTING SCHOOL AND ERECTION OF NEW SCHOOL;
IMPROVEMENTS TO EXISTING ACCESS AND FORMATION OF INTERNAL
ACCESS ROAD AND TURNING HEAD; FORMATION OF CAR PARK,
CHILDREN'S OUTDOOR PLAY AREAS AND ASSOCIATED LANDSCAPING

At: ST PETERS CE VA JUNIOR INFANT AND EARLY YEARS SCHOOL, FIELD
HEAD LANE, BIRSTALL, BATLEY, WF17 9HN

**In accordance with the plan(s) and applications submitted to the Council on
11-Apr-2023, 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 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 development shall be undertaken in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement reference AWA5528AMS by AWA Tree Consultants. These shall be implemented and maintained throughout the construction phase and retained thereafter.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

4. Pursuant to the requirements of condition 17, the 'F2 - Fence Type 2' fencing as shown on plan ref. "SRP1088-ITR-XX-00-DR-L0102 rev. P09" shall be installed in accordance with the Design Guidance Note from Sport England - Artificial Grass Pitch (AGP) Acoustics - Planning Implications.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. The removal of vegetation shall be undertaken outside of 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 and Chapter 15 of the National Planning Policy Framework.

6. Prior to development commencing (including demolition, ground works, vegetation clearance), a phasing strategy for the delivery of the development shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include, but shall not necessarily be limited to:

- Identifying the proposed buildout phases;
- The implementation of the surface water drainage strategy, as indicatively detailed within the document titled 'Drainage Strategy', ref. 20226004 rev. V1.12. The surface water drainage features as so implemented shall thereafter be retained;
- The phases of the temporary surface water arrangements during the construction phase, as indicatively detailed within the document titled 'Drainage Strategy', ref. 20226004 rev. V1.12;
- The timing of the completion of the site's on-site turning facility, as shown on plan ref. SRP1088-ITR-XX-00-SK-L-1002 Rev. P01, notwithstanding details shown on other approved plans. The on-site turning facility as so implemented shall thereafter be retained; and

- Erection of the on-site fencing in accordance with the details shown on plans ref. 'SRP1088-ITR-XX-00-DR-L-0101 rev. P09' and 'SRP1088-ITR-XX-00-DR-L-0102 rev. P09'. The on-site fencing as so implemented shall thereafter be retained.

The development shall thereafter be implemented in accordance with the approved phasing plan.

Reason: To define the phases of the development's delivery and the provision of key infrastructure on site, in accordance with the aims and objectives of Policies LP21 and LP24 of the Kirklees Local Plan.

This pre-commencement is necessary to ensure due regard is given to the appropriate delivery and arrangement of facilities, given the identified phasing requirements of the proposal.

7. Prior to development commencing (including demolition, ground works, vegetation clearance), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include appropriate provisioning for each phase of development approved pursuant to condition 6. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities that refers to the most up-to-date site-specific survey information and specifically to nesting birds and bats;
- Identification of "biodiversity protection zones", where appropriate;
- 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);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate;
- Details of responsible persons and lines of communication; and
- Use of protective fences, exclusion barriers and warning signs, where appropriate.

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

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

This pre-commencement condition is necessary to ensure measures to prevent or minimise biodiversity impacts are devised and agreed at an appropriate stage of the development process.

8. Prior to development commencing (including demolition, ground works, vegetation clearance), 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 include appropriate provisioning for each phase of development approved pursuant to condition 6. The C(E)MP shall include details of:

- Any phasing of development and timetable of all works;
- Hours of works;
- Details of construction access arrangements;
- Construction vehicle sizes and routes;
- Numbers and times of construction vehicle movements;
- Locations of HGV waiting areas and details of their management;
- Parking for construction workers;
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Signage;
- Lighting during construction works;
- Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;
- 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;
- Street sweeping;
- Measures to control and monitor the emission of dust and dirt during construction;
- Site waste management, including details of recycling/disposing of waste resulting from construction works;
- Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- Artificial lighting used in connection with all construction-related activities and security of the construction site;
- Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
- Engagement with local residents and occupants or their representatives; and
- Engagement with the developers of nearby sites to agree to any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

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.

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan.

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.

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

Reason: 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, 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 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 to ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure site investigation is carried out at an appropriate stage.

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9, development 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, including any phasing to be undertaken, for the implementation and completion of the approved remediation measures.

Reason: 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, 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 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 to ensure the safety and stability of the development, in accordance with the National Planning Policy Framework.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. If 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

12. 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.

13. Prior to commencing the superstructure of the hereby approved new school, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The BEMP shall detail the delivery of the enhancements detailed within section 8 of the submitted Ecological Impact Assessment, ref. '2023-1513', and the Biodiversity Metric 3.1 calculations contained within the Biodiversity Net Gain Assessment, referenced '2023-1513'. This shall include the provision a minimum of 10% net gain of habitat units and 10% net gain of hedgerow units' post-development. The EDS shall also include the following:

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

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

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

This pre-commencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.

14. Prior to commencing the superstructure of the hereby approved new school, commencing, notwithstanding the approved plans, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Planting plans;
- Written specifications of soil depths, cultivation and other operations associated with plant and grass establishment;
- Schedules of plants noting species, planting sizes and proposed numbers/densities.
- Assessment of landscaping impact on public sewer infrastructure
- Details of an implementation and maintenance programme for a minimum 5-year period.
- Details of phasing of soft landscaping works.

All soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, phasing, and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the provision and establishment of acceptable landscape scheme to ensure a good quality development.

15. Prior to any new or rebuilding of retaining walls adjacent to the existing highway, a scheme detailing the location and cross-sectional information together with the proposed design and construction details including any modifications to the existing retaining wall on Nova Lane shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works to deliver the new or rebuilding of retaining walls adjacent to the existing highway shall be implemented in accordance with the approved details and shall be retained so thereafter.

Reason: In the interest of preserving the safety of the public highway, in accordance with Policy LP21 of the Kirklees Local Plan.

16. Prior to their use, details of all the external facing materials 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.

17. Prior to the hereby approved new school being first brought into use, or prior to the installation of any external lighting, notwithstanding the submitted information, a lighting design strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall:

- identify those areas / features on site that are particularly sensitive for local species 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
- 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.
- With due regard to the requirements of points a and b, detail how appropriate lighting would be installed to mitigate and protect against crime.

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.

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

18. Prior to the hereby approved new school being first brought into use, the photovoltaic arrays annotated on proposed drawing “SRP1088-WLG-ZZ-ZZ-DR-E-7001-269 rev. P2” shall be installed and operational. The photovoltaic arrays as installed shall thereafter be retained.

Reason: In the interests of sustainable development and addressing climate change, to ensure a contribution towards the development’s energy needs is made by renewable sources, and to accord with Policies LP24 and LP26 of the Kirklees Local Plan and the National Planning Policy Framework.

19. Prior to the new school hereby approved being substantially completed, a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the new school being first occupied being brought into use and shall thereafter be retained.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, environmental well-being and to accord with Policies LP28 and LP52 of the Kirklees Local Plan.

20. Prior to the hereby approved development being brought into use and prior to the demolition of the existing school, a Traffic Survey shall be submitted to and approved in writing by the Local Planning Authority. The Traffic Survey shall consider the impacts of parent parking during student drop off / pick up times upon the nearby roads Nova Lane, Middlegate, Kings Drive, Bronte Road, and Shirley Avenue. The document shall consider whether mitigation measures (with timeframes for implementation), either physical or operational, are necessary to manage any detrimental highway impacts attributed to parent parking and drop off. Any approved mitigation measures shall be implemented in accordance with the approved details.

Reason: In the interest of mitigating the identified harm to the safe and efficient operation of the local highway network, in accordance with Policy LP21 of the Kirklees Local Plan.

Note: Pursuant to condition 20 it is recommended that the scope of the survey be agreed with K.C. Highways Development Management prior to the works being undertaken. K.C. Highways Development Management may be contacted at Highways.DevelopmentControl@kirklees.gov.uk

21. Prior to the hereby approved building being brought into use, a kitchen extract system scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours;
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours;
- Details showing the proposed location of all the major components of the extract system;
- The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be at nearby noise sensitive locations; and
- The proposed ongoing maintenance schedule to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences the approved extraction system shall be installed and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure the proposed development does not cause harmful odour pollution either in a public area or at neighbouring premises in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

22. Prior to the hereby approved building being brought into use, notwithstanding the submitted plans, details of cycle parking for a minimum of 18 bicycles shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a timeframe for implementation and shall include measures to secure the bicycles from crime and the elements. Thereafter the approved cycle parking shall be installed in accordance with the approved timeframe and shall be retained thereafter.

Reason: To promote methods of sustainable travel, to comply with Policy LP21 of the Kirklees Local Plan.

23. Prior to the hereby approved building being brought into use, a scheme detailing the provision of a minimum two Electric Vehicle Charging Points (EVCPs) on site shall be submitted to, and approved in writing by, the Local Planning Authority. 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. The scheme shall include a timeframe for implementation and shall include measures to secure the bicycles from crime and the elements. Thereafter the approved EVCP shall be installed in accordance with the approved timeframe and shall be retained thereafter.

Reason: In the interest of supporting low emission vehicles, to accord with the guidance contained in Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 9 and 15 of the National Planning Policy Framework.

24. Between 10 and 12 months after the hereby approved school is brought into use, an updated Noise Impact Assessment shall be submitted to the Local Planning Authority. The updated Noise Impact Assessment shall consider the operational impacts of the Nursery / Early Years play area, as shown on plan ref. 'SRP1088-ITR-XX-00-DR-L-0003 Rev. P07', upon residents of properties adjacent to the site. The document shall consider whether further mitigation measures, either physical or operational, are necessary to manage any identified noise pollution. Following the approval in writing by the LPA of the updated Noise Impact Assessment, any approved noise mitigation measures therein shall be installed within 3 months of that approval and shall thereafter be retained. In the circumstance that approval of the updated Noise Impact Assessment is refused, a revised Noise Impact Assessment [addressing the Local Planning Authority's concerns] shall be submitted to the LPA within three months of the refusal for further assessment in accordance with the provisions outlined above.

Reason: In the interest of protecting the amenity of neighbouring residents from undue noise pollution, while giving flexibility to the applicant to attempt to demonstrate the proposed management measures would be effective. To comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan.

25. The hereby approved development shall be operated in accordance with the provisions to encourage sustainable travel detailed within the approved Travel Plan, ref. '1856/2 Rev. B by Ashley Helme Associates'.

Reason: To promote sustainable measures of travel, in accordance with LP20 of the Kirklees Local Plan.

26. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment is 5dB below the existing background sound level at any time (as per the table within section 7 of the submitted Acoustic Planning Report by Lighthouse Acoustics (Ref 1015/APR1 Revision 1) (dated: 27 March 2023)). 'Rating level' and 'background sound level' are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Block Plan	SRP1088-ITR-XX-00-SK-L-1002	rev. P01	26.07.2023
Proposed site sections	SRP1088-WMA-ZZ-ZZ-DR-A-00-002	Rev. P09	25.07.2023
Proposed site sections	SRP1088-WMA-ZZ-ZZ-DR-A-00-008	Rev. P04	25.07.2023
Location Plan	SRP1088-WMA-ZZ-ZZ-DR-A-00-010	/	12.04.2023
General Plan	SRP1088-WMA-ZZ-ZZ-DR-A-00-011	/	12.04.2023
Proposed Site / Block Layout	SRP1088-WMA-ZZ-00-DR-A-00-013	/	12.04.2023
Proposed Floor Plans	SRP1088-WMA-ZZ-00-DR-A-10-001	Rev. P11	12.04.2023
Proposed Floor Plans	SRP1088-WMA-ZZ-01-DR-A-10-002	Rev. P09	12.04.2023
Proposed Floor Plans	SRP1088-WMA-ZZ-02-DR-A-10-003	Rev. P04	12.04.2023
Proposed Elevations	SRP1088-WMA-ZZ-ZZ-DR-A-20-001	Rev. P04	12.04.2023
Proposed Elevations	SRP1088-WMA-ZZ-ZZ-DR-A-20-002	Rev. P02	12.04.2023
Existing site sections	SRP1088-WMA-ZZ-ZZ-DR-A-20-003	Rev. P03	25.07.2023
Existing site sections	SRP1088-WMA-ZZ-ZZ-DR-A-20-004	Rev. P04	25.07.2023
Proposed Elevations	SRP1088-WMA-ZZ-ZZ-DR-A-20-010	Rev. P08	03.07.2023
Proposed Elevations	SRP1088-WMA-ZZ-ZZ-DR-A-20-011	Rev. P07	03.07.2023
Proposed Site / Block Layout	SRP1088-ITR-XX-00-DR-L-0001	Rev. P09	03.07.2023
Proposed Site / Block Layout	SRP1088-ITR-XX-00-DR-L-0002	Rev. P07	03.07.2023
General Plan	SRP1088-ITR-XX-00-DR-L-0003	Rev. P07	03.07.2023
Existing Site / Block Layout	SRP1088-TR-XX-00-DR-L-0004	Rev. P01	12.04.2023

Plan Type	Reference	Version	Date Received
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0012	Rev. P02	03.07.2023
Proposed Site / Block Layout	SRP1088-ITR-XX-00-DR-L-0009	Rev. P06	03.07.2023
Proposed Site / Block Layout	SRP1088-ITR-XX-00-DR-L-0008	Rev. P05	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0101	Rev. P09	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0102	Rev. P09	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0201	Rev. P08	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0202	Rev. P08	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0210	Rev. P07	03.07.2023
Proposed Landscaping Layout	SRP1088-ITR-XX-00-DR-L-0211	Rev. P07	03.07.2023
Grouped Plans and Elevations	SRP1088-ITR-XX-00-DR-L-0310	Rev. P04	03.07.2023
Proposed Site Sections	SRP1088-ITR-XX-00-DR-L-0311	Rev. P01	11.05.2023
Grouped Plans and Elevations	SRP1088-ITR-XX-00-DR-L-0312	Rev. P01	03.07.2023
General Plan	SRP1088-WLG-ZZ-ZZ-DR-E-7001-269	/	12.04.2023
General Plan	42459_T	Rev. 0	12.04.2023
General Plan	42459_UG	Rev. 0	12.04.2023
Design and Access Statement			13.04.2023
Supporting Information	Planning Statement		12.04.2023
Supporting Information	Rapid Health Impact Assessment (HIA)		12.04.2023
Supporting Information	Statement of Community Involvement		12.04.2023
Supporting Information	Climate Change Statement		12.04.2023

Plan Type	Reference	Version	Date Received
Supporting Information	Phase 1 Ground Investigation Report		13.04.2023
Tree / Arboricultural Survey	Arboricultural Report and Impact Assessment		26.07.2023
Tree / Arboricultural Survey	Arboricultural Method Statement		26.07.2023
Ecological/Biodiversity Statement	Biodiversity Net Gain Assessment		11.07.2023
Ecological/Biodiversity Statement	Metric 3.1 Calculations		11.07.2023
Transport Assessment	Transport Statement	Rev. F	03.07.2023
Transport Assessment	Travel Plan		12.04.2023
Drainage / Foul Sewerage Assessment	Drainage Strategy / ref. 20226004	V1.12	12.04.2023
Ecological/Biodiversity Statement	Ecological Impact Assessment		13.04.2023
Conservation/Heritage Assessment	Heritage Statement		12.04.2023
Noise Assessment	Acoustic Planning Report 1015/APR1	Rev. 1	12.04.2023

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. The applicant and officers worked proactively to resolve issues regarding the design of the building and its materials, opportunities to further improve the access, impact on trees and other matters.

In accordance with the Council's delegated agreement the application was presented to the Strategic Planning Committee on 03/08/2023. Members of the committee resolved to support officers' recommendation to approve the application, subject to conditions.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

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

Details Reserved by Condition

- **This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".**
- **You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.**
- **This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.**
- **You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.**
- **It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.**
- **If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.**

Development within a Coal Mining Area

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

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for 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: 21-Aug-2023

Signed:



**David Shepherd
Strategic Director Growth and Regeneration**

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2023/62/91092/E .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

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