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: 2023/70/91979/W

To: Haley Powell
Keepmoat Homes Ltd
Vico Court
Ring Road
Lower Wortley
Leeds
LS12 6AN

For: Haley Powell, Keepmoat Homes Ltd

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

VARIATION OF CONDITION 1 (PLANS) ON THE PREVIOUS PERMISSION 2022/93697 VARIATION OF CONDITION 1 (PLANS) ON THE PREVIOUS 2021/94528 VARIATION OF CONDITION 2 (PLANS AND SPECIFICATION) ON PREVIOUS PERMISSION 2019/92940 FOR THE ERECTION OF 161 RESIDENTIAL UNITS INCLUDING A 50 UNIT EXTRA CARE FACILITY (ALL CLASS C3) AND PUBLIC OPEN SPACE

At: LAND WEST OF, ASHBROW INFANT AND NURSERY SCHOOL, ASHBROW ROAD, ASHBROW, HUDDERSFIELD, HD2 1DF

In accordance with the plan(s) and applications submitted to the Council on 19-Jul-2023 [together with those plans and application(s) submitted to the Council on 09-Sep-2019 and incorporated into planning permission 2019/92940 granted on 17-Feb-2020] and subject to the condition(s) specified hereunder:-

1. 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 Policies LP21 and LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with approved drawing number A(000)017 Rev E (Phasing Plan).
Reason: To ensure the development is carried out in a comprehensive and controlled manner in order to accord with Policies LP5, LP21 and LP24 of the Kirklees Local Plan.

3. The development shall be carried out in complete accordance with the approved Construction Environmental Management Plan for Biodiversity (CEMP) (Ref 13945e/CR REV 1) submitted within application ref 2020/90549 for the full period of construction.
Reason: To mitigate the impact of the construction of the development on biodiversity and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

4. The development shall be carried out in accordance with the details approved pursuant to condition 5 on 23/10/2020 under application ref: 2020/90549 in relation to Construction Management.
Reason: In the interests of highway safety and residential amenity and to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

5. The development shall be carried out in accordance with the details approved pursuant to condition 6 on 23/10/2020 under application ref: 2020/90549 in relation to Construction Management.
Reason: To mitigate the impact of the construction of the development on residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the approved Remedial Strategy prepared by Sirius Geotechnical dated 22/06/2018 (ref: C6944A/JF/8479). In the event that remediation is unable to proceed in accordance with the approved Remedial 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 remove unacceptable risks to human health and the environment and to accord with Policy LP53 of the Kirklees Local Plan and guidance given in the National Planning Policy Framework.

7. Following completion of the measures identified in the approved Remedial 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 that part of the site in accordance with the approved Remedial 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 unacceptable risks to human health and the environment have been addressed and to accord with Policy LP53 of the Kirklees Local Plan and guidance given in the National Planning Policy Framework.

8. The temporary drainage for the construction phase shall be implemented and carried out in accordance with the details approved pursuant to condition 9 on 23/10/2020 under application ref: 2020/90549, until the approved permanent surface water drainage system is in place for that phase and functioning in accordance with written notification to the Local Planning Authority.
Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

9. The development shall be operated and retained in accordance with the details approved pursuant to condition 10 on 23/10/2020 under application ref: 2020/90549, in relation to off-site surface water drainage.
Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

10. The development shall be carried out in complete accordance with the details approved pursuant to condition 11 on 19/01/2023 under application 2021/92325, in relation to the future management and maintenance of surface water drainage.
Reason: To ensure that there are suitable arrangements in place for the surface water drainage system to ensure an acceptable standard of operation for the lifetime of the development. This is to accord with Policy LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

11. The junction and associated highway works between the proposed estate road and adopted highway shall be carried out in complete accordance with details on 23/10/2020 under application ref: 2020/90549.
Reason: In the interests of highway safety and to achieve a satisfactory layout. This is to accord with Policy LP21 of the Kirklees Local Plan.

12. The development shall be carried out in complete accordance with the details approved pursuant to condition 13 on 19/01/2023 under application 2021/92325, in relation to the internal adoptable estate roads and retained thereafter. The works shall be completed prior to the occupation of the corresponding development phase, as detailed under Condition 2.
Reason: To ensure that suitable access is available for the development to accord with Policy LP21 of the Kirklees Local Plan.

13. Prior to the installation of any of retaining walls/structures near or abutting existing and proposed adoptable highway, excluding those shown on drawing numbers Y005-KMH-PROW-01 Rev B (green wall) and Y005 Rev B (embankment adjacent to attenuation tank), details of the siting, design, structural calculations and material to be used in the construction of the retaining walls/structures shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall not be brought into use until the approved works for that corresponding phase have been constructed in accordance with the approved details. The works shall thereafter be retained as such.
Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Policy LP21 of the Kirklees Local Plan.

14. The development shall be carried out in complete accordance with the Landscape and Ecological Management Plan (ref: 13945f/CR/V2 Rev 3 Awe), including the Public Open Space Plan (drawing A(000)012 Rev O) and the Planting Plan (c-1417-01 Rev M). The development shall thereafter be retained in accordance with the approved details.
Reason: In the interests of biodiversity and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

15. The lighting scheme for biodiversity shall be installed and maintained in accordance with the strategy approved pursuant to condition 16 on 19/01/2023 under application 2021/92325.
Reason: In the interests of biodiversity and to accord with Policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

16. A lighting scheme for any external lighting relating to the extra care facility shall be submitted to and approved in writing by the Local Planning Authority before any such lighting is first installed. The scheme shall include the following information:-

a) The proposed hours of operation of the lighting
b) The location and specification of all of the luminaires
c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.
Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan.

17. Details of the installation and/or erection of any extract ventilation system, including details of the methods of treatments of emissions and filters to remove odours and control noise emissions, for the extra care facility shall be submitted to and approved in writing by the Local Planning Authority before the extra care facility is first brought into use. The ventilation system shall thereafter be retained as such and operated when the extra care apartment's kitchen is in use and maintained in accordance with the manufacturer's instructions.
Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan.

18. The development shall be carried out in complete accordance with the details approved pursuant to condition 19 on 23/10/2020 under application ref: 2020/90549, in relation to the design of the public link within the north-west part of the site that connects to public footpath Huddersfield 382. The path shall be provided before 50% of the dwellings in phase 2 are occupied and shall thereafter be retained as such.
Reason: To enhance the accessibility of the development and promote sustainable travel. This is to accord with Policies LP3 and LP20 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

19. Details of a scheme for improvement works to the existing definitive public footpath Huddersfield 382 which runs to the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority before any dwelling within phase 2 is first occupied. The scheme shall include details of any proposed widening, surfacing, lighting and drainage works. The scheme of improvement works shall be implemented before 50% of the dwellings in phase 2 are occupied and shall thereafter be retained as such.
Reason: To enhance the accessibility of the development and promote sustainable travel. This is to accord with Policies LP3 and LP20 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

20. Notwithstanding the submitted landscaping plan, a scheme for additional tree planting to the site frontage to compensate for the loss of 4no. protected trees that lie immediately to the northeast of the approved access shall be submitted to and approved in writing by the Local Planning Authority before any dwelling in phase 1 is first occupied. The additional tree planting shall be provided before works commence on phase 2 of the development. The tree planting so approved shall be maintained for a period of five years from planting. If, within this period, any of the trees shall die, become diseased or be removed, they shall be replaced with others of similar size.
Reason: In the interests of visual amenity and biodiversity and to accord with Policies LP24, LP33 and LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

21. The development shall be carried out in complete accordance with the phasing plan for the soft landscaping scheme approved pursuant to condition 22 on the 17/03/2023 under application ref 2023/90489. The approved soft 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.
Reason: In the interests of visual amenity and biodiversity and to accord with Policies LP24, LP11 and LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

22. The development shall be carried out in accordance with the approved Arboricultural Method Statement/Tree Protection Plan (ref: BA6485AIA_E).
Reason: So as to protect to viability of the protected mature trees within/adjacent to the application site and to accord with Policy LP33 of the Kirklees Local Plan.

23. The approved vehicle parking areas located within private residential curtilage shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13/05/2009 (ISBN 9781409804864) as amended or superseded. The parking areas shall be surfaced as such before the dwelling to which they relate is first occupied and thereafter retained.
Reason: In the interests of highway safety and to mitigate flood risk and to accord with Policies LP21 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

24. A lockable gate to the shared access to Plots 14 and 15, as indicated on plan Y005-KMH-XX-DR-K-001, shall be provided before either of these dwellings are first occupied. The gate shall thereafter be retained as such.
Reason: To enhance the security of these plots and reduce opportunities for crime and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

25. The electric vehicle recharging points as shown on drawing number A(000)001 Rev AT and specified within the Rolec product catalogue (Wallpod: EV HomeCharge, page 3) shall be provided before the dwelling to which they relate is first occupied. The recharging points shall thereafter be retained as such.
Reason: To mitigate the impact of the development on air quality and to accord with Policy LP24 of the Kirklees Local Plan, guidance contained in the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

26. A scheme for the provision of fivve electric vehicle recharging points for the extra care facility shall be submitted to and approved in writing by the Local Planning Authority before the extra care facility is first occupied. The electric vehicle charging points shall be provided before the extra care facility is first brought into use and shall thereafter be retained.
Reason: To mitigate the impact of the development on air quality and to accord with Policy LP24 of the Kirklees Local Plan, guidance contained in the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

27. The measures detailed in the approved Travel Plan (ref SC/17209/TP/6, dated August 2019) shall be implemented in full prior to the site being brought into use.
Reason: To promote sustainable forms of travel and to accord with Policies LP3 and LP20 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

28. The development shall be provided in accordance with the works specified within the approved Noise Impact Assessment prepared by Dragonfly Consulting dated August 2019 (Ref: DC 3217-R1v2) and thereafter retained as such.
Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

29. The boundary treatment for plots 41 and 44 shall be completed in accordance with the boundary treatment plan (ref A(000)015 rev Z) and shall be provided before the dwelling to which it relates is first occupied and shall be thereafter retained.
Reason: To enhance the security of these plots in the interests of mitigating opportunities for crime and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Civic Centre 3, Market Street, Huddersfield (Kirklees Highway Design: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Noisy construction related activities should not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours Saturdays With no noisy activities on Sundays or Public Holidays Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the abovementioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: Public Right of Way HUD/382/20 runs adjacent to the application site. This Public Right of Way shall not be interfered with or obstructed at any time before, during or after the construction period. For further information, please contact publicrightsofway@kirklees.gov.uk.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Received via this Variation of Conditions Application: 2023/91979			
Cover letter	Dated 21/06/2023	-	19/07/2023
Boundary treatment plan	A(000)015	Z	19/07/2023
Planning pack (house types)	2022 ASHBROW	-	19/07/2023
Materials layout	Y005-KMH-XX-DR-K-0003	-	19/07/2023
Planning layout	Y005-KMH-XX-DR-K-001	-	24/11/2023
Received via Variation of Condition Application: 2022/93697			
Cover letter	-	-	16/11/2022
Ashbrow As Built Section	Y005	Rev B	21/03/2023
Approved AIP - Embankment	K60829	2	30/11/2023
Received via Variation of Condition Application: 2021/94528			
Tensartech Green slope	-	-	16/09/2022
Vegetation for retaining structures	Issue date 18/07/2016	-	16/09/2022

Plot levels sheet 1 (including green wall)	114509/2037	Rev P	16/09/2022
Plot levels sheet 2 (including green wall)	114509/2038	Rev R	16/09/2022
Site Sections (Section A-A & B-B)	A(001)002	Rev E	16/09/2022
Site section B-B (PROW)	A(000)051	Rev D	16/09/2022
Site section D-D	A(001)104	Rev C	16/09/2022
Proposed Site Sections (Section E-E & F-F)	A(001)005	Rev D	16/09/2022
Site section A-A (PROW)	A(000)050	Rev F	16/09/2022
Landscape and Ecological Environmental Management Plan	13945f/CR/V2	Rev 3	16/01/2023
Planting plan	c-1417-01	Rev M	16/01/2023
POS plan	A(000)012	Rev O	16/01/2023
GTM sections	22-5342-F1	Rev 0	31/01/2023
Design for Green Terramesh Reinforced Earth Slope	21-5325	-	11/05/2023
Green wall and PROW details	Y005-KMH-PROW-01	Rev B	11/05/2023
Approved AIP for the Terramesh Earth Embankment	K60827	Rev 2	30/11/2023
GTM plan	22-5342-F1	Rev C	30/11/2023
GTM elevation	22-5342-F1	Rev C	30/11/2023
GTM sections	22-5342-F1	Rev C	30/11/2023
Received via Non Material Amendment Application Reference: 2023/91437			
Elevations for extra care bed	3340(3)001 W	-	16/05/2023
Received via Discharge of Condition Application Reference: 2023/90489			
Landscape phasing plan	c-1417-06	Rev B	13/02/2022
Received via Non Material Amendment Application Reference. 2022/93000			
Site layout entrance for extra care unit	3340(1)004 AF	-	08/09/2022
Wall amendment proposal for extra care unit	3340(1)019	-	08/09/2022

Materials binder (as originally approved)	Marshalls	-	08/09/2022
Received via Discharge of Condition Application Reference. 2021/92325			
Outdoor lighting report	By DfL dated 01/12/2020	Rev E	02/08/2021
Investigation of situ soils	C6944F/MB/9430	-	02/08/2021
Section 38 Legal Plan	114509/2014	Rev X	02/08/2021
Lighting layout	0664-DFL-HLG-XX_XX-DR-EO-1303 Rev F	P05	02/08/2021
Lighting strategy report	LSAR1	-	02/08/2021
Report to discharge condition 11	114509/01A	-	18/10/2022
S104 agreement (confidential)	Email dated 17/01/2203	-	17/01/2023
Received via approved Variation of Non Material Amendment 2021/91673			
Extra Care Facility – Floor Plans	3340(2)001 R	-	19/05/2021
Extra Care Facility – Comparison Elevations	3340(3)007 B		19/05/2021
Received via approved Discharge of Condition Application Reference. 2020/90549			
Retaining wall details (land above highway	272/134/1005	Rev A	16/04/2020
Drainage detail sheet 1	114509/2008	Rev C	16/04/2020
Drainage detail sheet	114509/2009	Rev C	16/04/2020
Longitudinal sections sheet 1	114509/2025	Rev H	16/04/2020
Longitudinal sections sheet 2	114509/2026	Rev H	16/04/2020
Longitudinal sections sheet 3	114509/2027	Rev H	16/04/2020
Longitudinal sections sheet 4	114509/2028	Rev H	16/04/2020
Longitudinal sections sheet 5	114509/2029	Rev I	16/04/2020
Longitudinal sections sheet 7	114509/2045	Rev E	16/04/2020
Longitudinal sections sheet 8	114509/2049	Rev B	16/04/2020
Path details within POS	c-1417-04	-	16/04/2020

Landing cross section	KMH/2021/100/04	-	16/04/2020
Step cross section	KMH/2021/100/04	-	16/04/2020
Longitudinal Section	KMH/2021/100/04	-	16/04/2020
Construction method statement	Dated February 2020	-	16/04/2020
Proposed site plan for construction management and build-out	A(000)031	D	16/04/2020
Surface Treatment Plan	A(000)018	Rev D	16/04/2020
Road safety audit 1/2	JHB/AKRSA1.2Rev2	-	16/04/2020
Surface water management plan	HSS-PL-001-Water	Version 6	23/06/2020
Refuse tracking	114509/2030	Rev D	23/06/2020
Headwall detail	114509/2047	Rev D	23/06/2020
Section 104 drainage layout	114509/203	Rev BB	23/06/2020
Initial phase surface water management plan	Y005-KM-XX-DR-HS-002	Rev B	23/06/2020
Footpath link to PROW	A(000)107	Rev C	23/06/2020
Updated site layout plan	A(000)001	Rev AH	23/06/2020
Construction Environmental Management Plan	13945e/CR	Rev 1	14/07/2020
Lighting plan (section 38)	114509/2014	Rev S	15/07/2020
Received Via approved Original Full Planning Application Reference. 2019/92940			
Location Plan	A(000)100	-	09/09/2019
Retained Land Plan	A(000)019	-	09/09/2019
Proposed Site Sections (Section C-C)	A(001)003	-	09/09/2019
House Type 768	01191A_HT 768-01	Rev C	09/09/2019
House Type 768	01191A_HT 768-04	Rev C	09/09/2019
House Type 953	01191A_HT 953-01	Rev C	09/09/2019
House Type 968 (semi-detached)	01191A_HT 968-03	Rev D	09/09/2019
House Type 968 v1 (reconstituted stone option)	01191A_HT 968v1	Rev C	09/09/2019

House Type 968 (detached reconstituted stone option)	01191A_HT 968-02	Rev C	09/09/2019
House Type 1016	01191A_HT 1016-01	Rev C	09/09/2019
House Type 1210	01191A_HT 1210-01	Rev B	09/09/2019
House Type 1054V1 NDSS Variation	A(1054V1)001	-	09/09/2019
House Type 1062V1 NDSS Variation	A(1062V1)001	-	09/09/2019
House Type 1054BV1 NDSS Variation	A(1054BV1)001		09/09/2019
House Type 1054B NDSS Variation	A(1054B)001	Rev C	09/09/2019
House Type 1054 NDSS Variation	A(1054)001	Rev C	09/09/2019
House Type 1062B NDSS Variation	A(1062B)001	Rev D	09/09/2019
House Type 1062 NDSS Variation	A(1062)001	Rev D	09/09/2019
Proposed Balcony Details	A(001)001	-	09/09/2019
Proposed Plot Levels (Sheet 3)	114509/2039	Rev N	17/01/2020
Street Elevation 3	A(000)022	-	09/09/2019
Site Sections	3340 (4)001 H	-	09/09/2019
Extra Care Facility – Site Layout	3340 (1)004 X	-	09/09/2019
Extra Care Facility – Isometrics	3340 (3)002 L	-	09/09/2019
Extra Care Facility – Site Location Boundary	3340 3340(1)007 C	-	09/09/2019
Extra Care Facility – Ground Floor Communal Areas Plan	3340 (2)005 E	-	09/09/2019
Flat Type A (1 bed)	3340(2)010 B	-	09/09/2019
Flat Type A bay (1 bed)	3340(2)011 B	-	09/09/2019
Flat Type A+ (1 bed +)	3340(2)014 B	-	09/09/2019
Flat Type B (2 bed)	3340(2)102 B	-	09/09/2019

Extra Care Facility – Boundaries	3340 (1) 006 J	-	09/09/2019
Images 1	3340 (3)010 C	-	09/09/2019
Images 2	3340 (3)011 C	-	09/09/2019
Images 3	3340 (3)012 C	-	09/09/2019
Images 4	3340 (3)013 B	-	09/09/2019
Section 38 Proposed Kerbing Plan	114509/2013	Rev K	09/09/2019
Section 38 Proposed Surfacing Plan	114509/2012	Rev L	09/09/2019
Car Parking Layout – Housing	A(000)023	-	09/09/2019
Public Right of Way Retaining Wall (1 of 2)	272/134/1003	Rev B	17/01/2020
Public Right of Way Retaining Wall (2 of 2)	272/134/1004	Rev B	17/01/2020
Phasing Plan	A(000)017	Rev E	09/09/2019
Phasing Plan – Phase 1	A(000)025	-	09/09/2019
Phasing Plan – Phase 1	A(000)026	-	09/09/2019
Phasing Pan – Phase 2	A(000)027	Rev A	09/09/2019
Phasing Plan – Phase 3	A(000)028	-	09/09/2019
Arboricultural Impact Assessment Plan	Barnes & Associates BA6485AIA_E 02/08/19	-	09/09/2019
Tank Access Shaft Schedule	114509/2042	Rev F	28/11/2019
Attenuation Tank Details (Southern Tank)	STS1981-001	Rev D	28/11/2019
Attenuation Tank Details (Northern Tank)	STS1981-101	Rev E	28/11/2019
Section 104 Drainage Layout	114509/2003	Rev X	28/11/2019
Impermeable Area Plan	114509/2052	Rev F	17/01/2020
Utility Survey	12526-223-2_UMS(1)	-	09/09/2019
Utility Survey	12526-223-2_UMS(2)	-	09/09/2019
Utility Survey	12526-223-2_UMS(3)	-	09/09/2019
Utility Survey	12526-223-2_UMS(4)	-	09/09/2019
Flood Risk Assessment	Weetwood July 2019	Final Report v1.4	09/09/2019

Micro Drainage Calculations – SouthernTank	Dated 28/11/2019	-	28/11/2019
Micro Drainage Calculations – NorthernTank	Dated 28/11/2019	-	28/11/2019
Attenuation Tank Information	Letter from ARP dated 05/072019 Ref KMT/21/JEDjc	-	09/09/2019
Geoenvironmental Appraisal	Sirius C6944A June 2016	-	09/09/2019
Supplementary Ground Investigation	Sirius C6944D/MB/8981/REV A 23/07/2019	-	09/09/2019
Ground Gas Risk Assessment	Sirius C6944A/NI/7449 10/08/2016	-	14/11/2019
Remedial Strategy	Sirius C6944A/JF/8479 22/06/2018	-	09/12/2019
Archaeological Evaluation by Trial Trenching	Maparch 02/08/2018	-	09/09/2019
Supporting Information	Sirius C6944A/MB/8669 25/10/2019	-	09/09/2019
Road Safety Audit – Stage 1	JHB Consulting 24/10/2017	Final report	09/09/2019
Transport Assessment Addendum	SCP SC/17446/TN03 01/08/2019	-	09/09/2019
Travel Plan	SCP SC/17209/TP/6 August 2019	-	09/09/2019
Extended Phase 1 Habitat Survey Report	JCA Ltd 13945/jb 26/01/2018	-	09/09/2019
Badger Survey & Report	JCA Ltd 13945c/JB 10/07/2019	-	09/09/2019
Bat Survey & Report	JCA Ltd 13945a/JBRev1 Dated 08/02/2019	-	09/09/2019
Arboricultural Impact Appraisal	Barnes & Associates BA6485AIA_E 31/07/2019	-	09/09/2019
Air Quality Addendum	Redmore Environmental 1276-1r2 31/07/2019	-	09/09/2019
Design & Access Statement	July 2019	-	09/09/2019
Planning Statement	Arup Dated 01/08/2019	-	09/09/2019
Statement of Community Involvement	Arup Dated 01/08/2019	-	09/09/2019

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.

In this instance, no negotiations have been sought as part of this application process, however an amended site layout plan has been received. The conditions and plans table have also been agreed in writing with the applicant.

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.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA – STANDING ADVICE

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 refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If 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: 28 days of the date of service of the enforcement notice, or within 6 months of 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 6 months of the date of this notice.**
- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at 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: 16-Apr-2024

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 and view existing planning applications and decisions' and by searching for application number 2023/70/91979/W.

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
