Kirklees Council
Planning and Development Service
PO Box 1720
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Ben Gibson,
Newett Homes
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Date: 26-Jun-2024
Our Ref: 2023/91997

Dear Sir/Madam

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 3 (materials), 4 (retaining walls), 5 (retaining structures), 6 (surface water), 7 (internal estate roads), 8 (layby), 10 (highway works), 12 (bin storage), 14 (surfacing), 15 (external facing materials), 17 (landscape), 19 (CEMP), 20 (EDS), 21 (drainage), 22 (storm events), 23 (drainage), 30 (CEMP), 31 (construction traffic) and 32 (WSI) of previous permission 2021/91914 for demolition of one dwelling and erection of 44 dwellings with access and associated infrastructure rear of, 28, Northorpe Lane, Northorpe, Mirfield, WF14 0QN
Application Number: 2023/91997

I write with reference to your application to discharge the conditions for the above development as submitted on 03-Jul-2023.

<u>Condition 3 - materials</u>

The following details have been submitted:

Masonry retaining walls:
Facing above ground level to be clay units confirming to BS EN 771-1 with F2 freeze/thaw resistance and S2 sulphate resistance with a water absorption not exceeding 12% or manufactured stone units conforming to BS EN 771-5 (suitable for exposure class MX3.1). Coping to be either Class B Engineering bricks conforming to BS EN 771-1, manufactured stone units conforming to BS EN 771-5 or dedicated coping stones (suitable for exposure class MX3.2).

Flag on edge retaining walls:
External facing to be 900mm by 600mm by 50mm concrete flag.

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Whilst the above materials may be acceptable in principle, approval cannot be given until full details of external facing materials, including their appearance, have been submitted. This condition therefore cannot be discharged at the present time.

Condition 4 – retaining walls and condition 5 – retaining structures

The following has been submitted in respect of conditions (4) and (5):

- Retaining wall drawings and sections 46783/002, 3 and 4 A.

The latest comments from the council's Highways Structures Team are that the information submitted is insufficient to discharge the condition. Conditions (4) and (5) therefore cannot be discharged at the present time.

Condition 6 – surface water

Two copies of the certificate for the design and check of highway infrastructure and drainage components (one signed, one unsigned) have been submitted.

The Highways Structures team have made the following comments:

> *Condition 6 (Surface water attenuation) can only be discharged when the necessary certification for over oversize PCC manholes (ID>0.9m) and their cover slabs, as per our requirement specified in the following link https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-structural-procedures.pdf is provided and accepted.*

This condition therefore cannot be discharged at the present time.

Condition 7 – internal estate roads, condition 8 – layby and condition 10 – highway works

Documents have been submitted to the council acting as Highway Authority for technical approval under Section 38 of the Highways Act 1980 in respect of conditions 7, 8 and 10. Technical approval is yet to be obtained and these conditions therefore cannot be discharged at the present time.

Condition 12 – bin storage

A plan, reference 0899 EA A P002 FF (Site layout) has been submitted. It shows bin storage locations for all properties (three per dwelling). A communal bin collection point is shown within the estate which can hold up to five bins. It is not clear which plots it is meant

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to serve. Furthermore, none of the houses are shown to have private bin presentation points within the curtilage which implies that bins will have to be placed on the public footway, which is not acceptable. The details in respect of this condition are not approved.

Condition 14 – surfacing

A Highway Condition Survey by Andrew Moseley Associates has been submitted. The council's Highway Officer has confirmed that this is acceptable for the purpose of the condition. It is hereby approved for planning purposes. The condition cannot, however, be discharged at the present time. The submission of a post-development survey and the carrying out of any required remedial works (where necessary) is required in order to discharge the condition.

Condition 15 – external facing materials

A drawing has been submitted, reference NLM 001 Revision C, which shows the following schedule of materials:

- Plots 4-7, 21 and 22 in "contrasting brick";
- 1-3, 8, 9, 12-16, 24, 26, 28, 29, 32-34 and 37-40 in coursed artificial stone (Marshall's Cromwell Buff);
- All other plots in ivory render;
- Roofing materials to be Basalt Grey Causeway riven roof tile - North Stone;
- Rainwater goods to be black UPVC;
- Fascias and soffits to be white UPVC;
- Cills and lintels to be artificial stone;
- Front doors to be Chartwell Green composite;
- Side doors to be white GRP; and
- Garage doors to be Anthracite composite.

It is considered that all of the proposed materials are acceptable and are hereby approved. Implementation of the development in full accordance with the approved schedule of materials will discharge the condition.

Condition 17 – landscaping

The following has been submitted:

- Landscaping masterplan and details, reference R-2347 1-3.
- Master conveyance plan, reference NLM-000.
- Section through typical tree planting pit, reference SD/T/57B.

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The submitted information contains insufficient detail, as set out in the comments made by the council's Landscape team dated 31/08/2023. In particular: the site plan does not clearly identify the location of the managed areas and public open space; there is an inconsistency between plans regarding the number of trees; details of tree pits and root barriers within drainage easements are absent; there is no information about implementation, aftercare and maintenance of the ornamental planted areas and public open space.

This condition therefore cannot be discharged at the present time.

Condition 19 – Construction Environmental Management Plan (biodiversity)

A Construction Environmental Management Plan (CEMP), reference FE90/CEMP01 by Futures Ecology has been submitted. The CEMP is hereby approved. Subject to it being adhered to and implemented throughout the construction period strictly in accordance with the approved details, this condition will be discharged.

Condition 20 – Ecological Design Strategy

An Ecological Design Strategy (EDS) by Futures Ecology has been submitted, ref. FE90/EDS01.

The EDS is hereby approved. Subject to the EDS being implemented in accordance with the approved details and all features being retained in that manner thereafter, the condition will be discharged.

Condition 21 – drainage

The following documents have been submitted:

- Document Ref: SURFACE 001.MDX, Hydraulic Calcs.
- Drawing Ref: 22/223/500/001, Drainage Layout, Rev D dated 17/04/23, by Bryan G Hall.

The details are hereby approved. Subject to no dwellings being permitted to be occupied until the approved drainage scheme has been provided on the site to serve the development, and it being retained thereafter, this condition will be complied with.

Condition 22 – storm events

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A drawing, reference 22/223/500/006, has been submitted. This is considered to meet the requirements of the condition and is hereby approved. Provided that no part of the development is brought into use until the works comprising the approved scheme have been completed, and the approved scheme is retained thereafter, this condition will be complied with.

Condition 23 – Temporary surface water drainage

A temporary drainage plan, drawing 22/223/ TSWMP/001, has been submitted. This is considered to meet the requirements of the condition and is hereby approved. Subject to the approved temporary drainage works being implemented in accordance with the approved scheme and phasing (and no part of the development being commenced until the temporary works are in place) and retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority, this condition will be discharged.

Condition 30 – Construction Environmental Management Plan

A Construction Management Plan, ref: NLM-005 Rev A and an accompanying written statement by David Foster have been submitted. This is considered to meet the requirements of the condition and is hereby approved. The adherence to the Construction Management Plan and written statement throughout the construction period will discharge the condition.

Condition 31 – Means of access for construction traffic

The Construction Management Plan referred to in relation to Condition 30 above shows a “traffic management route” indicated by a dashed orange line from Northorpe Lane. Part 6 of the written statement covers deliveries, the routing of construction traffic, and clarifies on-site parking for site staff is located within the compound area on the above Construction Management Plan.

The Construction Management Plan is considered to meet the requirements of the condition and is hereby approved. The implementation of the development in full accordance with the approved schedule throughout the period of construction will discharge the condition.

Condition 32 – Archaeological investigation

A written scheme of investigation by MAP Archaeology has been submitted. The West Yorkshire Archaeological Advisory Service has been consulted and their response is awaited. This condition cannot be discharged at the present time.

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Conclusion

Details pursuant to conditions 14, 15, 17, 19, 20, 21, 22, 23, 30 and 31 are hereby approved.

Details pursuant to conditions 3, 4, 5, 6, 7, 8, 10, 12 and 32 are not approved.

Yours faithfully

Mathias Franklin
Head of Planning and Development