KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2023/60/93667/E**
Site Address:	Storthes Hall Student Village, Storthes Hall Lane, Kirkburton, Huddersfield, HD8 0WA
Description:	Demolition of buildings and outline application, including the consideration of access for vehicle into the site, for the erection of residential development (up to 261 dwellings), including redevelopment of Lodge Cottage and Administration Building for residential use, two vehicular access points off Storthes Hall Lane, and associated works
Recommending Officer:	Nick Hirst

DECISION - Conditional Outline Approval (Subject to Section 106 Agreement)

I hereby authorise the approval for the reasons set out by Members of the Strategic Committee on 10 April 2025 and as summarised in the Committee Authorisation annexed below in respect of the above matter.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 05-Sep-2025

Decision Authorisation: Committee Decision

Committee: Strategic Planning Committee

Date of Committee: 10 April 2025

Application Number: 2023/93667

Officer Recommendation

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report and to secure a Section 106 agreement to cover the following matters:

1. Affordable housing: 10% provision, by virtue of Vacant Building Credit, with a tenure split of 55% social or affordable rent and 45% intermediate housing (including 25% first homes) unless otherwise agreed at Reserved Matters stage;

2. Open space: Contribution to address any on-site shortfalls in specific open space typologies (to be calculated at Reserved Matters stage in light of on-site provision)

3. Education: Contribution towards education provision (to be determined at Reserved Matters stage, based on formular to be set within the Section 106 agreement).

4. Sustainable transport: £1,000,000 contribution towards the delivery of a bus service (£200,000 x 5 years), £64,000 towards 2x bus shelters with real time displays, £15,000 for Travel Plan monitoring, and a (£511.50 x final number of units) Sustainable Travel Fund contribution.

5. Biodiversity Net Gain: Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain in the event that it cannot be delivered on site.

6. Management: The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including estate roads, open space, landscaped areas and surface water drainage until formally adopted by the statutory undertaker).

In the circumstances where the Section 106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Planning and Development is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

Three additional conditions recommended within the committee update published 09/04/2025.

Committee Decision

Support officer recommendation, with additional conditions relating to:

- Clear identification of which buildings may be demolished.
- Dedicated Demolition Construction Environmental Management Plan (CEMP)
- Construction Environmental Management Plan (CEMP) (Biodiversity)
- Arboricultural Impact and Method Statement

In addition, inclusion of a note confirming felling of Tree Preservation Order (TPO) trees not permitted until after Reserved Matters are approved.

Post committee update

The above mentioned note 'confirming felling of Tree Preservation Order (TPO) trees not permitted until after Reserved Matters are approved' is no longer considered necessary, as condition 2 incorporates this.

Following committee, the conditions were drafted and agreed with the applicant, with the final agreement received 11/08/2025.

During the period between the committee resolution and Section 106 agreement being completed, the applicant submitted various documents relating to the proposed demolition work, to enable the proposed conditions to be prescriptive to the submitted details (as opposed to requiring details to be provided and thereafter complied with via a separate Discharge of Condition application).

The Section 106 agreement was drafted in full, following negotiations between officers and the applicant, in accordance with the committee decision. An unsigned version of the document was published online on 05/08/2025. Nominal changes to the agreement were made after this date, relating to time-frames for the council to accept the affordable housing and managed area plans (removing set timeframes during the Reserved Matters submission). These changes do not materially affect the content or provisions of the agreement. The final version of the document was sealed and dated on 04/09/2025, enabling the decision to be made.

Conditions and Reasons

CONDITIONS AND REASONS RELATING TO THE FULL PLANNING PERMISSION (DEMOLITION ONLY)

1. The demolition hereby approved shall be begun within three years of the date of this permission, or before the expiration of two years from the final approval

of Reserved Matters or in the case of approvals of different dates, the final approval of the last such matter to be approved, whichever is the latter.
Reason: Pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The demolition hereby approved shall be limited to the buildings identified for demolition on plan ref. 1826-EBDP-01 rev. B only. Until the Reserved Matters have been approved, pursuant to condition 11, no tree(s) within the application site shall be felled, other than those identified to be felled to enable demolition within the approved Arboricultural Method Statement, as received 17/07/2025,
Reason: To define the scope of the permission and for the avoidance of doubt as to what is being permitted.

3. The demolition works hereby approved shall be undertaken in full accordance with the mitigation measures and provisions detailed in the document Demolition Environmental Management Plan rev. 7, as received 11/07/2025, unless otherwise agreed in writing by 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.

4. The demolition works hereby approved shall be undertaken in full accordance with the mitigation measures and provisions detailed in the document Demolition Environmental Management Plan (Biodiversity), ref. ADK101/001, as received 03/07/2025, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of ensuring harm to biodiversity is avoided, and to accord with Policy LP30 of the Kirklees Local Plan.

5. The demolition works hereby approved shall be undertaken in full accordance with the mitigation measures and provisions detailed in the document Arboricultural Method Statement, as received 17/07/2025, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of urban design and the protection of trees, and to ensure harm to biodiversity is avoided, to accord with Policies LP24, LP30 and LP33 of the Kirklees Local Plan.

6. The demolition works hereby approved shall be undertaken in full accordance with the mitigation measures and provisions detailed in the document Invasive Species Protocol, as received 11/07/2025, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of ensuring harm to biodiversity is avoided, and to accord with Policy LP30 of the Kirklees Local Plan.

7. The demolition works hereby approved shall be undertaken in full accordance with the mitigation measures and provisions detailed in the documents Bat Survey Update, as received 11/07/2025, and the Precautionary Working Method Statement - Bats, as received 11/07/2025, unless otherwise agreed in writing by 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.

Note: Pursuant to condition 7, your attention is drawn to the requirement for an EPS Mitigation Licence to be obtained, prior to the demolition of buildings 2, 3, 7, 8, 13,14, 15, 16, 18, 19, and 20.

8. Upon completion of each phase of the development hereby approved (or at any earlier stage to be agreed with the Local Planning Authority in advance) a post-construction survey of the agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works, giving due regard to the baseline condition as detailed in the document titled Storthes Hall, Kirkburton Highway Condition Survey, as received 07/07/2025, shall be submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall be carried out following the completion of all construction works related to each phase of development and prior to the occupation of the final dwelling associated with each phase of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. Should any highways defects (affecting highway safety) attributable to the construction traffic or activities of the development hereby approved be identified during the construction period, remediation of these highway defects shall also be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway, to ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary given the need to undertake a baseline assessment prior to traffic associated with the development commencing movements

9. Within three months demolition being completed, or if demolition works are uncompleted but cease for a continuous period of three months, a full structural dilapidation survey of Storthes Hall Bridge (and associated highway structures) shall be submitted to and approved in writing by the Local Planning Authority. Giving due regard to the baseline condition of the Storthes Hall Bridge (and associated highway structures), as identified within the submitted document titled Principal Inspection Report referenced K0150. This shall include proposals for remediation works relating to any defects arising in the highway structures due to the works associated with the development hereby approved. The approved remediation works shall be implemented in full, based on a timescale agreed with the Local Planning Authority.
Reason: To ensure that demolition and construction related traffic does not compromise the stability and condition of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

CONDITIONS RELATING TO THE OUTLINE PLANNING PERMISSION

10. Prior to the submission of any application for the approval of Reserved Matters, a plan showing the phases of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved phasing plan.

For the purposes of this permission, all references to a “phase” or “phase of development” shall be interpreted as being a reference to a phase as defined on the phasing plan to be submitted and approved pursuant to this condition.
Reason: To define the scope of this permission, to provide clarity in relation to the progression of development across the site, and to secure coherent design across the site.

11. Prior to the commencement of development (excluding demolition) of any phase of the development hereby approved, details of appearance, means of access, including pedestrian and cycle access into and within the site and vehicular access within the site, landscaping, layout and scale (hereinafter called the “Reserved Matters”) of that phase shall be submitted to and approved in writing by the Local Planning Authority.
Reason: No details of the matters referred to having been submitted, they are reserved for the subsequent approval in writing of the Local Planning Authority. This pre-commencement condition is necessary to ensure that sufficient detail is provided and agreed at an appropriate stage of the development process.

12. Plans and particulars of the reserved matters referred to in Condition 11 above, relating to the details of appearance, means of access for non-vehicle users, landscaping, layout and scale shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.
Reason: No details of the matter referred to having been submitted, they are reserved for the subsequent approval in writing of the Local Planning Authority.

13. All applications for the approval of Reserved Matters for the development hereby approved shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason: Pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

14. Implementation of the first phase of the development hereby approved shall commence either before the expiration of two years from the final approval of Reserved Matters or in the case of approvals of different dates, the final approval of the last such matter to be approved.
Reason: Pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

<u>Development to be implemented in accordance with</u>

15. The development hereby approved shall be implemented in complete accordance with the plans and specifications schedule listed in this decision notice, and in complete accordance with the plans and particulars of the

Reserved Matters referred to in outline condition 11, except as may be specified in the conditions attached to this permission or attached to future approvals of Reserved Matters, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

16. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.
Reason: In the interest of public health and maintaining the public sewer network.

Details to be submitted at Reserved Matters stage

17. Plans and particulars relating to the Reserved Matter of layout, notwithstanding the submitted details, shall include the following details associated with the proposed estate streets (including the proposed active travel links, including footpaths and cycle tracks, into and within the site):

- Geometric design of the street, footpath, and cycle track layout, including widths, radii, and horizontal & vertical alignment;
- Surface treatments;
- Junction visibility and forward visibility splays, and their treatment;
- Swept paths for the Kirklees Design Refuse vehicle and delivery vehicles;
- Street tree locations and species to be planted;
- Road markings;
- A ‘highway areas plan’ that confirms the extent of proposed highways (intended to be either adopted or privately maintained), including all streets and public footpaths / cycle-tracks and shared private drives;
- Stage 1 Road Safety Audit (RSA) based on an Approved RSA Brief, Designers Responses and Agreed RSA Actions, covering all aspects of these works.

Thereafter, the estate streets shall be implemented in accordance with the approved details and thereafter retained and maintained for the lifetime of the development.

Reason: To ensure the free and safe use of the highway, in the interest of highway safety and amenity, in accordance with Local Plan Policies LP21 and LP24.

18. Plans and particulars relating to the Reserved Matters of landscaping, scale, appearance and layout, notwithstanding the submitted details, shall include a Green Belt Openness Assessment to be approved in writing by the Local Planning Authority. The assessment shall:

a) Use the existing buildings and structures on-site, as shown in plan ref 1826-EB-01 Existing Building Volume, as the baseline for assessing the impact of the proposed development on the openness of the Green Belt.
a) Include a qualitative and, where appropriate, quantitative assessment of spatial and visual openness, considering factors such as scale, massing, footprint, height, and visual permeability.
b) Demonstrate how the proposed development doesn't cause substantial harm to the openness of the Green Belt in accordance with paragraph 154g) of the National Planning Policy Framework.
c) Where necessary, incorporate mitigation measures to manage any identified harm to openness.

Reason: To ensure that the impact of the proposed development on the openness of the Green Belt is properly assessed and managed in accordance with the paragraph 154g) of the National Planning Policy Framework.

19. Plans and particulars relating to the Reserved Matters of layout, scale, appearance and/or landscaping for each phase shall, notwithstanding the submitted information, be supported by an updated Climate Change Statement. The statement shall detail the proposed climate change adaptation and mitigation measures for that phase of the development. Thereafter the development shall be implemented in accordance with the approved details.
Reason:

20. Plans and particulars relating to the Reserved Matter of layout and/or landscape shall include an assessment of the effects of 1 in 100-year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events, on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions. Flood routing shall avoid property curtilage where reasonably practicable and utilise the road network and open spaces. Prior to the approved dwellings being occupied, the works comprising the approved storm event scheme shall be completed and such approved scheme shall thereafter be retained.
Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

21. Plans and particulars relating to the Reserved Matters of layout, scale, and/or appearance shall include details of the proposed dwellings' Gross

Internal Area and level of occupancy, and number of bedrooms. The details submitted pursuant to this condition shall reflect the proportions of households that require housing, achieving a mix of house size and tenure, in accordance with the requirements of Policy LP11 of the Kirklees Local Plan.
Reason: To ensure that the subsequent reserved matters submission appropriately considers and provides for the identified housing mixture to address local needs and demand, in accordance with Policy LP11 of the Kirklees Local Plan.

22. Plans and particulars relating to the Reserved Matters of layout and/or landscaping shall be supported by an updated Arboricultural Survey and Arboricultural Impact Assessment.
Reason: To ensure up to date and accurate information is provided for a detailed assessment, to ensure compliance with Policy LP33 of the Kirklees Local Plan.

23. Plans and particulars relating to the Reserved Matters of appearance, means of access for non-vehicle users, landscaping, layout and scale, shall adhere to the parameters detailed within plan ref. 1826-SP-02 (title Parameters Plan), unless otherwise agreed in writing with the Local Planning Authority. This shall include, but not limited to:

- The trees to be retained.
- The retention of the reception building
- The defined net development area.
- The inclusion of a tree lines spine-road connecting access points A and B

Notwithstanding the above, and for the avoidance of doubt, this condition does not relate to the layout or scale of the proposed dwellings or roads.
Reason: For the avoidance of doubt as to what is being permitted and in the interests of visual amenity, residential amenity and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.

24. Prior to any phase being brought into use, a Crime Mitigation strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, before the respective phase is brought into use, the agreed mitigation measures shall be installed and thereafter retained.
Reason: In the interest of crime prevention and mitigation, so as to comply with Policy LP24 of the Kirklees Local Plan.

25. Plans and particulars relating to the Reserved Matters of layout and/or landscape shall include an Ecological Design Strategy (EDS) which demonstrates that a biodiversity net gain is achieved post-development. The EDS shall detail a minimum increase of 10% in habitat units and 10% in hedgerow units, based on an up-to-date review of the site's ecological baseline value using the Statutory Metric (as amended).

The EDS shall include the following.

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

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
Reason: To ensure the development hereby permitted provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan.

26. Plans and particulars relating to the Reserved Matters of layout and/or landscape shall include an updated Flood Risk Assessment, to include flood routing for exceedance events and blockage scenarios, and an updated Drainage Strategy.
Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with policies LP27 and LP28 of the Kirklees Local Plan and chapter 14 of the National Planning Policy Framework.

27. Plans and particulars relating to the Reserved Matters of layout and/or landscape shall, notwithstanding the submitted information, be supported by an up-to-date Ecological Impact Assessment (EcIA) which shall be supported by relevant ecological survey(s).
Reason: To ensure due regard and appropriate assessment is given to the proposal's impact on local ecology and protected species, in accordance with Policy LP30 of the Kirklees Local Plan

<u>Prior to development commencing</u>

28. Prior to development commencing within each phase, (excluding demolition) until a Construction (Environmental) Management Plan (C(E)MP) has been submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

a) Any phasing of development and timetable of all works;
a) Hours of works;
b) Details of construction access arrangements:
c) Construction vehicle sizes and routes;
d) Numbers and times of construction vehicle movements;
e) Locations of HGV waiting areas and details of their management;
f) Parking for construction workers;
g) Loading and unloading of plant and materials;
h) Storage of plant and materials;
i) Signage;
j) 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;
k) Street sweeping;
l) Measures to control and monitor the emission of dust and dirt during construction;
m) Site waste management, including details of recycling/disposing of waste resulting from construction works;
n) 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;
o) Artificial lighting used in connection with all construction-related activities and security of the construction site;
p) Site manager and resident liaison officer contact details, including information of their remit and responsibilities;
q) Means of engagement undertaken, and means of ongoing engagement proposed, with local residents, occupants and/or their representatives; and
r) Engagement with the developers of nearby sites to agree 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 and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

29. Prior to development commencing within each phase, 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 the following.

a) Risk assessment of potentially damaging demolition activities that refers to the most up-to-date site-specific survey information and specifically to roosting bats, nesting birds, badgers and invasive plant species;
a) Identification of “biodiversity protection zones”, where appropriate;
b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during demolition (may be provided as a set of method statements);
c) The location and timing of sensitive works to avoid harm to biodiversity features;
d) The times during demolition when specialist ecologists need to be present on site to oversee works, where appropriate;
e) Responsible persons and lines of communication; and
f) 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 appropriate surveys can take place before harmful effects may be caused, and to ensure suitable mitigation may be put in place.

30. Prior to development commencing within each phase, notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include a Tree Protection Plan and details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.
Reason: So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Local Plan and advice within the National Planning Policy Framework. This is a pre-commencement condition to ensure appropriate regard is given to mitigation and that any necessary measures are in place to protect the trees, prior to works taking place.

31. Prior to development commencing within each phase, an ‘invasive non-native species protocol’ shall be submitted to, and approved in writing by, the Local Planning Authority. The protocol shall detail the containment, control, and removal Rhododendron species and any other invasive species identified within the site pursuant to the updated Ecological Impact Assessment (EcIA) approved pursuant to condition 27. Thereafter the development shall be undertaken in accordance with the approved scheme.
Reason: To prevent the spread of non-native invasive species, to safeguard and enhance the function of the application site, in line with the aims and objectives of Policy LP30 of the Kirklees Local Plan and Chapter 15 of the

National Planning Policy Framework. This is a pre-commencement condition to ensure ecological measures are capable of being fulling integrated into the construction phase.

32. Prior to development commencing within each phase, full structural dilapidation surveys of Storthes Hall Bridge (and associated highway structures) shall be undertaken by a suitably qualified and experienced structural engineer and shall be submitted to, and approved in writing by, the Local Planning Authority for record purposes. Further structural dilapidation surveys of these highway structures shall be submitted to and approved in writing by the Local Planning Authority following the completion of the subsequent construction phases of the development with proposals for remediation works relating to any defects arising in the highway structures due to the works associated with the development hereby approved. The approved remediation works shall be implemented in full, based on a timescale agreed with the Local Planning Authority.
Reason: To ensure that demolition and construction related traffic does not compromise the stability and condition of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details relating to highways are submitted and agreed at an appropriate stage of the development process.'

33. Prior to development commencing within each phase, a survey of the condition of the surrounding road network shall be submitted to, and approved in writing by, the Local Planning Authority. Within one month of the development's completion (completion of the final approved building on the site) a further condition survey shall be carried out and submitted to the Local Planning Authority together with a schedule of remedial works to rectify damage to the highway identified between the two surveys. The approved mitigation works shall be fully implemented prior to final occupation of the development. In the event that a defect is identified during other routine inspections of the highway that is considered to be a danger to the public it must be immediately made safe and repaired within 24hours from the applicant being notified by the Local planning Authority.
Reason: Traffic associated with the carrying out of the development may have a deleterious effect on the condition of the highway that could compromise the free and safe use of the highway, to ensure the safe and efficient operation of the highway in accordance with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition given the need to undertake a baseline assessment prior to traffic associated with the development commencing movements.

34. Prior to development commencing within each phase, a scheme detailing the location and cross-sectional information, together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing / proposed adoptable highways, including Public Rights of Ways, and any modifications to existing retaining walls adjacent to the highway, shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the approved development shall be undertaken in accordance with the approved details.
Reason: To ensure that any retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of highway retaining structures are agreed at an appropriate stage of the development process.

35. Prior to development commencing within each phase, a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint of that phase shall be submitted to, and approved by, the Local Planning Authority. The development of that phase shall be undertaken in accordance with the approved details, which shall thereafter be retained.
Reason: To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken

36. Prior to development commencing within each phase (excluding demolition, but including groundworks, other than those required to inform a site investigation report), a supplementary Phase II Intrusive Site Investigation Report (relating to footprint of existing buildings on site) 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 paragraph nos. 196 and 197 of the National Planning Policy Framework

37. Prior to development commencing within each phase (excluding demolition, but including groundworks), in accordance with the findings of the Geoenvironmental Appraisal Report (dated July 2023, ref: 4473/1A) and where site remediation is recommended in any supplementary Phase II Intrusive Site Investigation Report approved pursuant to condition 36, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

38. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 37. 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 2 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 paragraph nos. 196 and 197 of the National Planning Policy Framework

39. Prior to development commencing within each phase, details of temporary surface water drainage for the construction period (after soil and vegetation/site strip) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 5-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha unless otherwise agreed with the LLFA.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate provisions are in place at the appropriate stage.

Prior to specified trigger

40. The construction of any new estate streets shall not commence until an Access, Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Access, Estate Street Phasing and Completion Plan shall set out the development phases and the works that are to be completed for each phase of the development. This shall include the timing of the delivery of the approved access points, as shown on plans ref. 18092/GA/06 rev. B and 18092/GA/01 ref. F. No dwelling within each relevant phase shall be occupied until the point of access and estate street(s) that provide access to those dwelling(s) has been completed in accordance with the Access, Estate Street Phasing and Completion Plan.
Reason: To ensure that the estate streets serving the development are completed to an acceptable standard and are available for use by the occupants and other users of the development, in the interest of highway safety.

41. Prior to the commencement of superstructure works, details of storage and access for collection of waste from the residential units hereby approved, and details of management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm that waste collection points shall not obstruct access to private driveways, and shall include details of management measures (including measures to control odour and vermin) and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

42. Prior to above ground works commencing within each phase, details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, shall be submitted to and approved by the Local Planning Authority. Thereafter, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
Reason: To ensure that no foul water discharges take place until proper provision has been made for their disposal.

43. Prior to the installation of any external lighting (excluding street lighting) within a phase, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Local Planning Authority before operational use of the building. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
a) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.
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.

<u>Prior to occupation</u>

44. Prior to first occupation of any dwellings within each phase, notwithstanding the submitted details, a Full Travel Plan for the site shall be submitted to, and

approved in writing by, the Local Planning Authority. The Full Travel Plan shall include, but not necessarily be limited to:

a. Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
b. The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
c. The provision of travel Information;
d. Implementation and review timescale; and
e. Enforcement, sanctions and corrective/review mechanisms.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.
Reason: In the interest of promoting sustainability and sustainable travel, by promoting alternative methods of travel, in accordance with Policy LP20 of the Kirklees Local Plan.

45. Before the hereby approved dwellings are first brought into use the following electric vehicle charging points shall be provided:

a) One electric vehicle charging for each residential unit with a dedicated parking space and/or a dedicated garage, or
b) One electric vehicle charging point for every five unallocated parking spaces.

The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The provided electric vehicle charging points 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

46. Unless otherwise agreed in writing, prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.
Reason: In the interests of highway safety and to achieve a satisfactory layout, in accordance with Policy LP21 of the Kirklees Local Plan.

47. Prior to the occupation of any dwelling within each phase, a Verification Report by a suitably competent person shall be submitted to, and approved in writing by, 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 Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in

stages for different areas of the whole site, a Final Verification 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 paragraph nos. 196 and 197 of the National Planning Policy Framework

48. Prior to the occupation of any dwelling within a phase, details of secure cycle parking for each of the hereby approved dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and shall thereafter be retained.
Reason: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

49. Prior to the occupation of any dwelling, the off-site highway works, as preliminarily design plan ref. 18092/GA/07, shall be fully constructed and made operational.
Reason: In the interest of mitigating highway impacts, to ensure the safe and effective operation of the highway, in accordance with Policy LP21 of the Kirklees Local Plan.

50. Where implementation of the development hereby approved is to be phased, and / or any of the dwellings hereby approved are to become occupied prior to the completion of the development and / or the adoption of the Estate Streets, details of temporary arrangements for the storage and collection of waste for those residential units, and details of the temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of those residential units. The temporary arrangements so approved shall be implemented prior to the first occupation of those residential units, and shall be so retained thereafter for the duration of the construction works and until the adoption of the Estate Streets unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

Preliminary street design details – Informative

The discharge of the above condition does not constitute Technical Approval of the estate street works under Section 38 or 278 (or other relevant section) of the Highways Act 1980, for which separate approval is required from the Local Highway Authority.

Off-site Highway Works – Informative

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the works.

This process will involve entering into a Section 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Interference with the highway without such permission is an offence which could lead to prosecution.

Management and Maintenance of Private Estate Streets – Informative

The applicant is advised that it is their responsibility to inform the potential purchasers of the properties served by any unadopted streets that the streets will remain unadopted and provide details of the ongoing management and maintenance requirements and their obligations. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, which are summarised at paragraph 3.17 of the Kirklees Highway Design Guide SPD (https://www.kirklees.gov.uk/beta/planning-policy/pdf/highway-design-guide-spd.pdf) and described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers':

https://assets.publishing.service.gov.uk/media/62e7b821d3bf7f75b9121a6a/advice-note-highways-adoption.pdf

The applicant is also advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code':

https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-guidance-private-streets-and-advance-payments.pdf

S38 Agreement – Informative

The applicant should be aware that the internal street layout will need to be built to adoptable standards if offered for adoption under Section 38 of the Highways Act 1980. The applicant is advised to make early contact with the Highways Section 38 team at Highways.Section38@kirklees.gov.uk to initiate the Section 38 process, technical approval and agreement. Further information is available on the council's website at:

https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-guidance-section-38-agreements.pdf

Until such time that the S38 process has been fully completed and the Local Highway Authority have confirmed that the streets have been built to an acceptable standard (following the maintenance period), there is no guarantee that the streets will ultimately become adopted highway. Therefore, until the streets have been fully adopted, the purchasers of the properties will be responsible for the ongoing management and maintenance of the streets servicing their properties. It is the developer's responsibility to inform the potential purchasers of the properties of the adoption status of the streets prior to purchase. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, should adoption not occur for any reason, which are summarised at paragraph 3.17 of the Kirklees Highway Design Guide SPD (https://www.kirklees.gov.uk/beta/planning-policy/pdf/highway-design-guide-spd.pdf), and described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers':

https://assets.publishing.service.gov.uk/media/62e7b821d3bf7f75b9121a6a/advice-note-highways-adoption.pdf

Attenuation Tanks/Pipes – Condition

Before the development commences a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint or influence zone of highway loading shall be submitted to and approved by the Highway Authority in writing. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development. See:

https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-structural-procedures.pdf

for further details and in particular, for the certification of oversize pcc manholes and their cover slabs, as advised in this document.

Attenuation Tanks/Pipes – Informative

All new storm water attenuation tanks/pipes/culverts with internal diameter/ spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment, and maintenance regime in compliance with the CDM Regulations 2015 requirements. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with CS450- Inspection of Highway structures.

Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	1826-SI-04		13/12/2023
Block plan	Parameters Plan / 1826-PP-02		13/05/2025
Block Plan	Indicative Masterplan / 1826-MP-01		03/04/2025
General Plan	1826-EB-01		13/12/2023
Block Plan	18092-GA-01	Rev. F	17/03/2025
Block Plan	18092/GA/06	Rev. B	17/03/2025
Block Plan	18092/GA/07		02/04/2025
Block Plan	18092-ATR-01	Rev. B	17/03/2025
Block plan	18092-ATR-02	Rev. A	14/03/2025
Block Plan	18092/ATR/05	Rev. B	17/03/2025
Block Plan	18092/ATR/06		02/04/2025
Block Plan	18092/IN/07		02/04/2025
Existing Site Levels	PP_05_07_Storthes Hall Sheet no. 1		14/03/2025
Existing Site Levels	PP_05_07_Storthes Hall Sheet no. 2		14/03/2025
Existing Site Levels	PP_05_07_Storthes Hall Sheet no. 3		14/03/2025
Existing Site Levels	PP_05_07_Storthes Hall Sheet no. 4		14/03/2025
Existing Site Levels	151_Storthes Hall Sheet no. 5	Rev. B	13/12/2023
Supporting information	Design and Access Statement		07/03/2025
Supporting information	Planning Statement		13/12/2023
Supporting information	Demolition Environmental Management Plan	Revision 7	01/08/2025
Supporting information	Demolition Environmental Management Plan (Biodiversity)		03/07/2025
Supporting information	Precautionary Method Statement		11/07/2025
Supporting information	Invasive Species Protocol		11/07/2025
Supporting information	Bat Survey Update		11/07/2025
Supporting information	Biodiversity Metric 4.0		26/03/2025
Supporting information	Preliminary Ecological Appraisal		13/12/2023
Supporting information	Bat Survey Report		13/12/2023
Supporting information	Arboricultural Survey Report		14/03/2025
Supporting information	Arboricultural Impact Assessment, dated 11/03/2025		14/03/2025

Plan Type	Reference	Version	Date Received
Supporting information	Geoenvironmental Appraisal / 4473/1A		13/12/2023
Supporting information	Letter ref. 014/4473/JBr/JHR		13/12/2023
Supporting information	Letter ref. 011/4473/GLM/jbr		13/12/2023
Supporting information	Air Quality Assessment		13/12/2023
Supporting information	Flood Risk Assessment	Rev. B	26/03/2025
Supporting information	Indicative Drainage Strategy		03/03/2025
Supporting information	Built Heritage Statement		13/12/2023
Supporting information	Supplementary Built Heritage Statement		31/07/2024
Supporting information	Transport Assessment	Rev. 1	13/12/2023
Supporting information	Travel Plan	Rev. 1	13/12/2023
Supporting information	Transport Assessment Addendum		14/03/2025
Supporting information	Highway Condition Survey		07/07/2025
Supporting information	Arb Method Statement		17/07/2025
Supporting information	Arboricultural Impact Assessment		14/03/2025

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.