



**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: 2023/62/93704/E**

---

To: Michael Parham,  
Broadgrove Planning & Development Ltd  
Regent House  
Heaton Lane  
Stockport  
SK4 1BS

For: OLIVER BOTTOMLEY, YORKSHIRE COUNTRY PROPERTIES

**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:-**

ERECTION OF 12 DWELLINGS AND ASSOCIATED WORKS

At: LAND NORTHWEST OF, URBAN TERRACE, DENBY LANE, GRANGE MOOR,  
HUDDERSFIELD, WF4 4EB

**In accordance with the plan(s) and applications submitted to the Council on  
20-Dec-2023, subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP7, LP20, LP21, LP22, LP24, LP30, LP33, LP52 and LP53 of the Kirklees Local Plan.

3. Notwithstanding the submitted information, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been 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. This information is required pre-commencement to ensure that any possible risks arising from combustible materials and mine gas can be assessed, and if necessary remedial measures incorporated into the development at an appropriate stage.

4. Where site remediation is recommended in the approved Phase II Intrusive Site Investigation Report, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been 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. This information is required pre-commencement to ensure that necessary remedial measures can be incorporated into the development at an appropriate stage.

5. Remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. 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.

6. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person 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 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.

7. No above ground development shall commence until remedial works to address land instability arising from shallow coal mining legacy and recorded mine shafts 422416-004, 422416-005 and 422416-029 have been carried out in full, to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance.

**Reason:** To ensure that there are no risks to the safety of future users or occupiers of the site arising from land instability, and to accord with the aims of Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

8. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.

**Reason:** To ensure that there are no risks to the safety of future users or occupiers of the site arising from land instability, and to accord with the aims of Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

9. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

1. Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
2. Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction
3. Artificial lighting used in connection with all construction related activities and security of the construction site.

4. A communications plan detailing the responsible person, their contact details and how this will be communicated to residents and the Local Authority must be included.

The plan thus approved shall be adhered to throughout the construction of the development.

**Reason:** To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan. This information is required pre-commencement to ensure that the amenities of local residential properties are safeguarded at all stages in the development process.

10. Development shall not commence until a scheme showing a detailed plan and cross section of the selected attenuation tank alongside a detailed maintenance and management regime for the storage facility including the flow control device. The regime shall include an itinerary and schedule of tasks forming a method statement that in turn has been risk assessed by the Principal Designer under CDM Regulations 2015. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

**Reason:** To ensure that the site can be drained in a safe and sustainable manner at all times and to accord with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This information is required pre-commencement to ensure that sustainable drainage arrangements are incorporated into the development at an appropriate stage.

11. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

1. phasing of the development and phasing of temporary drainage provision.
2. include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

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:** To ensure that the development does not give rise to flood risk or pollution of the water environment during the construction phase and to accord with the aims of Policy LP27 of the Kirklees Local Plan. This information is required pre-commencement to ensure that suitable temporary drainage arrangements are in place at all stages of the construction process.

12. All spaces to be used for the parking of vehicles as shown on the site plan shall be provided and laid out with a hardened and drained surface, and the integral garages provided to serve Plots 6-8 provided, before the dwelling they serve is first occupied (or in the case of visitor spaces, before any part of the development is first occupied), and shall thereafter be retained, free from all obstruction to their use by vehicles

**Reason:** To ensure that sufficient parking for all future users of the site is provided and retained in the interests of highway safety and to ensure that informal parking does not interfere with the servicing of the site, and to accord with the aims of Policies LP21 and 22 of the Kirklees Local Plan.

13. Notwithstanding the provisions of section 55(2)(a)(ii) of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Act or Order with or without modification), all integral garages to Plots 6-8 shall be retained as such and shall not be converted to living accommodation.

**Reason:** To ensure that sufficient parking for all future users of the site is provided and retained in the interests of highway safety and to ensure that informal parking does not obstruct turning space or interfere with the servicing of the site, and to accord with the aims of Policies LP21 and 22 of the Kirklees Local Plan.

14. Before any part of the development is first occupied, any obstruction shall be set back to the rear of the proposed visibility splays as shown on approved plan number 22D26-FBA-ZZ-XX-DR-A-0719-P09 and the land within the visibility splays cleared of all obstructions to visibility. Before any part of the development is occupied, the access shall be tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

**Reason:** To ensure adequate visibility in the interests of highway safety and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan. Details are required pre-commencement to ensure that intervisibility is provided at all times including during the construction period.

15. Means of access to and from the site shall be in accordance with the preliminary access design(s) as shown on the approved plan ref. 22D26-FBA-ZZ-XX-DR-A-0719-P09 and shall be fully constructed and made operational prior to first occupation of any new dwelling within the development and shall be thereafter retained and maintained as such.

**Reason:** To ensure that the development gains access to the existing highway network in a safe manner, and to accord with the aims of Policies LP20-21.

16. No part of the development shall be occupied until a footway 2.0m metres wide has been provided along the site frontage as shown on plan no 22D26-FBA-ZZ-XX-DR-A-0719-P09, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The footway so approved shall thereafter be retained.

**Reason:** In the interests of highway safety and to allow for safe pedestrian access to and from the site, and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan.

17. Before any new dwelling is first occupied, details of the design of enclosures for bin storage for the new dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. All the approved bin enclosures shall be provided, and all of the areas shown on the approved site plan for the storage and collection of wastes including both private and communal bin presentation points, laid out with a hard surface and made available for use, before any new dwelling is first occupied, and thereafter retained as such, free from all obstructions to their use.

**Reason:** In the interests of visual amenity and to ensure the provision of satisfactory facilities for the separation, storage and disposal of wastes, to meet the requirements set out in Policy LP24 part d(vi) of the Kirklees Local Plan.

18. 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 construction commencing above foundation level, details of temporary arrangements for the storage and collection of waste from the dwellings, and the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The temporary waste collection arrangements thus approved shall be implemented throughout the construction phase.

**Reason:** To ensure satisfactory arrangements are implemented in relation to waste, including 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.

19. Prior to construction commencing, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved CMP throughout the period of construction.

**Reason:** To ensure that no harm to the safety or convenience of highway users occurs during the construction process and to accord with the aims of Policies LP20 and LP21. This information is required pre-commencement to ensure that the safety and convenience of highway users are not adversely affected at any stage during the development process.

20. Development shall not commence until a survey of the existing condition of the highway on Denby Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on St Mary's Avenue shall be submitted to and approved in writing by the Local Planning Authority.

All of the identified works shall be implemented before any part of the development is first brought into use.

**Reason:** To ensure that any deterioration in the quality of the highway that may occur during construction is remedied in the interests of the safety and convenience of highway users, and to accord with the aims of Policies LP20-21 of the Kirklees Local Plan. This information is required pre-commencement to ensure that an accurate record of the condition of the highway is obtained so that any defects arising from construction can be accurately identified and remediated.

21. 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, and no construction works in the relevant area(s) of the site (within 3m of any existing or proposed public sewer) 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:** So as to ensure that public sewer infrastructure is maintained in the interests of the continued safe drainage of the site and the local area, and to accord with the aims of Policy LP28 of the Kirklees Local Plan. This information is required pre-commencement to ensure that no damage to the public sewer or interruption to maintenance access occurs at any stage in the development process.

22. Notwithstanding the submitted details, an amended Arboricultural Method Statement and Tree Protection Plan, updated to match the most up-to-date version of the proposal as shown on the approved site plan, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall be implemented in accordance with the Arboricultural Method Statement and Tree Protection Plan thereby approved.

**Reason:** To ensure the protection and long-term viability of trees within or on the boundaries of the site and to accord with the aims of Policy LP33 of the Kirklees Local Plan. This information is required pre-commencement to ensure that no harm arises to any retained trees at any stage in the development process.

23. Samples of all facing and roofing materials to be used in the development shall be submitted to, or left on site for the inspection of, the Local Planning Authority before work on the superstructure of any dwelling commences. The development shall be implemented using the approved materials.

**Reason:** To ensure that the development conserves and enhances the townscape and visual amenity in accordance with the aims of Policy LP24(a) of the Kirklees Local Plan.

24. Before any new dwelling is occupied, a full scheme of boundary treatments showing the location, height and design of any new or retained fences, walls and other boundary treatments forming part of the proposed development, shall be submitted to and approved in writing by the Local Planning Authority. All of the approved boundary treatments shall be erected or constructed before any part of the development is occupied, and shall thereafter be retained as such.

**Reason:** In the interests of visual and residential amenity, to ensure that the safety, character and useability of the adjacent Public Right of Way is not adversely affected, and to accord with the aims of Policy LP24 and LP20 of the Kirklees Local Plan.

25. Before development commences above foundation level, details of the proposed solar array to be incorporated into the roof of each dwelling, or any other on-site renewable energy generation to be provided as part of the proposal, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.

**Reason:** To ensure that the proposed development contributes to the Council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

26. Before any dwelling is brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of measures to protect future occupants from crime, and the fear of crime. The approved measures shall be implemented before the dwelling to which they relate is first occupied and thereafter retained as such.

**Reason:** To ensure that future occupants are adequately protected from crime and the fear of crime and to accord with the aims of Policy LP24 of the Kirklees Local Plan.

27. Notwithstanding the details on the landscaping scheme prepared by Rosetta Landscape Design, an amended landscaping plan shall be submitted to and approved by the Local Planning Authority before construction work commences above foundation level showing in detail the means of public access to the two areas of public open space, and shall include the following:

1. The path giving access to the POS situated to the west of Plot 12 surfaced in bitmac or a similar material providing a sealed, cohesive surface.
2. A pathway also surfaced in bitmac or another material providing a sealed, cohesive surface, crossing the area of POS located above and around the attenuation tank to the south-east of Plot 5, and seating provided in this area.

All hard and soft landscape works shall be carried out in accordance with the landscaping scheme as approved in accordance with this condition within the first planting, sowing or landscape management season following the commencement of development. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.

**Reason:** To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP33 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

28. Before any part of the development is brought into use, details of secure covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be provided before any part of the development is brought into use and shall be so retained thereafter.

**Reason:** In the interests of cyclist safety and security, to ensure a satisfactory layout, and to promote the use of low-impact means of transport, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

29. One electric vehicle recharging point shall be installed within the dedicated parking area or garage for each of the approved dwellings before the dwelling to which the recharging point relates is first occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The electric vehicle charging points so installed shall thereafter be retained.

**Reason:** In accordance with the aims of Policy LP24(d & v) of the Kirklees Local Plan and Chapter 14 of the NPPF, to promote infrastructure which encourages modes of transport with low carbon emissions.

30. No development shall take place (including demolition, ground works, and vegetation clearance, other than where necessary to undertake site investigation works) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a. Risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information and specifically to nesting birds, badgers and invasive plant species.
- b. Identification of “biodiversity protection zones”, where appropriate.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate.
- f. Responsible persons and lines of communication.
- g. Use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP 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 information is required pre-commencement to ensure that impacts on biodiversity do not occur at any stage in the construction process and that invasive species are not allowed to spread.

### **Contaminated land – Footnote**

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

3. Land Contamination Risk Management (LCRM)
4. BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
5. Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

### **Construction Environmental Management Plan – Footnote**

No construction related noise shall be audible beyond the site boundary outside the hours of:

6. 07.30 to 18.30 hours Mondays to Fridays
7. 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document “Guidance on the assessment of dust from demolition and construction” Version 2.1 2023.

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 above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited

### **Approved Access – 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 site access(es).

This process will involve entering into a Section 38 or 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. 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.

### **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 described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': Highways Adoption ([publishing.service.gov.uk](http://publishing.service.gov.uk))

The applicant is advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code': Highways guidance note: Private Streets and the Advance Payments Code ([kirklees.gov.uk](http://kirklees.gov.uk))

### **Management of waste – Informative**

This condition is required as the Waste Collection Authority will not enter construction sites, nor will they routinely enter private drives or unadopted streets. Therefore, should the applicant's intentions regarding the adoption of streets change from that considered at the planning approval stage, this may necessitate changes to the developments waste strategy and the facilities that have been agreed in principle, which may require applications to vary the approved plans. For further information regarding the Waste Collection Authority requirements, see the following guidance note:

<https://www.kirklees.gov.uk/beta/planning-applications/pdf/waste-management-design-guide-new-developments.pdf>

**NOTE: Works within the highway**

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 (Kirklees Street Scene: 01484 221000) regarding 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.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Application form			15-Dec-2023
Location plan	PP-12644696 v1		15-Dec-2023
Site plan as proposed	0719	P09	31-Jan-2025
Public Right of Way plan	0601	P01	12-Jul-2024
Site constraints plan	1000	P02	20-Dec-2023
Site constraints plan	1010	P06	20-Dec-2023
Block plan	700	P02	17-Sep-2024
Plans and elevations house type A	2000	P06	17-Sep-2024
Plans and elevations house type B	2000	P07	17-Sep-2024
Plans and elevations house type C Plot 5	2000	P15	27-Sep-2024
Plans and elevations house type C Plot 9	2000	P14	27-Sep-2024
Plans and elevations house type F	2000	P05	17-Sep-2024
Plans and elevations house type G	2000	P04	17-Sep-2024
Plans and elevations house type U1	2000	P06	27-Sep-2024
Proposed long sections	D901	1	15-Dec-2023
Proposed landscaping plan	3875/2	J	19-Nov-2024
POS and amenity areas plan	0730	P01	07-Feb-2025
<b>SUPPORTING DOCUMENTS - GENERAL</b>			
Design and access			17-Sep-2024

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
statement			
Supporting statement			12-Mar-2024
Climate change statement			15-Dec-2024
Lithos Gas Risk Assessment	016/4511/AG/JHR		15-Dec-2023
Lithos preliminary findings	016/4511/AG/JHR		15-Dec-2023
Geo-environmental report	E21/7792/R001		15-Dec-2023
Phase I Report	KR/GEODS/G23054		27-Mar-2024
Certificate of Analysis	22-22300		11-Jul-2024
Certificate of Analysis	22-20871		11-Jul-2024
Coal Mining Risk Assessment	KR/CMRA/G23054		24-May-2024
Coal Mining Risk Assessment report	KR/CMRA/G23054		27-Mar-2024
<b>DRAINAGE</b>			
Flood Risk Assessment	FRA/RWO/Y20054.100	2	01-Oct-2024
Long sections	Y22054-D901	2	01-Oct-2024
Overall engineering layout	D900	5	19-Dec-2024
Hydrobrake	SHE-0076-350-2055-3500		19-Dec-2024
Hydrobrake	SHE-0075-3100-1680-3100		19-Dec-2024
SUDS maintenance schedule			28-Nov-2024
Storm sewer design criteria			28-Nov-2024
Impermeable Areas Plan	D204	1	31-Oct-2024
Plan showing existing position of sewer	YCP 120924 003		07-Jan-2025
<b>LANDSCAPING, TREES, BIODIVERSITY</b>			
Landscape maintenance schedule		A	19-Nov-2024
Tree Survey	Iain Tavendale		15-Dec-2023
Arboricultural Impact Assessment	Iain Tavendale		15-Dec-2023
Tree plan	Iain Tavendale		15-Dec-2023
Tree shadow plan	Iain Tavendale		15-Dec-2023
Preliminary Ecological Appraisal	MAB Environment & Ecology	1	15-Dec-2023
BNG Metric updated			21-Jan-2025
<b>HIGHWAYS</b>			
Transport Statement	23102 Denby Lane TS	3	13-Sep-2024
Road adoption plan	0750	P03	14-Feb-2025
Affordable housing plan	0721	P01	31-Jan-2025

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Swept path analysis	Via Solutions		18-Nov-2024
RSA Stage One	2024-12 Grange Moor RSA1	0	08-Jan-2025
RSA Stage One designers' response	GG119 Via Solutions		08-Jan-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. The case officer undertook negotiation with the applicant at several stages in the application to ensure that the proposal made efficient use of the site, delivered affordable housing, suitable drainage arrangements and an appropriate layout for access and servicing.

**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.**

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

### **Details Reserved by Condition**

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

## **Development within a Coal Mining Area**

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

### **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.

**Note:** The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

**Note:** Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

**The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area**

## **Appeals to the Secretary of State**

- **If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:**
  - i) **28 days of the date of service of the enforcement notice, or**
  - ii) **within the specified period, starting on the date of this notice,**

**whichever period expires earlier.**
- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**
- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**
- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.**
- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**
- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**

- **The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**
- **In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.**

**Please note, only the applicant possesses the right of appeal.**

#### **Purchase Notices**

- **If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

**In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.**

**An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.**

**Dated: 06-Mar-2025**

**Signed:**



**David Shepherd  
Executive Director for Place**

## **Application Plans**

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

[dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

or telephone 01484 414746 with the application number.

There may be a charge for this service.

---

Address to which all communications should be sent:

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