



Our Ref: LM/23:5666

20th September 2024

Planning Services
Kirklees Metropolitan Council
PO Box B93
Civic Centre III
Huddersfield
HD1 2JR

Dear Sirs

**RE: PLANNING SUBMISSION - LAND AT CROSSLEY LANE, DALTON – PARCELS 4-5 OUTLINE
PP-13415252**

We write on behalf of our clients Crest Nicholson and Narbourne Ltd to submit a Section 73 application to vary several conditions from outline consent 2015/60/90430/W.

We can confirm that the application has been submitted through the Planning Portal (Ref PP-13415252).

The Section 73 application seeks to vary the wording of the following conditions – 5, 6, 7, 8, 12, 13 and 14.

Conditions 9 and 10 will remain as worded and the information approved as part of their discharge will remain relevant.

This variation seeks to amend conditions to enable development to progress in a phased approach based on two developers taking forward different parcels. Narbourne Ltd will build out Parcel 5 and Crest Nicholson will build out Parcel 4.

The conditions are identified below with the proposed removal / re-wording, shown in bold italics.

New Condition

A phasing plan is proposed which outlines the different parcels for reference discharging conditions relevant to that Phase.

The development hereby permitted shall be carried out in complete accordance with the Parcel Phasing Plan Reference 23 5666 51 (REV A).

Condition 5

Development shall not commence until a scheme detailing the layout, construction and specification of the highway works; at the two site access points from Crossley Lane and one from Cold Royd Lane (drawing number P09:4267:75 Rev A) and all associated highway works, and the appropriate Road Safety Audit, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until all the works under the approved scheme have been carried out and completed in accordance with the approved scheme and thereafter retained throughout the lifetime of the development.

Condition to be re-worded to reflect phased S278 works prepared by Paragon Highways.

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Condition 6

No development authorised by this permission shall take place until a scheme detailing the proposed traffic calming measures, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines together with an independent safety audit covering all aspects of the work. Before any dwelling is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

The proposed development shall be carried out in accordance with Paragon Highways Drawing Reference and Timing Schedule.

Condition 7

The development shall not be brought into use until visibility splays of 2.4 m x 43 in both directions at each of the two site access points from Crossley Lane and from Cold Royd Lane in which there shall be no obstruction to visibility above the level of the adjacent footway as indicated on the approved plan have been completed. Thereafter, visibility splays shall be retained throughout the lifetime of the development.

Each relevant phase shall not be brought into use until visibility splays of 2.4 m x 43 in both directions at each of the two site access points from Crossley Lane and from Cold Royd Lane in which there shall be no obstruction to visibility above the level of the adjacent footway as indicated on the approved plan have been completed. Thereafter, visibility splays shall be retained throughout the lifetime of the development.

Condition 8

Prior to construction commencing, a schedule of the means of access to the site for construction traffic 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. Thereafter all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Prior to construction commencing of each relevant phase, a schedule of the means of access to the site for construction traffic 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. Thereafter all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Condition 12

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority for the appropriate phase. Unless otherwise agreed in writing with the local planning authority, no part of that phase shall be brought into use until such time as the remediation measures for the that phase have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

Condition 13

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref E14/6726/FRA001 Dec 2014, and the following mitigation measures detailed within the FRA.

- i) Finished floor levels in the South Eastern site are set no lower than 62.4m above Ordnance Datum (AOD);
- ii) Finished floor levels in the South Western site are set no lower than 63m above Ordnance Datum (AOD);
- iii) There shall be no ground raising in flood zone 3 without compensatory storage.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with timing/ phasing arrangements embodied within the scheme, or any other period as may be subsequently agreed in writing, by the local planning authority.

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref E14/6726/FRA001 Dec 2014, and the following mitigation measures detailed within the FRA.

- i) Finished floor levels in the Phase 5 site are set no lower than 62.4m above Ordnance Datum (AOD);*
- ii) Finished floor levels in the Phase 4 site are set no lower than 63m above Ordnance Datum (AOD);*
- iii) There shall be no ground raising in flood zone 3 without compensatory storage.*

The mitigation measures shall be fully implemented prior to occupation for the relevant phase and subsequently in accordance with timing/ phasing arrangements embodied within the scheme, or any other period as may be subsequently agreed in writing, by the local planning authority.

Condition 14

Prior to development commencing a landscape management plan including, long term design objectives, management responsibilities and maintenance schedules for all landscape areas, outside of domestic curtilages, shall be submitted to and approved in writing by the local planning authority. The Landscape Management Plan shall include the following:

- Details of the extent and types of new planting;
- Details of any new habitats created within the site;
- Details of maintenance regimes for existing and any new habitats proposed on the site; and
- Details of treatment of site boundaries.

The Landscape Management Plan shall be carried out in accordance with the approved details and any subsequent variation will need to be submitted to and agreed in writing by the Local Planning Authority.

Prior to occupation of Phase 5 a landscape management plan including, long term design objectives, management responsibilities and maintenance schedules for all landscape areas, outside of domestic curtilages, shall be submitted to and approved in writing by the local planning authority. The Landscape Management Plan shall include the following:

- Details of the extent and types of new planting;*
- Details of any new habitats created within the site;*
- Details of maintenance regimes for existing and any new habitats proposed on the site; and*
- Details of treatment of site boundaries.*

The Landscape Management Plan shall be carried out in accordance with the approved details and any subsequent variation will need to be submitted to and agreed in writing by the Local Planning Authority.

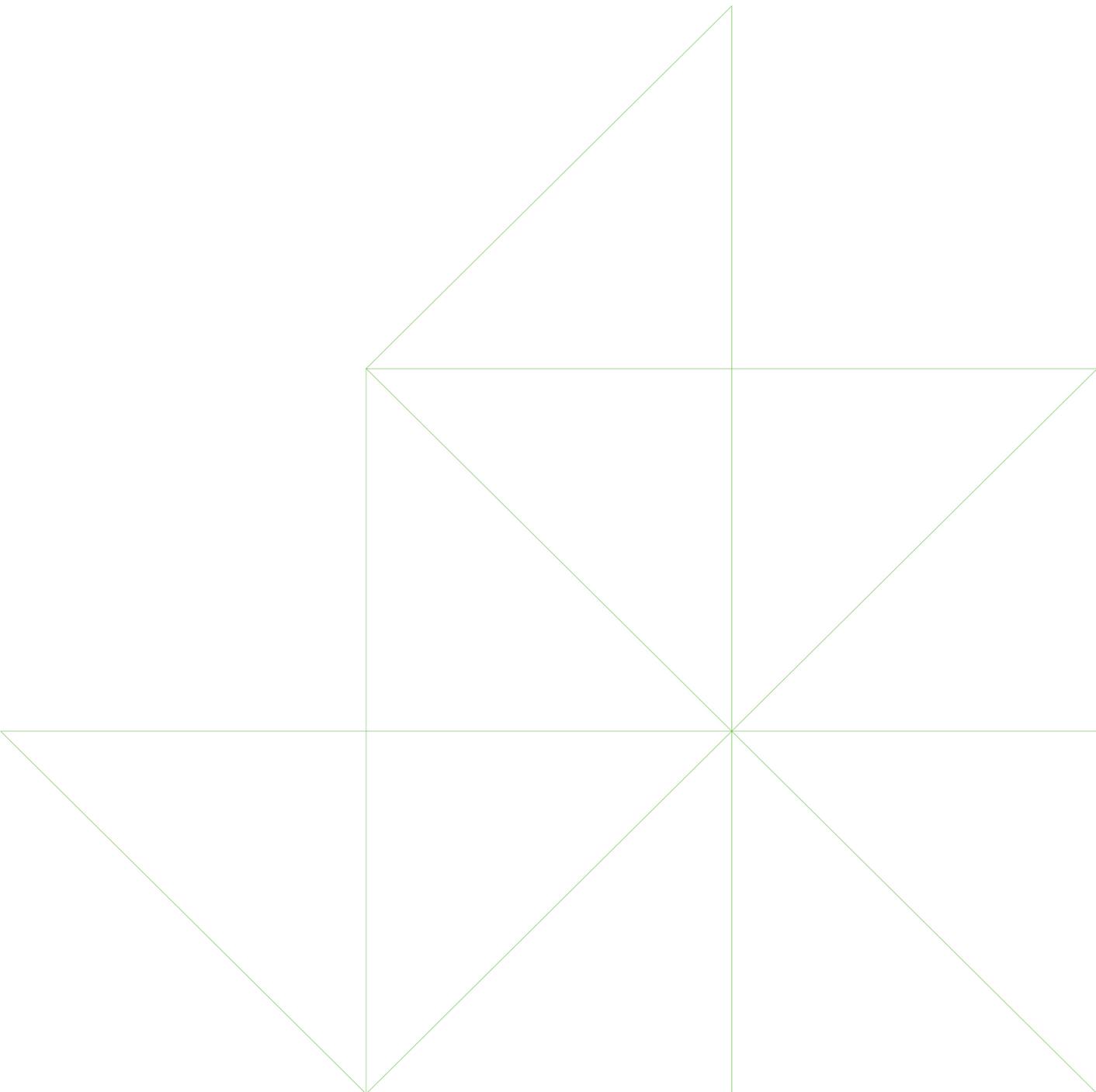


Should you require any further information or clarification then please do not hesitate to contact the undersigned.

Yours sincerely

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