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 1-3
PP-13415221

We write on behalf of our clients Crest Nicholson and Narbourne Ltd to submit a Section 73 application to vary several conditions from extant consent 2011/62/91152/W2.

We can confirm that the application has been submitted through the Planning Portal (Ref PP-13415221)

The Section 73 application seeks to vary the wording of the following conditions – 2, 3, 4, 11, 12, 16 & 17.

Conditions 9, 10 and 13 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 2 and Crest Nicholson will build out Parcels 1 and 3.

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

Condition 2
The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications except as may be required by other conditions attached to this permission which in all cases take precedence.

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Plans List Crest / Narbourne – see separate sheet.

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 3
No development shall take place until a sample facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

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No development above sub-structure within each Phase shall take place until a sample facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

Condition 4

Development shall not commence until a scheme detailing tree, shrub planting including the indication of all existing trees and hedgerows, on and adjoining the site; details of any to be retained together with measures for their protection in the course of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the phasing of the landscaping and planting. The development and the works comprising the landscaping scheme shall be implemented in accordance with the agreed phasing. The approved landscaping scheme shall, from its completion be maintained for a period of 5 years. If within that period any tree, hedge or shrub shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent for any variation.

No development above sub-structure within each Phase shall commence until a scheme detailing tree, shrub planting including the indication of all existing trees and hedgerows, on and adjoining the site; details of any to be retained together with measures for their protection in the course of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the phasing of the landscaping and planting. The development and the works comprising the landscaping scheme shall be implemented in accordance with the agreed phasing. The approved landscaping scheme shall, from its completion be maintained for a period of 5 years. If within that period any tree, hedge or shrub shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent for any variation.

Condition 11

Prior to development commencing details of the finished floor levels of the dwellings shall be submitted for the written approval of the Local Planning Authority. The dwellings shall be constructed in accordance with the approved finished floor levels.

Prior to development commencing in each phase details of the finished floor levels of the dwellings shall be submitted for the written approval of the Local Planning Authority. The dwellings shall be constructed in accordance with the approved finished floor levels.

Condition 12

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

- Details of the extent and types of any 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 treatments of site boundaries.

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

Prior to occupation within each Phase a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, outside of domestic curtilages, shall be submitted to an approved in writing by the Local Planning Authority. The Landscape Management Plan shall include the following:

- *Details of the extent and types of any new planting;*
- *Details of any new habitats created within the site;*

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- *Details of maintenance regimes for existing and any new habitats proposed on the site; and*
- *Details of treatments of site boundaries.*

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

Condition 16

The noise attenuation measures listed in Chapter 5 of the Noise Report produced by Hepworths Acoustics (Re No.10643.01/1v1) shall be implemented prior to any of the dwellings identified as requiring attenuation measures being occupied, with written confirmation submitted to the local planning authority that confirms the noise levels identified in the report have been achieved. The approved measures shall thereafter be retained for the lifetime of the development.

The noise attenuation measures listed in the Noise Report produced by Hepworths Acoustics NIA-11498-24-11789-v2 Crossley Lane, Dalton (Parcels 1, 3, 4) shall be implemented prior to any of the dwellings within that phase identified as requiring attenuation measures being occupied, with written confirmation submitted to the local planning authority that confirms the noise levels identified in the report have been achieved. The approved measures shall thereafter be retained for the lifetime of the development.

Condition 17

No development authorised by this permission shall take place until a scheme detailing the proposed traffic calming measures, as shown for indicative purposes on Drawing No 5706-001 Rev B, have 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.

Prior to occupation of any dwelling within each phase authorised by this permission the traffic calming measures as shown on Paragon Drawing Reference and Timing Schedule shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

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

Yours sincerely

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