



Kirklees Council
Planning and Development Service
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Date: 09-Jul-2025
Our Ref: 2024/92892

Dear Sir,

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of conditions 6 (Phasing Plan), 7 (CEMP), 13 (Refuse Collection/Storage Details), 29 (Air Quality Impact Assessment), 36 (Noise Assessment), 39 (Crime Reduction Measures), and 41 (Carbon Reduction Measures) of previous outline permission 2020/92546 (with details of points of access only) for the development of up to 770 residential dwellings (Use Class C3), including up to 70 care apartments (Use Classes C2/C3) with doctors surgery of up to 350 sq m (Use Class D1); up to 500 sq m of Use Class A1/A2/A3/A4/A5/D1 floorspace (dual use), vehicular and pedestrian access points off Blackmoorfoot Road and Felks Stile Road and associated works

**Black Cat Fireworks Ltd, Standard Drive, Crosland Hill, Huddersfield, HD4 7AD
Application Number: 2024/92892**

I write with reference to your application to discharge the conditions for the above development as submitted on 09-Oct-2024.

Many of the details submitted relate to matters related to the Reserved Matters of layout, landscape, scale, and appearance, which at the time of writing are undetermined and therefore subject to change. Should the details submitted pursuant to the Reserved Matters identified materially deviate from those hereby approved, please note that you may be required to re-discharge the relevant condition(s).

Condition 6 (Phasing Plan)

You have submitted the phasing plan referenced 426 ref. F pursuant to condition 6. This document splits the site into four areas, identified as;

- Vistry (469 dwellings)
- Miller's (231 dwellings)
- Care home
- Local centre

For the Millers and Vistry developments, the document also splits them into several build-out phases. Each phase also includes a written description of the works to be incorporated into that phase, the approximate number of units (where relevant) to be delivered, and the approximate construction period.

The submitted details are considered acceptable for the initial requirement of condition 6.

Notwithstanding the above, you are reminded that condition 6 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The development shall be implemented in accordance with the approved phasing plan.

Hereafter, this letter is only concerned with details submitted relating to the Vistry and Millers Homes phases. Any condition approved and/or discharged is only applicable to the Vistry and Miller phases only. For the avoidance of doubt, the Care Home and Local Centre phases are required to be adhered to any submitted details for all conditions imposed on the outline approval (where relevant), in addition to any imposed on their dedicated Reserved Matters submission(s).

Condition 7 (CEMP)

The following documents have been submitted:

Millers Homes Phase (per condition 6)

- Document titled Construction Method Statement, Site Management & Environmental Plan ref. C
- Plan titled Construction Management Plan, ref. BMF 12 rev. D
- Miller Homes' Waste Guide, dated December 2023.

Vistry Phase (per condition 6)

- Document titled Blackmoorfoot Road: Enabling Works Programme
- Document titled Construction Method Statement (updated April 2025)
- Plan ref. 008-01 rev. E
- Plan ref. VWY-CL-01 rev. A

- Plan ref. VWY-CL-02 rev. A
- Plan ref. VWY-W_SCL-01 rev. A

I can confirm that the submitted details, for the respective phase, are considered acceptable and are hereby approved.

Notwithstanding the above, you are reminded that condition 7 has the below ongoing requirement. The ongoing requirement must be adhered to, to ensure ongoing compliance with condition 7:

Each phase of development shall then be implemented in accordance with the relevant CEMP, which shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

Condition 13 (Refuse Collection/Storage Details)

Final dedicated plan(s) of the refuse collection and storage areas have not been provided for either the Millers Homes or Vistry phases. It is also acknowledged that the reserved matters applications (2024/92235 and 2024/92365), where layout (and therefore the refuse collection and storage points) are pending consideration and the plans are subject to change.

Instead of detailed plans, the following principles have been proposed (for both phases):

- All units to have dedicated storage, within the rear gardens wherever possible, of a minimum of 3 standard residential bins. If gardens are at a different level, i.e., accessed via steps or the minimum drag distances permitted under building regulations so dictate, storage may be provided at the front but would be screened by suitably designed 1.2m timber fencing.
- All gardens to have level external access for movement of bins from the dedicated storage space to the front of a property, unless stairs are necessary.
- All units (including where driveways are shared) to have space for bin presentation off-road (including off the footway), via either dedicated presentation point, in-plot footpath, or adequate space on driveway which would not conflict with vehicle movements.

While it is acknowledged that plans have not been provided, officers are satisfied that the implementation of the above principles would comply with the initial requirements of condition 13. Subject to the development(s) being undertaken in accordance with these

principles, condition 13's initial requirement would be satisfied. Based on this, officers hereby approve the submitted details for condition 13's initial requirement.

Notwithstanding the above, you are reminded of condition 13's ongoing requirement:

The approved details shall be provided before first occupation of the dwellings in that phase and shall be so retained thereafter.

For the avoidance of doubt, if any plot is delivered without waste storage and/or collection facilities that comply with the above principles, the LPA would likely view it as a breach of condition 13.

Condition 29 (Air Quality Impact Assessment)

You have submitted the Air Quality Assessment by SLR, dated 2 October 2024, Project No: 410.065276.00001 pursuant to condition 29.

I can confirm that the submitted details are acceptable for the initial requirements of the condition.

Notwithstanding the above, you are reminded that condition 29 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The approved low emission mitigation measures for each phase shall be implemented before the occupation of 50% of the residential dwellings within that phase and shall be retained thereafter.

Condition 36 (Noise Assessment)

You have submitted the Noise Impact Assessment (NIA) from SLR dated 16 December 2024 Ref 410.065276.00001 Rev04 pursuant to condition 36.

I can confirm that the submitted details are acceptable for the initial requirements of the condition.

Notwithstanding the above, you are reminded that condition 36 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The dwellings identified in the noise assessment may not be occupied until the works which form part of the approved scheme for all relevant buildings have been completed, such works to be retained thereafter.

Condition 39 (Crime Reduction Measures)

You have submitted the document titled 'Secure by Design', by nineteen47, pursuant to condition 39. The details relate to the residential aspects of the proposal only, as identified within plan ref. 426 rev. F.

The submitted details set out principles for delivering a safe and secure environment. The details provided are acceptable, for the initial requirement of condition 39 (in so far it relates to the residential element, only) and are hereby approved. However, be aware that the condition has an ongoing requirement, which must be adhered to, to ensure continued compliance. This requirement is:

The development of that phase shall be implemented in accordance with the approved details and retained thereafter.

Furthermore, it should be noted that the principles set out in the approved document must be reflected in any relevant reserved matters submission, to comply with the above requirement. If the reserved matters submission, and subsequent implementation, does not adhere to the details provided within the approved document, you may be in breach of the condition.

Condition 41 (Carbon Reduction Measures)

You have submitted the following documents pursuant to condition 41:

- Energy Statement by Matthew Hurd, dated July 2024: this document relates to the Miller phases of development, per the phasing plan ref. 426 rev. F.
- Energy and Sustainability Statement Rev. 2 by AES Sustainability Consultant Ltd, dated July 2024: this document relates to the Vistry phases of development, per the phasing plan ref. 426 rev. F.

I can confirm that the submitted details are acceptable and are hereby approved, in so far as they relate to the identified phases.

Notwithstanding the above, you are reminded that condition 41 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance:

The development of that phase shall be constructed in accordance with the approved details and all approved measures thereafter retained.



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Yours faithfully,

Mathias Franklin
Head of Planning and Development