



**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: 2024/62/93605/W

To: Tom Gibbons
IDPartnership Northern
St Judes
Barker Street
Shieldfield
NE2 1AS

For: THIRTEEN GROUP

**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 57 DWELLINGS WITH ACCESS FROM NEW THROUGH ROAD
CONNECTING MAIN AVENUE AND WINDSOR ROAD, AND ASSOCIATED
WORKS, INCLUDING ENGINEERING AND LANDSCAPING**

At: LAND AT, MAIN AVENUE, COWLERSLEY, HUDDERSFIELD, HD4 5US

**In accordance with the plan(s) and applications submitted to the Council on
16/01/2025, 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 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule 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 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.

3. [no condition].

4. The development hereby approved shall be carried out strictly in accordance with the Specification for a Pre-determination Archaeological Evaluation by Trial Trenching (West Yorkshire Archaeology Advisory Service, June 2024), including in respect of providing notification to the West Yorkshire Archaeology Advisory Service and the dissemination and deposition of resulting material.

Reason: To ensure buried heritage assets are appropriately recorded and protected and to accord with Policy LP35 of the Kirklees Local Plan and chapter 16 of the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification) no development included within Classes A, D and E of Part 1 and Class A of Part 2 of Schedule 2 to that Order shall be carried out at any plot or dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, and to enable maintenance of a watercourse in accordance with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

6. Other than where indicated on the drawings hereby approved, and other than in relation to elevations not facing a highway or public open space, no cables, plumbing, foul pipes, vents, burglar alarm boxes, and/or CCTV cameras or related equipment and installations shall be located or fixed to any external elevation(s) of the development hereby approved. Should any such equipment or installations be considered necessary at a specific plot on elevations facing a highway or public open space or, details of these shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works at that plot. Thereafter the development shall be completed in accordance with the details so approved.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

7. The development hereby approved shall be carried out strictly in accordance with the Construction Management and Mitigation Plan (Strata, March 2026) throughout the period of construction and no change therefrom shall take place unless otherwise approved in writing by the Local Planning Authority by means of an application for the approval of details reserved by condition.

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.

8. The development hereby approved shall be carried out strictly in accordance with the Construction Environment Management Plan CEMP (Biodiversity) (Brooks Ecological, ER-7172-09, 19/11/2025) throughout the period of construction and no change therefrom shall take place unless otherwise approved in writing by the Local Planning Authority by means of an application for the approval of details reserved by condition.

Reason: To protect biodiversity during construction by avoiding impacts to protected species, and to accord with Policy LP30 of the Kirklees Local Plan.

9. The development hereby approved shall be carried out strictly in accordance with the Tree Protection Plan (Appendix 4 of the Arboricultural Method Statement, AWA, AWA6332AMS, TMP006 – D, rev 01, 28/11/2024) throughout the period of construction and no change therefrom shall take place unless otherwise approved in writing by the Local Planning Authority by means of an application for the approval of details reserved by condition.

Reason: To ensure trees, hedgerows and the habitat they provide are suitably protected during construction, and to accord with Policies LP30 and LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

Pre-commencement conditions

10. Prior to the commencement of the development (including ground works but excluding permitted removal of on-site trees and vegetation), a survey (including photographic evidence) of the existing condition of the highway on Windsor Road, Main Avenue, South Avenue and Woodside View, and of public footpaths HUD/277/40 and HUD/279/10 (the extent of highway to be surveyed to be agreed in writing by the Local Planning Authority in advance) shall be carried out and shall be 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. The submission made pursuant to this condition shall also include a timetable of works and a commitment (with responsibilities assigned to named parties) to undertake remedial works (the details of which shall be submitted to and approved in writing by the Local Planning Authority) to maintain the highway during the entirety of the period of construction to the condition documented in the pre-commencement highway condition survey. The final highway remediation works so approved shall be completed prior to the occupation of the 50th dwelling.

Reason: In the interests of highway safety, to ensure the effective maintenance of the highway and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure highways surrounding the site are appropriately surveyed prior to works commencing, and to ensure responsibility for remedial works can be fairly assigned with reference to evidence.

11. Prior to the commencement of the development, an assessment and a scheme to manage the effects of 1 in 100 year storm events (with an additional allowance for climate change), blockage scenarios and exceedance events on drainage infrastructure, watercourses and surface water run-off pre- and post-development between the development and the surrounding area, in both directions, shall be submitted to and approved in writing by the Local Planning Authority. The assessment and scheme shall include engineering layouts for carriageways, footways and driveways, and details of the finalised topography of the open land to the south of the dwellings hereby approved.

No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and the approved scheme shall be retained thereafter.

Reason: To ensure appropriate surface water drainage is provided, and to mitigate flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate drainage provisions are devised, agreed and implemented at an appropriate stage of the development process.

12. Prior to the commencement of the development, a surface water drainage scheme for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall limit flows to the combined sewer to 3.5l/s, and shall be designed to attenuate flows generated by the critical 1 in 100 year storm event as a minimum requirement with an appropriate allowance for climate change. The scheme shall include cross sections and plans of the surface water attenuation, and shall refer to the Drainage Maintenance and Management Plan secured under the Section 106 agreement associated with this planning permission. 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 surface water drainage scheme shall be retained thereafter until such time it is formally adopted by the statutory undertaker.

Reason: To ensure appropriate surface water drainage is provided, and to mitigate flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure adequate drainage provisions are devised, agreed and implemented at an appropriate stage of the development process.

13. Prior to the commencement of development (including vegetation clearance and ground works), a scheme detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) 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 details of how flooding of adjacent land would be prevented;
- Include methods of preventing contamination of watercourses once the new drainage has been installed; and
- Demonstrate capacity to store the water of a 1 in 2 year 6-hour event within the site boundary.

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 the risk of flooding does not increase during the construction phase, to limit the siltation of any on- or off-site surface water features, and to accord with Policy LP27 of the Kirklees Local Plan.

This pre-commencement condition is necessary to ensure measures to avoid increased flood risk are devised and agreed at an appropriate stage of the development process.

14. Prior to the commencement of development (including ground works but excluding permitted removal of on-site trees and vegetation), details of 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 in writing by the Local Planning Authority. The details shall include locations, cross-sections, and design information. The development shall thereafter be completed in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that surface water features do not compromise the stability or use of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

15. No less than three months prior to commencement of development, a further badger survey report shall be submitted to and approved in writing by the Local Planning Authority. Should the badger survey report confirm the presence of badgers at the site, the badger survey report shall incorporate a badger mitigation plan. Prior to first occupation of any dwelling hereby approved, a report prepared by an appropriately qualified and experienced ecologist demonstrating the implementation of the badger mitigation measures, as set out in the badger survey report, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure badgers are protected in compliance with the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended).

Pre-superstructure conditions

16. Where highway retaining structures or walls are necessary, prior to the commencement of superstructure works, the design and construction details of any such structures or walls (and any temporary highway retaining structures or walls that may be deemed necessary) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based, method statements for both temporary and permanent works and removal of any bulk excavations, together with structural calculations and all associated safety measures for the protection of adjacent public highways, footpaths, culverts, adjoining land and areas of public access. The development shall be completed in accordance with the approved details before any of the dwellings are occupied and shall be retained as such thereafter.

Reason: To ensure that any new retaining structures and walls 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.

17. Prior to the commencement of superstructure works at a specific plot, details of storage and access for collection of wastes from the residential units hereby approved at that plot, and details of management of waste collection points serving that plot, 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 fly tipping.

The works and arrangements comprising the approved details shall be implemented prior to first occupation of that plot 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.

18. Prior to the commencement of superstructure works, a scheme detailing the proposed pedestrian connections between the development's internal roads and public footpaths HUD/277/40 and HUD/279/10 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of gradients, any steps, surface treatments (and subsurface build-up), any handrails, any boundary treatments and safety measures. No more than 56 dwellings of the development hereby approved shall be brought into use until the pedestrian connections have been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of creating a walkable and well-connected neighbourhood, encouraging and enabling active travel and the use of sustainable modes of transport, and to achieve a satisfactory layout in accordance with Policies LP20, LP21 and LP47 of the Kirklees Local Plan.

19. Prior to the commencement of superstructure works, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- Details of existing and proposed levels, and regrading;
- Details of tree pit sizes and soils;
- Details of initial aftercare and long-term maintenance;
- Details of monitoring and remedial measures, including replacement of any trees, shrubs or planting that fails or becomes diseased within the first five years from completion;
- Details (including samples, if requested), of paving and other hard surface materials;
- Details of all on-site open spaces (including details of their purpose(s) and management) and of any areas for designated, informal, incidental and/or doorstep play;
- Details of all on-site play spaces;
- Details of covenants (or other suitable arrangements) regarding street tree retention, management and maintenance where these trees are not within adopted highways;
- Details of how soft landscaping has been designed to prevent and deter crime and anti-social behaviour; and
- Details of natural surveillance and windows overlooking publicly accessible areas (including open spaces, pedestrian connections and public footpaths).

No part or phase of the development hereby approved shall be occupied until all hard and soft landscaping for that part or phase has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements.

Reason: In the interests of local ecological value, visual amenity and highways safety, to ensure high quality open spaces are provided, to minimise flood risk, to ensure the amenities of existing neighbouring residential units and the residential units hereby approved are protected, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP27, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan, and chapters 8, 12 and 15 of the National Planning Policy Framework.

20. Notwithstanding what is shown on the drawings hereby approved, prior to the commencement of superstructure works, details of all external materials to be used shall be submitted to the Local Planning Authority, and samples shall be presented or left on site (if requested by officers) for the inspection and approval in writing of the Local Planning Authority. No materials other than those approved in accordance with this condition shall be used.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

21. Prior to the commencement of superstructure works, a scheme detailing the dedicated facilities to be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include one Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each dwelling. No dwelling shall be brought into use until the charging point for that dwelling is installed and operational. The charging points installed shall be retained thereafter.

Reason: To ensure residents of the development are encouraged to use lower-carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with policies LP20, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, chapters 9 and 15 of the National Planning Policy Framework, and the West Yorkshire Low Emissions Strategy.

22. Prior to the commencement of superstructure works, details of external air source heat pump units to be provided as part of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans and specifications, shall confirm locations of the units, shall include screening measures where necessary, and shall include noise and maintenance information. The units shall be installed in accordance with the details so approved and shall be maintained in accordance with the details so approved thereafter.

Reason: In the interests of visual and residential amenity, and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and the National Planning Policy Framework.

Conditions subject to other triggers

23. Prior to the occupation of the 19th dwelling hereby approved, and notwithstanding what is shown on the drawings hereby approved, details of the electricity substation to be provided on-site in association with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans, elevations and sections, and details of external materials and any boundary treatments. The substation shall be constructed in accordance with the details so approved.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

24. 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 prior to the adoption of the estate roads, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of 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 estate roads are adopted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the period of construction, 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.

25. Prior to first occupation of any dwelling hereby approved, all works for that dwelling which form part of the sound attenuation scheme as specified in the Noise Impact Assessment (ENS, NIA-11251-24-11733, v4, 04/11/2024) shall be completed. Any changes to the approved noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of the development from noise or disturbance from nearby noise sources, and to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

26. No specific dwelling hereby approved shall be first occupied until all areas and associated features (for that dwelling) to be used by vehicles and pedestrians (including streets, footpaths, cycle tracks, loading, servicing and parking areas) have been laid out, surfaced and drained, such that loose materials and surface water does not discharge or transfer onto the adjacent highway. Those areas and associated features shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan.

27. Prior to the first occupation of any dwelling hereby approved, details of secure, covered and conveniently-located cycle parking for use by residents of that dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and the cycle parking shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, encouraging the use of sustainable transport modes, and minimising crime, so as to accord with policies LP20, LP21, LP22 and LP24 of the Kirklees Local Plan.

28. Prior to the first occupation of any dwelling with external lighting (other than street lighting on streets to be adopted), details of the external lighting for that dwelling shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a scheme detailing street lighting to all private (unadopted) roads/drives/courtyards and shall not include low-level or bollard street lighting. The external lighting shall be designed to avoid harm to residential amenity, increased highway safety risk, risk of creating opportunities for crime and anti-social behaviour, and disturbance to wildlife. All external lighting shall be installed in accordance with the details (including specifications and locations) so approved, and the external lighting shall be maintained thereafter in accordance with the approved details. No dwellings accessed from a private (unadopted) road/drive/courtyard shall be brought into use until the street lighting so approved for that road/drive/courtyard has been installed and brought into use, and the street lighting shall be retained as such thereafter. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety, to prevent significant ecological harm, to safeguard habitat, in the interests of creating a safer, more sustainable neighbourhood and reducing the risk of crime and anti-social behaviour, and to accord with Policies LP21, LP24, LP30 and LP47 of the Kirklees Local Plan and the National Planning Policy Framework.

29. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy (Apex, 1152-ACE-GEO-RS-003, rev 003, 17/06/2025). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all works in the affected area (other than site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

30. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a Verification 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 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 unacceptable risks to human health and the environment are identified and removed, and to ensure that the development is safely completed in accordance with the requirements of Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

NOTE: In accordance Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) **development may not be begun unless:**

- a) A biodiversity gain plan has been submitted to the local planning authority; and
- b) The local planning authority has approved the plan.

The biodiversity gain plan must include:

- a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) The pre-development biodiversity value of the onsite habitat;
- c) The post-development biodiversity value of the onsite habitat;
- d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- e) Any biodiversity credits purchased for the development; and
- f) Any such other matters as the Secretary of State may by regulations specify.

NOTE: Under the Wildlife and Countryside Act 1981 it is an offence to intentionally kill, injure, or take any wild bird, or to damage or destroy their active nests. In addition, certain species are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Therefore, the removal of vegetation should be undertaken outside of the bird breeding season, March to August inclusive. If any clearance work is to be carried out within this period, a nest search by a suitably qualified ecologist should be undertaken immediately preceding the works. If any active nests are present, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

NOTE: Section 38 Agreement: 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>

Any future applications for adoption under Section 37 must demonstrate to the satisfaction of the Highway Authority that all of the roads applied for under Section 37 have been constructed to an adoptable standard in accordance with <https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-guidance-section-38-agreements.pdf>

Until such time that the Section 38 (or Section 37) 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': Highways Adoption (<https://assets.publishing.service.gov.uk/media/62e7b821d3bf7f75b9121a6a/advice-note-highways-adoption.pdf>).

NOTE: Highways (General): 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.

NOTE: Temporary waste arrangements: Condition 24 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: Attenuation Tanks/Pipes: 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.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification – Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles will be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable. For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

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

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- Monday to Friday: 0730 – 1830
- Saturday: 0800 – 1300

With no working Sundays or Public Holidays In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Site Location Plan	100	P2	26/02/2026
Proposed Site Layout	102	P11	19/09/2025
Proposed Site Layout Coloured	103	P8	23/09/2025
Housetype Booklet	ID Partnership, December 2024		16/07/2026
Streetscene	108	P3	19/09/2025
Proposed Site Sections	110	P4	19/09/2025
Engineering Layout	2153-QD-XX-HD-DR-C-03-01	P06	30/10/2025
External Works	2153-QD-XX-HD-DR-C-04-01	P05	30/10/2025
Proposed TRO – Windsor Road	D-1001		23/12/2024
Proposed TRO – Main Avenue	D-1004	A	10/04/2025
Proposed Materials and External Finishes Plan	104	P7	26/02/2026
Proposed Boundary Treatment Plan	105	P6	03/12/2025
Proposed Storey Height Plan	106	P5	19/09/2025
Proposed PV and Electric Vehicle Charging Plan	107	P5	19/09/2025
Proposed Management of Land	109	P4	19/09/2025
Landscape Masterplan	R/2784/1	Q	16/07/2026
Landscape Typologies	R/2784/2	D	16/07/2026
Landscape Details Shrub Bed S1-S18	R/2784/3	E	20/02/2026
Landscape Details Shrub Bed S19-S47	R/2784/4	E	20/02/2026
Landscape Details Shrub Bed S48-S69	R/2784/5	D	23/01/2026
Proposed Longsections	2153-QD-XX-HD-DR-C-05-01	P04	17/10/2025

Plan/document type	Reference	Version	Date received
Proposed Longsection Boundary Parapet Wall	2153-QD-XX-HD-DR-C-05-06	P01	08/04/2026
Exceedance Routing	2153-QD-XX-HD-DR-C-00-10	P05	08/04/2026
Swept Path Analysis	P2445-T-1002	D	23/09/2025
Planning Statement	ID Partnership, N81:3084, 17/12/2024	P1	23/12/2024
Statement of Community Involvement	ID Partnership, N81:3084, 17/12/2024	P1	23/12/2024
Design and Access Statement	ID Partnership, 17/12/2024	P1	23/12/2024
Affordable Housing Scheme	November 2025		28/11/2025
Construction Management and Mitigation Plan	Strata, March 2026		10/03/2026
Construction Environment Management Plan CEMP (Biodiversity)	Brooks Ecological, ER-7172-09, 19/11/2025		13/04/2026
Construction Surface Water Management Plan	RSK, 302826, 16/12/2025	01	16/12/2025
Transport Assessment	TPS, P2445, 18/09/2025	5	19/09/2025
Highway Design Overview Checklist	TPS, P2445, 29/10/2024		23/12/2024
Road Safety Audit Stage 1	Sevenairs, 2025-10 Cowlersley RSA1, 05/10/2025		28/07/2026
GG119 Road Safety Audit Response Report	TPS, P2445, 17/10/2025		03/11/2025
Residential Travel Plan	TPS, P2445, 18/02/2026	Final	18/02/2026
Flood Risk Assessment and Drainage Strategy	Queensberry Design, 06/10/2025	P06	17/10/2025
Drainage Maintenance Plan	Queensberry Design, 07/10/2025	P04	17/10/2025
Preliminary Ecological Appraisal Report	Brooks Environmental, ER-7172-01A, 30/09/2024		28/07/2026
Bat Activity Survey	Brooks Ecological, ER-7172-05A, 23/06/2025		28/07/2026
Site Inspection Report	Brooks Ecological, SI-7172-01, 08/12/2025		16/12/2025
Breeding Bird Survey	Brooks Ecological, ER-7172-07, 23/06/2025		28/07/2026
Badger Assessment and Report	Brooks Ecological, ER-7172-06, 17/12/2024		13/01/2025
Ecological Impact Assessment	Brooks Ecological, ER-7172-04, 30/09/2025	C	20/10/2025
Biodiversity Metric	David Lovett, BM-7172-01E, 24/09/2025		13/01/2026
Biodiversity Net Gain Assessment – Part 2	Brooks Ecological, ER-7172-03, 24/09/2025	C	17/10/2025

Plan/document type	Reference	Version	Date received
Biodiversity Management Plan	Brooks Ecological, ER-7172-08, 19/11/2025		23/12/2025
Arboricultural Report and Impact Assessment	AWA, AWA6332, TMP006 – B, 03/12/2024	01	23/12/2024
Arboricultural Method Statement	AWA, AWA6332AMS, TMP006 – D, 28/11/2024	01	23/12/2024
Phase I Geo-Environmental Risk Assessment	Roberts Environmental, 220322.R.001, May 2022	1.0	23/12/2024
Phase II Geo-Environmental Site Investigation and Risk Assessment	Roberts Environmental, 220322.R.002, May 2022	1.0	23/12/2024
Ground Appraisal Report	Apex, 1152-GEO-GAR-001, 17/06/2025	003	17/06/2025
Earthworks Specification	Apex, 1152-ACE-GEO-ES-002, 18/09/2024		23/12/2024
Remediation Strategy	Apex, 1152-ACE-GEO-RS-003, 17/06/2025	003	17/06/2025
Email regarding site investigation and remediation	Tom Gibbons, ID Partnership, 26/03/2025		26/03/2025
Air Quality Assessment	Logika, J10-16525A-10-F1, 14/03/2025	01	18/03/2025
Noise Impact Assessment	ENS, NIA-11251-24-11733, 04/11/2024	v4	23/12/2024
Cultural Heritage Desk-Based Assessment	CFA Archaeology, Y554, April 2022	1	23/12/2024
Specification for a Pre-determination Archaeological Evaluation by Trial Trenching	West Yorkshire Archaeology Advisory Service, June 2024		23/12/2024
Archaeological Evaluation by Trial Trenching	MAP Archaeological Practice, MAP 5-44-23, 01/07/2025	A	03/07/2025
Energy Statement and Regulation 25a Low or Zero Carbon (LZC) Technology Feasibility Study	Anderson Goddard, AG-78296-LZCR, 21/02/2025	C	16/07/2026

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015, accepted and considered amendments and extensive additional information, and otherwise actively engaged with the applicant in dealing with the application.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.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 speedier 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.

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. Alternatively the forms and supporting guidance for submitting an application can be found online at 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.

Where 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 so that we can work on continually improving our customer service. Thank you.

Dated: 29-Jul-2026

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

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