KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING CONDITIONS PREVIOUSLY ATTACHED

Reference No:	**2025/70/91084/W**
Site Address:	Joseph Norton Academy (former Deighton Centre), Deighton Road, Deighton, Huddersfield, HD2 1JP
Description:	Variation of conditions 2 (Plans), 10 (Habitat Management and Monitoring Plan), 11 (Construction Environmental Management Plan), 12 (Arboricultural Method Statement) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for a Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development
Recommending Officer:	Katie Chew

DECISION – Variation of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nicholas Hirst

AUTHORISED OFFICER

Date: 03-Jul-2025

Application: 2025/91084

Application Site: Joseph Norton Academy (former Deighton Centre), Deighton Road, Deighton, Huddersfield, HD2 1JP.

Proposal: Variation of conditions 2 (Plans), 10 (Habitat Management and Monitoring Plan), 11 (Construction Environmental Management Plan), 12 (Arboricultural Method Statement) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for a Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development.

Site Description

The application relates to the former Deighton Centre (previously Deighton High School). The site is currently vacant and overgrown with areas of hardstanding which once served the previous development. Access is taken from the southeastern boundary past Deighton Sports Arena, onto Deighton Road (classified C Road).

Surrounding the site is predominantly residential properties, with Christ Church CE Academy to the west and Deighton Sports Arena to the south. The playing field directly to the east and woodland to the north are both designated as Urban Green Space within the Kirklees Local Plan. Public footpaths HUD/37/20 and HUD/37/40 run to the west and north of the site.

Land levels fall within the site from the south to the north.

The site is allocated for Housing in the Kirklees Local Plan under HS17.

Description of Proposal

A variation is sought to condition 2 (plans) of previous permission 2023/93350, which currently reads:

> *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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

The proposed variations, as outlined within the accompanying covering letter dated 07/04/2025, are as follows:

Amendment to the building –

- Minor amendment to school entrance/reception area. This includes a minor amendment to the positioning of the windows, introduction of a flat roof and straightening of the external elevation by reception from a curved design.
- Minor amendment to window positions of classrooms. Introducing of mechanical, electrical, plumbing (MEP) louvres to classrooms.
- Introduction of asymmetrical external doors to hall.
- Reduction of the number of roof lights.
- Minor tweaks to internal layout.

Amendments to external elements -

- Change of internal vehicular circulation area from permeable block paving to impermeable Asphalt.
- The addition of electricity substation annex, to the east of the main access gate.
- Omission of the steps and perimeter gate which allowed access down to the sports pitches.
- Grassed area adjacent to the western elevation modified to facilitate farm delivery van turning.
- Paving layout south of the MUGA – minor tweaks to accommodate fire appliance across.
- Minor adjustment to the location and number of proposed trees.

Pursuant to Conditions 10 (Habitat Management and Monitoring Plan) and 11 (Construction Environmental Management Plan: Biodiversity) details seeking to address the information initially required by these conditions have been submitted as part of this S73 application. The applicant is seeking for these conditions to be amended to be prescriptive requirements based on the details submitted.

Please note that condition 11 has been previously discharged under Discharge of Condition application ref. 2025/90249, with the same details submitted.

For information purposes, these conditions currently read:

> *10. Prior to the construction of the superstructure works, a habitat management and monitoring plan (HMMP) has been submitted to and approved in writing by the local authority. The plan shall demonstrate how a minimum of 10% net gain in habitat and hedgerow units are to be achieved post development, utilising baseline information submitted in the DEFRA Metric 4.0 (dated 11th September 2023) and include details of the following:*

a. Description and evaluation of features to be managed and enhanced;
b. Extent and location/area of proposed enhancement works on appropriate scale maps and plans;
c. Ecological trends and constraints on site that might influence management;
d. Aims and Objectives of management;
e. Appropriate management Actions for achieving Aims and Objectives;
f. An annual work programme (to cover an initial 5 year period capable of being rolled forward over a period of 30 years);
g. Details of the management body or organisation responsible for implementation of the HMMP; h. Ongoing monitoring programme and remedial measures; and i. The HMMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years.

The HMMP shall include details of the legal and funding mechanisms by which the longterm implementation of the HMMP will be secured by the developer with the management body responsible for its delivery. The HMMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved HMMP. The approved HMMP will be implemented in accordance with the approved details.
***Reason**: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This precommencement condition is necessary to ensure details relating to the required biodiversity net gain are devised and agreed at an appropriate stage of the development process.*

11. No development shall take place (including demolition, ground works, vegetation clearance) 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.
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 pre-commencement condition is necessary to protect ecological receptors during construction.*

Condition 12 is also proposed to be varied. Condition 12 currently reads:

12. The development shall be undertaken in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement rev C by Frank Shaw Associates Limited. These shall be implemented and maintained throughout the construction phase and retained thereafter.
***Reason**: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Kirklees Local Plan and advice within the National Planning Policy Framework.*

The change sought is to accommodate an updated Tree Survey which has been undertaken and has resulted in the identification of additional tree groups within the site. To facilitate the proposed development, these are proposed to be removed. Tree group G10(B) is predominantly affected – with the trees immediately adjacent to the school building requiring removal to facilitate the development.

History of negotiations/amendments received

Revisions were requested to be made to the submitted HMMP following comments received from KC Ecology.

Relevant planning history (including enforcement history)

2025/91368 – Discharge of details reserved by condition 3 (materials) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for Social Emotional and Mental Health School (use class F1) comprising single and two storey education buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games area; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Approved 20/05/2025.

2025/90695 - Discharge of details reserved by condition 13 (Phase II Intrusive Site Investigation Report) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for Social Emotional and Mental Health School (class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory

garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Pending consideration.

2025/90634 - Discharge of details reserved by Conditions 10. (habitat management and monitoring plan (HMMP) & 11. (construction environmental management plan (CEMP: Biodiversity) of permission 2023/93350 for Development of former Deighton Centre (previously Deighton High School) for a Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Withdrawn 01/04/2025.

2025/90576 - Discharge of details reserved by conditions 7 (drainage scheme), 8 (storm events) and 9 (surface water drainage) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for a Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Approved 09/05/2025.

2025/90303 – Discharge of details reserved by condition 5 (CEMP) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Approved 21/02/2025.

2025/90249 - Discharge of details reserved by conditions 10 (HMMP) and 11 (CEMP: Bio) on previous permission 2023/93350 for development of former Deighton Centre (previously Deighton High School) for social emotional and mental health school (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Split decision 13/02/2025.

2023/93350 - Development of former Deighton Centre (previously Deighton High School) for a Social Emotional and Mental Health School (use class F1) comprising single and two storey educational buildings; roof mounted photo-voltaic panels; sensory garden spaces; multi-use games areas; landscaping; hardstanding areas; carparking; access with secure fencing and ancillary development. Approved 13/05/2024.

2023/20757 - Pre application for educational building – Comments provided.

2014/93572 – Prior notification for demolition of existing buildings – Demolition details approved 15/12/2014.

Consultation Responses

KC Trees – No objections.

KC Ecology Unit – No objections.

KC Highways (Informal) – No objections.

Parish Council

The site does not fall within a parish boundary.

Local Ward Members

The site is within the Ashbrow ward where members are:

- Councillor Homewood
- Councillor Amin
- Councillor Pinnock

Ward Councillors were made aware of the application, of which no comments have been received.

Representations

This application has been advertised as a Major Development which is a departure from the Kirklees Local Plan and affects public footpaths HUD/37/20 and HUD/37/40, via site notices and through advertisement within a local newspaper. This is in line with the legal statutory publicity requirements set out at Table 1 in the Kirklees Development Management Charter.

Final publicity expires: 20/06/2025.

No public representations have been received.

Planning Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The application site is allocated as a Housing Allocation Ref: HS17 in the Kirklees Local Plan. The site is also located within a Strategic Green Infrastructure Network, with a small portion of the site falling within Urban

Green Space. It is also important to note that Public Rights of Way HUD/37/20 and HUD/37/40 run along the northern and western boundaries of the site. The site is also partially located within a Bat Alert Area.

The following Local Plan policies are considered relevant to the proposal:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP7 – Efficient and effective use of land and buildings
- LP20 – Sustainable travel
- LP21 – Highways and access
- LP22 – Parking
- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity and geodiversity
- LP32 – Landscape
- LP33 – Trees
- LP47 – Healthy, active and safe lifestyles
- LP49 – Educational and health care needs
- LP50 – Sport and physical activity
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land
- LP61 – Urban green space
- LP65 – Housing allocations

The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council;

Supplementary Planning Documents:

- Highway Design Guide SPD (2019)
- Open Space SPD (2021)

Guidance Documents:

- Planning Applications Climate Change Guidance (2021)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)
- Green Streets Principles for the West Yorkshire Transport Fund

National Planning Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published in December 2024 (updated February 2025) and the Planning Practice Guidance Suite (PPGS), first launched 06/03/2014, updated 12/2024, together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Other relevant national guidance and documents include:

- MHCLG: National Design Guide (2021)

Climate Change

The Council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On 12/11/2019 the council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the council would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Assessment

This application is made under Section 73 of the Town and Country Planning Act 1990, which allows for the '*determination of applications to develop land without compliance with conditions previously attached'*. In addition to enabling the removal of conditions, Section 73 allows for the varying of a condition's wording. The effect of a granted Section 73 application is the issuing of a fresh planning permission. Therefore, all previously imposed conditions should be retained if they remain relevant. The time limit for development to commence cannot be extended through a Section 73 application.

The starting point for a Section 73 application is the previously granted planning permission, which must carry significant material weight. However, consideration must be given to whether any material changes in circumstances have taken place. This includes the policy and local context.

In terms of policy the original application 2023/93350 was assessed against the Local Plan (2019), which remains the development plan and therefore the assessment criteria will be consistent. While the National Planning Policy Framework has been revised since 2023/93350's assessment, none of the revisions are considered relevant to this proposal or the sought amendments.

In terms of local context, there have been no significant changes in the environment (including built and natural) which would impact on the assessment of the application.

In light of the above, consideration must be given to the specific changes proposed and their interaction with adopted planning policy.

The principle of development on the site has already been established by planning application 2023/93350 to which this application relates.

<u>Variation of Condition 2 (plans)</u>

Visual amenity implications

The visual changes to the proposal include the below:

- Amendments to the building
    - Minor amendment to school entrance/reception area. This includes a minor amendment to the positioning of the windows, introduction of a flat roof and straightening of the external elevation by reception from a curved design.
    - Minor amendment to window positions of classrooms. Introducing of mechanical, electrical, plumbing (MEP) louvres to classrooms.
    - Introduction of asymmetrical external doors to hall.

- Reduction of the number of roof lights.

- Minor tweaks to internal layout.

- Amendments to external elements

    - Change of internal vehicular circulation area from permeable block paving to impermeable Asphalt.

    - The addition of electricity substation annex, to the east of the main access gate.

    - Omission of the steps and perimeter gate which allowed access down to the sports pitches.

    - Grassed area adjacent to the western elevation modified to facilitate farm delivery van turning.

    - Paving layout south of the MUGA – minor tweaks to accommodate fire appliance across.

    - Minor adjustment to the location and number of proposed trees.

Officers consider that these external alterations would be limited and that they would not result in a development that is materially or substantially different to the one which has been previously approved. The appearance of the building would remain high quality and would continue to not harm the visual amenity of the area.

From a visual amenity / urban design perspective, the changes proposed would accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the NPPF.

Residential amenity implications

Paragraph 135 of the National Planning Policy Framework states that Local Planning Authorities should seek to achieve a high standard of amenity for existing and future users.

This is echoed within Kirklees Local Plan policy LP24 which states that proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings.

Given the nature of the proposed alterations, which do not seek to increase the overall scale and massing of the school building, or any changes to its layout/location within the site, officers do not consider there to be any overshadowing or overbearing concerns arising from the amendments.

Furthermore, whilst some changes are proposed to the window/door arrangements within the school building, this would not result in any additional overlooking than was previously approved under application 2023/93350 and therefore is deemed to be acceptable. The proposed building is well removed from the site's boundaries to third party land, with the separation distances being sufficient to negate any potential concerns of overlooking.

Officers do note that a new substation is proposed to the east of the main access gate, however, this would be circa 50+ metres away from the nearest residential dwelling (Tenter Hill Farm) and therefore is not considered to result in any impacts relating to noise, overshadowing and is not considered to appear overbearing in nature.

For these reasons, the development is considered acceptable from a residential amenity perspective, in accordance with policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact on highways

KC Highway DM have confirmed that the changes proposed would not significantly affect access arrangements and therefore no objection is raised. This is to accord with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Variation of condition 2, conclusion

In light of the above assessment, officers are satisfied that the proposed variations to condition 2, specifically alterations to the approved plans, would not prejudice material planning considerations and are acceptable.

The wording of condition 2 would not change however, it is recommended that the plans table be revised to reflect the submitted amended plans.

<u>Variation of Condition 10 (Habitat Management and Monitoring Plan)</u>

To support this application a Habitat Management and Monitoring Plan and an email from the agent (received 30/06/2025) have been submitted. Officers, in consultation with K.C. Ecology, have reviewed the submitted document against the requirements of the condition as follows:

- *The plan shall demonstrate how a minimum of 10% net gain in habitat and hedgerow units are to be achieved post development, utilising baseline information submitted in the DEFRA Metric 4.0 (dated 11th September 2023)*

KC Ecology note that the Biodiversity Net Gain information provided is reasonable and acceptable and predicts that there will be an on-site net gain of 1.26 habitat units and 0.36 hedgerow units, which includes habitats of high and medium distinctiveness. As a result, this would achieve a significant on-

site net gain, which would require a 30-year HMMP which has already been provided.

- *Description and evaluation of features to be managed and enhanced*

Details are contained within table 2 of the submitted document and are deemed to be acceptable.

- *Extent and location/area of proposed enhancement works on appropriate scale maps and plans*

Details are presented on scaled plans contained within appendices 1 and 3. Officers consider the detail to be acceptable.

- *Ecological trends and constraints on site that might influence management*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *Aims and Objectives of management*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *Appropriate management Actions for achieving Aims and Objectives*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *An annual work programme (to cover an initial 5-year period capable of being rolled forward over a period of 30 years)*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *Details of the management body or organisation responsible for implementation of the HMMP*

Details of responsible persons are outlined within table 1 of the submitted document. Officers consider the detail to be acceptable.

- *Ongoing monitoring programme and remedial measures*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *The HMMP will be reviewed and updated every 5 years and implemented for a minimum of 30 years*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

- *The HMMP shall include details of the legal and funding mechanisms by which the long-term implementation of the HMMP will be secured by the developer with the management body responsible for its delivery*

Whilst no details are provided within the submitted HMMP on this matter, the email received from the agent on 30/06/2025 states:

> *We do not consider that an alternative legal agreement is required to ensure that the HMMP is adhered to as all BNG is delivered on-site.*
>
> *Compliance and adherence to the HMMP can be suitably secured by planning condition. The HMMP sets out habitat creation and management over a 30-year term to ensure a BNG consistent with that reported within the BNG Assessment.*
>
> *Whilst this site is not subject to mandatory biodiversity net gain, HMMP's are secured by condition for applications subject to mandatory BNG and hence this approach is consistent with this.*

The above details are considered to be acceptable.

- *The HMMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the HMMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved HMMP*

Details are contained within table 2 of the submitted document. Officers consider the detail to be acceptable.

In line with the above assessment, it is considered by planning officers and K.C. Ecology (as outlined in their consultation response dated 12/05/2025) that the submitted document satisfactorily addresses all requirements of the original condition 10. It is therefore recommended that Condition 10 can be varied to a compliance condition to be worded as follows:

> '*10. The hereby approved Development shall be carried out in accordance, and thereafter operate in accordance with, the Habitat Management and Monitoring Plan, authored by Arbtech, Ref: JNA-ARB-XX-XX-T-X-0001-HMMP-V2 Issue 2.1, received 15/05/2025.*
> ***Reason:*** *In order to ensure the development provides ecological enhancement and creation of measures sufficient to provide a biodiversity net gain in accordance with LP30 of the Kirklees Local Plan and the National Planning Policy Framework'.*

Variation of Condition11 (Construction Environmental Management Plan: Biodiversity)

The submitted CEMP has been previously assessed and approved via Discharge of Condition application ref. 2025/90249. It is not considered necessary to repeat a detailed assessment of the document, although such an assessment may be found within the aforementioned application's officer report. In summary officers, in consultation with K.C. Ecology, considered the submitted document to be acceptable and was approved, although, due to an ongoing requirement (implementation of the approved details), the condition was not fully discharged.

The applicant seeking to have condition 11 on this s73's decision notice amended to a prescriptive condition, in line with DOC 2025/90249's approval, is considered a matter of tidiness and raises no concerns. Officers therefore recommend that Condition 11 can be varied to a compliance condition, with the following wording:

> *'11. Construction works shall be carried out strictly in accordance with the Construction Ecological Management Plan, authored by Arbtech, dated 08/01/2025, received 17/04/2025, 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'.*

Condition 12 (Arboricultural Method Statement)

The application seeks revisions to Condition 12 of previously approved application 2023/93350. The original condition states:

> *The development shall be undertaken in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement rev C by Frank Shaw Associates Limited. These shall be implemented and maintained throughout the construction phase and retained thereafter.*

The applicant has submitted an Arboricultural Method Statement Rev E, dated February 2025, authored by FPCR Environment and Design Ltd. An updated AMS has been required as additional tree removal has been identified to be necessary since the original submission. The additional tree removal is largely restricted to the site's northern boundary. The tree removal proposed relates to self-seeded material which has established on the site since the original assessment and survey undertaken in November 2022 and the latest survey taken in November 2024.

K.C. Trees, in their consultation response dated 08/05/2025, raise no objections to the submitted AMS and Tree protection plan and consider them to sufficiently detail all steps that will be taken to protect retained trees on the

site. Officers concur with this assessment, and recommend that condition 12 be revised to the following:

> *The development shall be undertaken in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement rev E by FPCR Environment and Design Ltd. These shall be implemented and maintained throughout the construction phase and retained thereafter.*

The proposed alteration to Condition 12 would have no significant adverse implications in relation to other planning considerations and any conditions imposed in regard to these matters to make the development acceptable will be repeated (if required) as part of this application.

Planning Obligations

If approved, this application will result in a new planning permission being issued.

A S106 was not secured with the original planning and therefore a S106 deed of variation is not required.

Review of Conditions

As this is an application under S73 of TCPA 1990 it would, in effect, be a new permission. Planning practice guidance (The Use of Conditions) confirms that the original planning permission would continue to exist whatever the outcome of the application under section 73 and that the conditions imposed on the original permission still have effect unless they have been discharged.

The 22 conditions applied to the previous application (2023/93350) should therefore be repeated unless they are no longer required.

The application form state that works have not yet commenced on site and therefore condition 1 shall remain.

Per the assessment above, the wording for condition 2 would not change, however the plans table is to be updated to reflect the amended details. The wording of conditions 10, 11, and 12 has been recommended to be updated in line with the above assessment.

In addition, the original conditions have been reviewed and updated, where applicable (per the planning history section), to reflect the previous discharge of condition applications which have been approved for the site (or, in the case of condition 11, to reflect a live DOC pending determination). This includes conditions 7 (drainage scheme) and 8 (storm events), which were discharged via application 2025/90576, being merged into a single prescriptive condition (proposed as condition 7), requiring the development be undertaken in accordance with the approved documents.

No additional conditions are required.

Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Grant planning permission subject to conditions.

Report Dated: 01/07/2025

Decision Authorisation – Delegated Powers
Application Number – 2025/91084
Officer Recommendation: Grant planning permission subject to conditions.

Conditions and Reasons:

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Development insofar as it relates to the external facing materials shall be carried out in accordance with the details submitted and approved under application 2025/91368, granted 20/05/2025 (to satisfy/discharge condition no. 3 (Materials) imposed on previous permission 2023/93350, granted 13/05/2024). The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.
Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. Prior to the first occupation of the building, a landscape management and maintenance plan (LMMP) for the external areas including any open space

accessible to the public, playing fields etc shall be submitted to, and approved in writing by, the Local Planning Authority. This should include:

- The landscape plan including all hard and soft details together with planting plan & specification, location and specification of any play equipment or play elements and playable/educational spaces or sports facilities/pitches including safety surfacing, seats and litterbins.
- An implementation, management and maintenance programme including full details for management of newly establishing trees including, but not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees.
- Details of initial aftercare and long-term maintenance for minimum of 5 years and seasonal maintenance operations. This should also include any SuDS features, existing trees and vegetation retained on site, slopes and bankings, woodlands, plus management of any equipment or playable/educational space, including where relevant RoSPA safety inspections.
- Details of monitoring and remedial measures, including replacement of any equipment, safety surfacing, site furniture, trees, shrubs, hedgerows or planting that fails or becomes diseased within the first five years from completion.
- The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this 5 year period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

The works shall thereafter be carried out in accordance with the management and maintenance plan and retained for the lifetime of the development.
Reason: To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

5. Development shall be carried out strictly in accordance with the Construction Environmental Management Plan, approved under application reference 2025/90303, granted 21/02/2025 (to satisfy/discharge condition no. 5 (Construction Environmental Management Plan) imposed on previous permission 2023/93350, granted 13/05/2024), and no change from there on shall take place without the prior written consent of the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP24, LP51 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Prior to the school opening to pupils, a drop-off/pick-up management plan shall be submitted to and approved in writing by the Local Planning Authority. This management plan should contain details of processes to be put in place to ensure that the queues to the pick-up/drop-off point do not interfere with the safe and efficient operation of the adopted highway network, provide details of

queue marshalling and monitoring and provide details of possible mitigation measures in the event that the queues regularly exceed the school grounds. The approved drop-off/pick-up management plan shall thereafter be retained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

7. Development shall be carried out strictly in accordance with Drainage Layout, Drawing No. JNA-HEX-01-ZZ-D-C-9201 Rev P07, Flood Exceedance Plan, Drawing No. JNA-HEX-01-ZZ-D-C-9920 Rev P01 and Surface Water Calculations Ref No. JNA-HEX-XX-XX-T-X-9201-P01, approved under application 2025/90576, granted 09/05/2025 (to satisfy condition nos. 7 (Drainage Scheme) & 8 (Storm Events) imposed on previous permission 2023/93350, granted 13/05/2024. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.
Reason: To ensure the provision of adequate and sustainable systems of drainage and the effective disposal of surface water from the development (including its internal roads), in the interests of amenity, environmental wellbeing, and to avoid an increase in flood risk, in accordance with Policy LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

8. Merged with Condition 7.

9. Development shall be carried out strictly in accordance with the Temporary Surface Water Drainage Scheme, Ref: 511277 Rev 00, authored by Wates, approved under application 2025/90576, granted 09/05/2025 (to satisfy/discharge condition no. 9 (Surface Water Drainage) imposed on previous permission 2023/93350, granted 13/05/2024). 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 effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

10. The hereby approved development shall be carried out in accordance, and thereafter operate in accordance with, the Habitat Management and Monitoring Plan, authored by Arbtech, Ref: JNA-ARB-XX-XX-T-X-0001-HMMP-V2 Issue 2.1, received 30/06/2025.
Reason: In order to ensure the development provides ecological enhancement and creation of measures sufficient to provide a biodiversity net

gain in accordance with LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

11. Construction works shall be carried out strictly in accordance with the Construction Ecological Management Plan, authored by Arbtech, dated 08/01/2025, received 17/04/2025, 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.

12. The development shall be undertaken in accordance with the advice and directions (recommendations) contained in the Arboricultural Method Statement rev E by FPCR Environment and Design Ltd. These shall be implemented and maintained throughout the construction phase and retained thereafter.
Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policy LP33 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

13. Unless otherwise discharged against condition no. 13 imposed on previous permission 2023/93350, granted 13/05/2024, where site remediation is recommended in the Phase II Intrusive Site Investigation Report reference HSP2023-C4164- G-GPII-1222, 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 Chapter 15 of the National Planning Policy Framework.

14. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (13). In the event that 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 Chapter 15 of the National Planning Policy Framework.

15. 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 Chapter 15 of the National Planning Policy Framework.

16. All works to minimise the noise from the impact of balls should be carried out in accordance with the Design Guidance Note from Sport England - Artificial Grass Pitch (AGP) Acoustics - Planning Implications.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

17. The MUGAs shall not be used outside the hours of 08:30 to 18:30 Mondays to Fridays only.
Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

18. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

19. Before first occupation details regarding the technical specification of the 12 electric vehicle charging points (EVCPs) must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.
Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and

objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

20. Before the installation of external artificial lighting commences, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information applicable to both the site and to the MUGAs:

a) The proposed hours of operation of the lighting
b) The location and specification of all of the luminaires
c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
d) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
e) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.
Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

21. Prior to the development being first brought into use and notwithstanding the submitted plans, a scheme for the provision of photovoltaic arrays shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed and made operational prior to the first occupation and shall be retained for the lifetime of the development.
Reason: In the interests of sustainable development and addressing climate change, to ensure a contribution towards the development's energy needs is made by renewable sources, and to accord with Policies LP24 and LP26 of the Kirklees Local Plan and the National Planning Policy Framework.

22. The hereby approved development shall be operated in accordance with the provisions to encourage sustainable travel detailed within the approved Travel Plan 'DEI-BWB-GEN-XX-RP-TR-0002_Travel Plan Rev P01, By BWB Consulting.
Reason: To promote sustainable measures of travel, in accordance with LP20 of the Kirklees Local Plan.

NOTE: Artificial lighting

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Note 01/21 for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted levels of stray light must

not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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.

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.

NOTE: Electric Vehicle Charging Point

- 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.
- 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 in relation to Approved

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:
- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays
- With no construction related noise audible beyond the site boundary on Sundays or 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 1.1 2014.

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.

NOTE: High coal

The application site lies within an area that has been defined by the Coal 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. If any suspected coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal 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. Failure to obtain a Coal Authority Permit for such activities has the potential for court action.

Plans and Specifications Schedule:

Plan Type	**Reference**	**Version**	**Date Received**
Site Location Plan	FSA-XX-ZZ-DR-A-1000	P01	17/04/2025
Site Plan	JNA- DLA-XX-XX-D-A-10001	P02	17/04/2025
Ground Floor GA Floor Plan	JNA-DLA-XX-XX-D-A-10002	P02	17/04/2025
First Floor GA Plan	JNA-DLA-XX-XX-D-A-10003	P02	17/04/2025
GA Roof Plan	JNA-DLA-XX-XX-D-A-10004	P02	17/04/2025
GA Elevations	JNA-DLA-XX-XX-D-A-10005	P02	17/04/2025
GA Sections Sheet 1	JNA-DLA-XX-XX-D-A-10006	P02	17/04/2025
General Arrangement Plan Landscape Layout	JNA DLA 00 00 D L 10010	P02	17/04/2025
Proposed Landscape Sections	JNA DLA 00 00 D L 10011	P01	17/04/2025
Planting Strategy	JNA DLA 00 00 D L 10012	P02	17/04/2025
General Arrangement Plan Boundary Treatments	JNA DLA 00 00 D L 10013	P02	17/04/2025

Construction Ecological Management Plan – Supporting Information	-	-	17/04/2025
Covering Letter – Supporting Information	65150/02/JG/JSt/33644695V1	-	17/04/2025
Planning Statement – Supporting Information	-	-	17/04/2025
Arboricultural Assessment – Supporting Information	-	E	17/04/2025
Arboricultural Method Statement – Supporting Information	-	E	1704/2025
Habitat management and Monitoring Plan – Supporting Information	JNA-ARB-XX-XX-T-X-0001-HMMP-V2	2.1	30/06/2025
Supporting Tree Information (Photos) – Supporting Information	11376/GEC	-	01/05/2025
File Note BNG – Supporting Information	-	-	01/05/2025
BNG Biodiversity Metric – Supporting Information	-	-	17/04/2025
Email from Mr. Ryan Barrett – Supporting Information	-	-	30/06/2025
Approved under app ref: 2025/91368			
Wienerberger Pagus Grey/Black Stretcher Bond brick	-	-	19/05/2025

Wienerberger Bronsgroen Stretcher Bond brick	-	-	19/05/2025
Photographs of Brick Samples	-	-	19/05/2025
Covering Letter	65150/02/JG/RBa/33592821V1	-	19/05/2025
Approved under app ref: 2025/90303			
Construction Environmental Management Plan – Supporting Information	511277	Rev 01	18/02/2025
Approved under app ref: 2025/90576			
Drainage Layout	JNA-HEX-01-ZZ-D-C-9201	P07	07/04/2025
Surface Water Calculations	JNA-HEX-XX-XX-T-X-9201	P01	07/04/2025
Flood Exceedance	JNA-HEX-01-ZZ-D-C-9220	P01	07/04/2025
Temporary Surface Water Drainage Scheme	511277	00	04/03/2025
Approved under app ref: 2023/93350			
Existing Site Plan	22308-FSA-XX-XX-DR-A-1001	P01	10/11/2023
Existing Site Sections	L-2352-SEC-3000	01	10/11/2023
Transport Assessment (Part 1) – Supporting Information	DEI-BWB-GEN-XX-RP-TR003_Transport Assessment_P01_Revised	-	10/11/2023
Transport Assessment (Part 2) – Supporting Information	DEI-BWB-GEN-XX-RP-TR003_Transport Assessment_P01_Revised	-	10/11/2023
Transport Assessment (Part 3) – Supporting Information	DEI-BWB-GEN-XX-RP-TR-003_Transport Assessment_P01_Revised	-	10/11/2023
Transport Assessment (Part 4) – Supporting Information	DEI-BWB-GEN-XX-RP-TR003_Transport Assessment_P01_Revised	-	10/11/2023
Response to Consultation Comments –	65150/01/JG/JSt/29894096v2	-	27/02/2024

Supporting Information			
Statement of Community Involvement – Supporting Information	Dated August 2023	-	10/11/2023
Travel Plan – Supporting Information	DEI-BWB-GEN-XX-RP-TR-0002_Travel Plan	P01	10/11/2023
Coal Mining Risk Assessment – Supporting Information	C4164	A	10/11/2023
Air Quality Impact Assessment – Supporting Information	DEI-BWB-ZZ-ZZ-RP-LA-AQA_S0_P01	-	10/11/2023
Noise Impact Assessment – Supporting Information	10046/3	B	10/11/2023
Health Impact Assessment – Supporting Information	Dated Nov 23	-	10/11/2023
Phase 1 (part 1) – Supporting Information	HSP2022-C4164-G-GI-1137	-	10/11/2023
Phase 1 (part 2) – Supporting Information	HSP2022-C4164-G-GI-1137	-	10/11/2023
Phase 1 (part 3) – Supporting Information	HSP2022-C4164-G-GI-1137	-	10/11/2023
Phase 1 (part 4) – Supporting Information	HSP2022-C4164-G-GI-1137	-	10/11/2023
Phase II Geo-Environmental Assessment Report – Supporting Information	HSP2023-C4164-G-GPII1222	B	27/02/2024
Flood Risk Assessment (part	HSP2022-C4164-C&SFRAS1-1069	-	10/11/2023

1) – Supporting Information			
Flood Risk Assessment (part 2) – Supporting Information	HSP2022-C4164-C&SFRAS1-1069	-	10/11/2023
Ecological Impact Assessment – Supporting Information	By Arbtech	-	10/11/2023
Preliminary Ecological Appraisal – Supporting Information	By Arbtech	2	10/11/2023
Climate Change Statement – Supporting Information	22308-FSA-XX-XX-RP-A8800	03	10/11/2023
Design and Access Statement (part 1) – Supporting Information	22308-FSA-XX-XX-RP-A8700	04	10/11/2023
Design and Access Statement (part 2) – Supporting Information	22308-FSA-XX-XX-RP-A8700	04	10/11/2023
Design and Access Statement (part 3) – Supporting Information	22308-FSA-XX-XX-RP-A8700	04	10/11/2023
Design and Access Statement (part 4) – Supporting Information	22308-FSA-XX-XX-RP-A8700	04	10/11/2023
Design and Access Statement (part 5) – Supporting Information	22308-FSA-XX-XX-RP-A8700	04	10/11/2023
Design and Access Statement	22308-FSA-XX-XX-RP-A8700	04	10/11/2023

(part 6) – Supporting Information			
Sustainable Drainage Statement – Supporting Information	SDT-BWB-ZZ-XX-RP-CD0001_SDS	P4	10/11/2023
Flood Risk Assessment (part 1) – Supporting Information	HSP2022-C4164-C&SFRAS1-1069	-	10/11/2023
Flood Risk Assessment (part 2) – Supporting Information	HSP2022-C4164-C&SFRAS1-1069	-	10/11/2023

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Revisions were requested to be made to the submitted HMMP following comments received from KC Ecology.