KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	**2025/60/91770/W**
Site Address:	Land off Station Road, Meltham, HD9 4NL
Description:	Outline application for erection of residential development (5 dwellings)
Recommending Officer:	Danielle Cooper

DECISION – Approve Outline Permission

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 19-Feb-2026

Officer Report.

Reference: 2025/91770

Location: Land off Station Road, Meltham, HD9 4NL

Proposal: Outline application for erection of residential development (5 dwellings)

Site Description.

The application site comprises a parcel of greenfield land situated off Station Road. The land sits at an elevated level, with residential properties to the south positioned on a lower land level. To the north and east, the site is bordered by open fields, with additional commercial buildings located to the east also.

A row of protected trees (18/08/w1) runs along the southern boundary, providing a defined and mature landscape edge.

Vehicular access to the site is off Meltham Mills Road, which connects directly to Station Road.

A public footpath (MEL/23/60) runs along the eastern boundary.

Harewood Bridge Pond is located south-east of the application site.

Meltham Greenway is located north of the site.

Meltham Dike is located south of the site.

The site measures 0.62 hectares.

The site is currently unallocated within the Kirklees Local Plan.

Description of Proposal.

The application is seeking outline planning permission for the erection of residential development (5 dwellings).

Outline permission is sought for access only with all other matters reserved.

Access to the site would be directly off of Meltham Mills Road, leading directly to Station Road.

History of Negotiations / Amendments Received.

A Preliminary Ecological Assessment was submitted by the agent following KC Ecology's response.

An Arboricultural Impact Assessment was submitted and reviewed by KC Trees.

Further information in regard to drainage was submitted and reviewed by KC Lead Local Flood Risk.

A revised Location Plan and additional highway information was submitted and reviewed by KC Highways. As a result of the revised Location Plan, which extended the red line boundary up to Meltham Mills Road, the application was readvertised on the 28th November 2025.

Relevant Planning History.

To the south of the site, the following planning history is relevant:

7 dwellings:

2014/91714 Erection of 2 dwellings and widening, surfacing and lighting to Station Road – Approved 11/11/2014

2016/90103 Discharge of Conditions 3, 4, 9-13 and 20 on previous planning permission 2014/91714 – Approved 8/7/2016 2016-07-08

2019/90356 Erection of 7 dwellings – Approved 6/9/2019

2022/93376 Erection of 7 detached dwellings including associated car parking and turning head – Approved 1/3/2023

2023/92359 Discharge condition 7 (improvement works to Station Road), 10 (Validation Report) on previous permission 2022/93376 for erection of 7 detached dwellings including associated car parking and turning head – Approved 8/3/2024

4 dwellings:

2015/92638 Erection of 2 pairs of semi-detached dwellings (4 no. new dwellings) – Approved 2/3/2016

2016/92857 Discharge of conditions 3. (materials) 4. (highways) 7. (materials) 8. (soakaway) 9. (land contamination) 22. (arboricultural method statement) on previous permission no.2015/92638 for erection of 2 pairs of semi-detached dwellings (4 no. new dwellings) – Approved 28/10/2016

2021/90336 Variation condition 2 (plans) on previous permission 2015/92638 for erection of 2 pairs of semi-detached dwellings (4 dwellings) – Approved 23/4/2021

2022/93033 Erection of 4 dwellings – Approved 11/7/2023

2025/90083 Non material amendment to previous permission 2022/93033 for erection of 4 dwellings reducing bi folding door to kitchen / dining room from a 6 pane opening to a 4 pane opening and a separate fixed panel and Removal of the lower ground side door to the void – Approved 12/2/2025

2025/90677 Discharge of details reserved by Conditions 8. (validation report) 14. (lighting design strategy for biodiversity) & 17. (improvement works to station road) of permission 2022/93033 for erection of 4 dwellings – Approved 20/10/2025

Representations.

The application was readvertised by site notice. Final publicity date expired 19th December 2025.

16 representations have been received in total, 14 in objection and 2 in support. The comments have been summarised below:

Objections

- Structurally weak bridge to access the site – no structural reports submitted

- Kirklees Council should request a full assessment of the structural integrity of the bridge prior to permission being granted.

- Concern that Station Road is unadopted

- Concern in regards to HGV & emergency vehicle accessing the site

- Access route is substandard & has a poor quality of maintenance

- The proposed development will lead to additional car congestion

- Concern of no pedestrian segregation being provided along Station Road

- Concern in regards to highway safety

- Access to the site is not suitable

- Poor visibility

- Additional highway safety measures should be introduced to improve the access

- No traffic impact assessment submitted

- Concern of construction works resulting in noise and general disturbance

- Concern of gas safety due a gas main running through the site

- Concern of drainage and flood risk

- Concern of impact on existing wildlife habitats and trees

- Concern of protected trees and existing trees resulting in landslide and falling onto surrounding residential properties

- There is a Biodiversity Net Gain (BNG) deficit

- Impact on protected trees

- Concern of loss of residential amenity – overlooking/headlight glare/noise

- The site is heavily constrained and would lead to overdevelopment of the site

- Visual amenity concern to the Meltham Greenway

- The proposal will result in the erosion of a local green space

- The proposed development of 5 dwellings is out of character for this area

- The impact on Meltham Greenway has not been considered

- Concern of contaminated land

- The proposal will result in increased population and demand on Meltham local provisions.

- Overdevelopment of the site

- Concern of structural stability of the retaining wall of existing residents south of the site.

- The site is not allocated for housing

- Existing housing along Station Road have not been sold yet

- No Section 106 agreement or affordable housing provided

- Concern of landownership

Support

- Meltham community will benefit from the development
- Additional housing in the area is welcomed
- Close to local amenities
- Residential dwellings would not have a negative impact on the surrounding buildings
- The design of the dwellings are in keeping with the surroundings

Meltham Town Council - not supported due to over development, neighbouring houses would have every expectation that houses would not be built above them and therefore overlooking their properties, this would also impact on the nearby greenway. If Kirklees Planners recommend approval, there needs to be a substantial s106 provision for improving nearby greenspace.

Consultation Responses.

KC Lead Local Flood Flood Authority – No objection subject to conditions

KC Highways Development Management – No objection subject to conditions

KC Highway Structures – No objection

KC Environmental Health – No objection subject to conditions re land contamination and construction hours.

KC Ecology – No objection subject to conditions.

KC Trees – No objection. An Arboricultural Method Statement will be required at full planning application stage.

The response of consultees is discussed in greater depth within the 'Assessment' section of this report.

Policy

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 site is unallocated within the Kirklees Local Plan

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP8 – Safeguarding employment land and premises
- LP20 – Sustainable Travel
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP51 – Protection and Improvement of Local Air Quality
- LP53 – Contaminated and unstable land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 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 5 – Delivering a Sufficient Supply of Homes
- Chapter 8 – Promoting Heathy and Safe Communities
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Efficient Use of Land
- Chapter 12 – Achieving Well-Designed and Beautiful Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment

Other Material Considerations:

- Kirklees Highways Design Guide SPD (2019)
- Waste Management Design Guide for New Developments (Version 5, October 2020)
- Kirklees Biodiversity Net Gain Technical Advice Note (2021)
- Kirklees Housebuilders Design Guide SPD (2021)

Assessment.

1) **Principle of Development**

Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy LP1 goes on further to stating that: “The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area’’.
The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing

development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making "Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer's assessment.

Policy LP7 of the Kirklees Local Plan states encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, policy LP7 sets out that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

The application site is circa 0.62 hectares and as such approx. 21 dwellings can be accommodated on the site. The proposal seeks outline permission for residential development for 5 dwellings. It is noted that whilst this falls significantly below the density aims of Policy LP7, as the application site is accessed via an unadopted highway and the land level is elevated, the Local Planning Authority (LPA) consider the proposed lower density of providing 5 dwellings on the site to be acceptable and appropriate in this context.

The site is considered to be located within a sustainable location and is within close proximity to the adopted highway with good transport links. The site is also located adjacent existing residential dwellings and given the small-scale nature of the proposal, it would not exceed the capacity of local infrastructure.

In respect of the above, the principle of the development is considered acceptable. A more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

1) **Impact on Visual Amenity**

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…"

Paragraph 131 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD, which aims to ensure future housing development is of high-quality design.
Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *"New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context."*

Principle 5 of this SPD states that: "*Buildings should be aligned and set-back to form a coherent building line and designed to front on to the street, including corner plots, to help create active frontages. The layout of the development should enable important views to be maintained to provide a sense of places and visual connections to surrounding areas and seek to enable interesting townscape and landscape features to be viewed at the end of streets, working with site topography."*

Principle 8 sets out that proposals should *"demonstrate how the new development makes a positive contribution to the character and function of the landscape through sensitive siting and good design. For all sites in elevated areas, the appearance in the wider landscape should be considered and with applicants demonstrating how development respects the topography of the site and its surroundings."*

Further to this, Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whist Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties. Principle 15 states that the design of the roofline should relate well to site context.

The application is seeking approval for outline permission for access only, with all other matters to be dealt with at reserved matters application stage (appearance, landscaping, layout and scale). Under such an application, officers have to consider whether residential development on the site could be achieved without causing detrimental harm to the character and appearance of the area.

The site is elevated and is bound by residential properties to the south and a row of protected trees to the north. The site is approximately 0.62 ha and as such, despite the residential properties located to the south being on a lower land level, it is considered that the site can accommodate 5 dwellings without undue detriment to surrounding residents.

Protected trees and the Meltham Greenway lie immediately to the north of the site. The LPA considers that the development of five dwellings can be achieved without encroaching upon the protected trees, thereby safeguarding both the trees and the Greenway. As such there are no visual concerns in this regard.

Although the site currently comprises open greenfield land, it is unallocated, and its development for residential use does not raise visual amenity concerns. Matters of appearance, landscaping and layout will be addressed at a future reserved matters stage.

The existing residential properties to the south are predominantly stone built with a consistent design and layout. It is considered that a suitably designed scheme could be brought forward at reserved matters stage that respects local character and protects neighbouring amenity. A similar design approach to the existing properties on Station Road is encouraged. At the reserved matters stage sample materials of the external walling, and roofs of the new dwellings will need to be provided and therefore inclusion of a condition requiring this information as a condition of the outline consent is not considered to be necessary in this case.

The principle of achieving an acceptable layout on visual amenity grounds is therefore considered to be acceptable, and the proposal would need to ensure the design and scale of the dwellings meet the guidance as set out above and be addressed at a reserved matters stage.

2) **Impact on Residential Amenity**

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers.

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the Housebuilders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking. The text supporting Principle 6 of the Kirklees Housebuilders Design Guide SPD sets out recommended minimum separation distances, these being:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of non-habitable rooms;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2-metre distance from the side wall of the new dwelling to a shared boundary.

The current submission seeks approval for outline permission for access with all other matters to be dealt with at reserved matters application stage (appearance, landscaping, layout and scale).

The proposed site will accommodate 5 dwellings. Officers consider that 5 dwellings could achieve acceptable separation distances / internal layouts having regard to Principle 16. Whilst a layout is contained within the submitted Site Plans, as the application is in outline for access only, these are indicative. Adequate residential amenity standards will be required to be fully evidenced with a suitable layout submitted to support any future reserved matters application.

It is acknowledged that the proposed residential development would sit on noticeably higher ground than the neighbouring dwellings to the south, however there will be achievable separation distances of 21 m to ensure any potential overlooking would be negligible. Again, this would have to be fully evidenced through any future reserved matters application.

Upon any grant of outline permission, a condition shall be imposed regarding forms of boundary treatment to be installed at the site, as part of the scheme for residential development. This condition will request details of location, heights and materials for boundary treatments. In addition, a condition to control the finished slab and floor levels of the dwellings (and therefore subsequent overall height / extent of engineering operations to the ground levels to accommodate the dwellings) is recommended. The inclusion of these conditions is considered to mitigate any potential harm to the residential amenity of neighbouring properties, ensuring that they do not pose an overbearing impact, or overshadowing.

An informative is recommended to be attached should outline planning permission be approved to control noise including construction hours of the development to protect the amenity of residential properties.

Future Amenity of the Occupiers:

In terms of the amenities of the proposed occupiers, Principle 16 of the Kirklees Housebuilders Design Guide SPD states that: *"All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan."*

Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *"All new houses should have adequate access to private outdoor*

space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces."

Officers consider that residential development which is compliant with the NDSS could be achieved at this site. In terms of external amenity space, it is considered that, it is possible to provide a suitable private amenity space to serve the dwellings. This will be required to be fully evidenced at any future reserved matters application stage.

In conclusion, the principal of residential development on the land off of Station Road could be acceptable from a residential amenity perspective.

3) Impact on Highway Safety

Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
Principle 12 of the Housebuilders Design Guide sets out, amongst other things that parking to serve dwellings should not dominate streets and should be to the side/rear.

Principle 19 of the above guide states that provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

The application is seeking approval for outline permission for access.

The proposal is an outline application for five dwellings accessed via a private driveway from Station Road, a narrow cobbled cul-de-sac of approx. 4.5m wide with pinch points down to 3.6m to the east of the site and 3m to the west of the site, with no footways or street lighting and which also accommodates PROW MEL/23/60 for its first 45 metres.

Station Road provides access to 4 established dwellings at the eastern end, 11 newly built dwellings towards the eastern end and the Spinksmire Mill complex which hosts a number of individual occupant companies. There is a new turning head on Station Road that is suitable for an 11.85m refuse vehicle to turn and was added as part of the applications for the recently

completed dwellings to the north of Station Road. Station Road joins B6108 Huddersfield Road at a priority junction approximately 150m to the east of the site. B6108 Huddersfield Road is a 40mph local distributor road of approximately 7.3m width with a right turn lane in to Meltham Mills Road, footways on both sides and street lighting are present.

Following the submission of additional information, several initial concerns have been addressed. The red line boundary has been amended to connect to the adopted highway, which is now acceptable. Updated drawings demonstrate that the proposed access road would have a maximum gradient of 1 in 12, the access road of approximately 5.5m being suitable for two-way vehicle movement, and a turning head capable of accommodating large vehicles. The swept-path analysis indicates that the access arrangements are suitable for both refuse vehicles and fire tenders. However, the submitted drawings do not specify which vehicle model was used in the assessment. Based on the scaled length of approximately 11.9m, it is assumed that a standard refuse vehicle (required swept-path length 11.85m) was used, which would also satisfy fire appliance access requirements. Confirmation of the vehicle type should be clearly shown on a revised drawing which is recommended to be secured by a suitably worded condition.

A bin presentation point is proposed at the junction with Station Road, as refuse vehicles are unlikely to enter the site. Full details will be required at future reserved matters stage.

A 2m footway is included on the western/southern side of the access road and is considered acceptable.

KC Highways Structures have raised concerns regarding Harewood Bridge on Station Road, which has not been structurally assessed. The developer will need to obtain permission from the bridge owner for construction access, and previous mitigation measures (such as temporary strengthening) will need to be repeated. As such, in the event that outline planning permission be approved, a schedule of the means of access to the site for construction traffic is recommended to be conditioned. Due to the unknown structural integrity of Harewood Bridge, the council do not wish to adopt Station Road and so the whole route from B6108 Huddersfield Road will remain as a private access road with only the section that carries PROW footpath MEL/23/60 being under the influence of the local highway authority for the extent of the PROW only.

It is also important to note that the proposed access route leading to the proposed residential site will not impede or disrupt PROW MEL/23/60, and as such there are no concerns in this regard.

KC Highways have reviewed the proposal and have raised no objection subject to the implementation of the above outlined conditions.

In conclusion, subject to the aforementioned conditions, it is considered that the proposed access point as shown on the block plan which could serve 5 dwellings is achievable and would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

4) Other Matters

Air Quality:

Policy LP51 of the Kirklees Local Plan and Chapters 9 and 15 of the NPPF seek to ensure that new development does not result, directly or indirectly, in an increase in air pollution.

Due to the footprint size of the site for 5 dwellings, it is unlikely that the triggers within the West Yorkshire Low Emissions Strategy (WYLES) document will be triggered. The area is generally residential in nature with no obvious sources of problematic noise. The scheme is therefore considered to comply with policy LP51 of the Kirklees Local Plan.

Drainage:

Policy LP28 of the Kirklees Local Plan & Section 14 ('Meeting the challenge of climate change, flooding and coastal change') of the National Planning Policy Framework and the National Planning Policy Framework technical guidance document are considered to be relevant in terms of foul / surface water drainage.

KC Lead Local Flood Authority (LLFA) have been consulted and consider the proposed temporary drainage strategy and flood routing proposals to be acceptable.

The proposal will discharge the surface water to the local watercourse via an attenuation and flow control device which is accepted by LLFA.

However, the LLFA has noted that TWL stated in the hydraulic calcs for the 1:100 (+CC) is given as 99.167m and the hydrobrake IL is 98.000. Therefore, the head at the hydrobrake for the critical storm is 1.167m. Using the hydrobrake noted in the calculations (CLTSHE-0092-3500-800-3500) and a head of 1.167, will give a higher flow rate than 3.5l/s. To fully utilise the

storage in the attenuation tank, the design head for the hydrobrake would need to be 1.2m.

Given this, LLFA have recommended a condition to be imposed to ensure a detailed design scheme detailing foul, surface water and land drainage, including the agreed discharge rate with the LLFA of 3.5l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision is submitted to the LPA. This required detail will therefore be conditioned and agreed prior to the development commencing.

It is therefore considered that with the inclusion of aforementioned conditions, that the proposal will ensure that any future development complies with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the NPPF.

Contaminated Land:

With regard to land quality, paragraphs 180, 189 and 190 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development are considered to be relevant.

The site is located on land identified as Historic Landfill Sites 200 – 250 buffer. As such, the agent has submitted a Phase 1 Desk Study Report.

KC Environmental Health have reviewed the proposal and have provided the following comments:

A site walkover was completed on the 23rd of May 2025 and comment is made that no visible contamination or contamination sources were observed. The historical land use of the site has been presented and reviewed since 1854. The conceptual site model identifies potential pollution linkages, which necessitate further investigation.

It is concluded that an intrusive investigation is necessary to confirm the potential source-pathway-receptor linkages identified. As such KC Environmental Health accept the report and recommend a condition for further investigations. A Phase 2 Intrusive Site Investigation Report will therefore be conditioned.

It is considered that with the inclusion of these conditions the proposal will ensure that any future development complies with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the NPPF.

Ecology:

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

A BNG assessment has been provided and reviewed by the KC Ecology. The site will attain a net gain of 0.54 biodiversity units (21.31% net gain), due to trees, grassland, and vegetated gardens being created. As such the report and metric is considered acceptable by KC Ecology.

The LPA consider it necessary to ensure an informative is in place upon any grant of permission which sets out the requirements of Biodiversity Net Gain legislation. Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to biodiversity and the fact that the provision of the measures set out in the submitted ecological assessment would meet the requirements of the aforementioned policy.

Therefore, subject to inclusion of the recommended informative note, the proposal is considered to be acceptable in this regard.

The following policies are also relevant:

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.
A Preliminary Ecological Appraisal (PEA) has been submitted and has been reviewed the KC Ecology who consider the report acceptable. The report makes recommendations for bats, birds, badgers, and hedgehogs which will be secured by a Construction Environment Management Plan (CEMP) as recommended by ecology. The CEMP will also need to provide mitigation and precautionary measures for the Bank Wood, Folly Dolly and Hall Heys Wood and a Pollution Prevention Plan for Meltham Dike.

Sch 9 Invasive species Himalayan Balsam has been observed onsite and therefore a full invasive species survey and management plan will be required to be submitted which is recommended to be conditioned should outline planning permission be approved.

As the report makes recommendations for reptiles and amphibians, KC Ecology consider it necessary to condition a Precautionary Working Method Statement (PWMS). This is to ensure clearance of the site is completed with care

To protect existing habitats surrounding the site, should the developer decide to install any external lighting, an artificial lighting strategy condition is also recommended.

To ensure the site does benefit from biodiversity enhancements, a Biodiversity Enhancement Plan Survey and Report will be conditioned.

The submitted information is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design Guide SPD

Trees:

The site is surrounded by Tree Preservation Order (TPO) woodland 18/08/w1.

KC Trees have been consulted and have provided the following comments following the submission of additional information:

The submitted Arboricultural Impact Assessment (AIA) clearly details a considered and well designed development which would result in no impact on the surrounding trees.

All plans are to be constructed outside of RPAs and with the only minor incursion being at the visitor parking spaces situated between plots 4 and 5. However this is so minor there would not be any impact on the trees in this area.

At the reserved matters stage an Arboricultural Method Statement (AMS) will be required to be submitted to detail the tree protection measures that will be required to ensure there is no impact during construction but the outline proposals look achievable. This will be conditioned.

Subject to the aforementioned condition, the proposed development is therefore considered to accord with policy LP33 of the Kirklees Local Plan.

Climate Change:

On 12th November 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 application's, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

A Climate Change Statement has not been submitted. However, at any future reserved matters stage, further information to how the scheme will be environmentally sustainable will need to be provided.

In this case, it is considered that the resultant residential development would have an acceptable impact on Climate Change.

5) Representations

16 representations have been received in total, 14 in objection and 2 in support. The comments have been summarised and addressed below:

Objections

- Structurally Weak Bridge to get to site – no structural reports submitted
- Kirklees Council should request a full assessment of the structural integrity of the bridge prior to permission being granted.

Officer comment: *Structural stability of the bridge is not a material planning consideration. However, it is noted that the developer would need to contact the bridge owner for permission to use the bridge prior to accessing the site (this is outside of plannings remit). The bridge is not owned by Kirklees Council and as such the council do not have responsibility of the bridge/Station Road. A pre-commencement condition is recommended to be attached to ensure a construction management plan is submitted to the LPA for review that includes details of adequate protection of the Harewood Bridge over Meltham Brook from damage by delivery and construction vehicles.*

- Concern that Station Road is unadopted
- Concern of HGV & emergency vehicle access into the site
- Access route is substandard & has a poor quality of maintenance
- The proposed development will lead to additional car congestion
- Concern of no pedestrian segregation being provided along Station Road
- Concern of highway safety
- Access to the site is not suitable
- Poor visibility
- Addiitonal highway safety measures should be introduced to improve the access
- No traffic impact assessment submitted

Officer comment: *The above comments are noted. Matters relating to highway safety and access have been addressed within the 'Impact on*

Highway Safety' section of this report. It is important to note that Station Road is an existing road utilised by commercial and residential properties.

- Concern of construction works resulting in noise and general disturbance

Officer comment: *This comment is noted however concerns regarding noise, dust and general disturbance from construction works in regards to residential amenity is not a material planning consideration. However, an informative is recommended to be imposed to ensure the developer is aware of construction times.*

- Concern of gas safety due a gas main running through the site
- Concern of contaminated land

Officer comment: *A Phase 1 Desk Study Report has been submitted and reviewed by KC Environmental Health who accept the report. KC Environmental Health have requested that further investigations are carried out to ensure the land is not contaminated which is recommended to be secured by condition.*

- Concern of drainage and flood risk

Officer comment: *The LLFA have received the proposed development and raise no objection subject to a condition being imposed to ensure a detailed design scheme detailing foul, surface water and land drainage, including the agreed discharge rate with the LLFA of 3.5l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision is submitted to the LPA. In the event that outline planning permission be approved, this is recommended to be secured via condition.*

- Concern of impact on existing wildlife habitats and trees

Officer comment: *An Ecological Impact Assessment has been submitted and reviewed by KC Ecology who consider the report reasonable and acceptable subject to conditions as explained within the 'Other Matters' section of this report.*

- Concern of protected trees and existing trees resulting in landslide and falling onto surrounding residential properties

Officer comment: *KC Trees have reviewed the submitted AIA and they raise no objection to the proposed development. They have noted that an AMS will be required to be submitted at a future reserved matters planning application stage to ensure the trees are protected during construction.*

- There is a BNG deficit

Officer comment: *The agent has provided an updated BNG metric which has been reviewed by KC Ecology confirming that 21.31% BNG will be provided.*

- Concern of protected trees

Officer comment: *Matters relating to protected trees have been discussed within the 'Other Matters' section of this report.*

- Concern of loss of residential amenity – overlooking/headlight glare/noise

Officer comment: *The above comment is noted. It should be noted that this application is for outline permission for access only, with all other matters reserved. Nevertheless, the LPA consider that sufficient separation distances will be achievable to ensure residential amenity is protected.*

- The site is heavily constrained and would lead to overdevelopment of the site

Officer comment: *As discussed within the 'Principle of Development' section of this report, the proposed residential dwellings are not considered to result in overdevelopment.*

- Visual amenity concern to the Meltham Greenway
- The proposal will result in the erosion of a local green space
- The proposed development of 5 dwellings is out of character for this area

Officer comment: *Matters relating to visual amenity have been addressed within the 'Impact on Visual Amenity' section of this report.*

- The impact on Meltham Greenway has not been considered

Officer comment: *This comment is noted and has been addressed within the 'Impact on Visual Amenity' section of this report.*

- The proposal will result in increased population and demand on Meltham local provisions.

Officer comment: *The proposal is for outline permission for 5 dwellings and as such is considered to be of a minor scale development. The addition of 5 dwellings is therefore not considered to add additional strain on local provisions.*

- Overdevelopment of the site

Officer comment: *As discussed within the 'Principle of Development' section of this report, the application site is circa 0.62 hectares with approx. 21 dwellings being able to be accommodated on the site as per Policy LP7 of the Kirklees Local Plan. As such 5 dwellings on this site is considered reasonable and ensures the site will not be overdeveloped.*

- Concern of structural stability of the retaining wall of existing residents south of the site.

Officer comment: *Structural stability of the land lies with the developer. Paragraph 197 of the NPPF states the following: 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. It is also noted that KC Lead Flood Risk & Environmental Health have provided comments on the application and do not consider there to be any concerns subject to conditions as discussed within the 'Assessment' section of the above report.*

- The site is not allocated for housing

Officer comment: *This comment is noted, however a site does not have to be allocated for housing to be acceptable for residential development.*

- Existing housing along Station Road have not been sold yet

Officer comment: *This comment is not a material planning consideration and as such does not bear any weight towards the assessment of this application.*

- No section 106 agreement or affordable housing provided

Officer comment: *The red/blue line boundary does not include the residential dwellings to the south. The proposal is for outline permission of 5 dwellings, with the land not being in connection with the houses south of the application site. As such a section 106 agreement and the delivery of affordable housing is not required in this instance.*

- Concern of landownership

Officer comment: *Certificate of Ownership D has been signed and the statutory publication within the press being conducted.*

2 support comments have been submitted:

- Meltham community will benefit from the development
- Additional housing in the area is welcomed
- Close to local amenities
- Residential dwellings would not have a negative impact on the surrounding buildings
- The design of the dwellings are in keeping with the surroundings

Officer comment: *The above support comments are noted.*

Meltham Town Council - not supported due to over development, neighbouring houses would have every expectation that houses would not be built above them and therefore overlooking their properties, this would also impact on the nearby greenway. If Kirklees Planners recommend approval, there needs to be a substantial s106 provision for improving nearby greenspace.

Officer comment: *Comments regarding overdevelopment and overlooking impacts have been addressed within the 'Assessment' section of this officer report. The red/blue line boundary does not include the residential dwellings to the south. The proposal is for outline permission of 5 dwellings, with the land not being in connection with the houses south of the application site. As such a section 106 agreement is not required in this instance.*

6) 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 materials considerations. It is considered that the development is acceptable in principle and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation: Delegated Powers
Application Number: 2025/91770
Officer Recommendation: Approve

Conditions and Reasons:

1. Approval of the details of Appearance, Layout, Scale and Landscaping of the site (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before development is commenced.
   Reason: This is a pre-commencement condition to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

1. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to Appearance, Layout, Scale and Landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.
   Reason: No details of the matters referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

2. Application for approval of any reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
   Reason: Pursuant to the requirements of Section 92 of the Town and Country Planning Act 1990.

4. 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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP30 & LP51 of the Kirklees Local Plan, Principles within the Housebuilders Design Guide Supplementary Planning Document and policies within Chapters 2, 4, 5, 8, 9, 11, 12, 14 & 15 of the National Planning Policy Framework.

5. The residential development hereby approved shall not exceed a maximum of five dwellings.
   Reason: For the avoidance of doubt as to what is authorised by this permission to ensure that the development conforms to the approved outline planning permission as well as the impact upon residential amenity of neighbouring occupiers and visual amenity of the wider locality to accord with policy LP24 of the Kirklees Local Plan, Principles 2, 6, 16 & 17 of the Council's adopted Housebuilders Design Guide and policies within Chapter 12 of the National Planning Policy Framework.

6. Development shall not commence until a scheme detailing the finished slab and floor levels of the dwellings hereby approved, together with corresponding existing and finished ground levels and of surface and land drainage associated with any works, has been submitted to and approved in writing by the Local Planning Authority. The construction of the dwellings shall be carried out in accordance with the details so approved and the occupation of the dwellings hereby approved shall not take place until the works relating to the building have been completed. The approved levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.
   Reason: This is a pre commencement condition required in the interests of visual and residential amenity to accord with Policy LP24 of the Kirklees

Local Plan, Principle 15 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

7. The development hereby approved shall not be brought into use until a scheme detailing the installation of all boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of location, heights and materials. The boundary treatments shall be installed prior to the development being brought into use. The boundary treatments shall be thereafter retained and maintained for the lifetime of the development.
   Reason: In the interests of visual amenity and residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

8. Notwithstanding the details shown on the approved plan, no development shall take place until a scheme detailing arrangements and specification for vehicular access, consisting of a swept path analysis for a West Yorkshire Fire and Rescue fire tender, has been submitted to and approved in writing by the Local Planning Authority.
   Reason: In the interests of highway safety and to achieve a suitable access and layout in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

9. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the numbers and size of vehicles expected to access the site, the routing of construction traffic to and from the site, details of adequate protection of the Harewood Bridge over Meltham Brook from damage by delivery and construction vehicles, construction workers and delivery parking facilities, the location of materials storage and site facilities, the use of traffic management/banksman for large deliveries and the provision, use and retention of adequate wheel washing facilities within the site and the means of removal of mud and debris from the highway/footway. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.
   Reason: In the interests of highway safety in accordance with Policies LP20 and LP21 of the Kirklees Local Plan and the National Planning Policy Framework.

10. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including the agreed discharge rate

with the LLFA of 3.5l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and
phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. 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 are employed, in the interests of amenity, environmental well being and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

11. No works shall take place 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) Summary of potentially damaging activities
b) Identification of "biodiversity protection zones”
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these 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.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.
The approved CEMP: Biodiversity 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.

The CEMP must also include the following specific plans / documents:
- Mitigation / precautionary measures for the Bank Wood (LWS), Folly Dolly (LGS) and Hall Heys Wood (LWS).
- Pollution Prevention Plan for the watercourse (using good practice guidance such as CIRIA C532) for Meltham Dike.

Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. No works shall commence on-site prior to the completion of an invasive species survey and appropriate removal and / or management plan and agreed in writing with the council. The Invasive Species Management Plan must be implemented during works onsite. Schedule 9 of the Wildlife and Countryside Act 1981 lists non-native species that are considered harmful to native biodiversity and habitats in the UK. It is illegal to release, plant, or allow these species to grow in the wild.
    Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

13. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of reptiles and amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to reptiles and amphibians, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand search around potential reptiles and amphibians features.
    In the event of encountering a reptiles or amphibians, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.
    Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

14. A Biodiversity Enhancement Management Plan must be provided to the Local Planning Authority prior to the commencement of works on-site. It must include the following items that will be installed post development:
    - 2no bird boxes – swift and sparrow on walls of each new building
    - 1no. bat boxes on each new building
    - 1no bee bricks
    - An increase in deadwood which will provide opportunities for a higher diversity of invertebrates. Small holes within fences (and other mechanisms) for hedgehogs' mobility.

- A planting scheme should be implemented within the scheme to create a trees and hedgerows. Plantings should comprise native species of high biodiversity value

Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

15. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.
Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

16. Prior to the commencement of the development, an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall be prepared in accordance with BS5837:2012 – Trees in relation to design, demolition and construction. The approved AMS shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of protecting retained trees and hedgerows and to ensure compliance with Policies LP30 and LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

17. Groundworks, demolition or further construction works (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been 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 paragraph nos. 189 and 190 of the National Planning Policy Framework

18. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (18) 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 paragraph nos. 189 and 190 of the National Planning Policy Framework

19. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (19). 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 paragraph nos. 189 and 190 of the National Planning Policy Framework

20. 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 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.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

NOTE: It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by the Local Planning Authority.

NOTE: The developer will need to contact the bridge owner for permission to use the Harewwood Bridge prior to accessing/construction commences on the site.

NOTE: Public footpath MEL/23/60 is the access to and adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston or via the email address publicrightsofway@kirklees.gov.uk

NOTE: Contaminated Land
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: Construction Site Working Times
Noisy construction related activities shall not take place outside the hours of:
07:30 to 18:30 hours Monday to Fridays
08:00 to 13:00 hours, Saturdays
With no noisy activities on Sundays or Public Holidays

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: Electric Vehicle Charging Points

- 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. Basically, 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.
- 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.

Plans and Specifications Schedule:

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan			20.11.25
Proposed Site Plan	01	B	20.11.25
Proposed Site Plan	02	B	20.11.25
Swept Path Analysis Drawing	0001		20.11.25
Temporary Drainage Strategy	25075-DR-C-0101	P1	09.09.25
Drainage Strategy	25075-DR-C-0100	P1	09.09.25
Supporting Planning Statement			27.06.25
Highway Statement			27.06.25
Arboricultural Report and Arboricultural Impact Assessment	22723-B/AJB		18.09.25
Biodiversity Accounting	22723/GB		27.06.25

Assessment Report			
BNG Metric			16.10.25
Preliminary Ecological Appraisal Report	22723c/RPS		30.09.25
Phase 1 Desk Study Report	C5009		14.07.25
Network: Storm Network	25075		09.09.25
Network: Storm Network	25075 280		27.06.25
Network: Storm Network	25075 250		27.06.25
Surface Water Drainage Maintenance and Management Schedule	25251		27.06.25

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 Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

A Preliminary Ecological Assessment was submitted by the agent following KC Ecology's response.

An Arboricultural Impact Assessment was submitted and reviewed by KC Trees.

Further information in regard to drainage was submitted and reviewed by KC Lead Local Flood Risk.

A revised Location Plan and additional highway information was submitted and reviewed by KC Highways. As a result of the revised Location Plan, which was extended up to the Meltham Mills Road, the application was readvertised on the 28th November 2025.

Report dated: 17/02/2026