



**Town and Country Planning (Development Management Procedure) (England)
Order 2015**

PLANNING PERMISSION FOR DEVELOPMENT

**NOTE: This approval should be read in conjunction with an Agreement made
under Section 106 of the Town and Country Planning Act 1990**

Application Number: 2021/62/92527/W

To: Laura Mepham
John R Paley Associates
14, Mariner Court
Calder Park
Wakefield
WF4 3FL

For: RICHARD FLOYD, COCKLEY DEVELOPMENTS LTD

**In pursuance of its powers under the above-mentioned Act and Order the
KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning
Authority hereby permits:-**

ERECTION OF 29 DWELLINGS, FORMATION OF ACCESS, PUBLIC SPACE,
ATTENUATION AND ASSOCIATED INFRASTRUCTURE

At: LAND OFF, COCKLEY HILL LANE, KIRKHEATON, HUDDERSFIELD, HD5 0HH

**In accordance with the plan(s) and applications submitted to the Council on
21-Jul-2021, subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP20, LP21, LP22, LP24, LP28 and LP30 of the Kirklees Local Plan.

3. All facing and roofing materials used shall match those used in Phase 1 of the development, i.e. the development approved under Reserved Matters approval ref: 2021/91507, and as approved under any subsequent application to discharge condition 3 of that approval.

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

4. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) 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 paragraphs 196 and 197 of the National Planning Policy Framework.

This information is required pre-commencement to guard against the risk of contamination being found during the early stages of the development process.

5. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 4, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report 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 paragraphs 196 and 197 of the National Planning Policy Framework.

This information is required pre-commencement to guard against the risk of contamination being found during the early stages of the development process.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 5, further groundworks shall not commence until a Remediation Strategy 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 paragraphs 196 and 197 of the National Planning Policy Framework.

7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 6. 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 two 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 paragraphs 196 and 197 of the National Planning Policy Framework.

8. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report 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 Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation 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 paragraphs 196 and 197 of the National Planning Policy Framework.

9. No dwelling shall be brought into use until the works to provide the estate road junction with Cockley Hill Lane have been undertaken in accordance with condition 9 of outline permission ref: 2014/91831, and visibility splays of 2.4m x 48.5m and 2.4m x 46.6m in the northwest and southeast directions respectively at Cockley Hill Lane at the site access junction, in which there shall be no obstruction to visibility above the level of the adjacent footway, have been provided. Thereafter the approved junction works and visibility splays shall be retained as such.

Reason: To ensure adequate visibility in the interests of highway safety and to accord with the aims of Policy LP21 of the Kirklees Local Plan.

10. No development shall take place until a scheme detailing the proposed internal adoptable estate roads have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: To ensure that safe and convenient access for all users is available for the development in accordance with the aims of Policies LP20 and LP21 of the Kirklees Local Plan.

This information is required pre-commencement to ensure that a satisfactory estate road can be provided at an early stage in the development.

11. Before development commences a scheme detailing the locations (and including cross-sectional information together with the proposed design and construction details) of all new retaining walls / building retaining walls adjacent to the existing / proposed adoptable highways shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: To ensure the stability of land adjacent to the existing or proposed public highway is safeguarded and to comply with the aims of Policies LP21 and LP53 of the Kirklees Local Plan.

This information is required pre-commencement to ensure suitably-designed retaining walls are incorporated into the development and that the future safety of highway users is not endangered.

12. Before the development commences a scheme detailing the locations (and including cross-sectional information together with the proposed design and construction details) of all new surface water attenuation tanks/pipes/manholes located within the proposed highway footprint shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

Reason: To ensure that drainage infrastructure does not endanger the integrity of the highway and to accord with the aims of Policy LP21 and LP53 of the Kirklees Local Plan.

This information is required pre-commencement to ensure that drainage infrastructure can be safely incorporated into the development at an appropriate stage.

13. Development shall not commence until a schedule of the means of access to the site for construction traffic has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, pre-development road condition surveys of Long Lane, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers' parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Reason: In the interests of protecting amenity and highway safety during the construction phase, and to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan, as well as Chapters 9 and 12 of the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures to protect amenity and maintain highways safety are agreed at an appropriate stage of the development process.

14. The development shall not commence until a joint survey with an appropriate council representative of the existing condition of the highway on Cockley Hill Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on the aforementioned roads shall be submitted to and approved in writing by the Local Planning Authority. A schedule of inspection throughout the construction period of the development shall be agreed and implemented prior to works.

Reason: To ensure that any deterioration of the highway that may occur is remedied in the interests of the future safety and convenience of highway users, and to accord with the aims of Policies LP20 and LP21 of the Kirklees Local Plan.

This information is required pre-commencement to ensure that a survey is undertaken before access to the site by construction and delivery vehicles commences.

15. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing with the Local Planning Authority. The CEMP shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- i. Noise and vibration arising from all construction related activities. This shall also include suitable restrictions on the hours of working on the site including times of deliveries;
- ii. Dust arising from all construction related activities, which shall include measures to monitor and record the emissions of dust during construction;
- iii. Artificial lighting used in connection with all construction related activities and security of the construction site, and;
- iv. A communications plan detailing the responsible person, their contact details and how this will be communicated to residents and the Local Authority must be included.

The CEMP thus approved shall be adhered to throughout the period of development.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the National Planning Policy Framework and Policy LP52 of the Local Plan.

This information is required pre-commencement to ensure that residential amenity is protected at all stages of the development process.

16. Development shall not commence until a finalised scheme detailing surface water with attenuation design, and land drainage (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, watercourses and intercepting land drainage) has been submitted to and approved in writing by the Local Planning Authority. The schemes shall include separate maintenance and management plans for surface water and land drainage, including safe access to and into drainage systems where appropriate in accordance with CDM Regulations 2015, using risk assessment and method statements to formulate an itinerary and schedule of tasks. None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development and this shall be retained thereafter.

Reason: To ensure the safe and sustainable drainage of the site in accordance with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework

This information is required pre-commencement to ensure that drainage infrastructure is incorporated into the development at an appropriate stage in the process.

17. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, including blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre- and post-development between the development and the surrounding area, in both directions, has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the safe and sustainable drainage of the site in accordance with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This information is required pre-commencement to ensure that drainage infrastructure is incorporated into the development at an appropriate stage in the process.

18. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- Phasing of the development and phasing of temporary drainage provision; and
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the safe and sustainable drainage of the site during construction and prevent pollution of the water environment in accordance with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

This information is required pre-commencement to ensure that suitable drainage infrastructure is in place before groundworks commence.

19. 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 and specifically to great crested newts, bats, nesting birds, badgers and invasive plant species;
- 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, and;
- g. Use of protective fences, exclusion barriers and warning signs, where appropriate.

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.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species, and to accord with Kirklees Local Plan Policy LP30. This information is required pre-commencement to ensure that biodiversity is safeguarded at all stages in the construction process.

20. Before development commences, and no earlier than three months prior to commencement of development, an additional badger survey report shall be submitted to and approved in writing by the Local Planning Authority. Should the findings of the survey be materially different to those of the reports submitted with the original application, the new survey report shall incorporate a revised badger mitigation plan. Prior to first occupation/use of the site, a report prepared by an appropriately qualified and experienced ecologist demonstrating the implementation of the badger mitigation / enhancement measures, as set out in the badger survey report, shall be submitted to and approved in writing by the Local Planning Authority.

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

This information is required pre-commencement to ensure that any possible harm to badgers can be prevented at all stages in the development process.

21. Prior to work commencing on the superstructure of any dwelling, full details of the proposed landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. These shall include:

- a. Details of existing and proposed levels, and regrading, detailed landscape layout including play areas, community growing area, fruit tree planting, pocket park, SuDS and any Public Open Space (POS) and playable space;
- b. A species schedule, specification and planting plans; layout, number, density and size of trees and plants and/or seed mixes and sowing rates, including extensive use of native species;
- c. A Landscape Maintenance and Management Plan (LMMP) required with details of initial aftercare and long-term maintenance and management plan including details of the management company and a 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 and shall also include any SuDS features, and existing trees and vegetation retained on site;
- d. Details of monitoring and remedial measures, including replacement of any trees, shrubs, hedge or planting that fails or becomes diseased within the first five years from completion;
- e. Details (including samples, if requested), of paving and other hard surface materials and boundary treatments, including means of enclosure to public open spaces; fencing and gates to play areas;
- f. Details and layout of the on-site open space and of any areas for designated, informal, incidental and/or playable space;
- g. Designs and specifications intended to prevent and deter crime and anti-social behaviour;
- h. Confirmation that all soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations.

All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring and remedial arrangements, and;

- i. Details of private or resident management company for on-site public open space.

Reason: To ensure the provision and establishment of an acceptable finished landscape scheme in broad accordance with the approved plans, in the interests of local ecological value and visual amenity, accord with Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

22. All works on site shall be carried out in accordance with the Arboricultural Method Statement (AMS) ref: 16892/B-AJB.

Reason: To protect trees in the interests of visual amenity and to accord with the requirements of Policies LP24 and LP33 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

23. Before any new dwelling is first occupied, details of the design of enclosures for bin storage for the new dwellings and their materials of construction shall be submitted to and approved in writing by the Local Planning Authority. The enclosures shall be erected or constructed before the dwelling to which they relate is first occupied and shall thereafter be retained as such.

Reason: In the interests of visual amenity, to ensure that satisfactory facilities are in place for the separation, storage and collection of wastes, and to accord with the aims of Policy LP24 of the Kirklees Local Plan.

24. Before development commences, details of temporary waste collection arrangements to serve occupants of completed dwellings whilst the remaining site is under construction shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented throughout the construction period.

Reason: To ensure that refuse can be collected from the site, in the interests of highway safety, visual amenity and the convenience of local residents, and to accord with the aims of Policies LP21 and LP24 of the Kirklees Local Plan.

This information is required pre-commencement to ensure that the site can be serviced safely and efficiently as soon as the first properties are occupied.

25. A Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority three months prior to any part of the development being brought into use. The Full Travel Plan shall include measures to improve and encourage the use of sustainable transport, the Full Travel Plan shall continue to be developed and implemented as long as any part of the development is occupied.

Reason: To comply with the council's sustainability objectives and to accord with the aims of Policy LP20 of the Kirklees Local Plan.

26. No dwelling shall be occupied until details showing the provision of cycle storage facilities to serve the residential properties have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided and made available for use prior to the first occupation of the dwelling to which it relates and thereafter retained as such.

Reason: To comply with the council's sustainability objectives by encouraging the use of low-impact modes of travel, the promotion of healthy, safe and active lifestyles, and protection against crime and the fear of crime, in accordance with the aims of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapter 8 of the National Planning Policy Framework.

27. Prior to occupation of dwelling, one charging point for electric vehicles shall be installed within the parking space or garage of that dwelling. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of a minimum of 16 Amps and a maximum demand of 32 Amps. The charging points shall be retained thereafter.

Reason: To ensure residents of the development are encouraged to use low carbon and more sustainable forms of transport and to mitigate the air quality impacts of the development in accordance with Policies LP20, LP24, LP47, LP51 and LP52 of the Kirklees Local Plan, and Chapters 9 and 15 of the National Planning Policy Framework.

28. Before work on the superstructure of any dwelling commences, details of measures to mitigate the causes of climate change shall be submitted to and approved in writing by the Local Planning Authority. The scheme thus approved shall be implemented and made operational before the new dwelling to which it relates is first occupied and shall thereafter be retained as such.

Reason: To ensure that the development contributes to the council's ambition to have net zero carbon emissions by 2038 and to accord with the aims of LP24(d) of the Kirklees Local Plan.

29. All private parking spaces shown on the approved site plan shall be laid out with a hardened and drained surface before the dwelling to which they relate is first brought into use and thereafter retained as such, free from all obstructions to their use by vehicles.

Reason: To ensure that suitable parking provision is retained within the site in the interests of highway safety, and to accord with the aims of Policies LP21 and LP22 of the Kirklees Local Plan.

30. The 1.8m screen fences indicated by blue dashed lines on the approved site plan shall be erected or constructed before any dwelling to which they relate is first occupied and thereafter retained as such.

Reason: In the interests of visual amenity, to ensure that the development protects the privacy of future and existing occupiers, and to accord with the aims of Policy LP24(a and b) of the Kirklees Local Plan.

NOTE – Contaminated land

All contamination reports shall be prepared in accordance with Model Procedures for the Management of Land Contamination – Contaminated Land report 11 (CLR11), National Planning Policy Framework (NPPF) and the council's Advice for Development documents or any subsequent revisions of those documents.

NOTE – Construction Environmental Management Plan

Noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours Saturdays

With no noisy activities on Sundays or Public Holidays

Institute of Air Quality Management document “*Guidance on the assessment of dust from demolition and construction*” Version 1.1 2016 provided detailed information regarding dust control.

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 – Drainage infrastructure

All new storm water attenuation tanks/pipes/culverts/manholes with internal diameter/spans exceeding 0.9m must be located off the adoptable highway. Any decision to locate these facilities within the adoptable highway footprint must be accompanied with a full risk evaluation report with particular reference to their proposed inspection, structural assessment and maintenance regime in compliance with the CDM Regulations 2015 requirements. The adopting authority (i.e. Yorkshire Water) will also be required to produce and submit a legally binding agreement to the Highway Authority explicitly stating that they will be fulfilling their obligations in relation to the systematic and cyclical inspection and structural assessment of any attenuation structure located within the highway footprint, in full compliance with BD63- Inspection of Highway structures. Furthermore, all new precast pipes/ culverts/storage tanks proposed for use within the footprint of an adoptable highway must comply with the Specification for Highway Works (SHW-Series 500 or 2500) and/or must be accredited with a BBA (The British Board of Agrément Roads and Bridges) or HAPAS (Highway Authority Product Approval Scheme) or equivalent certificate. See:

<https://www.kirklees.gov.uk/beta/regeneration-anddevelopment/highwaysguidanceand-standards.aspx> for further details.

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). A 32A (7kW) is however more likely to be futureproof
- Standard charging points for single residential properties that meet the requirements specified in the latest version of “*Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)*” by the Office for Low Emission

Vehicles will be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable.

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE – Potential for impact on protected species

In granting planning permission, the Local Planning Authority is not confirming that development operations will not breach the Protection of Badgers Act 1992. Likewise, obtaining planning permission does not guarantee that a badger licence will be granted by the issuing authority. Licences cannot be issued retrospectively, and licensing authorities require time to process applications. Licences will normally only be granted for works to be undertaken between 1st July and 30th November.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			22/06/2021
Location plan	P 19:5336:04		22/06/2021
Proposed site plan	P19:5336:03	K	26/07/2024
Combined site layouts	P19:5336:200	L	26/07/2024
Elevations and floorplans F (AS-OP)	1004		26/09/2022
Elevations and floorplans R (AS-OP)	1007		26/09/2022
Elevations and floorplans S (AS)	1008		26/09/2022
Elevations and floorplans S (OP)	1009		26/09/2022
Elevations and floorplans S (AS-OP)	1010		26/09/2022
Elevations and floorplans J (AS-OP)	1018		26/09/2022
Elevations and floorplans Q (AS)	1019		26/09/2022
Elevations and floorplans Q (OP)	1020		26/09/2022
Elevations and floorplans E (AS)	1021		26/09/2022
Elevations and floorplans E (OP)	1022		26/09/2022
Landscaping plan with POS typologies	P19:5336:06		17/11/2023
Proposed site sections	P19:5336:05	A	17/01/2023
Highways long sections	886C 002	B	13/11/2023
Highways technical note	702F		13/11/2023
Road Safety Audit stage 1-2	2023-08 Kirkheaton RSA12		13/09/2023
Drainage ARP issue sheet	0906/5		13/09/2023
Proposed land drainage sheet 1-2	0906/05/SK07.01-02	B	13/09/2023

Plan Type	Reference	Version	Date Received
Drainage feasibility sheet 1-2	0906/05/SK04.01-02	F	23/05/2023
Drainage feasibility flow control chamber	0906/05/SK13		23/05/2023
Supplementary drainage information	Email to case officer		23/05/2023
Foul and surface water drainage strategy	0906/05 R1	4	26/09/2022
Land drainage and geotechnical summary - plan	0906/05/SK12	A	26/09/2022
Existing drainage survey	0906/05/SK09		27/06/2024
Geotechnical summary	0906/05/SK10		27/06/2024
Greenfield run off	0906/05/SK11		27/06/2024
Flood routing layout sheet 1-2	0906/05/SK06/02	C	27/06/2024
Shop Lane plan drainage investigation survey	GR/20140		27/06/2024
Shop Lane report drainage investigation survey	R/20140		27/06/2024
Preliminary ecological appraisal	ER-6724-01		13/09/2023
Biodiversity net gain assessment	ER-6724-02	A	13/09/2023
Biodiversity metric	4.0		13/09/2023
Coal Report	CKD/02/AH-PWjc		21/06/2021
Coal Site Plan	CKD/02		21/06/2021
Coal Mining Investigation	CKD/SI/01		21/06/2021
Ecological Assessment	ER-5337-01		21/06/2021
Transport Assessment	702C		21/06/2021
Residential Travel Plan	702C		21/06/2021
Arboricultural Report	16892/AJB		24/06/2021
Arboricultural Impact Assessment	16892-A/AJB		08/04/2024
Tree Method Statement	16892-B/AJB		08/04/2024

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- **This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording "submitted to and approved in writing by the Local Planning Authority".**
- **You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.**
- **This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.**
- **You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.**
- **It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.**
- **If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.**

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Mining Remediation 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.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

[Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speeder installation at a later date.

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- **If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 04-Jun-2025

Signed:



David Shepherd
Executive Director for Place

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL