

# Public Document Pack



**Service Director – Legal, Governance and  
Commissioning**

**Julie Muscroft**

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Tuesday 21 January 2020

## Notice of Meeting

Dear Member

### **Cabinet Committee - Local Issues**

The **Cabinet Committee - Local Issues** will meet in the **Leadership Meeting Room - 1st Floor, Civic Centre 3, Huddersfield, HD1 2TG** at **12.30 pm** on **Wednesday 29 January 2020**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

**Julie Muscroft**

**Service Director – Legal, Governance and Commissioning**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Cabinet Committee - Local Issues members are:-**

### **Member**

Councillor Peter McBride

Councillor Naheed Mather

Councillor Graham Turner

# Agenda

## Reports or Explanatory Notes Attached

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### Pages

**1: Membership of the Committee**

This is where councillors who are attending as substitutes will say for who they are attending.

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**2: Minutes of Previous Meeting**

1 - 2

To approve the Minutes of the meeting of the Committee held on 25 September 2019.

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**3: Interests**

3 - 4

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

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**4: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private

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**5: Deputations/Petitions**

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the

Public should provide at least 24 hours' notice of presenting a deputation.

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**6: Public Question Time**

The Committee will hear any questions from the general public.

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**7: Member Question Time**

To receive questions from Councillors.

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**8: Objections to TRO (No.9) Order 2019 - A636 Wakefield Rd / Pennine Way, Scissett**

5 - 28

To consider objections received to the above advertised Traffic Regulation Order. Objections to Kirklees TRO No 9 Order 2019, Proposed No Waiting at Any Time restrictions, at the junction of A636 Wakefield Road / Pennine Way, Scissett and the introduction of traffic calming in the form of road humps on Pennine Way, Scissett.

**Wards affected:** Denby Dale

**Contact:** Jonathan Walsh, Principal Engineer, Tel: 01484 221000

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Contact Officer: Jenny Bryce-Chan

## KIRKLEES COUNCIL

### CABINET COMMITTEE - LOCAL ISSUES

**Wednesday 25th September 2019**

Present: Councillor Peter McBride (Chair)  
Councillor Naheed Mather  
Councillor Graham Turner

- 1 Membership of the Committee**  
**RESOLVED** - All members were present.
- 2 Minutes of Previous Meeting**  
**RESOLVED** - That the minutes of the meeting held on the 9<sup>th</sup> April 2019 be approved as a correct record.
- 3 Interests**  
No interest were declared.
- 4 Admission of the Public**  
That all agenda items be considered in public session.
- 5 Deputations/Petitions**  
No deputations or petitions were received.
- 6 Public Question Time**  
No questions were asked.
- 7 Member Question Time**  
No questions were asked.
- 8 Objections to proposed Traffic Regulation No 4 Order 2019, No Waiting at Any Time - South St and Warren St, Saville Town**  
The Committee considered a report which outlined objections received in response to the public advertisement of Kirklees (TR) (No 4) Order 2019, the proposed introduction of additional 'No Waiting At Any Time' parking restrictions on South Street and Warrant Street Savile Town.

The Committee was advised that Planning permission was granted for "Demolition of the existing building and the erection of a 3 storey educational facility, at South Street. The approval proposed that as part of the planning conditions, the provision of 'drop off and pick up' zones on South Street must be provided. The Committee was informed that a 'drop off and pick up' zone cannot be implemented, as there are no legal mechanisms to do so and therefore for that reason, it was proposed to use double yellow lines to facilitate this requirement. In response to the advertised order, 45 objections were received.

## **Cabinet Committee - Local Issues - 25 September 2019**

The Committee was informed that the restrictions were necessary to ensure safety, and to reduce risk to children accessing the centre. In addition, efforts were being made to work with the ward councillors to manage traffic and traffic flow problems. Local councillors have also asked for enforcement to be carried out in the area.

The Committee heard representations from local residents who questioned the rationale for granting planning approval for a building with no parking facilities. They expressed concern that the approval of this building would do nothing to ease the congestion as the centre would attract people from outside the area and would further exacerbate the situation and create a backlog of traffic and severely affect local residents' ability to park outside their own homes.

The Committee recognised that this is a high density area however the authority's primary concern is to improve safety. The introduction of the scheme would reduce congestions in the area, improve visibility and access at and around the junction where child pedestrian accidents had previously been recorded.

Officers made a commitment to talk to the Mosques to reinforce what was previously agreed with regard to managing the traffic.

**RESOLVED** - That the objections be overruled and the TRO proposals are implemented as advertised, to allow the approved planning conditions to be discharged with regard to the drop and go zone and allow the previously approved waiting restrictions on Warren Street to be implemented

| <b>KIRKLEES COUNCIL</b>                       |  |  |   |
|---|--|--|---|
| <b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b> |  |  |   |
| <b>DECLARATION OF INTERESTS</b>               |  |  |   |
| <b>Name of Councillor</b>                     |  |  |   |
| <b>Item in which you have an interest</b>     | <b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b> | <b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b> | <b>Brief description of your interest</b> |
|   |  |  |   |
|   |  |  |   |
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Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



**Name of meeting:** Cabinet Committee - Local Issues  
**Date:** 29<sup>th</sup> January 2020

**Title of report:** Objections to Kirklees TRO No 9 Order 2019, Proposed No Waiting at Any Time restrictions, at the junction of A636 Wakefield Road / Pennine Way, Scissett and the introduction of traffic calming in the form of road humps on Pennine Way, Scissett

**Purpose of report:** To consider objections received to the above advertised Traffic Regulation Order.

|   |                                    |
|---|------------------------------------|
| <b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b> | <b>No</b>                          |
| <b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>                                    | <b>No</b>                          |
| <b>The Decision - Is it eligible for call in by Scrutiny?</b>   | <b>Yes</b>                         |
| <b>Date signed off by <a href="#">Strategic Director</a> &amp; name</b>   | <b>Karl Battersby - 13.01.2020</b> |
| <b>Is it also signed off by the Service Director Finance?</b>   | <b>Eamonn Croston - 10.01.2020</b> |
| <b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>  | <b>Julie Muscroft - 10.01.2020</b> |
| <b>Cabinet member <a href="#">portfolio</a></b>   | <b>Councillor Rob Walker</b>       |

**Electoral wards affected:** Denby Dale

**Ward councillors consulted:** Yes

**Public or private:** Public

**Has GDPR been considered:** Yes

## 1. Summary

To consider objections received in response to the public advertisement of Kirklees (TR) (No 9) Order 2019 - The proposed introduction of additional 'No Waiting at Any Time' parking restrictions on A636 Wakefield Road / Pennine Way, Scissett and the public advertisement of the proposal to introduce 3 no. road humps on Pennine Way, Scissett.

Pursuing the implementation of these parking restrictions and traffic calming proposals were a condition on a Planning Application.

## 2. Information required to take a decision

The restrictions on Wakefield Road/Pennine Way, Scissett and the introduction of 3 road humps on Pennine Way contained in Traffic Regulation Order (TRO), have been proposed in connection with Planning Application Number – **2013/93441**. Planning permission was granted for “erection of residential development of up to 200 dwellings and associated works including demolition of existing farm building” at land adj Pilling Lane/Holly Road/Langley Lane/ Riverside, Scissett, Huddersfield, HD8 9JF/

The approval proposed that, as part of the planning conditions, traffic calming and safety improvements are required to Pennine Way and its junction with Wakefield Road. (Appendix 1)

These included:

- Construction of 3 no. road humps and a new section of footway on Pennine Way;
- Alterations to the junction of Pennine Way and Wakefield Road to improve visibility;
- Propose the installation of sections of double yellow lines (no waiting at any time) to ensure the safe operation of the junction.

These documents can also be viewed online at the Planning Services website at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning).

The developer has committed, through a Section 278 Agreement, to implement these improvements work prior to the development being occupied, to maximise the safety benefits this will bring at this busy junction.

The TRO proposals (Appendix 2) were publicly advertised between 2 August 2019 and 3 September 2019, and during that period 2 objections were received. (Appendix 3)

### **The first from a resident of Pennine Way, Scissett**

Although the resident on Pennine Way supports the improvements to the exit onto Wakefield Road, they object to the proposed traffic calming measures on Pennine Way due to the following points:

- There will be an increase in pollution as vehicles slow down then speed up again to negotiate the bumps
- An increase in noise and vibration to adjacent properties
- Delivery vehicles don't slow down for these bumps
- Some private users don't slow down

- In winter when covered in snow they increase the chance of not being able to navigate the slope
- Emergency Vehicles suffer problems with these bumps
- Increase in wear and tear to vehicle suspension systems
- Would a 20mph limit be better on the estate

**In response:**

Traffic calming by the use of road humps is a proven method of reducing speed and is used throughout the district in similar circumstances. The humps proposed have a relatively shallow gradient with a flat top which will act as a physical and visual deterrent to speeding vehicles. The spacing of the humps is set to keep speeds low and to encourage people to drive appropriately for the location. (20mph limits would also require physical features to ensure that they are self-enforcing).

If the humps are driven over correctly they will have no detrimental effect on vehicles and there is no evidence of any increase in noise levels associated with lighter vehicles (cars and vans up to 3.5t) as this is offset by the reduction in speed. With regards to any increased vibration this is usually associated with larger vehicles and it is anticipated these will be kept to a minimum as it is not intended to install the road humps until all construction traffic has ceased.

As part of the consultation we have also carried out consultation with our 'statutory' consultees that include the police / fire and ambulance service and have received no adverse comments from them regarding the proposals.

**The second from a resident of Pennine Rise, Scissett**

The resident is concerned that the proposed parking restrictions are shorter than the standard visibility splay length and this will continue to reduce visibility for drivers exiting from the junction.

**In response**

Although the visibility splay may occasionally be compromised by parked vehicles, the visibility to the oncoming traffic will still be in excess of the minimum 40m required.

It is felt that the current proposal provides an adequate balance of safety and visibility without putting too onerous a restriction on the current level of on-street parking provision for residents.

**3. Implications for the Council**

**3.1 Working with people** - The proposed works were considered necessary at planning application stage and approved by Planning Committee. These proposals are to mitigate the impact of the development on the highway network.

**3.2 Working with Partners** – Not applicable

**3.3 Place based Working** – This is a local solution aimed at improving the highway network for local people.

**3.4 Climate Change and Air Quality** – These proposals will not have a detrimental impact on Air Quality or Climate Change.

**3.5 Improving outcomes for children-** These proposals are aimed at reducing the speeds traffic can achieve on entering and travelling within a residential area

**3.6 Other** - If the TRO is not implemented, it is likely the benefits of reducing speeds on Pennine Way and improving safety and visibility at the junction Pennine Way/Wakefield Road will not be achieved.

#### **4. Consultees and their opinions**

Statutory consultees have been consulted on these proposals and no objections have been received

The Denby Dale Ward Councillors have been consulted on the proposals and are supportive of the scheme, with the request the scheme is implemented as soon as possible.

Cllr Turner responded:

“I have no comments on the actual plan other than, it was part of the granted planning permission, and am supportive of the proposals.

What I would like to see is the proposals done sooner than next year, especially the double yellow lines, as the access onto the A636 from the estate is not good, and I am sure the residents would appreciate this.”

#### **5. Next steps and timelines**

Cabinet Committee Local Issues to consider the objections raised during the formal advertising period for the introduction of traffic calming and the installation of waiting restrictions and the information contained in this report, and reach a decision on whether or not the traffic calming and TRO are implemented as advertised

#### **6. Officer recommendations and reasons**

That the objections be overruled, and the traffic calming and TRO proposals are implemented, as advertised, to allow the approved planning conditions to be discharged, and allow improvements to a local road junction that is to become busier as a result of building new homes

#### **7. Cabinet portfolio holder's recommendations**

Cllr Walker supports the local Ward Councillors and the Officer recommendation.

#### **8. Contact officer**

Jonathan Walsh -  
Principal Engineer  
(01484) 221000  
[jonathan.walsh@kirklees.gov.uk](mailto:jonathan.walsh@kirklees.gov.uk)

#### **9. Background Papers and History of Decisions**

Planning Application Number – **2013/93441**

#### **10. Service Director responsible**

Sue Procter -  
Service Director - Environment  
(01484) 221000  
[sue.procter@kirklees.gov.uk](mailto:sue.procter@kirklees.gov.uk)



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**Town and Country Planning Act 1990**

**Town and Country Planning (Development Management Procedure) (England)  
Order 2010**

**OUTLINE PLANNING PERMISSION**

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**Application Number: 2013/60/93441/E**

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**To:** Mark Johnson,  
Johnson Brook  
5, Regent House  
Queen Street  
Leeds  
LS1 2TW

**For:** Redrow Homes Ltd & Portman Land 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:-**

**OUTLINE APPLICATION FOR ERECTION OF RESIDENTIAL DEVELOPMENT  
OF UP TO 200 DWELLINGS AND ASSOCIATED WORKS INCLUDING  
DEMOLITION OF EXISTING FARM BUILDING**

**At:** LAND ADJ PILLING LANE/HOLLY ROAD/LANGLEY LANE/ RIVERSIDE,  
SCISSETT, HUDDERSFIELD, HD8 9JF

**In accordance with the plan(s) and applications submitted to the Council on  
29-Oct-2013, subject to the condition(s) specified hereunder:-**

1. Approval of the details of the appearance, layout, scale and non-structural landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the appearance, layout, scale and non-structural 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 matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

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

**Reason:** Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

4. 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 section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

5. No material operation as defined in section 56(4)(a)-(d) of the Town & Country Planning Act 1990 shall be carried out to commence the development pursuant to this planning permission until arrangements for the provision of public open space to serve the development have been submitted to and approved in writing by the Local Planning Authority.

The arrangements shall cover the following matters:-

a) the layout and disposition of the public open space.

b) the timescale for the implementation and completion of the works to provide the public open space;

c) the mechanism for ensuring that the public open space will be available for public within perpetuity.

d) maintenance of the public open space in perpetuity.

**Reason:** To ensure the provision of open space to serve the development and in accordance with Policy H18 of the Council's Unitary Development Plan

6. No material operation as defined in Section 56(4)(a)-(d) of the Town & Country Planning Act 1990 shall be carried out to commence the development pursuant to this planning permission until a scheme for the delivery of affordable housing has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, the arrangements shall cover the following matters:-

a) the number and type of affordable housing units to be provided.

b) the layout and disposition of the units affordable housing to be provided.

c) the timescale for the implementation and completion of the affordable housing units;

d) the mechanism for ensuring that the affordable housing units remain affordable for both the initial and subsequent occupiers.

**Reason:** To ensure the provision of affordable housing in accordance with the requirements of Policy H10 of the Council's Unitary Development Plan and the Council's Supplementary Planning Document 2 (Affordable Housing).



7. No material operation as defined in Section 56(4)(a)-(d) of the Town & Country Planning Act 1990 shall be carried out to commence the development pursuant to this planning permission until arrangements for the provision of educational facilities to serve the needs of the development have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To facilitate an increase in the capacity of local schools commensurate with the demands of the development.

8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Betts Associates, dated June 2013 Ref: RED467\_FRA\_B and the following mitigation measures detailed within the FRA:

1. The layout must be such that there is no development in the area defined as flood zone 2, shown in appendix N;

2. No development shall take place within 8 metres of the top of the bank of the River Dearne as shown in appendix N.

**Reason:** To reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

9. No development shall take place until a scheme detailing measures to protect the river and river corridor during construction and operational phases of the development, together with a landscape scheme and landscape management plan for the whole site, which shall include long-term design objectives particularly relating to biodiversity enhancement and the ecological functionality of habitat networks within and beyond the site, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) and the river corridor, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To secure biodiversity enhancement and the ecological functionality of habitat networks within and beyond the site and ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site and ecological functionality of the river corridor in accordance with the National Planning Policy Framework.

10. Development shall not commence until a Construction Method Statement including a Pollution Prevention and Emergency Response Plan has been submitted to and approved by the Local Planning Authority. The approved statement and plan shall be adhered to throughout the construction period.

**Reason:** In order to protect the adjoining watercourse from potential pollution during the construction and operational phases of development in accordance with the National Planning Policy Framework.

11. No part of the development shall take place until details of the proposed means of disposal of foul water drainage and treatment, including details of any balancing works and off-site works have been submitted to and approved by the Local Planning Authority. Furthermore the volume of foul water flows from the development shall be limited to a maximum peak flow of 5 litres per second until such time that there is adequate provision to treat foul water in excess of 5 litres per second.

**Reason:** To ensure that the development can be properly drained and foul water can be adequately treated without detriment to the aquatic environment in accordance with the National Planning Policy Framework.

12. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

13. No building or other obstruction shall be located over or within four metres either side of the centre line of the sewer crossing the site.

**Reason:** To allow sufficient access for maintenance and repair work at all times

14. Development shall not commence until a scheme detailing surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. None of the dwellings 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 to which the dwellings relate and the approved scheme shall thereafter be retained throughout the lifetime of the development.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

15. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

16. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

17. Development shall not commence until a scheme restricting the rate of surface water discharge from the roads, dwellings, driveways and other areas of impermeable hardstanding within the red line boundary to annual greenfield run off rates (1in1, 1 in 30, 1in 100) identified in the Flood Risk Assessment by Betts Associates dated June 2013 Ref: RED467\_FRA\_B , has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 100 year storm event with an allowance of 30% increase in rainfall depth associated with climate change. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and

attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

18. The development shall not commence until an assessment of the effects of events greater than 1 in 100 year storm events, with an additional allowance for climate change, and blockage scenarios on drainage infrastructure has been assessed in relation to flow routing 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 dwellings shall be occupied until any mitigation works identified in the assessment have been completed and such approved scheme shall be retained thereafter throughout the lifetime of the development.

**Reason:** To ensure that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

19. 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.
- 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 that the site can be satisfactorily drained and to reduce the risk of flooding to the proposed and existing development and occupants in accordance with the National Planning Policy Framework.

20. Before development commences the applicant shall submit a plan detailing facilities to be provided for charging plug-in and other ultra low emission vehicles. This plan shall be agreed in writing by the Local Planning Authority before development commences and the plan implemented before first occupation of the properties.

**Reason:** In the interests of protecting air quality in accordance with the National Planning Policy Framework.

21. Development 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 G6 of the Unitary Development Plan.

22. Where further intrusive investigation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 21 development 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 G6 of the Unitary Development Plan.

23. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 22. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in the Phase II Intrusive Site Investigation Report is identified or encountered on site, all works on site save for site investigation works shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason** To ensure the safe occupation of the site in accordance with policy G6 of the Unitary Development Plan.

24. 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. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation 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 G6 of the Unitary Development Plan.

25. Details of any lighting scheme shall be submitted to and approved in writing with the Local Planning Authority before installation and the development shall not be lit otherwise than in complete accordance with the agreed scheme; the scheme shall be designed to protect key foraging corridors for bats and other artificial light sensitive species.

**Reason:** To secure biodiversity enhancement and the ecological functionality of habitat networks within the site and ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework.

26. A scheme for the provision of bat roost and bird nest opportunities located integral to the buildings or existing trees within the development shall be submitted to and approved in writing with the Local Planning Authority before each phase of the development is occupied; such features shall thereafter be retained.

**Reason:** To secure biodiversity enhancement and the ecological functionality of habitat networks within the site and ensure the protection of wildlife and the habitat which

supports it and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework.

27. Notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with British BS 5837, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

**Reason:** So as to protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy NE9 of the Unitary Development Plan.

28. Before development commences a scheme for the surfacing and draining of public footpath DEN/22/80 adjoining the boundaries of properties on Holly Road shall be submitted to and approved in writing with the Local Planning Authority; the approved scheme shall be completed prior to the occupation of the development and retained thereafter.

**Reason:** In the interests of the amenities of footpath users and to accord with Unitary Development Plan policy T16 and the National Planning Policy Framework.

29. The development shall not commence until a scheme detailing the layout and construction specification of the site access with Holly Road and public right of way Denby Dale 22/90 which crosses the access and all associated highway works together with the appropriate Road Safety Audits has been submitted to and approved in writing with the Local Planning Authority; the development hereby approved shall not be brought into use until the approved works have been implemented and they shall be retained thereafter.

**Reason:** in the interests of highway efficiency and safety and to accord with policy T10 of the Kirklees Unitary Development Plan and part 3 of the National Planning Policy Framework.

30. No part of the development shall be brought into use until a Full Travel Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:

- a) Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets;
- b) The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring;
- c) The provision of travel Information;
- d) Implementation and review timescale;
- e) Enforcement, sanctions and corrective/review mechanisms;
- f) Enter into an arrangement to provide Residential Metro Cards Scheme A Zone 2-5 to at least 60% of the residential units
- g) Enter into an arrangement for the development and monitoring of the Travel Plan for a period of five years following occupation of the first dwelling.

The measures contained within the Travel Plan shall be implemented in accordance with the approved timescale, except where the monitoring evidence demonstrates that a

revised timescale/measures to achieve trip targets are necessary, in which case the revised details would be implemented.

**Reason:** To comply with the Council's sustainability objectives set out in Unitary Development Plan Policy T1 and part 3 of the National Planning Policy Framework.

31. Notwithstanding the submitted details the development shall not commence until details of:

- a) Traffic calming and footway and landscaping on Pennine Way as shown on the indicative drawing no 12043-GA-04 Rev C,
- b) Measures to manage on-street parking on Wakefield Road opposite the junction with Pennine Way,
- c) 2.4 x 43.0 metre visibility splays from the site access to Pennine Way
- d) A footway along the entire site frontage to Pennine Way and all associated highway works together with appropriate Road Safety Audits
- e) Realignment of the kerb line and associated works on Wakefield Road to provide a 2.4m x 40.0m visibility splays from a Pennine Way as shown on the indicative drawing 12042-GA-06 Rev A.

have been submitted to and approved in writing by the Local Planning Authority; no dwellings hereby approved shall be occupied until the approved works have been implemented and such works shall thereafter be retained.

**Reason:** in the interests of highway efficiency and safety and to accord with policy T10 of the Kirklees Unitary Development Plan and part 3 of the National Planning Policy Framework.

32. No development shall take place until a comprehensive written mitigation strategy based on the format of Natural England's EPS licence application method statement detailing how the development shall be completed without harm to any bat species and without loss or detriment to the wildlife habitat used by the said species, shall be submitted to and approved by the Local Planning Authority before development commences. The development shall then be carried out in accordance with the approved method statement.

**Reason:** In the interests of the biodiversity of the site and in accordance with the NPPF and Circular 06/2005 – Biodiversity and Geological Conservation - Statutory obligation and their impact within the planning system.

33. No development shall take place until a site investigation of the nature and extent of any land instability has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority.

The results of the site investigation shall be made available to the local planning authority before any development begins. If any land instability issues are found resulting from, for example past mining activity, during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development commences.

If, during the course of development, any unexpected hazards are found which have not been identified in the site investigation, additional measures for their remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures.

**Reason:** In the interests of adequate investigation and consideration of risk from past coal mining activity.

34. No development to take place within the application site boundary until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

**Reason:** To ensure satisfactory recording of the heritage asset in accordance with the National Planning Policy Framework.

35. Before development commences a scheme detailing timing and routing of site clearance and construction traffic shall be submitted and approved in writing with the Local Planning Authority and development shall be carried out in accordance with the approved scheme.

**Reason:** in the interests of highway efficiency and safety and to accord with policy T10 of the Kirklees Unitary Development Plan and part 3 of the National Planning Policy Framework.

This recommendation is based on the following plan(s):

| Plan Type   | Reference                 | Version | Date Received |
|---|---------------------------|---------|---------------|
| Environmental Impact Assessment + Non-Technical Summary |                           |         | 28 Oct 2013   |
| Application forms                                       |                           |         | 28 Oct 2013   |
| Location plan   | P12:4587:03               | A       | 28 Oct 2013   |
| Indicative Masterplan                                   | 12 4587                   | B       | 28 Oct 2013   |
| Indicative masterplan (separation distances)            | 12 4587                   |         | 28 Oct 2013   |
| Design & Access Statement                               | Sept 2012                 |         | 28 Oct 2013   |
| Transport assessment + Addendum                         | Sept 2012 12043           | 1       | 28 Oct 2013   |
| Flood Risk Assessment                                   | June 2013<br>RED467_FRA_B |         | 27 Nov 2013   |
| Phase 1 Desk Top Study report                           | 12RED033 Aug 2012         |         | 28 Oct 2013   |
| Planning case report                                    | Oct 2013                  | B       | 28 Oct 2013   |
| Kirklees 5-year Housing Land Supply Assessment          | Sept 2013                 |         | 28 Oct 2013   |
| Statement of Community Consultation                     | October 2012              |         | 28 Oct 2013   |
| Tree survey   | August 2012               |         | 28 Oct 2013   |
| Archaeology Desk Based Assessment                       | MAP 5.40.2012             |         | 28 Oct 2013   |

| <b>Plan Type</b>                  | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|-----------------------------------|------------------|----------------|----------------------|
| Habitat statement                 | 3 May 2013       |                | 28 Oct 2013          |
| Tree location plans 1-4 (Shadows) |                  |                | 28 Oct 2013          |
| Landscaping layout                | P12 4587 110     | O              | 28 Oct 2013          |
| Environmental Statement           | October 2012     |                | 28 Oct 2013          |
| Junction improvements             | 12042/GA/06      | A              | 06 Dec 2013          |
| Pennine Way Traffic Calming       | 12043-GA-04      | C              | 06 Dec 2013          |

### **Development within a Coal Mining Area**

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)



**It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No: (01484) 225397 who can advise further on this matter.**

**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 or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:
  - i) 28 days from the date of this notice where the enforcement notice has been served,
  - ii) 28 days of the date of service of the enforcement notice or,
  - iii) the specified period starting from 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 Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- 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 fill in the online form [www.kirklees.gov.uk/business/PlanningApplication/planning\\_application\\_feedback.asp](http://www.kirklees.gov.uk/business/PlanningApplication/planning_application_feedback.asp) so that we can work on continually improving our customer service. Thank you.

Dated: 23-Dec-2013

Signed: 

Jacqui Gedman  
Director of Place

#### Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2013/60/93441/E.

If a paper copy of the decision notice or decided plans are required please email [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

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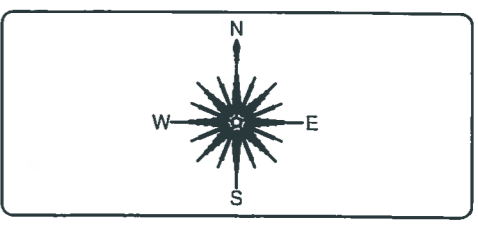
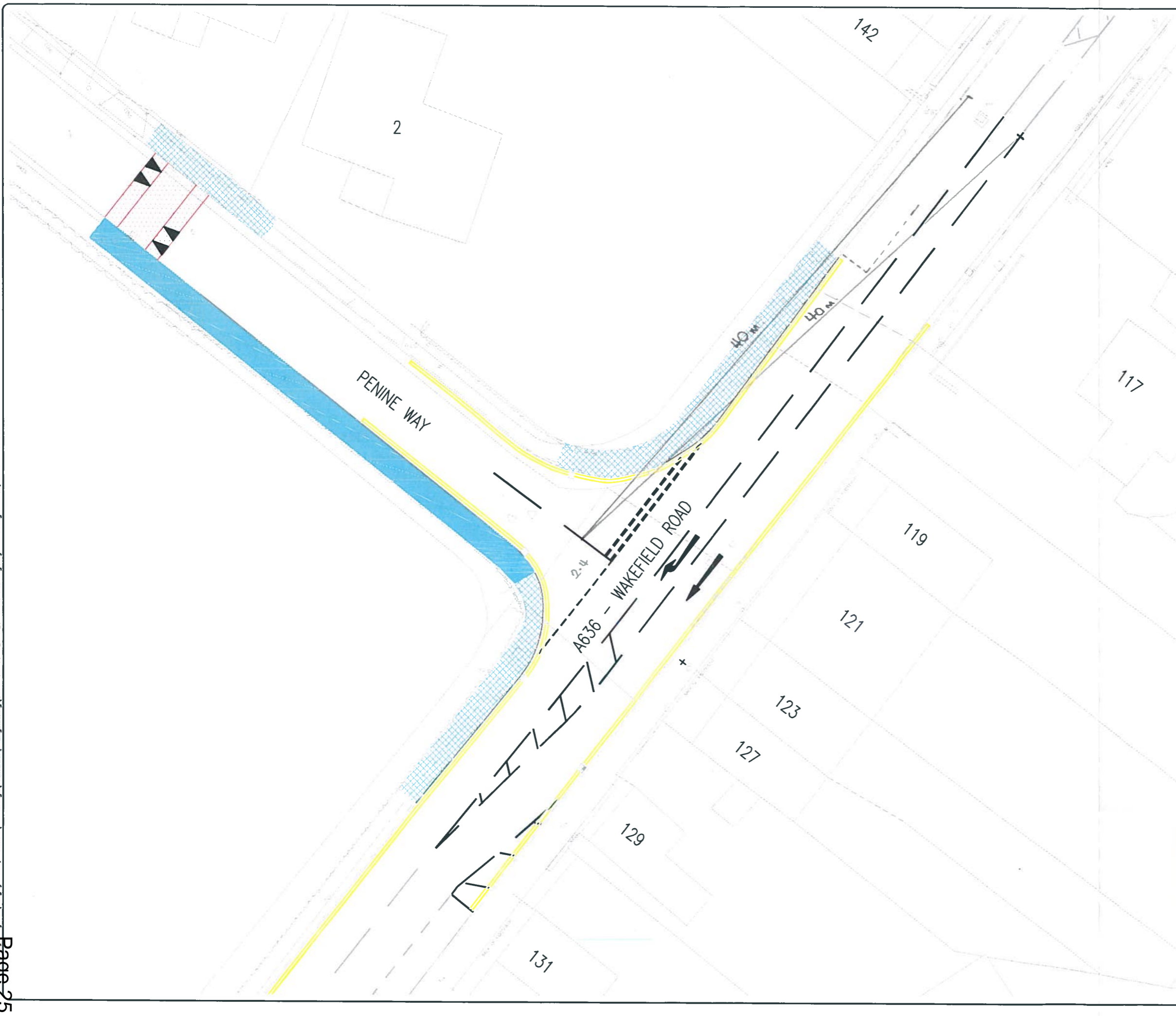
All communications should be sent to one of the following address:

**E-mail:** [planning.contactcentre@kirklees.gov.uk](mailto:planning.contactcentre@kirklees.gov.uk)

**Write to:** Planning Services  
Investment and Regeneration  
PO Box B93  
Civic Centre III  
Off Market Street  
Huddersfield  
HD1 2JR

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**KEY**

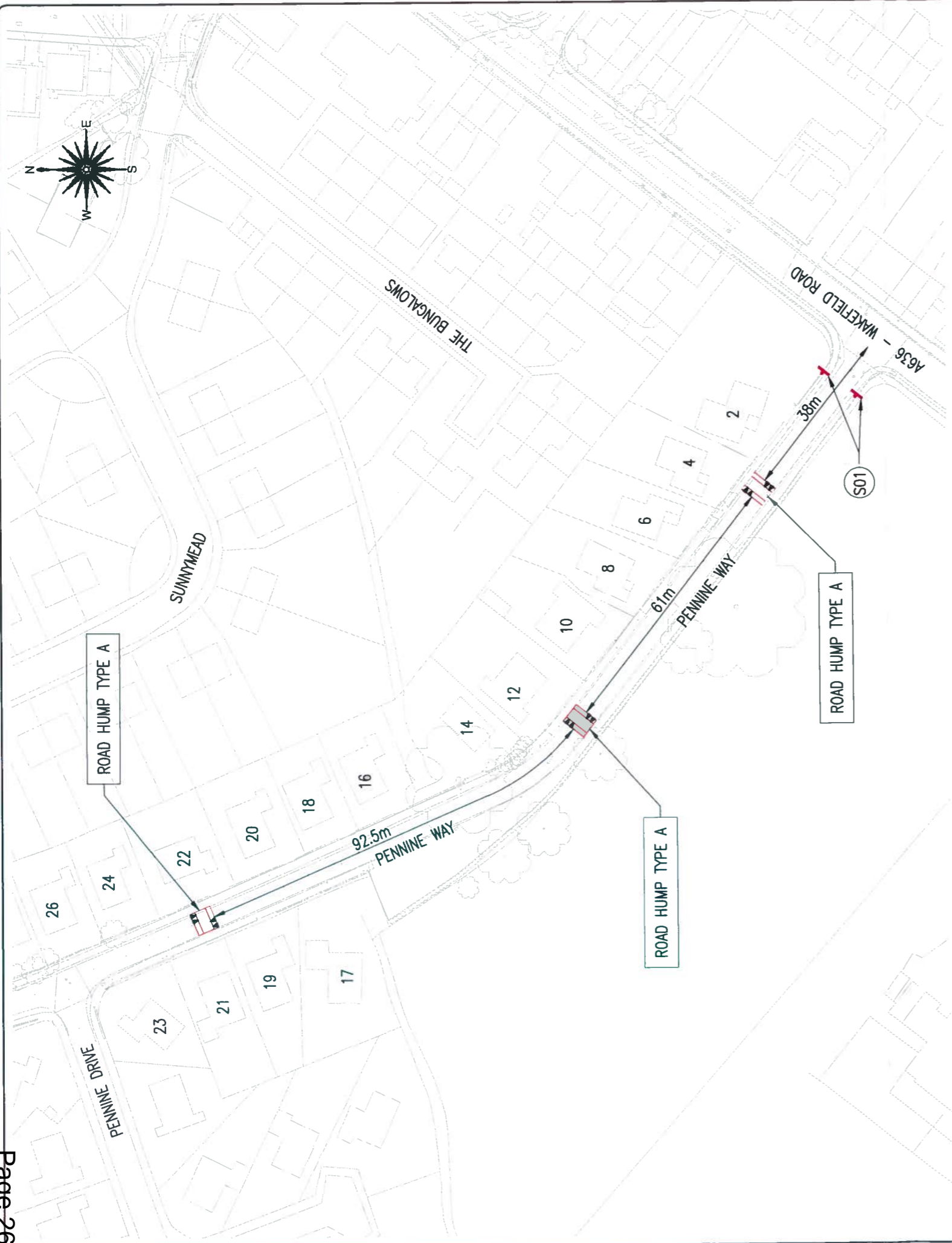
- NEW FOOTWAY TO BE PROVIDED
- FOOTWAY IMPROVEMENTS
- DOUBLE YELLOW LINE (NO WAITING AT ANY TIME)

| Rev | Date     | Description   | Initials |
|-----|----------|---|----------|
| A   | 17.12.15 | Revised in accordance with Kirklees Council's comments dated 16.12.2015 | MML      |

|                |          |                         |          |
|----------------|----------|-------------------------|----------|
| Development    |          | <b>LANGLEY FARM</b>     |          |
| Location       |          | SCISSETT                |          |
| Marketing Name |          | -                       |          |
| Drawing Title  |          | TRO CONSULTATION PLAN   |          |
| Drawing Number |          | <b>4866-16-06-528-1</b> |          |
| Revision       | <b>A</b> | Scale @ A3              | 1:250    |
| Drawn By       | MML      | Date Started            | NOV 2015 |
| Checked by     |          | Date                    |          |

  
**REDROW HOMES**  
 Redrow Homes Yorkshire  
 Redrow House, Brunel Road, Wakefield, West Yorkshire, WF2 0XG  
 Tel: 01924 822566 Fax: 01924 822569 Web: www.redrow.co.uk

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 This layout has been designed after due consideration of our Context & Constraints Plan



**Humps for  
240 yards**

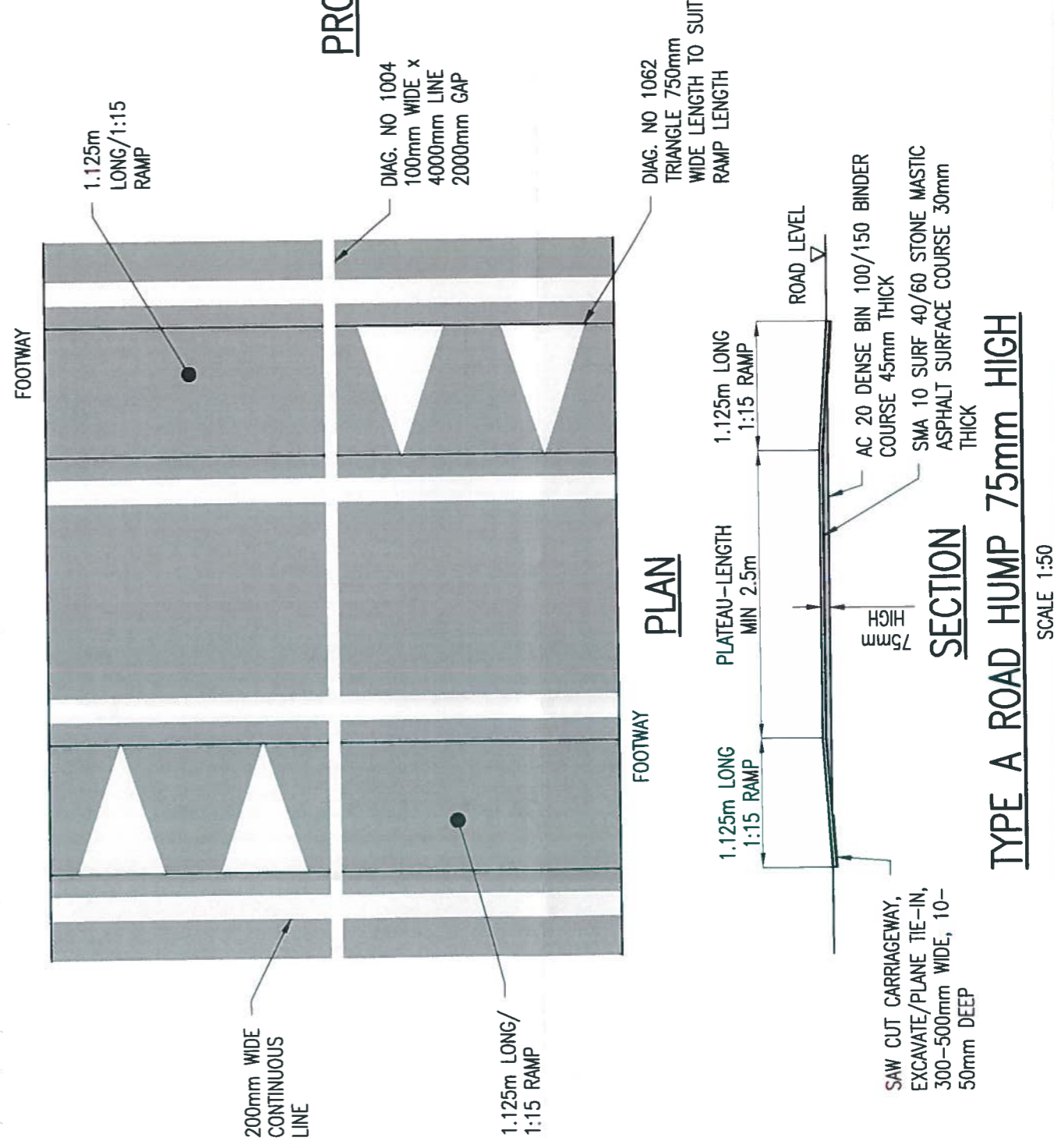
**PROPOSED SIGNING – S01**

| Rev | Date     | Description   | Initials |
|-----|----------|---|----------|
| A   | 17.12.15 | Revised in accordance with Kirkless Council's comments dated 16.12.2015 | MML      |

|                |   |
|----------------|---|
| Development    | <b>LANGLEY FARM</b>                       |
| Location       | SCISSETT                                  |
| Marketing Name | MARKETING                                 |
| Drawing Title  | TRAFFIC CALMING DETAILS CONSULTATION PLAN |
| Drawing Number | <b>4866-16-06-528-2</b>                   |
| Revision       | A   |
| Scale @ A3     | AS SHOWN                                  |
| Drawn By       | MML                                       |
| Date Started   | NOV 2015                                  |
| Checked by     |   |
| Date           |   |

**REDROW HOMES**  
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 Redrow House, Brunel Road, Wakefield, West Yorkshire, WF2 0XG  
 Tel: 01924 822506 Fax: 01924 822506 Web: www.redrow.co.uk

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SCALE 1:50

RECEIVED  
23 AUG 2019

[REDACTED]  
SCISSETT

HUDDERSFIELD

HD8 9JB

REF DEV/JE/D116-1909

21-08-19.

Dear Sir or Madam

I wish to log my objection to the proposed plan to add speed bumps to my street ie Pennine Way, Scissett, HD8 9JB.

Recently there has been talk of abolishing speed bumps nationally.

Reasons - Increase in pollution from vehicle exhausts as drivers slow down then speed up to negotiate these bumps.

Increase in noise and vibration to adjacent properties. (I have witnessed this effect at my son's house at 29 Cleveland Way, Shelley, HD8 8NQ.)

Delivery drivers don't slow down for these bumps.

Some private users don't slow down.

In winter when covered in snow they increase the chance of not being able to navigate the slope.

Emergency vehicles particularly ambulances suffer problems with these bumps.

Increase in wear and tear to vehicle suspension systems.

Surely a 20mph limit over all the estate would encourage people to be more considerate.

I agree with improvements to the exit onto Wakefield road. Long overdue.

However the view towards Denby Dale when exiting is restricted by the hedge marking the perimeter of the local school.

If the pavement was widened by moving the school boundary back the exit would be much safer.

OR take it a step further and utilise some of the lower part of the school field for parking.

This would alleviate the problems that local business will incur when yellow lines are lengthened or installed.

Yours Sincerely  
[REDACTED]

REG  
28 AUG 2019

[REDACTED]  
Scissett  
HUDDERSFIELD  
HD89JE  
26 August 2109

Dear Madam,

**Representation re TRO A636 Wakefield Road/Pennine Way Scissett**

**Ref DEV/JE/D116-1909**

**Redrow Development, Langley Grange Scissett**

The developer's proposals for the junction between Pennine Way and A636, Wakefield Road include some minor adjustments to the layout to improve visibility. The proposed visibility splay to the left on exit from Pennine Way onto A636 is shown on developer's drawing No 4866-16-06-528, (dated September 2014) as 4.5m x 40m. The proposed waiting restriction would allow vehicles to park within the visibility splay and restrict visibility. I request that the waiting restriction on the North West side of A636 be extended so that vehicles cannot be parked in the visibility splay and block visibility to the North East for traffic exiting Pennine Way.

Yours faithfully,

[REDACTED]

[REDACTED]