

KIRKLEES COUNCIL
LIST OF PLANNING APPLICATIONS DECIDED BY
STRATEGIC PLANNING COMMITTEE
14 JULY 2016

APPLICATION NO.**DESCRIPTION, LOCATION OF PROPOSAL AND DECISION**

2016/90647

Scott Waters, Alcuin Homes (Yorkshire) Limited - Outline application for residential development (23 dwellings) - former railway station and goods yard, Fold Farm, Netherton Fold, Netherton, Huddersfield

GRANT CONDITIONAL OUTLINE PLANNING PERMISISON SUBJECT TO DELEGATION OF AUTHORITY TO OFFICERS TO:

- (i) RESOLVE THE OUTSTANDING DRAINAGE ISSUES
- (ii) REFERAL OF THE APPLICATION TO THE SECRETARY OF STATE UNDER THE PROVISIONS OF THE TOWN & COUNTRY PLANNING CONSULTATIONS DIRECTION 2009. SHOULD THE SECRETARY OF STATE NOT WISH TO INTERVENE THEN:
- (iii) ENTER INTO A SECTION 106 AGREEMENT TO SECURE THE DEDICATION OF LAND AND A CONTRIBUTION TOWARDS PROVISION OF AN EXTENSION TO THE MELTHAM GREENWAY
- (iv) IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS, WHICH MAY INCLUDE THOSE SET OUT BELOW, AND
- (v) PROVIDED THAT THERE ARE NO NEW MATERIAL CHANGES, ISSUE THE DECISION.

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

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the appearance, scale, and landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

(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.

(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.

(5) Notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with British BS 5837 shall be submitted to 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

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protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

(6) The development shall not be brought into use until the vehicle parking areas shown on the approved plans have been surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

(7) No development, except for the demolition of buildings approved by this permission shall take place until a scheme detailing the proposed internal adoptable estate roads has 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.

(8) No development shall take place until the details of the junction and associated highway works at the junction of Station Road and Netherton Fold have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works to provide the junction have been completed in accordance with the approved plans.

(9) Prior to the first occupation of the development hereby approved, the developer shall subsidise the cost of a Metro travel card for the benefit of future occupiers in accordance with the Residential Metrocard scheme

(10) Development shall not commence until a scheme detailing measures to prevent mud and debris being brought from the site onto the public highway during construction works has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented throughout the construction period.

(11) 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.

(12) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 11 development shall not commence until a

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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.

(13) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 12. 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 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.

(14) 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.

(15) 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 affordable housing have 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.

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FOOTNOTE (Highways)

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Civic Centre 3, Market Street, Huddersfield (Kirklees Highway Design: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

FOOTNOTE (Contamination)

All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Bellamy, S Hall, Kane and Pattison (4 Votes)

AGAINST: Councillor A Pinnock (1 Vote)

ABSTAINED: Councillor Armer

2016/90973

C Blanshard, Kier Construction - Erection of two storey school and two storey modular building and demolition of existing school - Mount Pleasant Junior Infant And Nursery School, Mount Street, Lockwood, Huddersfield

APPROVE SUBJECT TO THE FOLLOWING CONDITIONS TOGETHER WITH ADDITIONAL CONDITIONS REGARDING THE REMOVAL OF TEMPORARY CLASSROOM ACCOMMODATION ON COMPLETION OF NEW SCHOOL AND THE PRODUCTION OF A CONSTITUTION MANAGEMENT PLAN

(1) The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

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(3) No development of the superstructure of the new (permanent) school building shall take place until samples of all facing and roofing materials has been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed of the approved materials.

(4) No building or other obstruction including landscape features shall be located over or within 4.0 (four) metres either side of the centre line of the public sewer i.e. a protected strip width of (8 metres) located within the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

(5) No building or other obstruction including landscape features shall be located over or within 3.0 (three) metres either side of the centre line of the water mains i.e. protected strip widths of (6) metres, located within the site. If the required stand-off distance is to be achieved via diversion or closure of the water mains the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker.

(6) The proposed car park hereby approved shall be laid out, surfaced, marked out into bays and drained in accordance with details that have been submitted to and approved in writing by the Local Planning Authority before the new (permanent) school is brought into use.

(7) A schedule of the means of access to the site for construction traffic shall be submitted and approved in writing by the Local Planning Authority prior to construction commencing. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing construction traffic to and from the site, temporary TROs to restrict parking on Mount Street, 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.

(8) A scheme detailing measures to manage parking on Mount Street and all associated works, together with the appropriate Safety Audits shall be submitted to and approved in writing by the Local Planning Authority before the development is brought in use. No part of the development shall be brought into use until the approved scheme has been implemented.

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(9) The development shall be carried out in accordance with the submitted Travel Plan (produced by Curtins, Ref: TPLE1158/TP dated 13 April 2016). The approved Travel Plan shall be operated at all times that the development is occupied and shall be reviewed and updated on an annual basis in accordance with the details that are outlined in the approved plan. The Travel Plan and all updates shall be produced in accordance with current national, regional and local best practice guidance and shall include details of operation, Travel Plan Coordinator/s, targets, infrastructure to be provided, measures that will be implemented, monitoring and review mechanisms, procedures for remedial action that may be required and a timetable for implementing the plan.

(10) Remediation of the site shall be carried out and completed in accordance with the submitted Remediation Strategy. 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 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. 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.

(11) 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 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 have been approved in writing by the Local Planning Authority.

(12) A report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises on Mount Street and Victoria Road from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority before development of the superstructure of the new (permanent) school building commences. The report shall include:

(a) an assessment of noise emissions from the proposed development;

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(b) details of background and predicted noise levels at the boundary of the site;
(c) a written scheme of how the occupants of Mount Street and Victoria Road will be protected from noise from the proposed development with noise attenuation measures as appropriate

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Bellamy, Armer, S Hall, Kane, Pattison and A Pinnock (6 Votes)

AGAINST: (No Votes)

2014/91831

P Cryan, Hartley Quality Homes - Outline application for erection of 60 dwellings, formation of access public space and associated infrastructure - Cockley Hill Lane, Kirkheaton, Huddersfield

Defer for further information about reconsideration of land disposal and mining legacy within the site

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, Bellamy, S Hall, Kane, Pattison and A Pinnock (6 Votes)

AGAINST: (No Votes)

2014/92535

Paul Cryan, Hartley Property Trust Ltd - Outline application for erection of 48 dwellings, formation of access and associated infrastructure - Shop Lane, Kirkheaton, Huddersfield

GRANT CONDITIONAL OUTLINE PLANNING PERMISSION SUBJECT TO DELEGATION OF AUTHORITY TO OFFICERS TO:

(i) REFERRAL OF THE APPLICATION TO THE HEALTH AND SAFETY EXECUTIVE UNDER SECTION 9 OF THE PLANNING AND PRACTICE GUIDANCE NOTES. SHOULD THE HEALTH AND SAFETY EXECUTIVE NOT INTERVENE THEN;

(ii) SECURE A S106 OBLIGATION TO PROVIDE:

- AFFORDABLE HOUSING OF 10 STARTER HOMES
- AN EDUCATION CONTRIBUTION OF £113,891

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- POS ON SITE AND A FINANCIAL CONTRIBUTION OF £129,950 TO IMPROVE OFF SITE POS

(iii) IMPOSE APPROPRIATE CONDITIONS WHICH MAY INCLUDE THOSE DETAILED BELOW AND AN ADDITIONAL CONDITION REGARDING A SCHEME FOR THE IMPROVEMENT OF EXISTING FOOTPATH AND AUDIT OF PEDESTRIAN LINKS BETWEEN SITES; AND

(iv) SUBJECT TO THERE BEING NO MATERIAL CHANGE IN CIRCUMSTANCES, TO ISSUE THE DECISION

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

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale, appearance and the 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.

(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.

(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.

(5) Development shall not commence until a scheme detailing the layout, construction and specification of the highway works at the site access junction with Shop Lane and with Orchard Road (with reference to drawing no. P09:4266.01 Rev A) and all associated highway works, and the appropriate Road Safety Audit, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until all the works under the approved scheme have been carried out and completed in accordance with the approved scheme and thereafter retained throughout the lifetime of the development.

(6) The development shall not be brought into use until visibility splays of 2.4 m x 43 m in both directions along Shop Lane at the site access junction in which there shall be no obstruction to visibility above the level of the adjacent footway as indicated on the approved plan have been completed. Thereafter, the

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visibility splays shall be retained throughout the lifetime of the development.

(7) Before the development commences a scheme detailing suitable boundary treatments to those parts of the development abutting footpath Kirkburton 255 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.

(8) Before the development commences a scheme detailing the location and cross sectional information together with the proposed design and construction for all the retaining walls and building walls adjacent to both the existing and new public highway shall be submitted to and approved in writing by the Highway Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the development.

(9) Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the 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. Thereafter all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

(10) Development 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.

(11) Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 10, 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.

(12) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 11, development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the local planning authority. The Remediation Strategy

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shall include a timetable for the implementation and completion of the approved remediation measures.

(13) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 12. 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 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.

(14) 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.

(15) Prior to development commencing a noise attenuation scheme relating to dwellings which front onto Shop Lane and also the rear elevations and garden areas of dwellings to the NE corner of this site, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the dwellings concerned.

(16) The development shall not commence until an assessment of the effects of 1 in 100 years storm events, with an additional allowance for climate change, upon drainage infrastructure and surface water run off pre and post development between the development and the surrounding area in all directions shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and the approved scheme shall be retained throughout the lifetime of the development.

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(17) Notwithstanding the submitted detail, no development shall commence until details of the on-site surface water attenuation have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter throughout the lifetime of the scheme.

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

(19) 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.

(20) No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the local planning authority. Furthermore, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

(21) Prior to the commencement of development, details of a bio-diversity habitat enhancement scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall include details and potential locations for bat / bird roost opportunities within the new development and surrounding retained trees. The approved scheme shall be implemented prior to the first occupation of any dwellings / plots containing such opportunities.

(22) Prior to occupation of any dwellings, electric vehicle recharging points shall be installed for each dwelling with a garage and / or 1 point for every 10 dwellings with communal car parking in accordance with a specification which shall first have been submitted to and agreed in writing by the Local Planning Authority.

(23) Where European Protected Species(eps) may be affected by a development and it can be demonstrated that an Natural England EPS licence will not be required, a written method statement(based on the format of Natural England's EPS licence application method statement) detailing how the development shall be completed without harm to any EPS 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

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development shall be carried out in accordance with the agreed method statement.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, Bellamy, S Hall, Kane, Pattison and A Pinnock (6 Votes)

AGAINST: (No Votes)