

Name of meeting: STRATEGIC PLANNING COMMITTEE

Date: 16 December 2020

Title of report: Mirfield 25, Leeds Road, Mirfield – Planning Compliance & Conditions Monitoring

The purpose of the report is to inform Members of the Strategic Planning Committee of complaints received, actions taken and the Conditions Monitoring of Mirfield 25, which is one of the largest Strategic sites in Kirklees currently under construction. It was agreed at the Committee on the 3rd June 2020, following application 2019/94152, that a monitoring report would be submitted for consideration because of the site's strategic nature.

Electoral wards affected: Mirfield

Ward councillors consulted: No

Public or private: Public

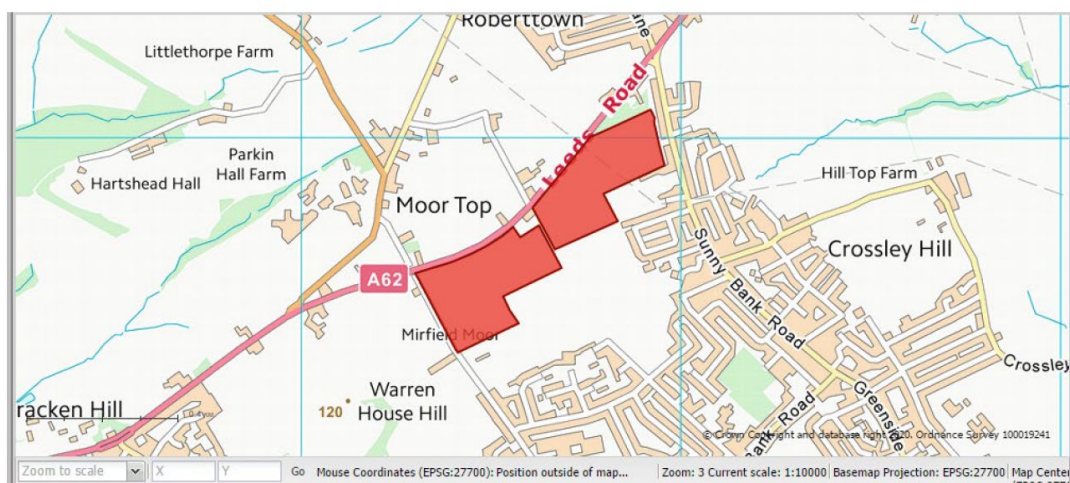
Has GDPR been considered? Yes. There no GDPR implications.

1. Summary

This report is for information only. It provides a detailed account of the nature and number of planning related complaints received for the site and resulting action. As well as an update on Major Site Monitoring of conditions and Section 106 obligations.

2. Site Context & Planning History

2.1



Map not to scale – for identification purposes only

- 2.2 Mirfield 25 site which is also referred to as Moor Park is a mixed-use allocation in the Local Plan. The whole allocation comprises 12.38 ha of land on the northern fringe of Mirfield. The site has a frontage onto Leeds Road (A62) and is bisected by Taylor Hall Lane. The site is bounded to the north by properties on Sunny bank Road to the east by open fields and school playing fields to the south, and Slipper Lane to the west.
- 2.3 The original outline planning permission was granted in 2015 for the erection of industrial units and for the erection of 166 dwellings. The relevant reserved matters have been approved along with variations made under Section 73¹.
- 2.4 The relevant planning history of planning applications are illustrated in Appendix 1 (with implemented permissions in **Bold**).

3. Section 106 Agreement/Obligations

- 3.1 A full schedule of the requirements of the agreed Section 106 obligation are showed in Appendix 2, along with relevant trigger points and actions to date. All invoices for trigger points have been issued to the relevant developers and they are in compliance with their obligations under the agreement.

4. Planning Compliance/Enforcement Complaints Received

- 4.1 The Compliance Team operates a Major Site Monitoring scheme whereby sites such as Mirfield 25 are both pro-actively monitored and monitored as a reaction to complaints received.
- 4.2 All planning compliance complaints received are dealt with in accordance with the adopted Development Management Compliance Strategy (DMCS)².
- 4.3 The Local Planning Authority (LPA) has a duty to investigate relevant complaints but the enforcement of planning controls in the planning system is an activity that exhibits a high degree of discretion in decision-making. LPA's are empowered to enforce against breaches of planning control where they consider it 'expedient' to do so having regard to the provisions of the development plan and any other material considerations³.
- 4.4 As well as the above statutory provision, there are national policy documents that require an LPA to act proportionately in relation to planning enforcement steps. For example, paragraph 58 of the National Planning Policy Framework (NPPF) provides:

“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary

¹ Section 73 of the Town and Country Planning Act 1990 (as amended)

² DMCS <https://www.kirklees.gov.uk/beta/planning-enforcement/pdf/development-management-compliance-strategy.pdf>

³ Section 172(1) of the Town and Country Planning Act 1990 (as amended)

and local planning authorities should act proportionately in responding to suspected breaches of planning control...

- 4.5 This is supplemented by the National Planning Practice Guidance (NPPG). In paragraph 011, under the heading *“When might formal enforcement action not be appropriate?”*, which states:

“Nothing in this guidance should be taken as condoning a wilful breach of planning law. Enforcement action should, however, be proportionate to the breach of planning control to which it relates and taken when it is expedient to do so. Where the balance of public interest lies will vary from case to case. In deciding, in each case, what is the most appropriate way forward, local planning authorities should usually avoid taking formal enforcement action where:

- there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;*
- development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;*
- in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed.”*

- 4.6 The NPPG⁴ also advises that:

“addressing breaches of planning control without formal enforcement action can often be the quickest and most cost effective way of achieving a satisfactory and lasting remedy”

- 4.7 The statutory regime and Government guidance therefore requires LPA’s to exercise discretion and to negotiation remedies to identified breaches of planning control and only take formal enforcement action where there is identified planning harm and informal negotiations have failed.

- 4.8 Table 1 below shows the nature of complaints received and the number thereof. This includes relevant planning compliance complaints received by the Planning Department. It does not include non-planning compliance matters (e.g. Health & Safety, Building Control etc) however complaints received that are non-planning compliance related are referred to the relevant departments within the Council.

⁴ NPPG paragraph 010

Table1 – Complaints received between March 2019 – Nov 2020

Type of Complaint	Number of complaints
Hours of working/breach of condition	6
Mud on the road/dust/breach of condition	14
Advertisements	2
Temporary Drainage	2
Temporary fencing	1
Vegetation removal	3
Contractor parking	1

5. Actions taken

- 5.1 The vast majority of complaints were either resolved by negotiation, or there was no evidence of a breach of planning control. Two of the types of complaint, namely temporary drainage and mud on the road, a breach of condition was identified.
- 5.2 *Temporary drainage* – Condition 27 of planning permission 2019/90756 required the submission, approval and subsequent implementation of a temporary drainage scheme during the construction of the development. During a site inspection on in September 2019 it was found that the only temporary drainage installed was perforated pipe in a stone filled ditch along the western perimeter turning along 30m of the southern perimeter. It was not completed as it had yet to be connected to any sort of outlet. Neither of the drainage basins had been installed.
- 5.3 As the approved temporary drainage scheme had not been fully installed and construction works were commencing this constituted a breach of condition 27. The Compliance Team therefore served a Breach of Condition Notice in September 2019 requiring the scheme to be fully installed. This was subsequently completed and the breach of planning control remedied.

5.4 *Mud on the road* – these complaints were predominantly concerning the residential part of the development. The approved Construction Management Plan states that provision will be made for a wheel wash on site and scheduled cleaning of the highway (Leeds Road) by road sweepers. Various site visits by Officer's found the condition of the road to be satisfactory although communications were made with the developer to seek the instalment of a wheel wash. Some wheel washing facilities were in place in the early construction period by a jet wash affixed to the road sweepers. At some point the use of road sweepers with a jet wash affixed attachment for wheel washing ceased. The developers position was that the already scheduled use of road sweepers 2 - 3 times per day on the public highway was satisfactory. Further complaints have recently been received and evidence obtained to the effect that the road sweeping alone is not quite enough to prevent deposits on the highway.

5.5 In November 2020, and following negotiations with the developer being unsuccessful, the Compliance Team issued a Breach of Condition Notice requiring the installation of a wheel wash. This is being monitored for compliance.

6. Discharge of Conditions

6.1 Appendix 1 shows the discharge of conditions planning history and Appendix 3 a full list of relevant conditions. The conditions have different trigger points i.e. pre-commencement, prior to occupation etc. The developers have and continue to submit the relevant discharge of conditions applications for the various stages of construction. All information provided to date is satisfactory and monitoring will continue on conditions triggered at different stages of construction.

7. Implications for the Council

There will be no impact on the six main priority areas listed below

- Working with People
- Working with Partners
- Place Based Working
- Climate Change and Air Quality
- Improving outcomes for children
- Other (eg Legal/Financial or Human Resources)

8. Consultees and their opinions

Not applicable, the report is for information only

9. Next steps

Continue site monitoring of conditions/compliance

- 10. Officer recommendations and reasons**
To note
- 11. Cabinet portfolio holder recommendation**
Not applicable
- 12. Contact officer**
Mathias Franklin – Head of Planning and Development (01484 221000)
mathias.franklin@kirklees.gov.uk
- 13. Background Papers and History of Decisions**
Not applicable

Appendix 1 – Relevant Planning History

2014/90688 - Outline application for erection of commercial floorspace (B1c, B2, B8) including details of engineering operations to form serviced employment plots and full application for the erection of 166 dwellings – granted 29/04/2015

2015/93216 - Discharge of condition 3. (materials) on previous permission no. 2014/90688 – approved
06/04/2018

2015/92679 - Discharge conditions 4 (coal mining risk assessment), 9 (Phase II intrusive site investigation), 10 (remediation strategy), 11 (validation report) on previous permission 2014/90688 – approved 29/07/17

2015/92384 - Discharge of conditions 23 (highways, relating to residential) and 30 (highways, relating to industrial) for planning permission 2014/90688

2015/93520 - Discharge of condition 18 (archaeological recording) on planning permission 2014/90688 – approved
20/07/2016

2018/90671 - Discharge condition 3 (Industrial) (Phasing Plan) on previous permission for outline application for 2014/90688 – approved
28/03/2018

2018/90414 - Discharge of Conditions 21, (construction access) 22 (onsite parking) & 28 (drainage) on previous application 2014/90688 – approved
27/03/2018

2018/90802 - Removal of condition 31 (B8 floorspace) and variation of conditions 23 (Residential) (Road Safety Audits) and 30 (Industrial) (Road Safety Audits) on previous application 2014/90688 – granted 05/10/2018

2018/90801 - Reserved Matters application pursuant to outline permission 2014/90688 as varied by application 2018/90802 – approved 05/10/2018

2018/91005 - Discharge conditions 6, 8, 19, 24, 25, 26, 27 and 29 on previous permission 2014/90688

2018/91140 - Discharge conditions 5, 7, 10, 11, 13-17, 26, 28, 29 and 32-36 on previous permission 2018/90802

2018/93622 - Reserved matters application pursuant to permission no 2018/90802 for removal of condition 31 (B8 floorspace) and variation of conditions 23 (Residential- Road Safety Audits) and 30 (Industrial-Road Safety Audits) on previous application 2014/90688 – approved 18/01/2019

2019/90756 - Variation of condition 2. (plans and specifications) on previous permission no. 2014/90688 – Approved 21/082019

2019/94152 - Reserved matters application pursuant to application no 2018/90802 for development of 16,723 sq metres employment floor space together with associated internal roads, parking and landscaping in relation to the reserved matters of layout, scale, appearance

2020/93945 - Discharge condition 14 (management plan) on previous permission 2014/90688 for outline application for erection of commercial floorspace (B1c, B2, B8) including details of engineering operations – undetermined 25/11/2020

2020/93958 - Discharge condition 7 (drainage) on previous permission 2019/94152 for reserved matters application pursuant to application no 2018/90802 for development of 16,723 sq metres employment floor space together with associated internal roads, parking and land

Appendix 2

Original Agreement dated – 29 April 2015

Variation – 5 October 2018 by virtue of 2018/90802 variation of condition application.

Clause	Requirements (Schedule 1)	Trigger	Comments
1.1	Implement Travel Plan as approved in pp	Within three months of residential units being occupied	
1.2	Send progress report to Travel Plan Officer (TPO)	Within six months of residential units being occupied	
1.5	£3,000 Annual payment for Travel Plan monitoring for 5 years	Before occupation of the <u>employment</u> and each anniversary thereafter	
1.6	£2,000 Annual payment for Travel Plan monitoring for 4 years	Before occupation of the <u>residential</u> and each anniversary thereafter	Invoiced 04/11/2020
1.8.1	£25,000 contribution to traffic calming on Church Lane, Mirfield	Before occupation of residential units	Invoiced 04/11/2020
1.8.2	£35,000 contribution to improvement to cycle lanes on Leeds Road	Before occupation of 30 th residential unit	
1.8.3	£35,000 contribution to junction and signal improvements on Stocks bank Road	Before occupation of residential units	Invoiced 04/11/2020
1.8.4	£35,000 contribution to traffic calming / management at Roberttown	Before occupation of residential units	Invoiced 04/11/2020
1.8.5	£30,000 contribution to off-site drainage works adjacent Old Engine Close	Before occupation of the 30 th residential unit	Invoiced 29/11/2018, monies received and works implemented

2	£970,000 Education / POS & Affordable housing	Four equal instalments of £242,500 Prior to occupation of 30 th 60 th 90 th and 120 th dwelling	
3.1	Undertake earthworks to employment land	Before occupation of residential units	See 2018/91140 DoC
3.2	Construct two vehicular accesses to employment land	Before occupation of residential units	Done
3.3	Undertake remediation works to employment land	Before occupation of residential units	See s.106 variation
3.4	Provide services up to boundary of employment land	Before occupation of residential units	Done
3.5	Undertake ground stabilisation works to employment land	Before occupation of residential units	See s.106 variation
4	Submit marketing programme for employment land	Before occupation of residential units	See 2018/91140 DoC

Appendix 3

MAJOR SITE MONITORING – Land at Slipper Lane, Mirfield

No	Residential Conditions – 2018/90802	Submitted	Agreed / Discharged	Comments – Reviewed 25/11/2020
1	<p>1) The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.</p> <p>Reason: Pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p>	n/a		<p>08/07/19 – Residential site ground works commenced June 2019. Infrastructure only.</p> <p>14/08/19 – ground works being undertaken.</p>
2	<p>2) The development hereby permitted shall be carried out in complete accordance with the approved plans and specifications as listed at the end of this decision notice except as may be required by other conditions.</p> <p>Reason: To safeguard the amenities of nearby residents and to accord with Policy D2 of the Kirklees Unitary Development Plan.</p>	n/a		
3	<p>3. The development shall be completed using the facing, roofing, hard landscaping and boundary materials that are agreed under Discharge of Condition application 2015/93216</p> <p>Reason: In the interests of visual amenity and to accord with Policy D2 of the Kirklees Unitary Development Plan.</p>	Y	<u>2015/93216</u>	Application to discharge 2015/93216 approved
4	<p>4. Before first occupation, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the following internal sound levels have been achieved in plots 1-4, 10-12, 13-17, 90-92, 112-120.</p>	Y		

	<p>1. The 16hr LAeq shall not exceed 35dB between 0700 and 2300 hours when readings are taken in any noise sensitive rooms in the development.</p> <p>2. The 8hr LAeq shall not exceed 30dB between 2300 and 0700 hours when readings are taken inside any bedroom in the development.</p> <p>3. The LAF1 (15min) indoor shall not exceed 45 dB between 2300 and 0700hrs when readings are taken inside any bedroom in the development.</p> <p>If it cannot be demonstrated that the aforementioned sound levels have been achieved, a further scheme incorporating further measures to achieve those sound levels shall be submitted for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.</p> <p>Reason: To safeguard the amenity of occupiers of the dwellings from potential road traffic noise in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan.</p>			
5	5. The ventilation scheme for habitable rooms to plots 1-4, 10-12, 13-17, 90-92, 112-120, agreed under Discharge of Condition application 2018/91005 shall be prior to occupation of the aforementioned plots.	Y	<u>2018/91005</u>	Application to discharge condition approved 2018/91005– note 2018/90414 discharges requirements of conditions attached to 2014/90688

	<p>Reason: To safeguard the amenity of occupiers of the dwellings from potential noise and to accord with Policy D2 of the Kirklees Unitary Development Plan.</p>			not variation of con app 2018/90802 hence different nos.
6	<p>6. Before the development is first brought into use all barrier works which form part of the sound attenuation scheme as specified in the Noise Report dated February 2014 produced by WSP Ltd :</p> <p>i. shall be completed; and</p> <p>ii. written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.</p> <p>Reason: To safeguard the amenity of occupiers of the dwellings from potential road traffic noise in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan</p>	n/a		
7	<p>7. The Dust Suppression scheme agreed under 2018/91005 shall be operated throughout the life of the planning permission.</p> <p>Reason: To safeguard the amenity of occupiers of the dwellings from dust and to accord with Policy D2 of the Kirklees unitary Development Plan</p>	Y	<u>2018/91005</u>	Application to discharge condition approved 2018/91005– note 2018/90414 discharges requirements of conditions attached to 2014/90688 not variation of con app 2018/90802 hence different nos.

8	<p>8. The site remediation is recommended in the Phase II Intrusive Site Investigation Report, development shall not commence until a The Remediation Strategy agreed under Discharge of Condition application 2015/922679 shall be implemented in accordance with the agreed timetable.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>	Y	<u>2015/92679</u>	Application to discharge condition approved 2018/91005 (note typo on ref)
9	<p>9. Remediation of the site (in so much as it is required) shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. 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 in the affected area 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.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>	n/a		

10	<p>10. 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 affected area shall be brought into use until such time as the remediation measures for the affected area 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.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>	n/a		
11	<p>11. The development shall be carried out in complete accordance with Sections 12.6 of the submitted Ecology and Nature Conservation Report. The features specified in this report shall be provided prior to occupation of the final dwelling on the site, and retained thereafter.</p> <p>Reason: In the interests of biodiversity and to accord with the guidance in the National Planning Policy Framework.</p>	n/a		
12	<p>12. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		
13	<p>13. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be</p>	n/a		

	<p>inspected/sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>			
14	<p>14. The site shall be developed with separate systems of drainage for foul and surface water on and off site.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		
15	<p>15. 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.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	N		31/05/2018 Lead Flood Authority have recommended drainage conditions can be discharged – see below.
16	<p>16. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		

17	<p>17. The programme of archaeological recording agreed under Discharge of Conditions Application 2015/93520 shall be carried out by an appropriately qualified and experienced archaeological consultant or organisation.</p> <p>Reason: In the interests of archaeological conservation and to accord with the guidance in the National Planning Policy Framework.</p>	Y	<u>2015/93520</u>	Application to discharge condition approved 2015/93520
18	<p>18. Before development commences (excluding infrastructure works as set out in footnote 1 below), a landscape management plan shall be submitted to the Local Planning Authority detailing retention of existing features and ecological connectivity and compensation measures for any lost features. The approved scheme shall be implemented prior to first occupation of the final dwelling.</p> <p>Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with the guidance in the National Planning Policy Framework.</p>	N	2018/91005	<p>Details submitted under previous DoC for 2014/90688 (note step difference in condition numbers) ref: 2018/91005</p> <p>Trees raise no objection. Ecology request further details including compensatory hedge planting to improve biodiversity.</p>
19	<p>19. The development shall not be brought into use until a Full Travel Plan for the site (or part of the site), produced in accordance with the Framework Travel Plan dated 07/02/2014, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include:</p> <ul style="list-style-type: none"> ☐ Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets; ☐ The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring; ☐ The provision of travel Information; ☐ Implementation and review timescale; and Enforcement, sanctions and corrective/review mechanisms. 	Y		

	<p>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.</p> <p>Reason: To comply with the Council's sustainability objectives set out in Unitary Development Plan Policy T1 and the National Planning Policy Framework.</p>			
20	<p>20. The scheme detailing access provision to and from the site for construction traffic, including arrangements for restricting such vehicles to approved points of access and egress, agreed under Discharge of Condition application 2018/ 90414 he approved shall be operated throughout the period of construction work.</p> <p>Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Unitary Development Plan Policy T10.</p>	Y	<u>2018/90414</u>	<p>Application to discharge condition approved 2018/90414 – note 2018/90414 discharges requirements of conditions attached to 2014/90688 not variation of con app 2018/90802 hence different nos. Breach of Condition Notice served in respect of provision of wheel wash – monitoring</p>
21	<p>21. The scheme detailing provision for on-site parking for construction workers for the duration of the construction period agreed under Discharge of Condition application 2018/90414, shall be then be implemented throughout the construction period.</p> <p>Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Unitary Development Plan Policy T10.</p>	Y	<u>2018/90414</u>	<p>Application to discharge condition approved 2018/90414– note 2018/90414 discharges requirements of conditions attached to 2014/90688 not variation of con app 2018/90802 hence different nos.</p>
22	<p>22. A scheme detailing the following off-site works, including the relevant Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)) shall be submitted to and approved in writing by the Local Planning Authority, prior to the implementation of the access points:</p>	N	2015/92384	<p>S278 works completed. Condition not formally discharged but s278 signed.</p>

	<p>☒ A62 / Sunny Bank Road Junction as set out on WSP drawing number 0467-S278-TS-005 Rev E.</p> <p>☒ Two priority junctions to provide site access off the A62 as shown on drawing no's 1004/GA/01 Rev B (residential only) and 075699-00-ZZ-DRC-75001 04 (industrial only)</p> <p>The development shall not be brought into use until the all the works under the approved scheme have been carried out complete accordance with the approved scheme. These works shall thereafter be retained for the lifetime of the development.</p> <p>Reason: In the interests of highway safety and in accordance with Unitary Development Plan Policy T10.</p>			
23	<p>23. No development shall commence (excluding infrastructure works as set out in footnote 1 below) until the scheme of details of finished floor levels of each dwelling, together with corresponding finished ground levels and of surface and land drainage associated with any works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the details so approved and no dwelling shall be occupied until the works relating to that property have been completed. These shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the satisfactory drainage of the site, in the interests of visual and residential amenity and to accord with Policy</p>	N		Details submitted under previous DoC for 2014/90688 (note step difference in condition numbers) ref: 2018/91005

	D2 of the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework.			
24	<p>24. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing the piping of ordinary watercourses and Leeds Road Highway Drain within the site, has been submitted to and approved in writing by the Local Planning Authority. There shall be no buildings or structures located within 3 metres of ordinary watercourses and the highway drain serving Leeds Road. The scheme shall include a plan to protect the works throughout the construction phase and detailed maintenance and management regime for the piped watercourse and works for the lifetime of the development. These works should be completed in accordance with an approved phasing plan. No part of the development shall be brought into use until the watercourse piping works comprising the approved scheme have been completed. The maintenance and management regimes shall be implemented for the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework</p>	N		<p>Details submitted under previous DoC for 2014/90688 (note step difference in condition numbers) ref: 2018/91005</p> <p>31/05/2018 Lead Flood Authority have recommended this condition can be discharged</p>
25	<p>25. The development shall not commence (excluding infrastructure works as set out in footnote 1 below) until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, exceedance events and blockage scenarios 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. The assessment will be substantially in</p>	N		<p>Details submitted under previous DoC for 2014/90688 (note step difference in condition numbers) ref: 2018/91005</p> <p>31/05/2018 Lead Flood Authority have recommended this condition can be discharged</p>

	<p>accordance with the details in the Flood Risk Assessment (revised 11th September 2014). 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 such approved scheme shall be retained thereafter throughout the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>			
26	<p>26. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing foul, surface water and land drainage, (including a scheme to integrate off and on site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority. Discharge rates shall be limited to the specific outfalls noted in a Flood Risk Assessment by WSP revision dated 11th September 2014. There shall be no pumped discharge of surface water from this site. Attenuation should accommodate the 1 in 100 year critical storm event with an appropriate allowance for climate change. None of the dwellings/buildings shall be occupied until such approved drainage scheme(s) has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained throughout the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	N		<p>Details submitted under previous DoC for 2014/90688 (note step difference in condition numbers) ref: 2018/91005</p> <p>31/05/18 Lead Flood Authority have recommended this condition can be discharged</p>

27	<p>27. 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.</p> <p>Reason: To ensure the satisfactory drainage of the site and to accord with the guidance contained within the National Planning Policy Framework.</p>	N	<u>2018/90414</u>	<p>Application to discharge condition approved 2018/90414– note 2018/90414 discharges requirements of conditions attached to 2014/90688 not variation of con app 2018/90802 hence different nos.</p> <p>Discharged again 2019/93526</p> <p>Breach of Condition issued for breach on residential development.. Complied with – monitoring</p>
28	<p>28. The details facilitating the provision of charging plug in or other ultra-low emission vehicles agreed under Discharge of Condition application 2018/91005 shall be implemented prior to the occupation of each of the affected premises .</p> <p>Reason: In the interests of achieving sustainable development and meeting the challenges of climate change, in accordance with the guidance contained within the National Planning Policy Framework</p>	Y	<u>2018/91005</u>	<p>Application to discharge condition approved 2018/91005– note 2018/90414 discharges requirements of conditions attached to 2014/90688 not variation of con app 2018/90802 hence different nos.</p>
No.	Industrial Conditions	Submitted	Agreed / Discharged	Comments

1	<p>1. Approval of the details of the appearance of the site, layout, scale and landscaping (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.</p> <p>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</p>	Y	<u>2018/93622</u>	Reserved Matters app – 2018/93622
2	<p>2 Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the appearance, layout, scale and landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.</p> <p>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.</p>	n/a	<u>2018/90671</u>	Phase 1 Whole site enabling works Phase 2 east half phase 3 west half
3	<p>3. In the event of the submission of reserved matters being phased then submission shall be phased in accordance with a phasing plan to be approved by the Local Planning Authority. Application for approval of the first set of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for approval of subsequent reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.</p> <p>Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p>	Y	2018/90671	Discharged

4	<p>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, before the expiration of two years from the date of the final approval of the last such matter to be approved.</p> <p>Reason: Pursuant to section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p>	n/a		
5	<p>5. Prior to development commencing, intrusive site investigation works should be undertaken, in accordance with the requirements of the submitted Coal Mining Risk Assessment. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings, these works shall be fully completed prior to commencement of the development.</p> <p>Reason: To ensure the safety and stability of the proposed development, in accordance with the guidance contained within the National Planning Policy Framework</p>	Y	<u>2018/91140</u>	Discharged
6	<p>6. The development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works comprising the approved scheme have been completed. The works comprising the scheme shall thereafter be retained.</p> <p>Reason: In the interests of visual amenity and to accord with Policy D2 of the Kirklees Unitary Development Plan.</p>	N	<u>2019/91971</u>	Discharged – see letter of 22 Nov 2019. Drw 1856-03A Drw 4050-04C Drw4050-5B
7	<p>7. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report development shall not commence until a</p>	Y	<u>2018/91140</u>	Discharged Curtins report 037794-CUR-00-XX-RP-GE-0001

	<p>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.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>			
8	<p>8. Remediation of the site (in so much as it is required) shall be carried out and completed in accordance with the 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 in the affected area 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.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>	n/a		
9	<p>9. 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.</p>	N	Before use 2019/93367	Validation? Gas protection measures – see email to Caddicks 06/12/2019

	<p>Unless otherwise agreed in writing with the Local Planning Authority, no part of the affected area shall be brought into use until such time as the remediation measures for that area 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.</p> <p>Reason: To ensure that the development is safely completed in accordance with the requirements of Kirklees Unitary Development Plan Policy G6.</p>			Discharged – 12/12/12. Communicating with Caddick for compliance
10	<p>10. Before the development is brought into use a report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises (Nos 46, 61, 73, 75 Slipper Lane and 56, 58, 60 & 60a Leeds Road) from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:</p> <p>a) an assessment of noise emissions from the proposed development</p> <p>b) details of background and predicted noise levels at the boundary with the aforementioned properties</p> <p>c) a written scheme of how the occupants of the aforementioned properties will be protected from noise from the proposed development with noise attenuation measures as appropriate</p>	Y	<p><u>2018/91140</u></p> <p>Before Use</p>	06/12/2019 - Not yet discharged – see email to Caddicks 06/12/2019. Communicating with Caddick for compliance

	<p>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.</p> <p>Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise disturbance in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan.</p>			
11	<p>11. Prior to the development being brought into use, details of any audible warning devices to be used on vehicles based at the site shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise disturbance in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan.</p>	Y	<p><u>2018/91140</u></p> <p>Before Use</p>	<p>06/12/2019 – not yet discharged – see email to Caddicks 06/12/2019. Communicating with Caddick for compliance</p>
12	<p>12. The use hereby permitted shall not begin until details of the installation and/or erection of any extract ventilation system, including details of the methods of treatments of emissions and filters to remove odours have been submitted and approved in writing by the Local Planning Authority and the works specified in the approved scheme have been installed. Such works shall thereafter be retained, operated at all times when the businesses are in use and maintained in accordance with the manufacturers instructions.</p> <p>Reason: To safeguard the amenity of occupiers of nearby dwellings from potential noise and odour disturbance in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan.</p>	N	<p>Before Use</p>	<p>– see email to Caddicks 06/12/2019. Communicating with Caddick for compliance</p>
13	<p>13. Before any permanent external lighting is installed, a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority.</p>	Y	<p><u>2018/91140</u></p> <p>Before Lighting is installed</p>	<p>06/12/2019 – not yet discharged– see email to Caddicks 06/12/2019</p> <p>2019/93202 – discharged 12/12/19</p>

	<p>Thereafter the artificial lighting shall be operated in accordance with the approved scheme. The scheme should include the following information:</p> <p>1) The proposed design level of maintained average horizontal illuminance for the site.</p> <p>2) The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity.</p> <p>3) The proposals to minimise or eliminate glare from the use of the lighting installation</p> <p>4) The proposed hours of operation of the lighting</p> <p>Reason: To safeguard the amenity of occupiers of nearby dwellings from potential light pollution in accordance with the provisions of Policy EP4 of the Kirklees Unitary Development Plan.</p>		2019/93202	
14	<p>14. Prior to development commencing, a Construction Environmental Management Plan shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall include, as a minimum, the recommendations in sections 9.6.13 to 9.6.15 of the Environmental Statement submitted as part of the application. The agreed plan shall be adhered to throughout the construction of the development.</p> <p>Reason: In the interests of residential amenity and to accord with Policy D2 of the Kirklees Unitary Development Plan.</p>	y	<u>2018/91140</u>	<p>Revised CEMP discharged – see letter of 24 Jan 2019</p> <p>2020/93945 – Amended Plan Non yet determined 22/11/20</p>
15	<p>15. Prior to the development being brought into use a further Air Quality Impact Assessment should be submitted to and agreed with the Local Planning Authority. The Assessment must calculate the pollutant damage emissions costs from the development and use this figure to determine measures to mitigate against this impact. The mitigation must be agreed by the Local Planning Authority and all</p>	Y	<u>2019/91971</u> Before Use	<p>Discharged for unit 1 - see letter of 22 Nov 2019</p> <p>SLR 410.05342.00002 Draft v.1 And mitigation measure email of 18 Oct 2019</p>

	<p>works carried out prior to occupation of the development. Within 6 months of occupation of the final unit, a further Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment should assess the effectiveness of the aforementioned mitigation measures and calculate any residual pollutant damage emissions costs from the development and use this figure to determine further measures to mitigate against this impact. The mitigation must be agreed by the Local Planning Authority and all works carried out within 3 months of those measures being approved in writing.</p> <p>Reason: In the interests of amenity in respect of Air Quality and to accord with Policy D2 of the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework.</p>			
16	<p>16. Before the installation of car parking areas, the applicant must submit a plan detailing facilities to be provided for charging plug in or other ultra-low emission vehicles. This plan must be agreed in writing by the Local Planning Authority before development commences and the plan implemented before first occupation of any premises on the development.</p> <p>Reason: In the interests of achieving sustainable development and meeting the challenges of climate change, in accordance with the guidance contained within the National Planning Policy Framework.</p>	Y	<p><u>2018/91140</u></p> <p>Before installation of car parking areas</p> <p>2019/93367</p>	<p>06/12/2019 – not yet discharged– see email to Caddicks 06/12/2019</p> <p>Discharge 12/12/19</p>
17	<p>17. Prior to development commencing within 30 metres of the Protected Trees on site (at the junction of Taylor Hall Road and Leeds Road), an Arboricultural method statement, in accordance with British</p>	Y	<p><u>2018/91140</u></p>	<p>Drawing no 4050 03 03 08.18 rev B discharged</p>

	<p>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 and the type of surfacing. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.</p> <p>Reason: To protect mature trees within the site, in accordance with the requirements of Policy NE9 of the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework.</p>			
18	<p>18. The development shall be carried out in complete accordance with Sections 12.6 of the submitted Ecology and Nature Conservation Report. The features specified in this report shall be provided prior to occupation of the final unit on the site, and retained for the lifetime of the development.</p> <p>Reason: In the interests of biodiversity and to accord with the guidance in the National Planning Policy Framework.</p>	n/a		
19	<p>19. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.</p>	n/a		

	<p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>			
20	<p>20. All downpipes carrying rain water from areas of roof shall be sealed at ground-level prior to the occupation of the development. The sealed construction shall thereafter be retained throughout the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		
21	<p>21. Inspection manholes shall be provided on all foul and surface water drainage runs such that discharges from individual units can be inspected/sampled if necessary. All manhole covers shall be marked to enable easy recognition. Foul will be marked in red. Surface water will be marked in blue. Direction of flow will also denoted. Where more than one discharge point is proposed, manholes will also be numbered accordingly to correspond with their respective discharge point.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		
22	<p>22. The site shall be developed with separate systems of drainage for foul and surface water on and off site.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		

23	<p>23. 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.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a	2019/93367	<p>06/12/2019 - Not yet discharged– see email to Caddicks 06/12/2019</p> <p>12/12/19 - Discharged</p>
24	<p>24. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework</p>	n/a		
25	<p>25. Surface water from vehicle parking and hardstanding areas shall be passed through an interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	n/a		
26	<p>26. Before any soft landscaping is provided, a landscape management plan shall be submitted to the Local Planning Authority detailing retention of existing features and ecological connectivity and compensation measures for any lost features. The approved scheme shall be implemented prior to first occupation of the final unit.</p> <p>Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and biodiversity and to accord with the guidance in the National Planning Policy Framework.</p>	Y	<p><u>2019/91971</u></p> <p>Before landscaping is provided</p>	<p>Discharged see letter of 22 Nov 2019</p> <p>Grace Landscapes management statement</p>

27	<p>27. No part of the development shall be brought into use until a Full Travel Plan for the site (or part of the site), produced in accordance with the Framework Travel Plan dated 07/02/2014, has been submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include: [</p> <ul style="list-style-type: none"> ☐ Measures, objectives and targets for reduced car usage and increased non-car transport usage, including modal split targets; ☐ The provision of Travel Plan Co-ordinator including roles, responsibilities and annual monitoring; ☐ The provision of travel Information; ☐ Implementation and review timescale; and ☐ Enforcement, sanctions and corrective/review mechanisms. <p>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.</p> <p>Reason: To comply with the Council's sustainability objectives set out in Unitary Development Plan Policy T1 and the National Planning Policy Framework.</p>	N	Before Use	<p>06/12/2019 – unit 1 not yet submitted– see email to Caddicks 06/12/2019</p> <p>Check for occupation.</p>
28	<p>28. Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, including what arrangements will be made for restricting such vehicles to approved points of access and egress, has been submitted to and approved in</p>	Y	<u>2018/91140</u>	Revised CEMP discharged – see letter of 24 Jan 2019

	<p>writing by the Local Planning Authority. The approved scheme shall then be operated throughout the period of construction work.</p> <p>Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Unitary Development Plan Policy T10.</p>			
29	<p>29. Development shall not commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be then be implemented throughout the construction period.</p> <p>Reason: To ensure the safe operation of the surrounding road network in the interests of highway safety and in accordance with Unitary Development Plan Policy T10.</p>	Y	<u>2018/91140</u>	Revised CEMP discharged – see letter of 24 Jan 2019
30	<p>30. A scheme detailing the following off-site works, including the relevant Road Safety Audits (ref: CIHT guidelines on Road Safety Audit (2008)) shall be submitted to and approved in writing by the Local Planning Authority, prior to the implementation of the access points:</p> <ul style="list-style-type: none"> ☐ A62/ Sunny Bank Road Junction as set out on WSP drawing number 0467-S278-TA-005 Rev E ☐ Two priority junctions to provide site access off the A62. as shown on 1004/GA/01 Rev B (residential only) and 075699-CUR-00-ZZ-DR-C-75001 P04 (Industrial only) <p>The development shall not be brought into use until the all the works under the approved scheme have been carried out complete accordance with the approved scheme. These works shall thereafter be retained for the lifetime of the development.</p>	N	<u>2019/91971</u>	Discharged see letter of 22 Nov 2019 - S278 signed.

	Reason: In the interests of highway safety and in accordance with Kirklees Unitary Development Plan Policy T10.			
31	<p>31. The development shall not commence (excluding infrastructure works as set out in footnote 1 below) until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, exceedance events and blockage scenarios 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. The assessment will be substantially in accordance with the details in the Flood Risk Assessment (revised 11thSeptember 2014). 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 development.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	Y		Drainage details submitted as part of res matters approval 2018/93622 satisfactory
32	<p>32. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme, detailing the treatment of all surface water flows from parking areas and hardstandings for commercial/industrial development through an oil interceptor, (or a full petrol oil interceptor) reedbed or alternative treatment system, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstandings shall not commence until the works comprising the approved treatment scheme have been completed. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be</p>	Y	<u>2018/91140</u>	Drainage details submitted as part of res matters approval 2018/93622 satisfactory

	<p>retained, maintained to ensure efficient working and used throughout the lifetime of the development. Roof water shall not pass through the interceptor.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>			
33	<p>33. Development shall not commence (excluding infrastructure works as set out in footnote 1 below) until a scheme detailing foul, 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) has been submitted to and approved in writing by the Local Planning Authority. Discharge rates shall be limited to the specific outfalls noted in a Flood Risk Assessment by WSP revision dated 11th September 2014. There shall be no pumped discharge of surface water from this site. Attenuation should accommodate the 1 in 100 year critical storm event with an appropriate allowance for climate change. None of the buildings shall be occupied until such approved drainage scheme(s) has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained throughout the lifetime of the development.</p> <p>Reason: To ensure the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>	Y	<u>2018/91140</u>	Drainage details submitted as part of res matters approval 2018/93622 satisfactory
34	<p>34. 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</p>	Y	<u>2018/91140</u>	Drainage details submitted as part of res matters approval 2018/93622 satisfactory

	<p>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 the satisfactory drainage of the site and adjacent land and to accord with the guidance contained within the National Planning Policy Framework.</p>			
35	<p>35. Notwithstanding the submitted information, prior to any site infrastructure works taking place, details of the revised ground levels for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved and completed prior to commencement of the first dwelling taking place. Reason: In the interests of visual and residential amenity and to accord with Policy D2 of the Kirklees Unitary Development Plan</p>	Y	<u>2018/91140</u>	Drainage details submitted as part of res matters approval 2018/93622 satisfactory

No	Reserved Matters – 2018/93622	Submitted	Agreed / Discharged	Comments
1	1. The development hereby permitted shall be carried out in complete accordance with the with the plans and specification	n/a		

	<p>listed in this decision notice, except as may be specified in the conditions attached to the permission, which shall in all cases take precedence.</p> <p>Reason. For the avoidance of doubt and to ensure the satisfactory appearance of the development on completion, and to accord with Policies BE2, T10, T19 of the Kirklees Unitary Development Plan, and Policies PLP21, PLP22, PLP24 and PLP32 of the Emerging Local Plan</p>			
2	<p>2 .Prior to the development, above ground level being implemented details of the external materials to be used have been submitted to and approved in writing by the Local Planning Authority. No other materials other than those approved shall be used</p> <p>Reason. In the interests of visual amenity and to accord with Policy BE2 of the Kirklees Unitary Development Plan and PLP 24 of Emerging Local Plan.</p>	Y	2019/91942	Discharged 26/07/19
3	<p>3. The development shall not be brought into use, until all area indicated to be use for access, parking and servicing have been surfaced, marked and laid out. These areas shall be so retained for the lifetime of the development.</p> <p>Reason. In the interests of amenity and traffic safety, and to ensure adequate space within the site for vehicle movements and parking, in accordance with Policies T10 and T19 of the Kirklees Unitary Development Plan, and PLP21 and PLP22 of the Emerging Local Plan</p>	n/a		
4	<p>. The approved landscape scheme shall, from its completion, be maintained for a period of 5 years. If within this period, any tree or shrub or hedge shall die, become diseased or be removed, it shall</p>	n/a		

<p>be replaced with other or similar size species, unless the Local Planning Authority gives written consent to any variation. Reason. To ensure there is well laid out scheme of healthy trees and shrubs in the interests of amenity and to accord with Policy PLP32 of the Emerging Local Plan.</p>			
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No	Reserved Matters – 2019/94152	Submitted	Agreed / Discharged	Comments
1	<p>1.The development hereby permitted shall be carried out in complete accordance with the with the plans and specification listed in this decision notice , except as may be specified in the conditions attached to the permission, which shall in all cases take precedence. Reason: For the avoidance of doubt and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21, LP22,LP24 and LP32 of the Kirklees Local Plan.</p>	N		
2	<p>2.Prior to the development, above ground level being implemented details of the external materials to be used have been submitted to and approved in writing by the Local Planning Authority. No other materials other than those approved shall be used Reason: In the interests of visual amenity and to accord with Policy LP24 of Kirklees Local Plan.</p>	Y	2020/93957	Submitted not discharged
3	<p>3. The development shall not be brought into use, until all area indicated to be use for access, parking and servicing have been surfaced, marked and laid out. These areas shall be so retained for the lifetime of the development.</p>	N		

	Reason: In the interests of amenity and traffic safety, and to ensure adequate space within the site for vehicle movements and parking, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan			
4	4. Prior to the occupation of each unit, a detailed parking/servicing plan for each unit shall be submitted for the written approval of the local planning authority. The approved scheme shall be implemented prior to the unit being occupied, and thereafter retained or the lifetime of the development. Reason: To accord with policy LP22 of the Kirklees Local Plan.	N		
5	5. The approved landscape scheme shall from its completion, be maintained for a period of 5 years. If within this period, any tree or shrub or hedge shall die, become diseased or be removed, it shall be replaced with other or similar size species, unless the Local Planning Authority gives written consent to any variation. Reason: To ensure there is well laid out scheme of healthy trees and shrubs in the interests of amenity and to accord with Policy PLP32 of the Kirklees Local Plan.	n/a		
6	6. No above ground works on unit 4 shall take place until the developer has notified the Local Planning Authority, in writing, that either, the a) the elevation on drawing no 1856- 12 2007; or b) the elevation on drawing no 1856-12 2015 is being implemented. The approved scheme shall thereafter be implemented as notified to the Council. Reason: To accord with Policy LP24 of the Kirklees Local Plan.	N		
7	7. No piped discharge of surface water from the application site shall take place until the developer has notified the Council that either a) the works proposed on drainage drawing no 19172-100 P5 are being implemented, or b) a suitable alternative drainage	Y	2020/93958	Submitted not discharged

	<p>strategy has been submitted to and agreed in writing by the Local Planning Authority. Reason: In the interests of the satisfactory drainage of the site and to accord with Policy LP28 of the Kirklees Local Plan.</p>			
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