



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

PLANNING PERMISSION FOR DEVELOPMENT

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

Application Number: 2020/62/90710/W

**To: Malcolm Sizer Planning Ltd
17, Kistvaen Gardens
Meltham
Holmfirth
HD9 5NQ**

For: WESTWOOD WILSON LTD

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

**PARTIAL DEMOLITION, PARTIAL RE-BUILD, ERECTION OF EXTENSIONS
AND ALTERATIONS TO MILL TO FORM 63 APARTMENTS AND ERECTION
OF 64 DWELLINGS**

**At: WESTWOOD MILL, LOWESTWOOD LANE, LINTHWAITE, HUDDERSFIELD,
HD7 5RR**

**In accordance with the plan(s) and applications submitted to the Council on
05-Mar-2020, subject to the condition(s) specified hereunder:-**

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

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21, LP24 and LP35 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

3. A Conservation Implementation Strategy that is based on the “Design Concept for Existing Mill” within the approved Heritage Statement (reference Feb 2020) shall be submitted to and approved in writing by the Local Planning Authority before works to convert the mill commence (excluding any temporary works to make the existing mill building secure and/or watertight). The Conservation Implementation Strategy shall provide a baseline specification for the existing building including structural and building fabric surveys and a detailed scheme for the repair, reinstatement and refurbishment works for all building components (including roof structures, walls, floors and the use of replacement materials). The development shall be carried out in accordance with the approved Conservation Implementation Strategy and thereafter retained as such.

Reason: To preserve the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

4. Details of the proposed facing materials for blocks E-K shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. The development shall be constructed in accordance with the approved materials and thereafter retained as such.

Reason: In the interests of visual amenity and to maintain the significance of designated heritage assets and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

5. Notwithstanding the submitted information, full details of the proposed hard and soft landscaping of the site, including a schedule for its provision, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the first dwelling. The details shall include, but shall not be limited to:

- Details of all hard landscape materials and boundary treatments including garden fences/walls and proposed treatment to existing boundaries (including the boundary to the canal);
- Boundary treatment between the rear of block K and the adjacent settling pond;
- Full planting specification including layout, species, number, density and size of trees and plants and/or seed mixes and sowing rates;
- Details of the proposed compensatory tree planting to be provided within the site (including the mature tree to the west of block G and the mature tree adjacent to the canal in between block A and block J if the existing mature trees in these locations are unable to be retained or be retained in a viable condition);
- Detailed design and layout of all areas of public open space, including the provision of a community growing area within the site;
- Biodiversity enhancement measures; and
- Landscape Management Plan detailing initial aftercare of the landscaping and long-term maintenance for minimum period of five years.

The development shall be carried out in accordance with the details so approved and thereafter retained as such.

Reason: In the interests of visual and residential amenity and biodiversity. This is to accord with Policies LP24, LP30, LP33 and LP63 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

6. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the first occupation of the development. The content of the LEMP shall include the following:

- Description and evaluation of features to be managed;
- Ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organisation responsible for implementation of the plan; and
- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the scheme provides a biodiversity net gain in accordance with policy LP30 of the Kirklees Local Plan.

7. A report specifying the measures to be taken to protect occupiers of the development from noise from all significant noise sources that are likely to affect the proposed development (including railway noise and noise from nearby commercial premises) shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. The report shall:-

- Determine the existing noise climate;
- Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development; and
- Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new dwellings (including ventilation if required).

The approved noise attenuation measures shall be provided before the dwelling to which they relate is first occupied and shall thereafter be retained as such.

Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

8. A Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority before development commences. The CMP shall include:

- Details of the phasing of the construction of the development;
- Details of the route to and from the site for construction traffic;
- Details of the site access for construction traffic and times of use;
- Construction workers parking facilities; and
- A scheme to demonstrate how the adjacent public highway will be kept clear of mud/debris.

The approved CMP shall be adhered to throughout the construction of the development.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

This pre-commencement condition is necessary so that such matters are addressed at an appropriate stage of the development process.

9. The development shall be carried out in accordance with the submitted flood risk assessment (FRA) (ref: Westwood Mill Updated Masterplan Modelling addendum rev J January 2021 by Edenvale Young; also Flood Risk Assessment rev 9 – 31 January 2020 by Clive Onions) and the following mitigation measures:

- Finished floor levels of new buildings shall be set no lower than floor levels as stated in 4.2 Recommendations in the Updated Masterplan Modelling addendum;
- The finished floor levels of buildings in block J shall be no lower than those in block K (not stated in FRA);
- Buildings in block J shall not be occupied prior to buildings in block H being built above their finished floor level (not stated in FRA);
- The finished floor levels of the Mill building shall be no lower than existing;
- Ground floor of buildings in blocks I1, I2 and I3 shall not be for habitable use;
- Compensatory storage (300m³) shall be provided as detailed in Fig. 24 of the FRA rev 9 by Clive Onions; and
- The river inlet for the Mill pond shall have flood protection greater than the 1 in 100 year 50% climate change flood level (not stated in FRA).

The above mitigation measures shall be fully implemented prior to occupation of the respective blocks and the compensatory storage shall be provided before any dwelling within blocks I1, I2 and I3 is occupied. The measures detailed above shall be retained and maintained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants, to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

10. A Flood Warning and Evacuation Plan (FWEP) for blocks I1, I2 and I3 detailing a plan for access and egress for pedestrians and emergency services in a flood event shall be submitted to and approved in writing by the Local Planning Authority before any dwellings within these blocks are first occupied. The FWEP so approved shall become operational upon the first occupation of blocks I1, I2 or I3.

Reason: In the interests of the safety of the occupiers of these plots and to accord with Policy LP27 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

11. A scheme detailing the proposed internal adoptable estate roads and other access roads within the site shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of any of the new dwellings commence. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sightlines, together with an independent safety audit covering all aspects of work. The approved scheme shall be completed in accordance with the agreed phasing of the development within the Section 106 agreement. The works shall thereafter be retained as such.

Reason: To ensure that suitable access is available for the development to accord with Policy LP21 of the Kirklees Local Plan.

12. Notwithstanding the submitted information, a scheme detailing a design and construction specification for the proposed footway widening works on Low Westwood Lane shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. The development shall not be brought into use until the approved scheme has been provided in full and the footway shall thereafter be retained as such.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

13. The private vehicle parking areas shall be surfaced and drained before the dwelling to which they relate is first occupied and shall thereafter be retained as such.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

14. A scheme including cross-sectional information, details of location(s) and details of the proposed design and construction of any new retaining walls/building retaining walls adjacent to the existing public highway and proposed adoptable highways shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. The approved scheme shall be implemented prior to the occupation of the first dwelling and thereafter retained.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

15. A scheme including cross-sectional information, details of location(s) and details of the proposed design and construction details of any new surface water attenuation culverts/tanks located within the proposed highway footprint shall be submitted to and approved by the Local Planning Authority before works to construct the superstructure of the first dwelling commence. The approved scheme shall be implemented prior to the occupation of the first dwelling and thereafter retained.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

16. The communal bin stores serving the apartments shall be provided before any of the apartments to which the bin stores relate are first occupied. Design details for the communal bin stores and arrangements for their maintenance and management shall be submitted to and approved in writing by the Local Planning Authority before any of the apartments are first occupied. The bin stores shall be provided in accordance with the details so approved.

Reason: In the interests of visual and residential amenity and to accord with Policies LP21, LP24 and LP35 of the Kirklees Local Plan.

17. The garage doors for the new dwellings shall be installed as a roller shutter type door and thereafter retained as such.

Reason: To encourage the use of the garages for bin storage by facilitating the movement of bins in and out of garages when vehicles are parked on the driveways. This is in the interests of visual and residential amenity and highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

18. Details of temporary waste collection arrangements to serve occupants of completed dwellings whilst the remaining site is under construction shall be submitted to and approved by the Local Planning Authority before any dwelling is first occupied. The temporary waste collection arrangements so approved shall be provided during the construction phase until such time as the permanent waste collection arrangements have been provided for each phase of the development.

Reason: In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

19. A scheme for the provision of electric vehicle recharging points shall be submitted to and approved in writing by the Local Planning Authority before any electrical system is installed within the dwellings. The electric vehicle recharging points shall be provided in accordance with the approved details before the dwelling(s) to which they relate is first occupied.

Reason: To mitigate the impact of the development on air quality and to accord with Policy LP24 of the Kirklees Local Plan, guidance contained in the National Planning Policy Framework and the West Yorkshire Low Emissions Strategy.

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

- Phasing of the development and phasing of temporary drainage provision; and
- Methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is to be 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 for that phase and functioning in accordance with written notification to the Local Planning Authority.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are addressed at an appropriate stage.

21. Notwithstanding the submitted information, a scheme detailing separate foul and surface water drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, manhole and pipe schedules, existing drainage to be maintained/diverted/abandoned, surveys of existing culverted watercourses to be maintained and phasing of drainage provision) shall be submitted to and approved in writing by the Local Planning Authority before development commences (excluding any demolition, temporary works to make the existing mill building secure and/or watertight and works to restore the mill pond). None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development, or each agreed phasing of the development to which the dwellings relate. The drainage scheme so approved shall thereafter be retained.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are addressed at an appropriate stage of the development.

22. Details of a scheme to restrict the rate of surface water discharge from the site shall be submitted to and approved in writing by the Local Planning Authority before development commences (excluding any demolition, temporary works to make the existing mill building secure and/or watertight and works to restore the mill pond). The drainage scheme shall specify a maximum discharge rate and shall be designed to attenuate flows generated by the critical 1 in 100 year storm events, with an appropriate allowance for climate change (30%). The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

Reason: To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity and environmental well-being and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are addressed at an appropriate stage of the development.

23. A detailed assessment of, and a scheme to mitigate, the effects of:

- 1 in 100 year storm events (with an additional allowance for climate change);
- exceedance events and blockage scenarios on drainage infrastructure (including the existing settling pond); 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 before development commences (excluding any demolition, temporary works to make the existing mill building secure and/or watertight and works to restore the mill pond). No part of the development shall be brought into use until the works comprising the approved scheme have been completed. The approved scheme shall be retained permanently thereafter.

Reason: To mitigate the risk of flooding on and off the development site and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are addressed at an appropriate stage of the development.

24. The existing culverted watercourses within the site that are to be maintained as part of the drainage strategy approved pursuant to condition 21 shall not be built over by new buildings.

Reason: To protect existing drainage infrastructure in the interests of mitigating flood risk and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

25. No building or other obstruction (including landscape features) shall be located over or within 4 metres of the 450mm sewer and over or within 4.5 metres of the 600mm sewer that cross 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 and that prior to construction in the affected area, the approved works have been undertaken.

Reason: To ensure that this existing drainage infrastructure can be maintained and repaired by the statutory undertaker.

26. No excavation works or construction works relating to the mill pond or foundation works for buildings adjacent to the Huddersfield Narrow Canal shall take place until a Risk Assessment and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Risk Assessment and Method Statement shall detail the proposed works to the mill pond and building foundations adjacent to the Huddersfield Narrow Canal. The details shall:

- Include an assessment, by an appropriately qualified person, of the existing condition of the canal embankment and associated retaining structures, identifying any works that may be necessary to ensure that its structural integrity will not be put at risk from excavation works or erosion from the reinstated mill pond;
- Include the design, depth and means of construction of the mill pond and foundations of the building works (including cross sections in relation to the canal bank), together with any other proposed earth moving and excavation works required in connection with the development; and
- Include details of any protective fencing to be erected to safeguard the waterway infrastructure during construction.

The development shall thereafter be carried out in accordance with the approved Risk Assessment and Method Statement.

Reason: In the interests of safeguarding the stability of land adjacent to the canal and to accord with guidance in the National Planning Policy Framework.

27. No excavation works within 10 metres of the embankment supporting the Huddersfield Narrow Canal shall be carried out unless any works to secure the embankment, as identified in the Risk Assessment and Method Statement approved pursuant to condition 26, have first been carried out.

Reason: In the interests of safeguarding the stability of land adjacent to the canal and to accord with guidance in the National Planning Policy Framework.

28. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority. The report shall consider the risk of contamination to human health as well as the environmental protection of controlled waters.

Reason: To identify unacceptable risks to human health and the environment and to accord with Policy LP53 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are identified at an appropriate stage.

29. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 28, no groundworks shall take place until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To remove unacceptable risks to human health and the environment and to accord with Policy LP53 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure that such matters are identified at an appropriate stage.

30. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 29. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To remove unacceptable risks to human health and the environment and to accord with Policy LP53 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

31. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy (or the approved revised Remediation Strategy) and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure unacceptable risks to human health and the environment have been addressed and to accord with Policy LP53 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

32. The development shall be carried out in accordance with the approved Arboricultural Method Statement (Report reference: AR-3976-03 AMS, June 2020).

Reason: To protect the viability of existing trees on and adjacent to the site in the interests of visual amenity and to accord with Policy LP33 of the Kirklees Local Plan.

33. No development shall take place (excluding any temporary works to make the existing mill building secure and/or watertight) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of “biodiversity protection zones”;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works, if appropriate;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period.

Reason: To ensure construction of the development does not result in significant harm to biodiversity in accordance with policy LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging operations associated with the construction phase.

34. A garden waste compost bin shall be provided for plots 1 to 10 within block K. The compost bin shall be provided upon the first occupation of each of the respective plots.

Reason: To mitigate the potential for the spread of non-native species of plants into the area of the existing setting pond, which is a designated Local Wildlife Site. This is in the interests of biodiversity and to accord with Policy LP30 of the Kirklees Local Plan.

35. Before the installation of external artificial lighting commences an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations provided in the Desktop Study Light Impact Assessment by Delta-Simons dated Feb 2020 (ref: 19-0438.01) and shall include the following information:

- The proposed hours of operation of the lighting;
- The location and specification of all of the luminaires;
- The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated;
- The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity;
- The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site;
- The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required;
- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.

Reason: To safeguard residential amenity and to protect biodiversity and accord with Policies LP24 and LP30 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

36. Details of a scheme designed to aid public understanding of the significance of the designated heritage assets on the site shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The scheme shall detail the nature of relevant heritage information and how this will be displayed and/or made accessible to members of the public. The approved scheme shall be implemented before the listed mill is first occupied and shall thereafter be retained and operated as such.

Reason: To promote public understanding of the significance of the designated heritage assets that are to be restored.

37. Details of a scheme for the installation of bollards to prevent vehicles within designated parking areas at risk of flooding from entering the river channel in a flood situation shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The bollards shall be provided in accordance with the agreed phasing of the development within the Section 106 agreement. The bollards shall thereafter be retained as such.

Reason: To mitigate the impacts of flooding and to accord with Policy LP27 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

38. Details of a scheme for crime prevention measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the first new dwelling commence. The crime prevention measures so approved shall be provided in accordance with the agreed phasing of the development within the Section 106 agreement. The crime prevention measures shall thereafter be retained as such.

Reason: To mitigate opportunities for crime and to accord with Policy LP24 of the Kirklees Local Plan and guidance in the National Planning Policy Framework.

NOTE: 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 Council 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.

NOTE: To discuss road adoption arrangements under Section 38 of the Highways Act 1980, please contact Highway Adoptions on 01484 221000 or highways.section38@kirklees.gov.uk.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of 07.30 and 18.30 hours Mondays to Fridays, and 08.00 and 13.00 hours on Saturdays, with no working Sundays or Public Holidays. These hours should be referred to in any Construction Environmental Management Plan to be submitted to the Local Planning Authority for approval. In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974 (Section 60), Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) supply is, however more likely to be futureproof. Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification – Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles would be acceptable. Charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable. The installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:-

| Drawing No. | Drawing Title/Document | Revision | Date Received |
|--------------------|---|-----------------|----------------------|
| 538.02/PLA01 | OVERALL SITE LAYOUT AS TOPOGRAPHICAL & AS EXISTING | F | 12/06/2023 |
| 538.02/PLA02 | EXISTING GROUND, 1ST, 2ND & 3RD FLOOR PLANS | A | 12/06/2023 |
| 538.02/PLA03 | EXISTING ELEVATIONS | A | 12/06/2023 |
| 538.02/PLA04 | SITE ARRANGEMENT & OVERALL SITE PLAN | P | 12/06/2023 |
| 538.02/PLA05E | BLOCK A - G: PROP. PLANS GROUND 1st & 2nd + SECURITY | - | 12/06/2023 |
| 538.02/PLA05 | BLOCK A - G: PROPOSED PLANS GROUND FIRST & SECOND | H | 12/06/2023 |
| 538.02/PLA06 | BLOCK A - G: PROPOSED PLANS THIRD, FOURTH & FIFTH | F | 12/06/2023 |
| 538.02/PLA07 | ELEVATIONS BLOCK A - G (+PART H) | G | 12/06/2023 |
| 538.02/PLA08 | BLOCK H: GROUND, FIRST & SECOND FLOORS | G | 12/06/2023 |
| 538.02/PLA09 | BLOCK H: ELEVATIONS SOUTH & NORTH | E | 12/06/2023 |
| 538.02/PLA010 | BLOCK i (PHASE 1) LOWER, GROUND, FIRST & SECOND FLOOR PLANS | H | 12/06/2023 |
| 538.02/PLA011 | ELEVATIONS BLOCK i (PHASE 1) | E | 12/06/2023 |
| 538.02/PLA012 | BLOCK i (PHASE 2) FLOOR PLANS | I | 12/06/2023 |
| 538.02/PLA013 | ELEVATIONS BLOCK i (PHASE 2) | G | 12/06/2023 |
| 538.02/PLA014 | BLOCK J: LOWER & GROUND FLOOR PLANS | F | 12/06/2023 |
| 538.02/PLA015 | BLOCK J: FIRST FLOOR PLAN & TERRACE | B | 12/06/2023 |

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| 538.02/PLA016 | BLOCK J: ELEVATIONS (CANAL SIDE) NORTH & SOUTH | D | 12/06/2023 |
| 538.02/PLA017 | ELEVATIONS OF PART J & PART K | E | 12/06/2023 |
| 538.02/PLA018 | BLOCK K: GROUND & FIRST FLOOR PLANS | F | 12/06/2023 |
| 538.02/PLA019 | BLOCK K: SECOND FLOOR PLAN & TERRACE | B | 12/06/2023 |
| 538.02/PLA020 | BLOCK K: ELEVATIONS SOUTH & NORTH | E | 12/06/2023 |
| 538.02/PLA021 | CARPARK ARRANGEMENT & OVERALL SITE PLAN | Z | 12/06/2023 |
| 538.02/PLA022 | PUBLIC OPEN SPACE + RECREATIONAL AREAS | N | 12/06/2023 |
| 538.02/PLA023 | MILL FLATS FOOTPRINTS: GROUND | C | 12/06/2023 |
| 538.02/PLA024 | MILL FLATS FOOTPRINTS: 2ND | C | 12/06/2023 |
| 538.02/PLA025 | MILL FLATS FOOTPRINTS: 3RD | C | 12/06/2023 |
| 538.02/PLA026 | MILL FLATS FOOTPRINTS: 4TH & 5TH | C | 12/06/2023 |
| 538.02/PLA050 | BLOCK A TO D - DOOR DETAILS 1 | - | 12/06/2023 |
| 538.02/PLA051 | BLOCK A TO D - DOOR DETAILS 2 | - | 12/06/2023 |
| 538.02/PLA052 | BLOCK A TO D - DOOR DETAILS 3 | - | 12/06/2023 |
| 538.02/PLA053 | BLOCK A TO D - DOOR DETAILS 4 | - | 12/06/2023 |
| 538.02/PLA054 | BLOCK A TO D - DOOR DETAILS 5 | - | 12/06/2023 |
| 538.02/PLA055 | BLOCK A TO D - DOOR DETAILS 6 | - | 12/06/2023 |
| 538.02/PLA056 | BLOCK A TO D - GENERAL ELEVATIONS 1 | - | 12/06/2023 |
| 538.02/PLA057 | BLOCK A TO D - GENERAL ELEVATIONS 2 | - | 12/06/2023 |
| 538.02/PLA058 | BLOCK A - ELEVATIONS | D | 12/06/2023 |
| 538.02/PLA059 | BLOCK A - ELEVATIONS 2 | D | 12/06/2023 |
| 538.02/PLA060 | BLOCK B - ELEVATIONS | E | 12/06/2023 |
| 538.02/PLA061 | BLOCK C - ELEVATIONS | D | 12/06/2023 |
| 538.02/PLA062 | BLOCK D - ELEVATIONS | D | 12/06/2023 |
| 538.02/PLA063 | BLOCK D - ELEVATIONS 2 | E | 12/06/2023 |
| 538.02/PLA064 | BLOCK D - ELEVATIONS 3 | F | 12/06/2023 |
| 538.02/PLA065 | WINDOW AND DOOR DETAILS 1 | - | 12/06/2023 |
| 538.02/PLA066 | WINDOW AND DOOR DETAILS 2 | - | 12/06/2023 |
| 538.02/PLA067 | WINDOW AND DOOR DETAILS 3 | - | 12/06/2023 |
| 538.02/PLA068 | WINDOW AND DOOR DETAILS 4 | - | 12/06/2023 |
| 538.02/PLA069 | WINDOW AND DOOR DETAILS 5 | - | 12/06/2023 |
| 538.02/PLA070 | WINDOW AND DOOR DETAILS 6 | - | 12/06/2023 |

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|-------------------------|--|-------|-----------------|
| 538.02/PLA075 | CONSTRUCTION AREA FOR PHASE 1 | - | 12/06/2023 |
| 538.02/PLA100 | AMENDED SITE PLAN WITH SEWER ROUTE | - | 12/06/2023 |
| 538.02/PLA101 | GROUND FLOOR ARRANGEMENT IN LINE WITH SEWER | - | 12/06/2023 |
| 538.02/PLA200 | PHASING OF THE DEVELOPMENT | - | 12/06/2023 |
| 538.02 | ISSUE SHEET | - | 12/06/2023 |
| EVY0822 | FRA UPDATED MASTERPLAN MODELLING ADDENDUM | Rev J | 12/06/2023 |
| Dated 31st January 2020 | FRA SUDS REP | V4 | 04/03/2020 |
| - | FRA APPENDIX A | REV E | 04/03/2020 |
| EVY 0456 | FRA MODELLING REPORT F | REV F | 28/06/2016 |
| | FRA | V9 | 31/01/2020 |
| R-3976-04.5 | BIODIVERSITY MANAGEMENT PLAN & POS STRATEGY | - | 14/09/2020 |
| R 3976-05B | ECOLOGICAL BIODIVERSITY STATEMENT | - | 14/09/2020 |
| AR-3976-03AMS | TREE/ARBORIST SURVEY | - | 24/06/2020 |
| E20/7713/R001 | PHASE 1 DESKTOP LAND CONT REPORT | - | 18/08/2020 |
| Dated April 2020 | DESIGNING OUT CRIME RESPONSE | - | 12/06/2020 |
| Dated April 2020 | DESIGNING OUT CRIME REPORT | - | 12/06/2020 |
| Dated April 2020 | DESIGNING OUT CRIME APPENDIX 1 | - | 12/06/2020 |
| Dated April 2020 | DESIGNING OUT CRIME APPENDIX 2 | - | 12/06/2020 |
| Dated April 2020 | DESIGNING OUT CRIME APPENDIX 3 | - | 12/06/2020 |
| Dated 28th April 2020 | CONSERVATION/HERITAGE ASSESSMENT – BLOCK C | - | 28/04/2020 |
| Dated 28th April 2020 | CONSERVATION/HERITAGE ASSESSMENT - PLANS & PHOTOS – BLOCK C | - | 28/04/2020 |
| 1129 | CONSERVATION/HERITAGE ASSESSMENT | - | 12th MARCH 2020 |
| - | CONSERVATION/HERITAGE ASSESSMENT- LISTINGS KEY | - | 04/03/2020 |
| REPORT 112 | CONSERVATION/HERITAGE ASSESSMENT-ARCEOLOGICAL BLDG RECORDING | VOL 1 | 12/03/2020 |
| Dated February 2020 | CONSERVATION/HERITAGE ASSESSMENT-APPENDIX 1 | - | 12/03/2020 |
| Dated February | CONSERVATION/HERITAGE | - | 12/03/2020 |

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|---------------------|---|---|------------|
| 2020 | ASSESSMENT-APPENDIX 2 | | |
| Dated February 2020 | CONSERVATION/HERITAGE ASSESSMENT-APPENDIX 3 | - | 12/03/2020 |
| 10821/004/02 | HIGHWAYS TECHNICAL NOTE | - | 12/06/2020 |
| Dated February 2020 | PLANNING STATEMENT | - | 10/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX -1 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-2 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-3 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-4 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-5 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-6 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-7 | - | 12/03/2020 |
| Dated February 2020 | PLANNING STATEMENT-APPENDIX-8 | - | 12/03/2020 |
| Dated February 2020 | DESIGN & ACCESS STATEMENT | - | 04/03/2020 |
| 10821/LOB/002/02 | TRANSPORT ASSESSMENT - TRAVEL PLAN | - | 04/03/2020 |
| 10821/003/01 | TRANSPORT ASSESSMENT | - | 04/03/2020 |
| 10821/001/04 | TRANSPORT ASSESSMENT | - | 04/03/2020 |
| R-3976-03 | BAT SURVEY-INTERIM | - | 04/03/2020 |
| R-3976-02 | BAT SURVEY-EMERGENCE | - | 04/03/2020 |
| R-3976-01 | ECOLOGICAL BIODIVERSITY SURVEY -RIPARIAN MAMMAL | - | 04/03/2020 |
| P-3976-01 | UPDATING ECOLOGICAL APPRAISAL | - | 04/03/2020 |
| R-2506-01 | PRELIMINARY ECOLOGICAL APPRAISAL | - | 04/03/2020 |
| R-3976-05.1 | ECOLOGICAL IMPACT ASSESSMENT | - | 04/03/2020 |
| Dated August 2019 | PUBLIC OPEN FORUM REPORT | - | 04/03/2020 |
| - | PUBLIC OPEN FORUM ATTACHMENTS | - | 04/03/2020 |
| 19-0438.01 | LIGHTING ASSESSMENT | - | 04/03/2020 |

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. In this instance, amendments and additional information was sought to overcome the concerns raised and to address technical matters.

Digital Infrastructure: Fibre to the Property (FTTP)

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

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

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

To discuss the benefits that FTTP may have for your development, please contact Carl Tinson in Kirklees Council's Digital Team at carl.tinson@kirklees.gov.uk

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

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

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

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

Details Reserved by Condition

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

If this application has been publicised by notice(s) in the vicinity of the site, please would you now remove the notice(s) and dispose of it/them responsibly to avoid harm to the appearance of the local area.

Appeals to the Secretary of State

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

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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

Purchase Notices

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

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

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

Dated: 28-Sep-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

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

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

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

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

dc.admin@kirklees.gov.uk

or telephone 01484 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

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