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Date: 26-Jul-2023  
Our Ref: 2023/91305

Dear Madam

**Application for Approval of Details Reserved by Condition  
Town and Country Planning Act 1990  
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge conditions 5 (Code of Construction Practice), 6 (Construction Traffic Management Plan), 10 (Contaminated Land) of deemed planning permission granted by the Department for Transport in relation to The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements Order 2022, Stage 3 of the Development railway line and associated land between, Huddersfield and Westtown (Dewsbury), within the Order Limits of The Network Rail (Huddersfield to Westtown (Dewsbury), Improvements Order 2022  
Application Number: 2023/91305**

I write with reference to your application to discharge the conditions for the above development as submitted on 03-May-2023.

**Condition 5 (Code of Construction Practice)**

**Condition 5 Wording:**

a) No stage of the development (including preliminary works) is to commence until a Code of Construction Practice (CoCP) Part B for that stage, including the relevant plans and programmes referred to in (b) below (which incorporates the means to mitigate the construction impacts identified by the Environmental Statement), has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt this does not include approval for Part A of the CoCP (a general overview and framework of environmental principles and management practice to be applied to the scheme along with all construction-led mitigation identified in the Environmental Statement) which has been submitted as part of the Order.

b) Part B of the CoCP (as defined in the Environmental Statement: Volume 3, Appendix 2-1 Code of Construction Practice (Part A), Section 1.2.5) must include the following plans and programmes, for each stage as defined in condition 3:-

- i) An external communications programme;
- ii) A pollution prevention and incident control plan;
- iii) A waste management plan;
- iv) A materials management plan including a separate soils mitigation plan;
- v) A nuisance management plan concerning dust, wheel wash measures, air pollution and temporary lighting;
- vi) A noise and vibration management plan including a construction methodology assessment;
- vii) Details of the precise measures put in place to protect the Hillhouses listed coal chutes during the construction phase.
- viii) Details of the measures to be put in place to mitigate the impacts on the Huddersfield Town Centre Conservation Area during the construction phase at Huddersfield Station and Huddersfield Viaduct;
- ix) A demolition methodology statement for relevant buildings; and
- x) An Environmental Design Plan (EDP) (Land Contamination and Hydrogeology) setting out the environmental requirements during the detailed design stage.

The development must be implemented in accordance with the approved CoCP and the relevant plans or programmes unless otherwise agreed in writing with the local planning authority shall be implemented in full throughout the period of the works.

**Reason:** To mitigate expected construction impacts arising from the development and to protect local and residential amenity and to ensure the development is carried out in accordance with Kirklees Local Plan policies LP51 and 52.

#### Documents Submitted:

- Condition 5b(ii); Pollution Prevention and Incident Control Plan – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001234
- Condition 5b (iii): Waste Management Plan – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001232
- Condition 5b (v); Nuisance Management Plan – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001233
- Condition 5b(vi): Noise and Vibration Management Plan – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-000096
- Condition 5b(x); Environmental Design Plan (Land Contamination and Hydrogeology) – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001235

#### Assessment

##### i) An external communications programme

No document has been submitted with this application submission; however you have confirmed the document entitled 'External Communications Programme ref 151667-TSA-00-TRU-CNT-W-LP-000569' as submitted for the Stage 1 Discharge of Condition application (ref 2022/93858) covers your communications strategy for all eight stages of construction and for this reason is not re-submitted. The document is applicable to all eight

stages and as per the previous conclusion at Stage 1, it is considered the details are acceptable for the purposes of sub section i) of condition 5 for the proposed works identified in Stage 3.

ii) A pollution prevention and incident control plan

The details are considered to be acceptable for the purposes of sub section ii) of Condition 5 for the proposed works identified in Stage 3.

iii) A waste management plan

The details are considered to be acceptable for the purposes of sub section iii) of Condition 5 for the proposed works identified in Stage 3.

iv) A materials management plan including a separate soils mitigation plan

You have confirmed that this sub-section is not relevant to the proposed works in Stage 3. This is noted, and accordingly, this sub-section of the condition is not discharged relevant to the works identified in Stage 3.

v) A nuisance management plan concerning dust, wheel wash measures, air pollution and temporary lighting

The details are considered to be acceptable for the purposes of sub section v) of Condition 5 for the proposed works identified in Stage 3.

vi) A noise and vibration management plan including a construction methodology assessment

The details are considered to be acceptable for the purposes of part vi) of condition 5 for the proposed works identified in Stage 3.

vii) Details of the precise measures put in place to protect the Hillhouses listed coal chutes during the construction phase

You have confirmed that information has been submitted to discharge the relevant planning condition of planning application ref 2021/62/94337/W, which granted permission for a Construction Compound. At this time the relevant discharge of condition application for the standalone planning application has not yet been determined. In the circumstances where the proposed construction compound at Hillhouses is brought forward under the Deemed Planning Permission of the Order, details are required to be submitted. This sub section of the condition is not discharged.

viii) Details of the measures to be put in place to mitigate the impacts on the Huddersfield Town Centre Conservation Area during the construction phase at Huddersfield Station and Huddersfield Viaduct.

You have confirmed that measures to protect Huddersfield Conservation Area is not considered relevant to the Stage 3 works. This is noted and accordingly this sub section of the condition is not discharged.

ix) A demolition methodology statement for relevant buildings

You have confirmed that the demolition methodology statement for relevant buildings is not considered relevant to the Stage 3 works. This is noted and accordingly this sub section of the condition is not discharged.

x) An Environmental Design Plan (EDP) (Land Contamination and Hydrogeology) setting out the environmental requirements during the detailed design stage.

The details are considered to be acceptable for the purposes of part x) of Condition 5 for the proposed works identified in Stage 3.

The details are acceptable for the purposes of part discharging the relevant parts of Condition 5 in respect of the proposed works identified in Stage 3. The development must be implemented in accordance with the approved CoCP and the relevant plans or programmes shall be implemented in full throughout the period of the works. It is the responsibility of the developer to ensure that they have all the relevant and necessary consents and permits to undertake the works. Ongoing dialog is required regarding any associated complaints and works outside normal construction times.

## **Condition 6**

### Condition 6 Wording

- a) No stage of the development (except preliminary works) is to commence until a Construction Traffic Management Plan (“CTMP”) for that stage has been submitted to and approved in writing by the local planning authority for that stage. The CTMP must include:-
- i) The package of interventions and mitigation outlined in Volume 2i, Chapter 23, Page 5, section 23.2.14 of the Environmental Statement including an implementation timetable for each stage;
  - ii) Specific details on arrangements for temporary car parking provision for train users as appropriate at each station including temporary parking at Huddersfield and Mirfield stations and mobility impaired set down/pick up points at Ravensthorpe and Deighton stations;
  - iii) A travel plan for construction staff, outlining the methods by which they shall be transported to the relevant sites and including the provision of nonmotorised facilities to encourage walking and cycling; and
  - iv) Details on temporary diversions of both highways and rights of way required as part of the Scheme.
- b) The construction of each stage of the development must be carried out in accordance with the approved CTMP unless otherwise agreed in writing with the local planning authority. Reason: To protect public amenity and highway safety and in accordance with Policy LP21 of the Kirklees Local Plan

### Documents Submitted

- Condition 6: Construction Traffic Management and Travel Plan – Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001236

### Assessment

At the time of writing legal advice is sought with regards to the requirements of this condition and the level of information submitted, upon receipt of which further assessment is required. An update will be issued in due course.

### **Condition 10 (Contaminated Land)**

#### Condition 10 Wording :

In relation to contaminated land:

a) Where the Environmental Statement (Volume 2i, Chapter 12: Geology, soils and land contamination) indicates that intrusive investigation is necessary for that stage, no development in the relevant stage is to commence until a Phase II Site Investigation Report for that stage has been submitted to, and approved in writing by, the Local Planning Authority.

b) Where remediation measures are shown to be necessary in the Environmental Statement or the Phase II Reports undertaken pursuant to (a) above confirm remediation measures are necessary for the relevant stage, no development in the relevant stage is to commence until a Remediation Statement, demonstrating how the site will be made suitable for the intended use, has been submitted to and approved in writing by the local planning authority. The Remediation Statement must include a programme for all works and for the provision of and timescale for the submission to the local planning authority of Verification Reports for written approval.

c) Remediation of the site shall be carried out and completed in accordance with the approved Remediation Statement. In the event that remediation is unable to proceed in accordance with the approved Remediation Statement, the local planning authority must be notified in writing immediately and where agreed as necessary, operations on the affected part of the site must cease. An amended or new Remediation Statement must be submitted to, and approved in writing by, the local planning authority prior to any further remediation works which must thereafter be carried out in accordance with the revised approved Statement.

**Reason:** To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use.

#### Documents Submitted:

- Condition 10: Phase 2 Land Contamination Risk Assessment - Stage 3. Ref 151667-TSA-00-TRU-REP-W-EN-001238

### Assessment

The details are acceptable for the purposes of a part discharge of Condition 10 (sub sections a and b) in respect of the proposed works identified in Stage 3.



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Yours faithfully

Mathias Franklin  
Head of Planning and Development