

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2023/44/91656/W
Site Address:	David Brown Santasalo Uk Ltd, Park Works, Park Road, Lockwood, Huddersfield, HD4 5DD
Description:	Discharge of conditions 3 (Phase I Desk Study Report), 4 (Phase II Desk Study Report), 5 (Remediation Strategy), 8 (retaining walls), 9 (Air Quality Impact Assessment), 10 (CEMP), 11 (noise assessment), 12 (risk assessment), 13 (foul and surface water), 14 (drainage) and 15 (external materials) of previous permission 2022/93342 for demolition of existing building and erection of engineering building with associated external works
Recommending Officer:	Katie Chew

DECISION – Discharge of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nicholas Hirst

AUTHORISED OFFICER

Date: 24-Mar-2025

Third Officer Report

Application: 2023/91656

Application Site: David Brown Santasalo Uk Ltd, Park Works, Park Road, Lockwood, Huddersfield, HD4 5DD

Proposal: Discharge of conditions 3 (Phase I Desk Study Report), 4 (Phase II Desk Study Report), 5 (Remediation Strategy), 8 (Retaining Walls), 9 (Air Quality Impact Assessment), 10 (CEMP), 11 (Noise Assessment), 12 (Risk Assessment), 13 (Foul and Surface Water), 14 (Drainage) and 15 (External Materials) of previous permission 2022/93342 for demolition of existing building and erection of engineering building with associated external works.

Overview

Interim decision notices pursuant to this DOC application were issued 03/07/2023 & 27/02/2024, with the following position:

Discharged and/or details approved: 3, 4, 10, 11 & 15.

Details not approved: 5, 8, 9, 12, 13 & 14.

This assessment relates to the outstanding conditions only.

Assessment:

Condition 5 (Remediation Strategy)

5. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to Condition 4, there shall be no commencement of further groundworks until a Remediation Strategy by a suitably competent person has first been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: *To ensure the safe occupation of the site in accordance with Policy LP53 of the adopted Kirklees Local Plan and National Planning Policy Framework (Chapter 15), particularly Paragraphs 183 and 184.*

The applicant has submitted the following document pursuant to Condition 5:

- Phase 3: Remediation Statement, Report No. C2091/24/E/6418, dated 04/2024, authored by Rogers Geotechnical Services Ltd, received 16/04/2024.

This condition has been reviewed by KC Environmental Health (ENVH) who have provided several comments over the course of the application, received 29/06/2023, 20/10/2023, 18/01/2024, 16/01/2024, 19/03/2024, 25/03/2024 and 26/04/2024.

ENVH comments received 18/01/2024 note that:

Although an indicative remediation strategy for fill materials has been provided in the Report on a Phase 2 Geo-Environmental Investigation authored by Rogers Geotechnical Services Ltd, dated April 2023 (ref: C2901/22/E/4423), the document does not confirm any proposals. In addition, the Gas Monitoring Report (dated 16th November 2023, ref: C2901/23/E/5243) states that the gas protection measures will be formalised in a remediation statement. As we are yet to have sight of a standalone remediation strategy for this planning application, we recommend that Condition 5 remain until further notice.

Following receipt of the above, the applicant has sought to submit A Remediation Strategy, authored by Rogers Geotechnical Services Ltd in March 2023 (ref: C2901/24/E/6418).

The above document describes the proposals for the gas protection at the site, which has been characterised as needing Characteristic Situation Level 2 measures. RGS consider the building type as 'Type D' in accordance with BS 8485:2015+A1:2019 and have proposed either a cast-in-situ monolithic reinforced ground-bearing raft or a reinforced cast-in-situ suspended floor slab with minimal penetrations alongside a gas resistant membrane to achieve a total score of 3 to 3.5. The report continues to detail that any fill materials used onsite must undergo screening to ensure suitability. Further details can be found in Section 3.4 and Table 2 of the report. Detailed verification proposals have also been provided.

For a 'Type D' building, these proposals would be sufficient. Upon reviewing the report, however, ENVH have reservations regarding the classification of the building. Notably, not all parts of the proposed building seem to align with the description of a Type D building as outlined in BS8485:2015+A1:2019.

The standard specifies that small rooms within such buildings should be separately categorized as Type B or Type C. Based on the plans provided, it appears that there are smaller-sized rooms present. Given the various floor and substructure design gas protection options presented by RGS, concerns then arise regarding the adequacy of these proposals for smaller rooms.

Consequently, ENVH requested clarification and, where necessary, reclassification of these smaller rooms within the building. The proposals must ensure, with a high degree of confidence, that adequate protection is provided across the development to safeguard all users of the site.

Following receipt of the above comments, the applicant has sought to submit Phase 3: Remediation Statement, Report No. C2091/24/E/6418, dated 04/2024, authored by Rogers Geotechnical Services Ltd, received 16/04/2024. KC Environmental Health have reviewed the aforementioned report and have provided the following response in their latest consultation dated 26/04/2024.

'The revised remediation strategy describes the proposals for the CS2 gas protection measures. RGS now consider the building type as 'Type C' overall in accordance with BS 8485:2015+A1:2019, given the presence of smaller rooms. The gas protection proposed includes either a cast-in-situ monolithic reinforced ground-bearing raft or a reinforced cast-in-situ suspended floor slab with minimal penetrations alongside a gas resistant membrane to achieve a total score of 3 to 3.5. The report continues to detail that any fill materials used on-site must undergo screening to ensure suitability. Further details can be found in Section 3.4 and Table 2 of the report. Detailed verification proposals have also been provided.

We accept the Remediation Strategy, authored by Rogers Geotechnical Services Ltd in April 2024 (ref: C2901/24/E/6418) and recommend that Condition 5 is discharged'.

Based on the above, ENVH advise that the submitted details are acceptable to discharge Condition 5. Officers concur with this assessment recommend that the condition be discharged.

Condition 8 (Retaining Walls)

8. There shall be no commencement of the development hereby approved until a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing highway, including any demolition works affecting the structural integrity of the existing retaining wall supporting Nabcroft Lane or any modification to this wall, has first been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and shall thereafter be retained as such for the lifetime of the development.

Reason: *In the interest of highways safety, in accordance with Policy LP21 of the adopted Kirklees Local Plan and National Planning Policy Framework Chapter 9.*

The applicant has submitted the following document pursuant to Condition 8:

- Approval in Principle for Design of Temporary Works to Existing Building Retaining Wall, Ref: K66041T, Rev 04, dated 06/06/2023, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 1, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 2, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 3, received 13/06/2023.

- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 4, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 5, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 6, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 7, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 8, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 9, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 10, received 13/06/2023.
- Temporary Works Design Assessment, Job Ref: P3857, Sheet No. TW 11, received 13/06/2023.
- Temporary Works Design Assessment, Job Ref: P3857, Sheet No. TW 12, received 13/06/2023.
- Standard Construction Details Sheet 1 For Contractors Proposals Purposes Only, Ref: DBS-AVE-00-XX-DR-C-1002, Rev P01, received 05/10/2023.
- Standard Construction Details Sheet 2 For Contractors Proposals Purposes Only, Ref: DBS-AVE-00-XX-DR-C-1003, Rev P02, received 05/10/2023.
- Manhole Schedule, Ref: DBS-AVE-00-XX-DR-C-1007, Rev C03, received 01/03/2024.

The applicant has stated within their submitted covering letter that:

‘A submission has been made by Avie Consulting Ltd for an Approval in Principle to Kirklees Highways and Streetscene, Highways Structures Team...The Council have explained that they want to deal with the temporary works first before dealing with the permanent works’.

KC Highway Structures have assessed the above documents and information and provided comments on the 18/03/2025 stating:

‘Following your previous e-mail (enclosed), I have reviewed the status of technical approval for various structures at this site, which was being handled by Ben Wright who has now left the Council, and I can now confirm the following:

- 1) *The design of proposed temporary works to support the highway so as to facilitate the demolition of the existing building was approved and as such these works can now proceed.*

- 1) *The design of permanent works which will be integrated with the new building to support the adjoining highway did commence but based on available records although it was nearing completion was not concluded. This will need to be resumed and concluded prior to the construction of proposed building at this site (i.e. the relevant condition cannot be discharged pending the satisfactory conclusion of this process)'.*

Officers concur with the above assessment, and therefore the temporary works are accepted. However, condition 8 must remain in situ, pending the satisfactory completion of the technical approval process for the proposed permanent works. A note setting this out may be placed on the decision notice.

Condition 9 (Air Quality Impact Assessment)

9. There shall be no commencement of the development hereby permitted (other than for demolition of the existing building) until a full Air Quality Impact Assessment has first been submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- *determine the impact that the development will have on air quality (taking into consideration any cumulative impact from other local developments)*
 - *include a calculation of the monetary damages from the development*
- and
- *include a fully costed mitigation plan detailing the proposed low emission mitigation measures.*

The monetary value of the damages should be reflected in money spent on the low emission mitigation measures.

The approved low emission mitigation measures shall be implemented prior to the first use of the development and retained as such thereafter for the lifetime of the development.

Reason: *In the interest of maintaining good levels of residential amenity for neighbouring occupiers and conserving the natural environment from detrimental air quality impacts, in accordance with Local Plan Policies LP24 and LP51 of the adopted Kirklees Local Plan and National Planning Policy Framework Chapter 15.*

The applicant has submitted the following document pursuant to Condition 9:

- Air Quality Screening Assessment, ref: 81098-SRL-RP-YQ-01-S2-P3, authored by SRL, dated 23/02/2024, received 26/02/2024.

This condition has been reviewed by KC Environmental Health (ENVH) who have provided several comments over the course of the application, received 29/06/2023, 20/10/2023, 18/01/2024, 16/01/2024, 19/03/2024, 25/03/2024 and 26/04/2024.

Comments from KC ENVH received 29/06/2023 state:

In principle, we agree with the approach and methodology of the Air Quality Assessment. However, we do not accept the report for the following reasons:

- The screening assessment was undertaken using a base year of 2021, this is not classed as a worst-case scenario due to the Covid 19 Pandemic when fewer vehicles were on the roads. This should therefore be revised to reflect a more representative year.*
- The assessment makes reference to the nearest AQMA 9 being 1.25km from the proposed development. The nearest AQMA 10 is only 0.47km from the site.*
- No site-specific mitigation measures to the value of the damage costs have been provided.*

Due to these reasons a revised Air Quality Report will be necessary which addresses these concerns.

Following the above comments, a revised Air Quality Assessment was submitted by SRL (ref: 81098-SRL-RP-YQ-01-S2-P2) dated 11/12/2023. KC ENVH commented (received 18/01/2024) on the above revised report noting that:

It remains that we do not accept the report as the modelling uses a base year of 2022. The Institute of Air Quality Management's position (as detailed in the IAQM Use of 2020 and 2021 Monitoring Datasets document August 2021 – Version 1.0) is that until the impact of the COVID-19 pandemic on air quality is more fully understood, air quality impact assessments should use 2019 monitoring data as the last typical year, or where 2020 or 2021 data is used then this must state clearly that the monitored levels are atypical and justify the use of data from these years.

As this has not been provided, we request a revised Air Quality Impact Assessment. For these reasons, we do not accept the Air Quality Assessment by SRL (ref: 81098-SRL-RP-YQ-01-S2- P2) (dated: 11th December 2023) and recommend that Condition 9 should remain until further notice.

Following the above, a further revised document has been submitted (Air Quality Screening Assessment, ref: 81098-SRL-RP-YQ-01-S2-P3, authored by SRL, dated 23/02/2024, received 26/02/2024). This document has been reviewed by KC Environmental Health (ENVH) who have provided comments received 19/03/2024, these are discussed below, where relevant.

The above assessment considers the impact of the development on air quality during the construction and operational phases.

For the construction phase a qualitative assessment of fugitive dust emissions was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance. A risk assessment was undertaken to identify all potential sources of dust and the dust emission magnitude of the construction phase and

the risk of impact at sensitive receptor locations within 50m from the site boundary. From this, the potential significance impact of dust emissions associated with the development was determined. The report concludes that the proposed development is medium risk for dust soiling and low risk for human health and that these impacts can be controlled by the implementation of good practice mitigation measures.

The recommended dust mitigation measures are outlined in Tables 8-12 of the report.

In accordance with the West Yorkshire Low Emission Strategy (WYLES) – Technical Planning Guidance the proposed development and has been classed as “Medium” in terms of air quality. This is because it is not within an Air Quality Management Area (AQMA) or near to any roads of concern and falls below the criteria for a Major development. Therefore, a screening assessment has been undertaken to determine the impact the development will have on air quality. Monitoring data provided by Kirklees Council and background concentrations taken from the most recent DEFRA background maps, were used for the assessment using a base year of 2019 in accordance with the Institute of Air Quality Management Guidance (IAQM). In addition to this, Damage Costs were calculated to determine the amount (value) of money required to offset the impact of the development on air quality.

The report concludes that pollutant concentrations at the proposed development site are likely to be below the national air quality objectives in relation to Nitrogen Dioxide (NO₂), and Particulates (PM₁₀ and PM_{2.5}). To offset emissions due to the development, the damage costs were calculated as £1,206.50. This is expected to be spent on mitigation measures to improve air quality. However, due to the nature of the development the report suggests that the proposed default mitigation measures as outlined in WYLES would not be suitable. Therefore, it suggests that the damage costs by agreement with the Local Planning Authority are paid to the Councils Air Quality Team to contribute to ongoing air quality monitoring in the local area.

KC Environmental Health have assessed the submitted document and conclude that they agree with the methodology and conclusion of the Air Quality Assessment and support the suggestion that the damage costs should be made available to the Council to provide further monitoring. KC Environmental Health also acknowledge that their previous concerns have been adequately addressed and there it is recommended that Condition 9 be discharged subject to the implementation of the proposed mitigation measures as outlined in Tables 8-12 of the report, and securement of the damage costs to the Council. Officers concur with this assessment and confirm that the securement of the damage costs to the Council has been done via a Unilateral Agreement, with the sum received on the 06/12/2024.

However, it is noted that Condition 9 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The approved low emission mitigation measures shall be implemented prior to the first use of the development and retained as such thereafter for the lifetime of the development.

Condition 12 (Risk Assessment)

12. There shall be no commencement of the development hereby permitted (other than for demolition of the existing building) until a scheme detailing the design, maintenance and management of designed attenuation structures and flow control devices for each phase of development has first been submitted to and approved in writing by Local Planning Authority.

The scheme should include a completed risk assessment and method statement forming an itinerary and schedule of tasks overseen by the Principal Designer under CDM Regulations 2015. The submitted scheme shall include a validation certificate of suitability of dead and lateral loading from a competent structural engineer in selecting a specified product, with lifespan guarantees from the manufacturer or independent testing (e.g., BBA certificate) to justify an expected lifespan and appropriate replacement interval. The design should include a groundwater assessment and suitability of the invert level in of the attenuation design in relation to this. Method statements should include safe access to and into any attenuation system for monitoring the structure, silt and debris clearance and maintenance of moving parts on flow control devices and emergency drain downs. No part or phase of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have first been completed. The approved maintenance and management scheme shall thereafter be implemented and retained for the lifetime of the development.

Reason: *In the interest of providing a satisfactory surface and foul water drainage strategy in accordance with Policy LP28 of the adopted Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.*

The applicant has submitted the following documents pursuant to Condition 12:

- Phase 1 Foul and Surface Water Drainage Strategy, Drawing No. DBS-AVE-00-XX-DR-C-1001 Rev C03, received 01/03/2024.
- Typical Attenuation Details For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1004 Rev P01, received 01/03/2024.
- Proposed Impermeable Areas Plan, Drawing No. DBS-AVE-00-XX-DR-C-1006 Rev C01, received 01/03/2024.
- MHS14 Flow Control Detail For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1008 Rev C03, received 01/03/2024.

- SuDs Maintenance Document, ref: DBS-AVE-XX-RP-C-0001 Rev 0, authored by Avie Consulting Ltd, dated 17/04/2023, received 06/06/2023.
- MD Calcs P3748-Phase 1_3_4 combined system 1, dated 30/12/2021, received 01/03/2024.

This condition has been reviewed by KC Lead Local Flood Authority (LLFA) who have provided several comments over the course of the application, received 11/07/2023, 13/07/2023, 01/11/2023 and 15/03/2024.

Within KC LLFA's response received 11/07/2023, they state:

Drainage conditions (specifically condition 12) cannot be discharged as the location of the storage tank is shown under the buildings. This creates a flood risk as well as accessibility issues including renewal of any system in accordance with independent assessment of lifespan, e.g. BBA certificate, of cellular storage.

The maintenance guide suggests this is a soakaway whereas drainage drawings show a connection to public sewer. The actual manufacturer is not stated, although Polystorm is mentioned in a 'typical' detail.

Although Kirklees will accept the amalgamated discharge rate the scheme is substandard from a maintenance perspective.

Conditions 13 and 14 are Yorkshire Water conditions and not standard Kirklees condition. This application does not have separate systems off site and was never promoted as such. The use of soakaways and assessment on viability and risk is outside the jurisdiction of Yorkshire Water as rests with the LLFA

Following receipt of the above comments, the applicant submitted additional information to support the discharge of Condition 12. KC LLFA have reviewed the newly submitted documents and provided comments, received 15/03/2024, stating that the proposed size, type and Maintenance Schedules for the attenuation tank and flow control are accepted by the LLFA. The LLFA therefore recommend that Condition 12 be approved. Officers concur with this assessment and that the submitted details may be approved.

However, it is noted that Condition 12 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

No part or phase of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have first been completed. The approved maintenance and management scheme shall thereafter be implemented and retained for the lifetime of the development.

Condition 13 (Foul and Surface Water)

13. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: *In the interest of satisfactory and sustainable drainage, in accordance with Policy LP28 of the adopted Kirklees Local Plan and National Planning Policy Framework Chapter 14.*

The applicant has submitted the following documents pursuant to Condition 13:

- Geoenvironmental Report, Report No. C2901/22/E/4423, dated 04/2023, authored by Rogers Geotechnical Services Ltd, received 06/06/2023.

Yorkshire Water have reviewed the submitted documents and have provided comments, received 24/02/2025, noting that they have no objection to the discharge of condition 13 as the submitted 'Ground investigation report' C2902/22/E/4423 prepared by RGS, dated April 2023 is deemed to be acceptable as the report states that sub-soil conditions do not support the use of soakaways.

Officers concur with the above conclusion and therefore it is recommended that Condition 13 be discharged.

Condition 14 (Drainage)

14. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, until the details of which have first been submitted to and approved in writing by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-

- a) Evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;*
- b) Evidence of existing positive drainage to public sewer and the current points of connection; and*
- c) The means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.*

Reason: *To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage, in accordance with Policy LP28 of the adopted Kirklees Local Plan and National Planning Policy Framework Chapter 14.*

The applicant has submitted the following documents pursuant to Condition 14:

- Phase 1 Foul and Surface Water Drainage Strategy, Drawing No. DBS-AVE-00-XX-DR-C-1001 Rev C03, received 01/03/2024.

- Typical Attenuation Details For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1004 Rev P01, received 01/03/2024.
- Proposed Impermeable Areas Plan, Drawing No. DBS-AVE-00-XX-DR-C-1006 Rev C01, received 01/03/2024.
- MHS14 Flow Control Detail For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1008 Rev C03, received 01/03/2024.
- SuDs Maintenance Document, ref: DBS-AVE-XX-RP-C-0001 Rev 0, authored by Avie Consulting Ltd, dated 17/04/2023, received 06/06/2023.
- MD Calcs P3748-Phase 1_3_4 combined system 1, dated 30/12/2021, received 01/03/2024.

This condition has been reviewed by KC Lead Local Flood Authority (LLFA) who have provided several comments over the course of the application, received 11/07/2023, 13/07/2023, 01/11/2023 and 15/03/2024.

Nevertheless, following the submission of the above documents, KC LLFA have provided final comments, received 15/03/2024, which state that the proposed HydroBrake rated at 70.7 l/s (SHE-0336-7070-1350-7070) discharging to the Combined Sewer at MH C01, the Impermeable Area of 0.774 ha and the proposed PolyStorm Xtra Cellular Tank (free water volume 145.92 m³). These details are accepted by the LLFA.

In addition to the above, Yorkshire Water have also provided comments on the 'Phase 1 Foul and Surface Water Drainage Strategy' DBS-AVE-00-XX-DR-C-1001 (rev C03) as prepared by Avie, dated 13/02/2024, noting that this drawing shows that surface water is to discharge to public combined sewer at a restricted rate of 70.44 litres per second, and is acceptable, therefore it is recommended that Condition 14 be discharged. Officers concur with this assessment and that the condition be discharged.

Decision Notice Text

Condition 5 (Remediation Strategy)

Pursuant to Condition 5, you have submitted:

- Phase 3: Remediation Statement, Report No. C2091/24/E/6418, dated 04/2024, authored by Rogers Geotechnical Services Ltd, received 16/04/2024.

The submitted information is considered to be sufficient to discharge Condition 5 and is hereby approved.

Condition 8 (Retaining Walls)

Pursuant to Condition 8, you have submitted:

- Approval in Principle for Design of Temporary Works to Existing Building Retaining Wall, Ref: K66041T, Rev 04, dated 06/06/2023, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 1, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 2, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 3, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 4, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 5, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 6, received 13/06/2023.
- Temporary Works – Existing Retaining Wall Stability, Job Ref: P3857, Sheet No. TW 7, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 8, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 9, received 13/06/2023.
- Temporary Works – Propping Load Assessment, Job Ref: P3857, Sheet No. TW 10, received 13/06/2023.
- Temporary Works Design Assessment, Job Ref: P3857, Sheet No. TW 11, received 13/06/2023.
- Temporary Works Design Assessment, Job Ref: P3857, Sheet No. TW 12, received 13/06/2023.
- Standard Construction Details Sheet 1 For Contractors Proposals Purposes Only, Ref: DBS-AVE-00-XX-DR-C-1002, Rev P01, received 05/10/2023.
- Standard Construction Details Sheet 2 For Contractors Proposals Purposes Only, Ref: DBS-AVE-00-XX-DR-C-1003, Rev P02, received 05/10/2023.
- Manhole Schedule, Ref: DBS-AVE-00-XX-DR-C-1007, Rev C03, received 01/03/2024.

The submitted information is considered to be acceptable in regard to the temporary works. However, condition 8 must remain in situ, pending the satisfactory completion of the technical approval process for the proposed permanent works.

For the avoidance of doubt, further submissions (via a fresh Discharge of Condition application) will be required to resolve condition 8, which remains undischarged at this time.

Condition 9 (Air Quality Impact Assessment)

Pursuant to Condition 9, you have submitted:

- Air Quality Screening Assessment, ref: 81098-SRL-RP-YQ-01-S2-P3, authored by SRL, dated 23/02/2024, received 26/02/2024.

The submitted information is deemed to be acceptable for the initial requirement of Condition 9, and securement of the damage costs to the Council has been completed via a Unilateral Agreement, with the sum received on the 06/12/2024. However, it is noted that Condition 9 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

The approved low emission mitigation measures shall be implemented prior to the first use of the development and retained as such thereafter for the lifetime of the development.

Condition 12 (Risk Assessment)

Pursuant to Condition 12, you have submitted:

- Phase 1 Foul and Surface Water Drainage Strategy, Drawing No. DBS-AVE-00-XX-DR-C-1001 Rev C03, received 01/03/2024.
- Typical Attenuation Details For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1004 Rev P01, received 01/03/2024.
- Proposed Impermeable Areas Plan, Drawing No. DBS-AVE-00-XX-DR-C-1006 Rev C01, received 01/03/2024.
- MHS14 Flow Control Detail For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1008 Rev C03, received 01/03/2024.
- SuDs Maintenance Document, ref: DBS-AVE-XX-RP-C-0001 Rev 0, authored by Avie Consulting Ltd, dated 17/04/2023, received 06/06/2023.
- MD Calcs P3748-Phase 1_3_4 combined system 1, dated 30/12/2021, received 01/03/2024.

The submitted information is deemed to be acceptable for the initial requirement of Condition 12 and is hereby approved. However, be aware that the condition has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

No part or phase of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have first been completed. The approved maintenance and

management scheme shall thereafter be implemented and retained for the lifetime of the development.

Condition 13 (Foul and Surface Water)

Pursuant to Condition 13, you have submitted:

- Geoenvironmental Report, Report No. C2901/22/E/4423, dated 04/2023, authored by Rogers Geotechnical Services Ltd, received 06/06/2023.

The submitted information is deemed acceptable to discharge condition 13.

Condition 14 (Drainage)

Pursuant to Condition 14, you have submitted:

- Phase 1 Foul and Surface Water Drainage Strategy, Drawing No. DBS-AVE-00-XX-DR-C-1001 Rev C03, received 01/03/2024.
- Typical Attenuation Details For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1004 Rev P01, received 01/03/2024.
- Proposed Impermeable Areas Plan, Drawing No. DBS-AVE-00-XX-DR-C-1006 Rev C01, received 01/03/2024.
- MHS14 Flow Control Detail For Contractors Proposals Purposes Only, Drawing No. DBS-AVE-00-XX-DR-C-1008 Rev C03, received 01/03/2024.
- SuDs Maintenance Document, ref: DBS-AVE-XX-RP-C-0001 Rev 0, authored by Avie Consulting Ltd, dated 17/04/2023, received 06/06/2023.
- MD Calcs P3748-Phase 1_3_4 combined system 1, dated 30/12/2021, received 01/03/2024.

The information submitted pursuant to Condition 14 is acceptable and therefore Condition 14 is hereby approved.