



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

Enquiries to: Nick Hirst

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Date: 17-Oct-2023
Our Ref: 2023/92061

Dear Sir,

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

Discharge of conditions 6 (right-turn lane), 8 (Construction Management Plan), 10 (electric vehicle charging), 11 (Phase II report), 16 (Air Quality Impact Assessment), 18 (temporary drainage), 20 (surface water drainage), 22 (hardstanding drainage) and 27 (external lighting) of previous outline permission 2019/92221 for demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping and associated works (all matters reserved other than access)

119, Huddersfield Road, Mirfield, WF14 9DA

Application Number: 2023/92061

I write with reference to your application to discharge the conditions for the above development as submitted on 10-Jul-2023.

Condition 6 (right-turn lane)

You have submitted the following plans pursuant to condition 6:

- AMA/40110/D/001 Rev. I
- AMA/40110/D/002 Rev. B
- AMA/40110/D/004 Rev. A
- AMA/40110/D/005 Rev. A
- AMA/40110/D/006 Rev. B
- AMA/40110/D/007 Rev. B
- AMA/40110/D/100

- AMA/40110/TRO/001
- AMA/40110/TRO/002

The submitted details are not accepted. It is understood that negotiations are continuing between your team and K.C. Highways (Section 278 team), with various concerns raised and outstanding. The current proposal would not secure the safe and effective use of the highway. Negotiations should continue to resolve any outstanding matters.

For the avoidance of doubt condition 6 is not hereby discharged.

Condition 8 (Construction Management Plan)

You have submitted the document Construction Phase Health and Safety Plan by Forge, dated June 2023, revision 1 pursuant to condition 8. The submitted details are not acceptable, with the following concerns raised:

- No details of 'A scheme to demonstrate how the highway will be kept clear of mud/debris', as required by the condition, have been provided.
- The proposed times of use of the access for construction traffic are 07:00 – 18:00 Monday to Friday, 08:00 – 14:00 on Saturdays, and at no time on Sundays or Bank Holidays. Due to the busy nature of Huddersfield Road (A644) the access hours should exclude the morning (0800 – 0900) and evening peaks (1700 – 1800).

For the avoidance of doubt condition 8 is not hereby discharged.

Condition 10 (electric vehicle charging)

You have submitted the following documents pursuant to condition 10:

- Electrical Engineering Services External Lighting drawing by Wilson Gray Consulting
- Standard Store Specification File: Section 10.7 Electric Vehicle (EV) Charging
- Charging Point Overview Sheet: Newmotion Business Pro 2.1 and Business Lite 2.1

These documents show the proposed location of four Electric Vehicle Charging Points that provide up to 22kW of power via a Type 2 EV socket.

These details are acceptable for the initial requirement of condition 10. However, be aware that condition 10 has the following further requirement:

The electric vehicle recharging points shall be provided in accordance with the approved details before the development is first brought into use and shall thereafter be retained.

Adherence to this requirement is necessary to ensure compliance with condition 10.

Condition 11 (Phase II report)

A Geo-Environmental Report by DTS Raeburn Limited (ref: E13431/1) has been submitted pursuant to condition 11.

It is concluded that remediation is necessary at the site. The submitted report suggests the placement of a minimum of 500mm capping material above any soft landscaping and gas protection measures. Clarification on several points is, however, required:

- A revised conceptual site model and risk assessment is needed, as this appears to be missing from the report, contrary to LCRM guidance.
- Part of the appended information is missing from the report. Officers therefore cannot confirm the validity of the report contents. All missing appended information must be included, and this should include ground gas data sheets.
- The ground gas monitoring undertaken does not appear to include low pressure (<1000mb) and no pressure trend information has been reported.

For further details please see the comments of K.C. Environmental Health dated 16/10/2023.

For the avoidance of doubt condition 11 is not hereby discharged.

Condition 16 (Air Quality Impact Assessment)

The Air Quality Assessment ref: (7023r1) (dated: 21/08/2023) by Redmore Environmental has been submitted pursuant to condition 16.

The submitted details are acceptable for the initial requirement of condition 16. However, be aware that condition 16 has the following further requirement:

The mitigation measures as detailed in the Full Air Quality Impact Assessment so approved shall be provided before the development is first brought into use and retained as such.

Adherence to this requirement is necessary to ensure compliance with condition 16.

Condition 18 (temporary drainage)

You have submitted the following documents pursuant to condition 18:

- Plan ref. SL_90_40_46-0003 Rev. P01 (Temporary Drainage Plan)
- Document ref. P19-111/LTR/0001/JM (Temporary Surface Water Drainage Plan)

The submitted details are acceptable for the initial purpose of condition 18. However, be aware that condition 18 has the following further requirement which must be adhered to, to ensure compliance with the condition:

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

Condition 20 (surface water drainage)

You have submitted the following documents pursuant to condition 20:

- Plan ref. SS_50_35_82-0001 Rev. P03 (Proposed Drainage Layout)
- Plan ref. SS_50_70_05-0001 Rev. P01 (Typical Attenuation Tank Details)
- Document ref. 220615 P1.MDX (Hydraulic Calculations)
- Document ref. P19-111/3.14/JM Rev. A (General Maintenance and Inspection Recommendations)

The submitted details are acceptable for the initial purpose of condition 20. However, be aware that condition 20 has the following further requirement which must be adhered to, to ensure compliance with the condition:

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.

Condition 22 (hardstanding drainage)

You have submitted the plan referenced SS_50_35_82-0001 rev. P01 pursuant to condition 22. This includes the installation of the Condor Bypass CNBS10s/21 oil separator (or similar) as detailed on the drawing.

The submitted details are acceptable for the initial purpose of condition 22. However, be aware that condition 22 has the following further requirement which must be adhered to, to ensure compliance with the condition:

Use of the parking areas/hardstandings shall not commence until the works comprising the approved treatment scheme have been completed. Treatment shall take place prior to discharge from the treatment scheme. Roof water shall not pass through the interceptor. The treatment scheme shall be retained and maintained to ensure efficient working at all times.



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Condition 27 (external lighting)

You have submitted the Electrical Engineering Services External Lighting drawing (ref: 79-E0000 Revision P03) by Wilson Gray Consulting pursuant to condition 27.

The submitted details are acceptable for the initial requirement of condition 27. However, be aware that condition 27 has the following further requirement:

The external artificial lighting shall be installed and operated in accordance with the approved details and retained as such.

Adherence to the above requirement is necessary to ensure compliance with condition 27.

Submission of further details

Further details are required to discharge conditions 6, 8, and 11. If the requested details are provided within four weeks of the date of this letter, they will be accepted under this application. Please quote 2023/92061 and send the details directly to nick.hirst@kirklees.gov.uk.

After four weeks, a new Discharge of Condition application will be required.

Yours faithfully,

Mathias Franklin
Head of Planning and Development