

Enquiries to: Ellie Thornhill

Acanthus WSM Architects  
Studio 11  
2, King Charles Street  
Leeds  
LS1 6LS

Kirklees Direct  
Tel: 01484 221000  
Email: [ellie.thornhill@kirklees.gov.uk](mailto:ellie.thornhill@kirklees.gov.uk)

Date: 02-Jul-2024  
Our Ref: 2023/92092

Dear Sir/Madam

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

**Discharge of condition 5 (new retaining walls) of previous reserved matters  
approval 2022/91047 for a development of 91 dwellings, pursuant to outline  
permission 2019/90527 (for erection of up to 127 dwellings, with details of access)  
Blue Hills Farm, Whitehall Road West, Birkenshaw, BD11 2DU  
Application Number: 2023/92092**

I write with reference to your application to discharge the condition for the above  
development as submitted on 12-Jul-2023.

Pursuant to condition 5 you have submitted:

- Redi-Rock Wall Design 3.36m reference P0121-265-001 rev 0.
- External Levels (Phase 1 Sheet 1 of 2) reference 09.21011-ACE-00-ZZ-DR-C-3200 rev P9.
- External Levels (Phase 2 Sheet 1 of 2) reference 09.21011-ACE-00-ZZ-DR-C-3201 rev P9.
- Southern Boundary Sections 00.23009-ACE-00-ZZ-DR-C-03604 rev P4.
- Redi-Rock Wall Design Calculations reference 0121-265.
- Marshalls Proposed Layout Red-Rock Retaining Wall reference 5856952 Layout -1.
- Redi-Rock Retaining Wall Design reference 0121-265 rev A.
- Email between the developer and KC Highway Structures dated 28/10/2023.
- Approval In Principle for Proposed Private Retaining Wall at Blue Hills Farm Adjacent to A58 Whitehall Road West, Birkenshaw rev P4 dated 08/11/2023.
- Certificate of Construction Compliance dated 21/02/2024.
- Certificate for the design and check of highway structures (ref: L66044)
- Email between the developer and KC Highway dated 21/03/2023.



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

KC Highway Structures have confirmed that the proposed boundary wall is acceptable from a structures perspective, as an Approval In Principle and Construction Compliance Certificate have been issued.

However, officers have significant concerns regarding the height and stark materials used for the retaining boundary wall, due to its prominence along the A58 and the fact that the area is characterised by lower boundary treatments which feature more appropriate materials.

As such, the retaining wall cannot be supported and therefore condition 5 cannot be discharged.

Yours faithfully

Mathias Franklin  
Head of Planning and Development