
From:

Sent: Wednesday, January 17, 2024 11:33 AM

To: Nick Hirst <Nick.Hirst@kirklees.gov.uk>

Subject: RE: Westgate - Pre-commencement Conditions

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Hi Nick,

Thank you for the below email.

Condition 7 (Phase 2 Intrusive Site Investigation Report), condition 8 (Remediation Strategy), condition 18 (Invasive Non-Native Species Protocol) and condition 21 (Survey of Surrounding Road Network) have all been recommended for discharge by consultees as per the email sent from yourself on the 18th December 2023.

We have now collated all requested information in relation to the comments submitted by LLFA, Environmental Health, Highways & KC Structures. Please find below my response (in blue):

Highways Comments:

Condition 6 (Phasing Plan):

1. Comment: *'I hold concerns regarding the location of the parking and brick store throughout all the phases. Why must they be located next to the nearest neighbours for a two-year build period? In the earlier phases, could these not be located away and then moved closer in later phases or, in the case of parking, could that be accommodated within the development at later phases?'*

Response: The position of both the parking and brick stores has been selected so we can access them early on in our development to ensure we have adequate parking. Construction workers and vehicles have

allocated car parking spaces on site & this will therefore reduce the impact on neighbouring roads. The development is to be screened with fencing around the entirety of the site. Access to the car park is to be taken through our development, which will subsequently lead to no noise from the car park. The brick store is also to be screened to the neighbouring roads and will produce very little noise. In addition, we have located the parking and brick stores within our scheme to ensure that we keep construction works and deliveries clearly segregated from our neighbours and from customers when they start occupying the scheme.

2. Comment: *'No details on the phasing of the drainage are provided. When will the attenuation tank be brought online? How will surface water of later phases be managed once the two lagoons are presumably built over / removed.'*

Response: Please find via the WeTransfer link the plan titled: *'Engineering Layout (Dwg: QD1776-03-01 Rev: C)'* produced by Sirius Group which notes the phasing of the drainage. It notes that the attenuation tank will be brought online in July 2024. Once the outfall has been constructed, the on-site surface water of the later phases will be managed as per RSK's Surface Water Management Plan, ref: 302574 (02).

'The main element of Condition 6 that is in the remit of HDM are the 'road stages', which have been shown on the submitted plan. However, there are a number of issues that need to be amended before the proposals are acceptable to HDM, which are as follows:

3. Comment: *'The principle of phased completion of the streets is acceptable. However, the extent of each road stage should be amended to ensure that adequate temporary vehicle turning facilities are provided at the end of each road phase, which is not currently achieved (e.g a road stage should either incorporate an approved turning head, or a junction or other temporary feature that can be used as a turning head on a temporary basis (the applicant should note the size of the approved turning heads, to identify the extent of the junctions that would be required for this purpose).'*

Response: Please find via the WeTransfer link the plan titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)'*. This plan has now been amended to show turning heads for each phase of road to be delivered.

4. Comment: *'The road stages do not include the footways, visitor parking bays, and the PROW links to the wider network. These should be incorporated in the phasing details, with the PROW links delivered as soon as possible to link to the completed road stages.'*

Response: Please find via the WeTransfer link the plan titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)'*. This plan identifies the phasing for the provision of footways, visitor parking bays and the PROW links on site.

Condition 11 (Construction Management Plan):

'As an initial general comment, the phasing plan (and any other relevant plan) should be appended to the CMP so they can be treated and are available as a single cohesive document which is accessible to any interested party, such as residents.

- a) Comment: *'Any phasing of development and timetable of all works.'*

Response: Please find via the WeTransfer link the drawing titled: *'Batch Plot Release Plan (Dwg: BY00099-PMP-002 Rev: D)'*. This plan identifies the phasing of development and the dates works are expected to commence.

- b) Comment: *'Hours of works: Officers hold concerns over the proposed hours of use, given proximity of the site to existing (and future) residents. Advise hours be changed to: Monday to Friday: 0730 – 1830 & Saturday: 0800 – 1300. If disputed, please provide justification as to why your proposed alternative hours would not cause harm.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 6 states that the hours of operation are to be 07:30-18:30 Monday to Friday and 08:00am-13:00 on Saturdays.

- c) Comment: *'Section 3.4 of the CMP states that one access on to Westgate will be provided. However, no further information has been provided of where this access would be or it's design/layout. Therefore, further details are required, including confirmation that the construction access is of adequate layout to accommodate all construction traffic (as well as any other traffic that may also use it), junction layout / visibility and swept path analysis to confirm that it can safely accommodate construction vehicles.'*
 Response: Please find via the WeTransfer link the plan titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F).'* This plan identifies the visibility splays and swept paths for construction vehicles confirming that all construction vehicles can safely enter and leave the development.
- d) Comment: *'Further detail is required to confirm the following: The maximum size/weight of construction vehicles that are to be used. Swept path analysis should be provided to confirm that these vehicles can safely enter/exit the site (as point c, the construction access arrangements are currently unknown)*
 Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'*. Page 10 confirms the maximum size of a construction vehicle is to be 3.4m & the maximum weight is to be 17,000kg.
- e) Comment: *'Further detail is required to confirm the following: The routing of construction vehicles on the local highway network also needs to be confirmed, including confirmation of how the routing will be enforced and managed. It is noted that all heavy construction vehicle traffic should be restricted to primary roads in the local area, and not minor local streets (e.g. South Parade, Westcliffe Road for example).'*
 Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'*. Page 9 identifies the traffic routing arrangement for all vehicles entering and leaving the site.
- f) Comment: *'It is suggested that it is amended as follows: 'The arrival, departure, loading and unloading of all goods vehicles, waste vehicles and other construction traffic movements must take place within the standard site working hours, unless otherwise approved by the Local Planning Authority. Should it be necessary for any construction traffic movements to occur outside of standard site working hours, these must be agreed in writing in advance with the Local Planning Authority.'*
 Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023)'*. On page 6, the text has been amended to state *'The arrival, departure, loading and unloading of all goods vehicles, waste vehicles and other construction traffic movements must take place within the standard site working hours, unless otherwise approved by the Local Planning Authority. Should it be necessary for any construction traffic movements to occur outside of standard site working hours, these must be agreed in writing in advance with the Local Planning Authority.'* On page 9, the report states *'HGV traffic will avoid smaller residential streets and within sensitive periods such as school start and finish times.'*
- g) Comment: *'Section 3.5 of the CMP states that 'Goods vehicle' parking will only take place with the 'Production Car Park', and will not be permitted to park on surrounding streets. Whilst this is acceptable in principle, there is currently limited detail regarding the 'Production Car Park' (annotated as 'Contractor Car Park' on drawing BY0999 - PMP – 001 Rev E) to confirm that it is adequate to safely accommodate both operative parking and construction traffic waiting. It is also unclear how operative parking and HGV waiting will be accommodated during later phases of the development when these areas become unavailable.*
 Response: Please find via the WeTransfer link the plan titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F).'* This plan identifies the number of allocated car parking spaces for both operative parking and construction traffic.
- h) Comment: *'Adequate on-site signing is also required to ensure that drivers unfamiliar with the site are directed to these facilities.'*
 Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Pages 10 & 11 notes that directional signage is to be implemented throughout the development.
- i) Comment: *'Parking for construction workers; - See objection from Highways. Inadequate details provided. I'd also request that clarification on expected typical and peak usage be provided to demonstrate that the area*

set aside is adequate. Furthermore, I'd question why the contract parking should be located at the closest possible location to existing residents. For most phases of the development the contract parking could be located within to the area encompassing plots 14 – 22 and 154 – 165. When you come to the final phases, contractor parking could presumably be sited upon the new road. Please consider and respond.'

Response: As stated within comment 1 for condition 6, the position of the contractor car park has been selected so we can access it early on in our development. This will ensure construction workers and vehicles have allocated car parking spaces and will therefore not impact neighbouring roads. As seen on the attached document titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)'*, the plan identifies the number of allocated car parking spaces for both operative parking and construction traffic which can be safely accommodated.

- j) Comment: *'Storage of plant and materials; - As per contractor parking comments, could this not be re-located in the initial phases to avoid undue impacts on residents immediately to the east?'*

Response: As per comment 1 for condition 6, the storage of plant and materials has been selected to ensure that all construction vehicles and operatives can access the site early on in our development. This will ensure we keep construction works and deliveries clearly segregated from surrounding roads.

- k) Comment: *'To ensure a safe and efficient site, clear and well maintained signage is required, which should include as a minimum:*

- 1. Directional signing for pedestrian and construction vehicle routes, including clear signing for parking, waiting, loading and storage areas;*
- 2. Site speeds limits and other safety related signage;*
- 3. Contact details for site manager.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Pages 10 & 11, states signage will be included for pedestrian and construction vehicle routes, parking, waiting areas, loading/storage areas, site speed limits and contact details for the Site Manager.

- l) Comment: *'Lighting during construction works; - See comments from K.C. Environmental Health. Inadequate specific details provided.'*

Response: Please find via the WeTransfer link the document titled: *'Construction Environment Management Plan CEMP: (Biodiversity) Rev: ER-4666-05B'*. Page 11 details the strategic plan to control lighting on site.

- m) Comment: *'Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 11 sets out all mitigation measures referenced within the RSK Surface Water Management Plan (Ref: 302574) will be implemented on site. It also references where surface water will discharge into.

- n) Comment: *'Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Pages 12 & 13 states all mitigation measures for mud, grit and dirt on public highways.

- o) Comment: *'Furthermore, I'd ask that the location of the wheel washing site be shown on the CMP plan.'*

Response: Please find via the WeTransfer link the plan titled: *'Production Management Plan (Dwg: BY0999-PMP-001 Rev: F)'* which identifies the location of the wheel washing facilities on site.

- p) Comment: *'Section 3.7 states that 'A regular regime of road cleaning using a contracted road sweep will be put in place before work commences on site.' The above lacks clarity on the frequency, timing or extent of street sweeping that is proposed. It is also unclear how reactive cleaning could be undertaken by a 'contracted road sweep' that may be necessary (e.g. if wheel washing procedures are not followed).'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 12 states contracted road sweeping during the winter months will occur daily as and when required. However, in the summer this will occur every two weeks in good weather.

- q) Comment: *'Measures to control and monitor the emission of dust and dirt during construction; - See comments from EV Health. Inadequate details provided.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 12 states *'all driver of vehicles leaving site should ensure that their vehicles wheels are clean. A jet wash will be provided to enable wheel washing. Any debris or mud carried on to Westgate, should be swept clear immediately. The Project Manager will be responsible for enforcing that all vehicles leaving the site are clean.'* Similarly, on pages 12 & 13, it details all mitigation measures to control the emission of dust during construction works.

- r) Comment: *'Site waste management, including details of recycling/disposing of waste resulting from construction works; - Limited and none specific details provided.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 16 notes that *'principles of the Waste Hierarchy will be applied to all wastes generated onsite, with reuse options prioritised. Outstanding wastes will be segregated on site into the following streams:*

- *Inert*
- *Timber*
- *Plaster*
- *Mixed Compactable Waste*

Working alongside one of our approved waste management contractors, all waste will be removed from site and taken directly for recycling or to an offsite waste transfer station where waste will undergo further segregation and processing to remove recyclable material ensuring that where possible, construction waste is diverted from landfill. Regular waste audits will be conducted by Strata and the appointed waste contractor to track performance and ensure compliance against Strata practices.'

- s) Comment: *'The document does not appear to have included specific noise and vibration controls for site where piling is considered. However, the document does show understanding of best practice guidance for noise and vibration control. We request the applicant to confirm any specific control measures for piling activities.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 17 details the mitigation measures for noise and vibrations caused by piling on site.

- t) Comment: *'Details of artificial lighting used in connection with all construction-related activities and security of the construction site must be included in the CEMP. Upon review of the document, it appears this information is missing. For completeness, we require details in relation to the artificial lighting to be used.'*

Response: Please find via the WeTransfer link the document titled: *'Construction Environmental Management Plan CEMP: (Biodiversity) Rev: ER-4666-058 Rev: B'* which notes all details of artificial lighting on page 11.

- u) Comment: *'Site manager and resident liaison officer contact details, including details of their remit and responsibilities; - No details provided, therefore unacceptable.'*

Response: : Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 11 states that *'Contact details for the Site Manager will be available on the board displayed outside the Production Hub. The Site Manager has not yet been allocated for the site. If resident's wish to contact Strata, please email enquiries@strata.co.uk.'*

- v) Comment: *'We expect more detailed information in relation the communications plan e.g. information relating to the letter drops, details of the site manager etc.'*

Response: Please find via the WeTransfer link the report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* Page 11 states that *'Contact details for the*

Site Manager will be available on the board displayed outside the Production Hub. The Site Manager has not yet been allocated for the site. If resident's wish to contact Strata, please email enquiries@strata.co.uk.

- w) Comment: *'Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).'*
Response: Please find via the WeTransfer link report titled: *'Construction Management and Mitigation Plan For: Cascade, Westgate, Cleckheaton (Date: January 2023).'* On page 18, it clearly states that *'Strata will monitor the local area of the site for future developments which are to come forward and will liaise with them accordingly.'*

Condition 16 (Details of New Retaining Walls):

1. Comment: *'The discharge of condition 16 is strictly subject to the successful completion of technical approval process (via submission of AIPs) for the design of proposed retaining/burr walls adjacent to the existing/proposed adoptable highway at this site. You will need to produce and submit a suitably scaled external layout plan showing the location, extent, retained height (measured to the formation level), type (retaining or burr wall) and form of construction for all the relevant proposed retaining walls at this site to determine the number of AIPs that will need to be submitted. See <https://www.kirklees.gov.uk/beta/regeneration-and-development/pdf/highways-structural-procedures.pdf> for further guidance.'*
Response: As discussed with Farhad Khabiti on Thursday 11th January, we have agreed to discharge the pre-commencement element of this condition. Farhad Khabiti agreed that where a retaining wall is adjacent an adopted highway, then an AIP must be agreed with Kirklees Council. As a result, we would suggest that this condition can be partially discharged and a note can be added to the decision notice to confirm that the condition will be fully discharged upon agreement of the AIPs for all retaining structures close to highways. The decision can also state that *'Prior to the construction of any retaining wall adjacent an adopted highway, an AIP must be agreed with Kirklees Council'*. Please find via the WeTransfer link the email titled: *'Westgate, Cleckheaton – Conditions 16, 17 & 19'* which sets out the above information.

Condition 17 (Details of Existing Retaining Walls):

1. Comment: *'It is advisable that the condition be applied to be discharged, with evidence to demonstrate no works are proposed to existing highway walls. Should this be accepted it will ensure you have a formal agreement from the Council that the condition is resolved.'*
Response: As agreed with Farhad Khabiti on Thursday 11th January, this condition can now be discharged in full. Please find via the WeTransfer link the email titled: *'Westgate, Cleckheaton – Conditions 16, 17 & 19'* which sets this information out.

KC Structures Comments:

Condition 19 (Details of Attenuation Tank/Pipe/Manholes):

1. Comment: *'The discharge of condition 19 will be strictly subject to the amendment of all relevant drainage drawings including notes to comply with the Sewer Sector Guidance "Code for adoption" with particular reference to oversize PCC manholes and their cover slabs with ID>0.9m. All PCC units in oversize manholes must have a design working life of 100 years (min) in accordance with BS 8500-1:2015+A2:2019 -Table A.5" (this is intended to ensure that all circular oversize manholes with ID> 0.9m, classed as "structures" installed in the highway, will comply with the same mandatory durability requirement as other highway structures).'*
Response: Please find via the WeTransfer link the plans titled:
- Engineering Layout (Dwg: QD1776-03-01 Rev: C)
 - Longsections Sheet 1 (Dwg: QD1776-05-01 Rev: C)
 - Longsections Sheet 2 (Dwg: QD1776-05-02 Rev: C)
 - Manholes Schedules (Dwg: QD1776-05-03 Rev: D)
 - Adoptable Drainage Details (Dwg: QD1776-08-01 Rev: C)
 - Lateral Drainage Details (Dwg: QD1776-08-02 Rev: B)
 - Section 104 Layout (Dwg: QD1776-170-1 Rev: B)

All of the above listed plans have been updated to specifically reference the code for adoption requirements

2. Comment: *'Submission of satisfactory "Construction Compliance Certificate" upon the completion of the drainage works.'*

Response: As discussed previously, the 'Construction Compliance Certificate' is not required for the details to be approved for the pre-commencement condition. However, once all drainage works have been completed on site, the certificates will be submitted to Kirklees Council for approval.

Local Flood Authority Comments:

Condition 12 (Repair/Renewal of Watercourse Survey):

- 1) Comment: *'Proposals indicate that the watercourse assessment has yet to be carried out and there is no final report with remedial list and future maintenance plans including the use of screens.'*

Response: Since September 2023, we have been trying to survey the culvert located on site on numerous occasions. However, due to the weather conditions and heavy rainfall, we have been unable to complete the watercourse survey. In order to proceed with surveying the watercourse, water levels would need to decrease substantially before the survey can safely be carried out. Please find via the WeTransfer link the document titled: *'Condition 12 – Timeline of Events'* & the CCTV video titled: *'021_INLET_SWMH1A'* which clearly shows the current state of the watercourse. In the meantime, we have contacted Paul Farndale from Kirklees Council, who has passed on his support to allow us to start on site given that condition 12 is a pre-commencement condition. Please find this information via the WeTransfer link the email titled: *'2023/93077 Land off Westgate, Cleckheaton, BD19 5DR - Condition 12 Watercourse Assessment (open and culverted) and Maintenance Plan.'*

Condition 13 (Temporary Surface Water Drainage):

1. Comment: *'We are encouraged by the proposals set out in the 'Surface Water Management Plan', dated October 2023 by RSK Geosciences. Additional information is required.*
 - *Volume of the sumps must be able to contain 1 in 2 year 6 hour storm event. This should be clearly depicted on a plan showing how the site will shed water to each sump.*

Response: Section 6 of the SWMP sets out an extensive list of preventative measures of which are to be installed on site during the course of construction; sumps are not to be installed as a temporary measure during the course of construction and therefore, are not relevant to the discharge of condition 13. Sumps are however, to be installed as a permanent feature once the attenuation tank has been installed.

2. Comment: *'A cross sectional drawing of the sumps are required as is that of the bunds and fences'*
Response: Following on from the above, sumps are not to be installed as a temporary measure during the course of construction. Page 15 identifies the designs of the silt mitigation measures to be installed on site during the course of construction and provides the requested cross section drawings at items 4 (cut off ditch with rip rap checkdam, bund and silt fence detail), 6 (silt fencing) & 9 (silt fence/straw bail checkdam detail).

3. *'The CEMP does not mention the use a silt removal machine (flocculation). It is important that practices indicated in the SWMP are not contradictory or omitted.'*

Response: Please find via the WeTransfer link the updated CEMP of which references the use of a silt removal machine on page 8.

Condition 14 (Flood Scheme):

1. Comment: *'In order to discharge this condition, we will require a detailed engineering layout showing drainage and gullies but with the road system, pavement and kerbs contoured with assigned levels (show contours). High points and low points need to be marked clearly. These routes should be kept to the road network or open space and avoid curtilage. Driveways will need levels, gradients and directional arrows assigned. Attention should also be given to water coming off Westgate and down into the site.'*

Response: Please find via the We Transfer link the drawings titled:

- External Works Sheet 1 (Dwg: QD1776-04-01 Rev: C)
- External Works Sheet 2 (Dwg: QD1776-04-02 Rev: C)
- Vertical Alignments Sheet 1 (Dwg: QD1776-04-10 Rev: A)
- Vertical Alignments Sheet 2 (Dwg: QD1776-04-11)
- Longsections Sheet 1 (Dwg: QD1776-05-01 Rev: C)
- Longsections Sheet 2 (Dwg: QD1776-05-02 Rev: C)

Condition 15 (Scheme Restricting Rate of Surface Water Discharge):

1. Comment: *'A coloured impermeable area plan is required & a maintenance and management plan including any certification, (eg. British Standard or BSE Certificate) should be included in this pack.' .''*
Response: Please find via the WeTransfer link the plan titled: *'Impermeable Areas (Dwg: QD1776-02-01 Rev: A)'* which details the impermeable area plan. Please also find via the WeTransfer link the document titled: *'Drainage Maintenance & Management Report For: 'Cascade' Westgate, Cleckheaton' (Date: November 2023).'*
2. Comment: *'Details of the flow control are required.'*
Response: Please find via the We Transfer link the drawing titled: *'Flow Control S25' (Dwg: QD1776-08-03 Rev: B)'* which provides details of the flow control.
3. Comment: *'Half drain time of the final attenuation tank will be required.'*
Response: Please find via the WeTransfer link the drawing titled: *'Cleakheaton Drain Down'* which shows the full drain down in less than 24 hours.

Environmental Health Comments:

Condition 20 (Construction Environmental Management Plan: Biodiversity):

1. Comment: *'Lighting during construction works;'- See comments from K.C. Environmental Health. Inadequate specific details provided.'*
Response: Please find via the WeTransfer link the document titled: *'Construction Environment Management Plan CEMP: (Biodiversity) Rev: ER-4666-05B'*. Page 11 details the strategic plan to control lighting on site.
2. Comment: *'Details of artificial lighting used in connection with all construction-related activities and security of the construction site must be included in the CEMP. Upon review of the document, it appears this information is missing. For completeness, we require details in relation to the artificial lighting to be used.'*
Response: Please find via the WeTransfer link the document titled: *'Construction Environmental Management Plan CEMP: (Biodiversity) Rev: ER-4666-058 Rev: B'* which notes all details of artificial lighting on page 11.

Please find via the following WeTransfer link all documents referenced within this email:

If you have any further questions in relation to the above, please let me know.

Many thanks,