

Enquiries to: Liz Chippendale

Catherine Brotherton,
Fox Architecture and Design
Fox Cottage
Whitley Road
Whitley
Dewsbury
WF12 0LU

Kirklees Direct
Tel: 01484 221000
Email: liz.chippendale@kirklees.gov.uk

Date: 16-Mar-2026
Our Ref: 2023/93082

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 of conditions 3 (materials), 4 (drainage), 5 (CEMP), 6 (CMP), 7 (temporary drainage), 8 (parking drainage), 9 (noise), 11 (phase I report), 12 (phase II report), 13 (remediation strategy), 16 (integral bat box), 22 (sewer protection), 23 (bird boxes) and 25 (surface water discharge) of previous permission 2022/91730 for demolition of former dairy/snooker centre/storage and erection of 9 light industrial units
Land Adjacent, 60, Northgate, Cleckheaton, BD19 3NB
Application Number: 2023/93082**

I write with reference to your application to discharge the conditions for the above development as submitted on 18-Oct-2023.

Summary

The following conditions may have their details approved and/or be discharged:

- 3 (materials)
- 4 (drainage)
- 5 (CEMP)
- 6 (CMP)
- 7 (temporary drainage)
- 8 (parking drainage),
- 9 (noise),
- 11 (phase I report),
- 12 (phase II report),
- 13 (remediation strategy),
- 16 (integral bat box),
- 23 (bird boxes)
- 25 (surface water discharge)

The following condition cannot have their details approved and/or be discharged:

- 22 (sewer protection)



For details, please see the following breakdown.

Condition 3 (materials)

You have submitted the following:

- Condition 3 – Materials and colours Rev A – 04/03/2026

I can confirm that the submitted details are acceptable, and are hereby approved, with particular note to the Northgate front elevation(s) and Gable Walls being faced in natural stone, as detailed in the above document. The development shall be constructed in the approved materials and retained thereafter.

Condition 4 (drainage)

You have submitted the following:

- Drawing Ref: 1816/430, Temporary Drainage Works, Rev - dated Feb 2024
- Drawing Ref: EWE/2514/01, Drainage Layout, Rev G dated 07/12/2023
- Drawing Ref: 2019/2514, Drainage Assessment, Rev E dated 22/09/2023.

I can confirm that the submitted details are acceptable and are hereby approved.

However, please be aware that condition 4 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Condition 5 (CEMP)

You have submitted the following:

- Construction Environmental Management Plan (CEMP) and Construction Management Plan (CMP) Rev. 2 May 2024
- Construction Management Plan. Drawing No – 1816/103

I can confirm that the submitted details are acceptable and are hereby approved. However, be aware of the condition's following ongoing requirement:

The agreed plan shall be adhered to throughout the construction of the development.



Further to the above, K.C. Environmental Health have requested that the following be noted:

The applicant is reminded that Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Condition 6 (CMP)

You have submitted the following:

- Construction Environmental Management Plan (CEMP) and Construction Management Plan (CMP) Rev2 May 2024
- Construction Management Plan. Drawing No – 1816/103

I can confirm that the submitted details are acceptable and are hereby approved. However, be aware of the condition's following ongoing requirement:

Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Condition 7 (Temporary drainage)

You have submitted the following:

- Drawing Ref: 1816/430, Temporary Drainage Works, Rev - dated Feb 2024
- Drawing Ref: EWE/2514/01, Drainage Layout, Rev G dated 07/12/2023
- Drawing Ref: 2019/2514, Drainage Assessment, Rev E dated 22/09/2023.
- Agent email to Kirklees Council dated 07/05/2024 regarding condition 7

The submitted details are considered acceptable pursuant to the requirements of condition 7 and are hereby approved. However, be aware of condition 7's ongoing requirement which must be adhered to, to ensure ongoing compliance:

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.

Further to the above, you are reminded that, per the approved details that the permanent attenuation tank will need to be installed at the beginning of construction operations otherwise the construction phase run-off following site strip will not be attenuated.

Condition 9 (Noise)

You have submitted the following:

- Noise Impact Assessment authored by Clover Acoustics dated 10 January 2024 Ref 4824-R2

The submitted details are considered acceptable pursuant to the requirements of condition 9 and are hereby approved. However, be aware of condition 9's ongoing requirement which must be adhered to, to ensure ongoing compliance:

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

Condition 11 (Phase I report) and Condition 12 (Phase II report)

You have submitted the following pursuant to conditions 11 and 12:

- Phase 1 Desk Study Site Investigation Report by Geo Investigate, dated June 2023 (ref: G23144 Rev 1)
- Phase 2 Environmental Investigation & Phase 3 Remediation Statement by RGS Ltd dated October 2023 (Ref: C3732/23/E/5713)

I can confirm that the submitted details are considered acceptable for the requirements of both conditions 11 and 12, and are hereby approved. As neither condition has an ongoing requirement, each is also hereby discharged.

Condition 13 (Remediation Strategy)

You have submitted the following pursuant to condition 13:

- Phase 2 Environmental Investigation & Phase 3 Remediation Statement by RGS Ltd dated October 2023 (Ref: C3732/23/E/5713)

The submitted details are considered acceptable for the requirements of condition 13 and are hereby approved. The condition has no ongoing requirements and is discharged. Notwithstanding this, be aware that conditions 14 (remediation implementation and



unexpected contamination) and 15 (validation report) of 2022/91730 hereby activate and should be adhered to.

Pursuant to condition 15, be aware that for the avoidance of doubt, any fill material, either site-won or imported must be confirmed as suitable for the intended end-use and details must be provided in before the site is brought into use and this should be reported to the LPA before the site is brought into use.

Condition 16 (Integral bat box) and Condition 23 (bird boxes)

You have submitted the following pursuant to both condition 16 and condition 23:

- Ecological Design Strategy (Middleton Bell, 16th October 2023)

The submitted details are considered acceptable for the requirements of each condition. Each condition will be formally discharged on completion of the development, in accordance with the approved details.

Condition 22 (Sewer protection)

You have submitted the following:

- Sewer abandonment drawing Ref: 240523 Rev 0

Following an objection from Yorkshire Water regarding the S116 sewer closure, condition 22 is unable to be discharged at this stage.

Condition 25 (Surface water drainage)

You have submitted the following:

- Drawing Ref: 1816/430, Temporary Drainage Works, Rev - dated Feb 2024
- Drawing Ref: EWE/2514/01, Drainage Layout, Rev G dated 07/12/2023
- Drawing Ref: 2019/2514, Drainage Assessment, Rev E dated 22/09/2023.

The submitted details are acceptable for the requirements of condition 25 and are hereby approved. The condition will be formally discharged on completion of the development, in accordance with the approved details.

Yours faithfully,

Mathias Franklin
Head of Planning and Development