

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:	2023/44/93464/W
Site Address:	Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY
Description:	Discharge of conditions 4 (Phase II report), 5 (Remediation Strategy), 8 (Construction Environmental Management Plan), 9 (CEMP: Biodiversity), 10 (road condition survey), 11 (estate roads), 12 (Lingards Road footway), 13 (highway retaining walls), 14 (highway embankments), 15 (Stability Remediation Strategy), 16 (drainage infrastructure in highway), 17 (drainage scheme), 18 (flood routing), 19 (temporary drainage), 20 (Arboricultural Method Statement), 21 (bridge details), 22 (green retaining wall), 23 (Ecological Design Strategy), 24 (ecological measures), 25 (materials), 26 (footpath connections), 27 (landscaping), 28 (lighting), 29 (temporary waste arrangements), 30 (pedestrian improvements), 31 (pedestrian improvements) and 33 (cycle parking) of previous permission 2020/93954 for erection of 42 dwellings and associated works
Recommending Officer:	Nick Hirst

DECISION – Discharge of Conditions – Split Decision

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

Victor Grayson

AUTHORISED OFFICER

Date: 29-Oct-2025

Application: 2023/44/93464/W

Site: Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY

Proposal: Discharge of conditions 4 (Phase II report), 5 (Remediation Strategy), 8 (Construction Environmental Management Plan), 9 (CEMP: Biodiversity), 10 (road condition survey), 11 (estate roads), 12 (Lingards Road footway), 13 (highway retaining walls), 14 (highway embankments), 15 (Stability Remediation Strategy), 16 (drainage infrastructure in highway), 17 (drainage scheme), 18 (flood routing), 19 (temporary drainage), 20 (Arboricultural Method Statement), 21 (bridge details), 22 (green retaining wall), 23 (Ecological Design Strategy), 24 (ecological measures), 25 (materials), 26 (footpath connections), 27 (landscaping), 28 (lighting), 29 (temporary waste arrangements), 30 (pedestrian improvements), 31 (pedestrian improvements) and 33 (cycle parking) of previous permission 2020/93954 for erection of 42 dwellings and associated works

Overview

An interim decision notice was issued 09/05/2024. With that decision, the following conditions were discharged or had their initial details approved:

- 4 (Phase II report)
- 5 (Remediation Strategy)
- 9 (CEMP: Biodiversity)
- 10 (road condition survey)
- 18 (flood routing)
- 23 (Ecological Design Strategy)
- 24 (ecological measures)
- 28 (lighting)

The following conditions had their details refused:

- 8 (Construction Environmental Management Plan)
- 11 (estate roads)
- 12 (Lingards Road footway)
- 13 (highway retaining walls)
- 14 (highway embankments)
- 15 (Stability Remediation Strategy)
- 16 (drainage infrastructure in highway)
- 17 (drainage scheme)
- 19 (temporary drainage)
- 20 (Arboricultural Method Statement)
- 21 (bridge details)
- 22 (green retaining wall)
- 25 (materials)
- 26 (footpath connections)
- 27 (landscaping)
- 29 (temporary waste arrangements)

- 30 (pedestrian improvements)
- 31 (pedestrian improvements)
- 33 (cycle parking)

The following assessment relates to the previously-unapproved conditions only.

Assessment

Condition 8 (Construction Environmental Management Plan)

8. Prior to the commencement of development (including ground works), a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

- a) Any phasing of development and timetable of all works;*
- b) Hours of works;*
- c) Details of construction access arrangements;*
- d) Construction vehicle sizes and routes;*
- e) Numbers and times of construction vehicle movements;*
- f) Locations of HGV waiting areas and details of their management;*
- g) Parking for construction workers;*
- h) Loading and unloading of plant and materials;*
- i) Storage of plant and materials;*
- j) Signage;*
- k) Lighting during construction works;*
- l) Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;*
- m) 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;*
- n) Street sweeping;*
- o) Measures to control and monitor the emission of dust and dirt during construction;*
- p) Site waste management, including details of recycling/disposing of waste resulting from construction works;*
- q) Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;*
- r) Artificial lighting used in connection with all construction-related activities and security of the construction site;*
- s) Site manager and resident liaison officer contact details, including details of their remit and responsibilities;*
- t) Engagement with local residents and occupants or their representatives; and*
- u) 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).*

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: *In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan. This precommencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.*

In the previous report, dated 02 and 09/05/2024, officers set out numerous concerns with the applicant's original CEMP document. These concerns were discussed with the applicant, who has since provided an updated document, which has in turn been reviewed by officers, K.C. Environmental Health, and K.C. Highways Development Management.

The following is a breakdown of condition 8's requirements and an assessment of the details provided pursuant to each:

a) Any phasing of development and timetable of all works;

A detailed phasing strategy and timetable has been provided which splits the site into three phases. This is set out on page 3 of the CEMP, with the phases shown on appended plans.

The proposal includes the site's access and attenuation arrangements coming forward as part of phase 1, which is appropriate. A per-phase sequence of works has also been provided, and this is deemed acceptable.

Overall, the proposed phasing is considered to be logical and a reasonable approach to the development.

b) Hours of works;

The following hours of work are proposed:

- Monday to Friday: 0730 – 1830
- Saturday: 0800 – 1300
- With no working Sundays or Public Holidays

These hours are acceptable.

c) Details of construction access arrangements;

Construction access is to be via the proposed development's point of access from Lingards Road. Appropriate arrangements for safe access are shown in appendix 6 of the CEMP, with confirmation that delivery vehicles would not need to idle on Lingards Road. On-site turning is achievable, with trained watchmen available to guide deliveries (including those making manoeuvres) as required.

d) Construction vehicle sizes and routes;

Vehicle sizes are to vary, from standard cars for contract workers, to HGVs for deliveries. The largest vehicle is expected to be 9.5m in length. The applicant will request that suppliers send smaller vehicles, given the constraints of the site. Waiting areas and turning areas are to be provided for within the site boundary to allow all vehicles to enter the site, turn and exit the site in forward gear.

For routing, the applicant is to issue explicit instructions to suppliers not to approach the site from the south / Chain Road. A sign is to be erected at the Chain Road / Lingard Road junction stating "NO DELIVERIES TO SB HOMES SITE FROM THIS DIRECTION".

Delivery times would avoid peaks in the local traffic period. The applicant has identified nearby schools and their opening / closing times (and therefore peak movements of children and vehicles). In response, deliveries are to be organised (wherever possible) between 0930 and 1500 (Mon to Fri).

The above approach is acceptable.

e) Numbers and times of construction vehicle movements;

Construction plant would be delivered at the start of the project and would then remain on site for as long as it is needed, limiting vehicle movements. Regarding material deliveries, the applicant has said:

we have 1 bricklaying team and ground working team on site thus we will generally only be working on 1 block or plot at once which will reduce vehicle movements, when compared with bigger developers who may have 2 or 3 bricklaying teams on site at the same time. We anticipate delivery of materials on average 4 times a day. Although on days where we have concrete pours this could increase to 10, this is only likely to happen on a few days a month.

The above approach is considered reasonable in the context of the site.

f) Locations of HGV waiting areas and details of their management;

h) Loading and unloading of plant and materials; and

i) Storage of plant and materials;

All vehicles, including HGVs, would be able to enter the site and would have a designated waiting area to allow for loading and unloading, and a designated turning area to allow the delivery vehicles to exit the site onto the adopted highway of Lingards Road in a forward gear.

The proposed loading and unloading areas are not unduly close to neighbouring properties and are suitably sized. All plant would be parked overnight in the compound which is a secure area. The plant would be taken from the site compound when needed and moved around the site, as required. Hazardous substance stores (including fuel and chemical stores) and areas at risk of spillage / leakage of polluting

materials are to be banded in accordance with current best practice, and stored within the site compound in accordance with the current guidance and rules.

This is considered acceptable to planning officers and K.C. Highways Development Management.

g) Parking for construction workers;

Dedicated parking areas (per phase) are shown in appendix 2 of the report. These are to accommodate a minimum of 20 vehicles, which is considered adequate for a development of this scale.

The above arrangements are considered acceptable to officers and K.C. Highways Development Management.

j) Signage;

Signage in compliance with CDM Regulations 2015 is to be erected, along with directional and speed limit signage within the site. As noted previously, the Chain Road / Lingards Road junction is to include a 'no access' sign. It is also confirmed that additional signage is to be placed next to the access to the site informing passers-by of the proposed development and contact numbers.

The above measures are considered acceptable.

k) Lighting during construction works;

o) Measures to control and monitor the emission of dust and dirt during construction;

r) Artificial lighting used in connection with all construction-related activities and security of the construction site; and

q) Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;

The submitted details have been reviewed and accepted by K.C. Environmental Health in their consultation response dated 03/07/2024. Planning officers concur with this assessment.

l) Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;

Condition 19 requires a dedicated construction phase drainage plan, replicating / expanding upon this requirement. Condition 19 is assessed elsewhere within this report, where the details are concluded to be acceptable.

m) 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; and n) Street sweeping;

Wheel washing facilities are to be provided across each phase, with the location of the equipment shown in appendix 3. The details provided are acceptable. This equipment would operate alongside the inspection of vehicle wheels prior to leaving, with debris to be removed using the wash. Used water would be collected to avoid pollutants entering the sewer network.

The site manager is to be responsible for assessing the weather, and in times of inclement weather a road sweeper would be used more regularly to ensure that the main adopted carriageway is kept as clean as possible. During the winter months this is likely to occur more often than during the spring/summer/Autumn dryer months.

If the weather is inclement and the site is wet then a road sweeper would be used to wash away any debris that the wheel wash has missed.

The above arrangements are considered acceptable to officers and K.C. Highways Development Management.

p) Site waste management, including details of recycling/disposing of waste resulting from construction works;

Section 18.0 of the CEMP sets out a comprehensive waste management and recycling process. This includes:

- Including waste management training in site induction.
- Ensure processes are in place to minimise accidental wastage and re-use where possible.
- Waste to be recycled wherever feasible, with appropriate skips on site. Skips to be kept tidy and appropriate measures in place to avoid the escape of material.
- Waste transfers to be covered by a waste transfer notice.

The site waste management details provided are considered acceptable.

s) Site manager and resident liaison officer contact details, including details of their remit and responsibilities; and

t) Engagement with local residents and occupants or their representatives;

The names and contact details (emails) of the site manager and resident liaison are provided in section 21 of the CEMP, along with their responsibilities.

For engagement with residents, the applicant has committed to letter drops with updates to *“keep them informed of the progress of the works and of any works or indeed any matters that might cause an inconvenience to the occupiers”*. The applicant also intends to erect a company sign board which would have relevant contact details for the site. Complaints would also be gathered, with the applicant then responding to residents' concerns.

The above process is considered appropriate for the scale of the development.

u) 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).

No nearby development sites are identified. However, the applicant has committed to reviewing this and sets out a procedure should any be found. This includes discussing with other site operators matters such as (as listed by the applicant):

- Checking if we use the same suppliers and see if we can get joint deliveries.
- Share the street cleaning functions.
- Share any security measures.
- Look to programme any utility connections so that any disruptions to the adopted highway infrastructure are kept to a minimum.
- Look to see if we could use the same skip providers so joint skip drop offs and collections could be made.
- Consider measures collectively to minimise disruptions at busy times on the surrounding road network.

The commitment set out, and process proposed, are considered acceptable.

Summary

The updated CEMP is considered to satisfy all expectations set out within condition 8, with planning officers, K.C. Environmental Health, and K.C. Highways Development Management concluding that the details are acceptable. However, the condition has an ongoing requirement which prevents full discharge at this time, as it requires the construction phase to operate in accordance with the approved details. A note detailing this is to be included in the decision notice.

Condition 11 (estate roads), 12 (Lingards Road footway) and 16 (drainage infrastructure in highway)

11. Prior to development commencing, a scheme detailing the proposed internal estate roads be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be to an adoptable standard and include full sections, details of speed reducing features, construction specifications, drainage works, lighting, signage, white lining, surface finishes, and treatment of sightlines together with an independent safety audit covering all aspects of the works. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: *To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.*

12. Prior to development commencing, notwithstanding the details shown on the approved plan(s), a scheme detailing the provision of a 2.0m wide footway to the Lingards Road frontage of the development site shall be submitted to,

and approved in writing by, the Local Planning Authority. The scheme shall include details of the proposed construction specification, surfacing, drainage, kerbing, the relocation of existing telegraph poles and street lighting columns, and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwelling shall be occupied until the approved scheme has been implemented.

Reason: *To ensure that suitable access is available for the development, in the interest of the safe and efficient operation of the highway and to comply with the aims of Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.*

16. Prior to development commencing, a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint shall be submitted to, and approved by, the Local Planning Authority. The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Reason: *To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.*

These conditions were imposed at the request of K.C. Highways Development Management and K.C. Highways Structures. Since the application was determined, the applicant has been working with the council's Section 38 team on the design and specifications of the new road (including the widening of the Lingards Road footway). At the time of the previous assessment (decision issued 09/05/2024), the details were not acceptable, however K.C. Highways Development Management have now confirmed that the submitted details are acceptable, and may be approved.

Officers concur with this assessment, and recommend that the details submitted be approved. However, each condition has ongoing requirements, a note of which is recommended to be included in the decision notice.

Specific to condition 16, K.C. Highways Structures have stated that the submitted details are acceptable 'Subject to the submission of satisfactory "Construction Compliance Certificate"'. A note to this effect is recommended to be included in the decision notice.

Conditions 13 (highway retaining walls)

13. Prior to development commencing, 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 / proposed highways including footpath (COL/133/10) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of the

development. The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Reason: *To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the necessary design has been secured prior to relevant works being undertaken.*

Subsequent to the previous decision letter, the applicant has engaged with K.C. Highways Structures and the Approval in Principle process. The following drawings have now been submitted pursuant to conditions 13:

- Plan ref. 7567 02 Rev. B
- Plan ref. 7567 01 Rev. B
- Plan ref. 7567 03 Rev. E
- Plan ref. 7567 100 Rev. D

Within an email dated 15/09/2025, K.C. Highways Structures have confirmed all structures on site requiring an AIP have received one, with the AIPs referenced:

- K66267, approved 26/07/2024
- K35242, approved 29/04/2025
- K35243, approved 05/07/2025

Officers note these approvals, and therefore recommend that the details submitted be approved pursuant to condition 13's first requirement. However, as the condition has an ongoing requirement, it cannot be fully discharged at this time. A note of the ongoing requirement is recommended to be included in the decision notice.

Conditions 14 (highway embankments) and 15 (Stability Remediation Strategy)

14. Prior to development commencing, a scheme assessing the adequacy of the embankment which will be surcharged by the new development shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include an assessment statement, all necessary ground investigations on which assessment assumptions are based on, method statements for the removal of any bulk excavation together with a full slope stability analysis and structural calculations to verify the structural adequacy of the embankment.

Reason: *In the interest of protecting the safe use of the highway network, in accordance with policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure appropriate investigation and remediation is undertaken to not risk the safe use of the public highway.*

15. Prior to development commencing, where the ground investigations undertaken pursuant to condition 14 identified for the need for remedial measures to deal with instability issues, a Stability Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: *In the interest of protecting the safe use of the highway network, in accordance with policy LP21 of the Kirklees Local Plan. This is a pre-commencement condition to ensure appropriate investigation and remediation is undertaken to not risk the safe use of the public highway.*

The following details have been submitted pursuant to conditions 14 and 15:

- Doc ref. Preliminary Slope Stability Assessment
- Plan ref. E19/7567/054-01 rev. A
- Plan ref. E19/7567/054-02 rev. A
- Plan ref. E19/7567/054-03 rev. A
- Plan ref. E19/7567/054-04 rev. A
- Plan ref. E19/7567/054-05 rev. A
- Plan ref. E19/7567/054-06 rev. A
- Email dated 07/02/2025 (applicant response regarding conditions 14 and 15)

The applicant has been engaged with K.C. Highways Structures and the council's Section 38 team regarding the technical road designs and AIPs for retaining walls. K.C. Highways Structures have now confirmed that the above submitted details are acceptable, and the details may be approved pursuant to both conditions 14 and 15.

Officers support this assessment and recommend that the details be approved.

Condition 14 has no ongoing requirements and may be discharged in full.

Condition 15 has an ongoing requirement, a note of which is recommended to be included in the decision notice.

Condition 17 (drainage scheme)

17. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including agreed off site works, finalised surface water discharge limits agreed with the LLFA, attenuation design, catchment analysis and pipe design for land drainage to be agreed with LLFA, longitudinal sections, hydraulic calculations, existing drainage maintained/diverted/abandoned) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detail maintenance and management plan for surface water and land drainage incorporating a risk assessment and method statement. None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained.

Reason: *In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.*

The applicant has been engaged in negotiations with K.C. Legal Local Flood Authority (LLFA) officers. The LLFA have now confirmed that the latest submitted details are acceptable, and overcome the previously-raised concerns.

Yorkshire Water's last consultation response objects to the submitted details, stating:

Drawing E19/7567/036D (Rev D dated 02/07/2024) prepared by Haigh Huddleston & Associates shows a discharge of surface water from Road 2 discharging to the public combined sewer network, despite the close proximity of a culverted watercourse/land drainage system. All surface water from the site should discharge to watercourse.

This matter was considered at application stage, and has raised no concerns from the LLFA. In summary, due to topography, a gravity discharge to the watercourse is not feasible from Road 2. To avoid the need for a pumped solution, officers and the LLFA consider discharging to the combined sewer (with suitable attenuation) to be acceptable in this case. Furthermore, the applicant has stated that, in their own engagement with Yorkshire Water (as part of the sewer adoption process), they have received confirmation from Yorkshire Water that the connection to the public sewer is acceptable. This has not been independently verified, although email correspondence from Yorkshire Water officers to this effect has been shared. Nevertheless, such verification is not deemed necessary based on the LLFA's assessment.

In light of the above, officers recommend that the submitted details be approved alongside a note of the condition's ongoing requirement.

Condition 19 (temporary drainage)

19. Prior to development commencing, a strategy detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- *phasing of the development and phasing of temporary drainage provision.*
- *include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.*

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.

Reason: *In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure the appropriate investigations and mitigation be undertaken before the site is materially changed.*

Following the issuing of the interim decision letter on 09/05/2024, further discussions took place between the applicant and the LLFA regarding temporary drainage. Further details were provided in response and in their consultation response dated 24/07/2024 the LLFA confirmed that the submitted details were acceptable.

Officers concur with this assessment and recommend that the details be approved. However, the condition has an ongoing requirement which prevents complete discharge at this time. A note of the ongoing requirement is recommended to be included in the decision notice.

Condition 20 (Arboricultural Method Statement)

20. Prior to development commencing and prior the installation of any drainage infrastructure, an Arboricultural Method Statement with Tree Protection Plan in accordance with British BS5837 shall be submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include details on how the construction work, to include the installation of drainage features, will be undertaken with minimal damage to the adjacent trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Reason: *So as to protect to viability of the protected mature and protected trees within close proximity to the application site and to accord with Policy LP33 of the Kirklees Local Plan. This is a pre-commencement condition, given the need for adequate consideration of mitigation measures (again harm to trees) prior to works commencing on site.*

Various concerns were expressed previously, as set out within the officer report dated 02 and 09/05/2024. In response, the applicant submitted an updated Arboricultural Method Statement which has been reviewed by K.C. Trees. In their consultation response dated 04/07/2024, K.C. Trees confirmed the submitted details are acceptable.

Officers concur with this assessment and recommend that the details be approved. However, the condition has an ongoing requirement which prevents complete discharge at this time. A note of the ongoing requirement is recommended to be included in the decision notice.

Condition 21 (bridge details)

21. Prior to above ground works commencing, a scheme detailing the proposed design and construction details for the new bridge structure(s), including any wing walls, carrying the new access roads over the un-named watercourse shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the new bridge structures shall be implemented in accordance with the approved details and shall thereafter be retained so.

Reason: *To ensure acceptable design details of the bridge structures, in accordance with policy LP21 of the Kirklees Local Plan.*

The applicant has submitted the plan ref. SK07 'Bridge Details' pursuant to condition 21.

At the time of the original application, it was unclear whether the bridges in question would be classed as highway structures in need of an Approval in Principle assessment, or would form part of the adopted highway. It is now understood that they would not be, as they are not adjacent to the highway to be adopted. Therefore, they are private structures.

As private structures, the council (as Local Planning Authority) makes no commentary on the structural aspect of their design. It is the responsibility of the applicant / constructor to ensure that they are suitable for their purpose.

Notwithstanding the above, the council (as Local Planning Authority) still need to ensure the bridge is well designed, from an aesthetic perspective.

The proposed design of the bridge is simple and not unattractive. It would largely be constructed in steel. However, no details of the proposed colour / finish or its exact width is provided. Without these details, officers are unable to support the submitted plan and therefore recommend that the details be refused. A note of this, to provide clarity of what is expected from the applicant, is recommended.

Condition 22 (green retaining wall)

22. Prior to above ground works commencing, details of the proposed Green Retaining Wall System, as shown on plan ref. "E19/7567/000 Rev. N", shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include, but not be limited to design, management and maintenance arrangements. Thereafter the Green Retaining Wall System shall be implemented in accordance with the approved details and thereafter retained so.

Reason: *In the interest of visual and residential amenity, to comply with the aims of Policy LP24 of the Kirklees Local Plan.*

The applicant proposes to use Abslope SM Reinforced Earth System for the green retaining wall. The submission is supported by an information pack for the product. In summary, it is a retaining wall system, suitable for gradients of 60 to 70 degrees, that would be faced in grass to appear natural on completion (and once grown).

The use of the Abslope SM Reinforced Earth System is considered acceptable. However, other than general maintenance details, the submission provides limited site specific details or proposed maintenance arrangements. The steep slope could not be mown using conventional lawnmowers, and the submitted landscape management plan (submitted pursuant to condition 27) includes no dedicated section regarding this steep retaining wall.

Accordingly, the submitted details do not comply with all the requirements of condition 22, and cannot be approved.

Condition 25 (materials)

25. Prior to their use, details of all the external facing materials, to include natural stone, and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

Reason: *In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan*

The applicant has submitted a revised Proposed Materials document, received by the council 16/01/2025. Furthermore, development has commenced and the materials proposed have been utilised on site, with several plots completed. Officers viewed these on-site December 2024 and the updated Proposed Materials document includes photos of the plots built on site.

The submitted details are considered acceptable, being of a suitably high quality and attractive. Of note, the stone is locally sourced natural stone, with limited treatment (i.e., no dying) and the roofing material is a natural blue slate which reflects the best quality material in the area.

Officers recommend that the submitted details be approved, with a note regarding the condition's ongoing requirement.

Condition 26 (footpath connections)

26. Prior to above ground works commencing, a scheme detailing the proposed 'Footpath Link's, as shown on plan ref. "E19/7567/000 Rev. N" shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include where the path(s) connect to PROW COL/133/10 and COL/117/10. The scheme shall include full sections, construction specifications, drainage works, lighting, surface finishes, signage, and treatment of sightlines. Before any building is brought into use the footpath(s) shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Reason: *To ensure that suitable and safe access is available for the development, in the interest of the safe and efficient operation of the highway and amenity, to comply with the aims of Policy LP21 and LP24 of the Kirklees Local Plan.*

The following is the assessment made under the previous decision:

The submitted details are not considered acceptable, for the following reasons:

- The condition requires details of all paths identified as 'footpath link's' on plan ref: E19/7567/000 rev N. The plan submitted with this application includes a similar plan to E19/7567/000 rev N, but then highlights only two smaller link paths and gives specific details on them. There is a*

general path section, but it is unclear if that relates solely to the highlighted section or all elements.

- *Further to this uncertainty, there are various concerns with the general path section:*
 - *A 100mm sandstone surface is proposed. Given the varied topography of the site concerns are held over this, although limited levels of the paths have been provided to confirm. Rainfall or general usage will result in this surface falling downhill, resulting in its steady removal from the path or constant maintenance burden. Confirmation of levels across all paths should be provided and, if notably steep, consideration given to whether sandstone is appropriate or if other materials should be used.*
 - *No details of the grade of the hardcore are provided.*
 - *No details of the proposed stairs are provided. On the submitted plans the connection to PROW COL/133/10 is shown as a ramp, yet other plans show it as stairs. The plans should be updated to be consistent. Details of stairs including their steepness, use of handrails, size and treatment throughout the site, should be provided.*
 - *Specific details of land drain locations should be provided. There are concerns over the indicative details and whether the drains would conflict with features such as proposed trees or domestic curtilages*

No further details which relate to this condition, or respond to the above concerns, have been provided. Therefore, the position remains that the condition cannot have its details approved or be discharged.

Condition 27 (landscaping)

27. Notwithstanding the submitted information, prior to landscaping works commencing and/or the occupation of any of the hereby approved dwellings, a comprehensive schedule of hard and soft landscaping with management and maintenance strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include:

- a) *Layout, species, number, density and size of trees and plants and/or seed mixes and sowing rates, including extensive use of native species across the site. This shall include, but not be limited to:*
 - a. *Appropriate trees and hedgerow planting along the site's north boundary, to provide screening between the new properties and existing properties fronting onto Manchester Road*
 - b. *Planting specifications to provide appropriate screening between the new access road and no. 45 Lingards Road.*

- b) *Details of all hard landscape materials and boundary treatments, garden fences/walls etc. and proposed treatment to existing boundaries and retained features. This shall include, but not be limited to:*
 - a. *Specifications for the western boundary to the adjacent open land.*
 - b. *Specifications for the boundary treatment between the site and the adjacent property Lower Wood Farm*
 - c. *Boundary treatment to provide screening between the new access road and no. 45 Lingards Road, to include section plan(s).*
- c) *Timescales for implementation of the hard and soft landscaping, to include the land identified as Public Open Space on plan ref. "XXXX"*
- d) *A management and maintenance strategy of the hard and soft landscaping to cover a minimum of five years.*

The development shall thereafter be carried out in complete accordance with the approved schedule and timescales. The approved soft landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species. The hard landscape proposals shall thereafter be retained.

Reason: *In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policies LP24 and LP63 of the Kirklees Local Plan.*

Condition 27 has multiple requirements, which are considered separately below:

27(a) (soft landscaping)

The submitted details, in general, show suitable details for the layout, species, number, density and size of the proposed planting (trees and plants). The species proposed are predominantly native. However, while the general details are suitable, insufficient details are provided for the subclauses of 27(a)(a) and 27(a)(b).

For 27(a)(a), while a hedge is shown along much of the northern boundary, tree planting is limited, particularly for plots 1, 2, 6, and 8. A thicker tree belt is expected by officers for the twin purposes/benefits of visual and residential amenity, providing a visual screen and softening between the existing and proposed dwellings. No justification for the level of planting, or more importantly, why additional planting cannot be accommodated, has been provided.

Regarding 27(a)(b), as above, officers consider the details lacking. Again, a robust planting strategy (along with hard landscaping, considered below) was expected both to enhance the visual amenity of the point of access, and preserve the amenity of 45 Lingard Road's occupiers. As proposed, only low-level native species scrub is proposed which would achieve neither objective.

27(b) (hard landscaping / boundaries)

The submitted landscaping plan includes the layout of the proposed boundary fencing, with a written description of the boundaries proposed in the key. No typical elevations of the boundaries have been proposed.

For rear gardens, generally, boundary treatments are to be either 1.8m close boarded timber fence, or 1.5m fencing with 0.3m trellis atop, which is a reasonable compromise between openness and typical expectations of privacy and security for rear boundaries.

Only one rear boundary fence, serving plot 42, would be adjacent to the highway and prominently visible from the public realm (it would be the first thing seen by people entering the site from Lingards Road). It is proposed to be a 1.5m fence with 0.3m trellis above. It would be separated from the footway by a circa 0.5m wide grass strip. Officers have considered whether a solid wall, such as stone to match the host buildings, would be more appropriate here. A solid wall, in such circumstances, is typically considered a higher quality and more attractive design. The proposed 1.8m fence (1.5m fence and 0.3m trellis) is not considered appropriate in this prominent location.

Front boundaries are proposed to be open, i.e., no hard boundary between adjacent plots. This is acceptable.

Regarding the subsections, insufficient details have been provided.

For 27(b)(a), the proposal simply states 'existing drystone boundary wall to be retained and repaired as necessary'. While retention and repair is not necessarily problematic, officers have questioned whether this would be sufficient for residential amenity and security purposes. A suggestion for hedgerow planting, to supplement the drystone wall, has been made. A response and conclusion on this matter is pending.

For 27(b)(b), the plans state 'existing drystone boundary wall to be retained and repaired as necessary'. The site is at a higher level than Lower Wood Farm, therefore a carefully designed boundary treatment which preserves occupiers' amenity, while responding to the building's Grade II listed status, is expected. The simple statement on the plan is insufficient to give officers confidence this has been achieved. Officers require a more thorough assessment to demonstrate the most suitable boundary treatment is being proposed to balance these requirements. Officers also advocate for a discussion with the residents of Lower Wood Farm, as their input would be welcomed (although, to be clear, this cannot be a mandatory requirement from the council should it not be undertaken, and would not prejudice a future assessment should more appropriate details be provided).

Finally, regarding 27(b)(c), this should be considered in conjunction with 27(a)(b)'s soft landscaping. At present, the plan simply states 'existing boundary fence retained'. Again, this is inadequate. 45 Lingards Road is at a lower land level than the new road, therefore a suitably designed hard and soft landscaping strategy, which balances good visual design and preserves the amenity of 45 Lingards Road's occupiers, is needed.

Inadequate details have been provided to demonstrate the current submission would achieve this. Similar to the above examples, a more comprehensive design strategy is required, preferably with consultation with 45 Lingards Road's occupiers (although, as above, this cannot be mandatory).

27(c) (timescales for implementation)

No dedicated timescales for the delivery of the landscaping and public open space areas have been provided. The CEMP includes a site-wide phasing plan, however, this is too broad (it generally relates to construction phasing) to be suitable for condition 27. For example, the plans do not clarify when the public open space areas would be brought forward and ready for use – one public open space area would host the site's contractor parking and material storage through phase 3 (the final phase). No details have been provided regarding when the landscaping of this public open space area would be provided after the material storage and parking is no longer required.

27(d) (management and maintenance)

The applicant has provided a document titled 'Landscape Management Document' pursuant to this subsection of the condition. The details it contains are acceptable, and include a minimum cover period of five years.

Regarding the site's green retaining wall, condition 22 is a dedicated condition to the management and maintenance of that feature and therefore it is not required as part of condition 27.

Condition 27: Summary

While much of the general details provided are suitable, condition 27 has various site-specific requirements which have not been adequately addressed. Further and/or updated details pursuant to these subsections are required. Accordingly, officers recommend that the details submitted for condition 27 cannot be approved at this time.

Condition 29 (temporary waste arrangements)

29. Where implementation of the development hereby approved is to be phased and / or any of the dwellings hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of wastes from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of those residential units. The temporary arrangements so approved shall be implemented prior to first occupation of those residential units and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential

amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

Subsequent to the previous assessment, the applicant has met with the council's Waste Operational Planning Coordinator to discuss ongoing arrangements. They have also submitted an updated Construction Environment Management Plan, in which waste management details are provided per phase (per the CEMP's appendix plans).

The submitted details are considered acceptable and are recommended for approval, although there is an ongoing requirement preventing full discharge, a note of which is recommended to be included in the decision notice.

Conditions 30 (pedestrian improvements) and 31 (pedestrian improvements)

30. Prior to the occupation of the hereby approved dwellings, notwithstanding the details shown on the approved plan(s), a scheme detailing the improvement of pedestrian provisions between the junctions of Lingards Road and Nields Road, and Lingards Road and Manchester Road shall be submitted to, and approved in writing by, the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include details of construction specification, surfacing, drainage, kerbing and any necessary Transport Regulation Orders and associated highway works, with an independent Safety Audit covering all relevant aspects of the work. No dwellings shall be occupied until the approved scheme has been implemented.
Reason: *In the interests of mitigating highway impacts of the proposal, to ensure highway safety and compliance with LP21 of the Kirklees Local Plan.*

31. Prior to the occupation of the hereby approved dwellings, notwithstanding the details shown on the approved plan(s), a scheme for the provision of pedestrian improvements along Lingards and Nields Road at the Springfield Avenue and Yew Tree Lane junctions shall be submitted to, and approved in writing by, the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include details of the proposed construction specifications, white lining, signing, surface finishes, Traffic Regulation orders, with an independent Safety Audit covering all relevant aspects of the work. No dwellings shall be occupied until the approved scheme has been implemented.
Reason: *In the interests of mitigating highway impacts of the proposal, to ensure highway safety and compliance with LP21 of the Kirklees Local Plan.*

No details pursuant to these conditions have been provided and therefore the conditions must remain undischarged.

Condition 33 (cycle parking)

33. Prior to the occupation of the hereby approved dwellings, details of secure and covered cycle parking for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking

shall then be implemented in accordance with the approved details before each dwelling is occupied and therefore retained.

Reason: *To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.*

No new details regarding this condition have been provided. The previous assessment stated:

The applicant has submitted a plan which includes the following details:

- *Units with garages are denoted and are stated to have internal cycle parking.*
- *A note stating that the remainder of dwellings would have cycle storage by means of:*
 - *External secure shed.*
 - *Cycle hoop into the ground.*
 - *Cycle storage within dwelling.*

Cycles being stored in garages for plots that benefit from them is considered acceptable (although it is noted that not all units with garages are correctly identified). For the remaining dwellings the other submitted details are not accepted. No elevational treatments or locations for cycle sheds have been provided. Therefore, it is unclear which units would have sheds, which would have hoops, and which are proposed to have cycles stored within dwellings. The use of hoops, if not within sheds, is not supported as they offer no security from the elements and can render cycles vulnerable to theft. Storage within dwellings is a potential cause for concern as there may not be enough suitable space.

Accordingly, the submitted details cannot be supported.

It remains the case that the details cannot be supported.

Representations

Discharge of Condition applications are not subject to statutory publicity or a consultation period. Nonetheless, in some cases, representations are made. Three such representations have been received. However, each of these were provided prior to the previous officer report being published, and as such are considered in depth in that report. Since then, no further representations have been received and the further details are not considered to prejudice the comments received (bearing in mind the previous assessment and response from officers). Accordingly, a further assessment is not considered necessary at this time.

Summary

The following conditions may have their details approved:

- 8 (Construction Environmental Management Plan)
- 11 (estate roads)
- 12 (Lingards Road footway)
- 13 (highway retaining walls)
- 14 (highway embankments)
- 15 (Stability Remediation Strategy)
- 16 (drainage infrastructure in highway)
- 17 (drainage scheme)
- 19 (temporary drainage)
- 20 (Arboricultural Method Statement)
- 25 (materials)
- 29 (temporary waste arrangements)

The following conditions cannot have their details approved:

- 21 (bridge details)
- 22 (green retaining wall)
- 26 (footpath connections)
- 27 (landscaping)
- 30 (pedestrian improvements)
- 31 (pedestrian improvements)
- 33 (cycle parking)

For the avoidance of doubt, a note stating that the submission of further details to address the unresolved conditions will require a fresh Discharge of Condition application is recommended.

Recommendation: Issue split decision

Report Dated: 28/10/2025

Proposed Letter Text

Overview

An interim decision notice was issued 09/05/2024. With that decision, the following conditions were discharged or had their initial details approved:

- 4 (Phase II report)
- 5 (Remediation Strategy)
- 9 (CEMP: Biodiversity)
- 10 (road condition survey)
- 18 (flood routing)
- 23 (Ecological Design Strategy)
- 24 (ecological measures)
- 28 (lighting)

This letter should be read in conjunction with the interim decision notice.

This letter sets out the following position:

The following conditions have their details approved:

- 8 (Construction Environmental Management Plan)
- 11 (estate roads)
- 12 (Lingards Road footway)
- 13 (highway retaining walls)
- 14 (highway embankments)
- 15 (Stability Remediation Strategy)
- 16 (drainage infrastructure in highway)
- 17 (drainage scheme)
- 19 (temporary drainage)
- 20 (Arboricultural Method Statement)
- 25 (materials)
- 29 (temporary waste arrangements)

The following conditions cannot have their details approved:

- 21 (bridge details)
- 22 (green retaining wall)
- 26 (footpath connections)
- 27 (landscaping)
- 30 (pedestrian improvements)
- 31 (pedestrian improvements)
- 33 (cycle parking)

With regard to the conditions that have not had their details approved, for the avoidance of doubt, a fresh Discharge of Condition application will need to be submitted.

Condition 8 (Construction Environmental Management Plan)

You have submitted a revised document titled Construction Environmental Management Plan for Land At, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY, received by the council 24/07/2024.

I can confirm that the submitted details are acceptable for the initial requirements of condition 8.

You are reminded that condition 8 has the following ongoing requirement, which must be adhered to, to ensure continued compliance with the condition:

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Conditions 11 (estate roads), 12 (Lingards Road footway) and 16 (drainage infrastructure in highway)

You have submitted the following plans pursuant to conditions 11, 12 and 16:

- Plan ref. E19/7567/05
- Plan ref. E19/7567/043B
- Plan ref. E19/7567/042C
- Plan ref. E19/7567/041C
- Plan ref. E19/7567/040C
- Plan ref. E19/7567/036H
- Plan ref. E19/7567/034L
- Plan ref. E19/7567/024K
- Plan ref. E19/7567/022F
- Plan ref. E19/7567/005-01G
- Plan ref. E19/7567/005-02F
- Plan ref. E19/7567/006-01B
- Plan ref. E19/7567/006-02
- Plan ref. E19/7567/006-03
- Plan ref. E19/7567/006-04
- Plan ref. E19/7567/007H
- Plan ref. E21/7826/008E
- Plan ref. E19/7567/009C
- Plan ref. E16/6781/011-02A
- Plan ref. E16/6781/012-01B
- Plan ref. E16/6781/012-02B
- Plan ref. E19/7567/012-03A
- Plan ref. E19/7567/012-04A
- Plan ref. E19/7567/012-05

I can confirm that the submitted details are acceptable, in so far as they relate to conditions 11, 12 and 16 only.

Notwithstanding the above, you are reminded each of the conditions has an ongoing requirement, which must be adhered to, to ensure continued compliance with the condition. These are:

Condition 11:

Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

Condition 12:

No dwelling shall be occupied until the approved scheme has been implemented.

Condition 16:

The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Furthermore, pursuant to condition 16, K.C. Highways Structures have also advised of the need to provide a "Construction Compliance Certificate" for oversize manholes. This should be submitted directly to K.C. Highways Structures.

Condition 13 (highway retaining walls)

You have submitted the following information pursuant to condition 13:

- Plan ref. 7567 02 Rev. B
- Plan ref. 7567 01 Rev. B
- Plan ref. 7567 03 Rev. E
- Plan ref. 7567 100 Rev. D

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

Notwithstanding the above, you are reminded that condition 13 has the following ongoing required which must be adhered to, to ensure ongoing compliance:

The approved scheme shall be implemented prior to the commencement of the proposed development and thereafter retained during the life of

the development. The development shall be undertaken in accordance with the approved details, which shall thereafter be retained.

Conditions 14 (highway embankments) and 15 (Stability Remediation Strategy)

You have submitted the following information pursuant to conditions 14 and 15:

- Doc ref. Preliminary Slope Stability Assessment
- Plan ref. E19/7567/054-01 rev. A
- Plan ref. E19/7567/054-02 rev. A
- Plan ref. E19/7567/054-03 rev. A
- Plan ref. E19/7567/054-04 rev. A
- Plan ref. E19/7567/054-05 rev. A
- Plan ref. E19/7567/054-06 rev. A
- Email dated 07/02/2025 (applicant response regarding conditions 14 and 15)

I can confirm that the submitted details are acceptable, for both conditions 14 and 15, and are hereby approved.

Condition 14 has no further ongoing requirements and is fully discharged.

Condition 15 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

Thereafter the development shall be undertaken in accordance with the approved details.

Condition 17 (drainage scheme)

You have submitted the following documents pursuant to condition 17:

- Plan ref. E19/7567/004 Rev. H
- Plan ref. E19/7567/036 Rev. H
- Plan ref. E19/7567/207B
- Plan ref. E19/7567/012-04A
- Doc ref. PROPOSED SWS OPERATIONS & MAINTENANCE ITINERARY

I can confirm that the submitted details are acceptable for the initial requirement of condition 17.

You are reminded that condition 17 has the following ongoing requirement, which must be adhered to, to ensure continued compliance with the condition:

None of the dwellings shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the dwellings relate and thereafter retained.

Condition 19 (temporary drainage)

A Temporary Drainage Plan (drawing SK503A) accompanied by Construction Phase Management Plan and Risk Assessment (dated June 2024) have been submitted pursuant to condition 19.

I can confirm that the submitted details are acceptable for the initial requirement of condition 19.

You are reminded that condition 19 has the following ongoing requirement, which must be adhered to, to ensure continued 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 (Arboricultural Method Statement)

You have submitted the revised Arboricultural Method Statement by JCA limited, received by the council 28/06/2024, pursuant to condition 20.

I can confirm that the submitted details are acceptable for the initial requirement of condition 20.

You are reminded that condition 20 has the following ongoing requirement, which must be adhered to, to ensure continued compliance with the condition:

Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.

Condition 21 (bridge details)

You have submitted the drawing SK07 'Bridge Details' pursuant to condition 21.

The design of the bridge is not considered problematic. However, the submitted drawing lacks the following information:

- Confirmation of the proposed colour and finish of the steel. Of note, this should include the 'steel beam' shown at ground level.
- Confirm the width and length of each bridge.

For the avoidance of doubt, the council as Local Planning Authority are only commenting on the aesthetic qualities of the bridges, which are understood to not be highway structures. Should they be determined to be Highway Structures, they may be subject to the Approval in Principle process.

Condition 22 (green retaining wall)

You have submitted the document titled Reinforced Earth System pursuant to condition 22. This details the proposed green retaining wall to be used.

The product identified in the submitted document is considered acceptable to officers. However, the condition also requires dedicated management and maintenance details for the proposed green retaining wall. No such details have been provided. While a Landscape Management Document (dated May 2024) has been provided (considered further pursuant to condition 27), this gives no details regarding the retaining wall, or the challenges (i.e., its steepness) it may pose to management and maintenance.

Given the lack of suitable management and maintenance details, the submission cannot be accepted.

Condition 25 (materials)

You have submitted the document titled 'Proposed Materials – Lingard', received by the council 16/01/2025, pursuant to condition 25.

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

Notwithstanding the above, you are reminded that condition 25 has the following ongoing requirement, which must be adhered to, to ensure continued compliance with the condition:

The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.

Condition 26 (footpath connections)

You have submitted the drawing Sk S 05 f pursuant to condition 26. The submitted details are not acceptable, for the following reasons:

- The condition requires details of all paths identified as 'footpath link's' on plan ref: E19/7567/000 rev N. The plan submitted with this application

includes a similar plan to E19/7567/000 rev N, but then highlights only two smaller link paths and gives specific details on them. There is a general path section, but it is unclear if that relates solely to the highlighted section or all elements.

- Further to this uncertainty, there are various concerns with the general path section:
 - A 100mm sandstone surface is proposed. Given the varied topography of the site concerns are held over this, although limited levels of the paths have been provided to confirm. Rainfall or general usage will result in this surface falling downhill, resulting in its steady removal from the path or constant maintenance burden. Confirmation of levels across all paths should be provided and, if notably steep, consideration given to whether sandstone is appropriate or if other materials should be used.
 - No details of the grade of the hardcore are provided.
 - No details of the proposed stairs are provided. On the submitted plans the connection to PROW COL/133/10 is shown as a ramp, yet other plans show it as stairs. The plans should be updated to be consistent. Details of stairs including their steepness, use of handrails, size and treatment throughout the site, should be provided.
 - Specific details of land drain locations should be provided. There are concerns over the indicative details and whether the drains would conflict with features such as proposed trees or domestic curtilages.

Given the limited details provided to date, officers may provide a full commentary once a detailed strategy is submitted.

For the avoidance of doubt, the details submitted pursuant to condition 26 are not hereby discharged.

Condition 27 (landscaping)

You have submitted the following details pursuant to condition 27:

- Plan ref. R/2646/1H
- Plan ref. R/2646/2
- Plan ref. R/2646/3
- Plan ref. R/2646/4A
- Doc ref. Landscape Management Document (dated May 2024)

The submitted details are not accepted. While aspects of the submission are acceptable, condition 27 has various requirements which are inadequately

addressed in the submission. These are identified, and advice offered, as follows:

27(a)(a): Additional tree planting to form a more substantial screen (or justification why this cannot be provided) is expected. This is to enhance the visual appearance of the site, while offering greater screening to adjacent residents.

27(a)(b) and 27(b)(c): Both a more detailed and robust planting and hard-landscaping strategy is expected. The area subject to this subsection of the condition is at the site's point of access, where a high quality and attractive design is required, while ensuring the landscaping measures both protect and do not prejudice the amenity of occupiers of number 45 Lingards Road through overbearing or overlooking. Sufficient screening is needed. What is 'sufficient' needs to be considered and justified by the submission, but is expected to be a mixture of hard and soft landscaping. Engagement with the occupiers of 45 Lingards Road is recommended (but for the avoidance of doubt, this is not a mandatory requirement). Smaller scale site plans (1:50 or 1:100), typical elevations, and cross sections between the new road, boundary treatment, and 45 Lingards Road are expected.

27(b): The 1.8m fence (1.5m fence and 0.3m trellis) proposed to the rear/side of plot 42 (adjacent to the development's estate road) is not considered appropriate in this prominent location. A stone wall to match the adjacent dwellings would be appropriate here.

27(b)(a): To the site's west boundary, into the adjacent field, the boundary treatment proposed is 'existing drystone boundary wall to be retained and repaired as necessary'. While this is not necessarily problematic, and while a typical 1.8m high fence is unlikely to be supported here, officers question whether the proposal is sufficient to secure the amenity of future residents, including limiting opportunities for crime. Officers would suggest that a hedgerow be included behind (within the site) the repaired drystone wall, to enhance the boundary.

27(b)(b): The submitted plans state 'existing drystone boundary wall to be retained and repaired as necessary'. The site is at a higher level than Lower Wood Farm, therefore a carefully designed boundary treatment which preserves occupiers' amenity, while responding to the building's Grade II listed status, is expected. The simple statement on the plan is insufficient to give officers confidence this has been achieved. Officers require a more thorough assessment to demonstrate the most suitable boundary treatment is being proposed to balance these requirements. Officers also advocate for a discussion with the residents of Lower Wood Farm, as their input would be welcomed (but for the avoidance of doubt, again, this is not a mandatory requirement).

27(c): No dedicated timescales for the delivery of the landscaping and public open space areas have been provided. The CEMP includes a site-wide phasing plan, however, this is too broad (it generally relates to construction phasing) to be suitable for condition 27. For example, the plans do not confirm when the public open space areas would be brought forward and ready for use, and it is noted that one public open space area is to host the site's contractor parking and material storage through phase 3 (the final phase). No details have been submitted confirming when the landscaping of this public open space area would be provided after the material storage and parking is no longer required. A dedicated timescale delivery plan for each area of public open space is necessary.

Condition 29 (temporary waste arrangements)

You have submitted a revised document titled Construction Environmental Management Plan for Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY, received by the council on 24/07/2024.

I can confirm that the submitted details are acceptable for the initial requirements of condition 29.

You are reminded that condition 29 has the following ongoing requirement, which must be adhered to, to ensure continued compliance with the condition:

The temporary arrangements so approved shall be implemented prior to first occupation of those residential units and shall be so retained thereafter for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

Conditions 30 (pedestrian improvements) and 31 (pedestrian improvements)

No further details pursuant to these conditions have been provided and therefore the conditions must remain undischarged. Further engagement with the council's Highways Section 278 department is required to progress these conditions.

Condition 33 (cycle parking)

You have submitted drawing SK S 06 pursuant to condition 33. The submitted details are not acceptable. The following need to be addressed:

- Not all units which garages are correctly identified.
- Clear details must be provided that identify which plots are intended to have an external shed, a hoop, or storage within the dwelling.
- The location of the shed or hoops must be shown on the plan.
- Details of the size and appearance of the cycle shed(s) proposed must be provided.

- Details of the cycle hoops and any additional security measures must be provided.
- Notwithstanding the above, the use of cycle hoops (unless within a shed) is not supported as they provided limited cover from the elements, and inadequate protection from theft. Likewise, the reliance of internal storage within dwellings (excluding units with garages) is not supported as appropriate dedicated facilities for cycles are needed in order to promote the use of this form of active and sustainable travel.

The above issues must be resolved to address condition 33.

For the avoidance of doubt, the details submitted pursuant to condition 33 are not hereby discharged.