

Kirklees Council,  
Planning Services,  
PO Box 1720,  
Huddersfield,  
HD1 9EL

**Date:** 3 September 2024  
**Our ref:** 50831/01/JW/RBa/32648568v2  
**Your ref:** PP-13323064

Dear Sir/Madam

**Application to Discharge Conditions 3, 21, 23 & 28 of Planning Permission 2021/62/94029/W at the Site of former Spotted Cow pub, New Hey Road, Oakes, Huddersfield, HD3 4BU**

On behalf of our client, Lidl GB Ltd, we are pleased to submit an application to discharge conditions 3, 21, 23 & 29 of planning permission 2021/62/94029/W at the site of former Spotted Cow pub, New Hey Road, Oakes, Huddersfield, HD3 4BU.

Full planning permission was granted for the:

*“Demolition of existing structures and erection of a foodstore (Class E) with associated access, parking, servicing areas and landscaping”*

**Application Submission**

This application has been made via the Planning Portal (ref. PP-13323064) and comprises the following:

- Completed application form;
- This covering letter;
- Construction Management Plan (CMP), *prepared by HTC Architects*;
- Retaining Wall Drawings set out in Table 1;
- Drainage Plans set out in Table 2.
- Non-native invasive plant remediation method statement, Drawing JK24-9990-01 & Drawing JK24-9990-02

The requisite application fee has been paid via the Planning Portal.

### **Condition 3 – Construction Management Plan**

Condition 3 states that:

*“No development shall take place until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Management Plan shall provide details of:*

- timetable of all works;*
- the construction access(es) and confirmation that adequate visibility splays shall be provided prior to the commencement of development including groundworks;*
- pre-development road condition survey of New Hey Road;*
- vehicle sizes and routes, times of vehicle movements, identify the location of any HGV waiting areas and include details of the management of said areas;*
- the parking of vehicles of site operatives and visitors;*
- signage;*
- loading and unloading of plant and materials;*
- storage of plant and materials used in constructing the development;*
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing;*
- 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;*
- measures to control and monitor the emission of dust and dirt during construction (in accordance with the requirements of condition 4);*
- a Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works;*
- mitigation of noise and vibration arising from all construction related activities to (these details should also include suitable restrictions on the hours of working on the site including times of deliveries);*
- artificial lighting used in connection with all construction related activities and security of the construction site;*
- site manager and resident liaison officer contact details (including their remit and responsibilities); and*
- details of engagement with local residents and occupants or their representatives.*

*The development shall be carried out strictly in accordance with the approved CMP and no change there from shall take place without the prior written consent of the Local Planning Authority.*

*Upon completion of the development, post-development road condition surveys and a schedule and timetable of remedial works shall be submitted to and approved in writing by the Local Planning Authority, and the approved remedial works shall be carried out following the completion of all construction works related to the development.”*

A Construction Management Plan is enclosed as part of this submission and has been prepared in accordance with Condition 3. It sets out the measures that will be implemented during the construction phase to ensure there are no adverse impacts on the highways network or the amenity of nearby residents.

## **Condition 21 – Retaining Walls**

Condition 21 states that:

*“Prior to commencement of the development, as defined under Section 56 of the Town and Country Planning Act 1990, a scheme detailing all new retaining walls as well as any modifications to the site’s existing retaining wall supporting the A640 New Hey Road and/or PROW 367 shall be submitted to and approved in writing by the Local Planning Authority.*

*The scheme shall include locational and cross-sectional information together with details of the proposed design and construction of the retaining walls. The approved scheme shall be implemented and completed prior to the car park being brought into use and prior to superstructure works being commenced on any part of the food store building. The new retaining walls and any modified retaining walls shall be appropriately maintained throughout the lifespan of the development.”*

The following drawings illustrate how the retaining walls will be designed and constructed.

Table 1

<b>Plan</b>	<b>Reference</b>
Proposed Retaining Wall Elevations	P306 rev. H
Existing Site Sections	PW300
Proposed Site Sections	PW301
Existing Party Wall Areas	PW302
Proposed Party Wall Areas	PW303 rev. B
Existing Site Sections	PW304
Proposed Site Sections	PW305
Existing and Proposed Site Sections	PW306
Proposed Boundary Treatment Plan	PW400B



### Condition 23 – Surface Water

Condition 23 states that:

*“No development shall take place, as defined under Section 56 of the Town and Country Planning Act 1990, until a scheme detailing surface water attenuation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans and cross-sections of the attenuation, full details of flow control devices, and a detailed maintenance and management regime for the storage facility including the flow restriction as well as a details of means of safe access to and into the system where required. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.”*

The following details have been prepared to address the requirements of Condition 23.

Table 2

Plans and Reports	Reference
Drainage Strategy Sheet 1	16-3046-101-P1
Drainage Strategy Sheet 2	16-3046-101-P1
Manhole and Pipeline– Cellular	22/08/24
Flow Control and Storage Structure – Cellular	22/08/24
Critical Results by RP	22/08/24
Surface Water Maintenance Plan	August 2024

### Condition 28 – Invasive Non-Native Species

Condition 28 states that:

*“No development shall take place until details of a scheme to eradicate invasive non-native species within the site has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed prior to the development first being occupied.”*

The submitted non-native invasive plant remediation method statement, prepared by Japanese Knotweed Solutions Ltd, sets out how invasive non-native species will be removed on site. This should be read in conjunction with drawings Drawing JK24-9990-01 & Drawing JK24-9990-02.

## **Summary**

We trust that the information provided is sufficient to enable Kirklees Council to discharge conditions 3, 21, 23 and 28 of planning permission 2021/62/94029/W. If you require any further information or clarification please do not hesitate to contact me or my colleague James Cox.

Yours faithfully

**Ryan Barrett**  
Planner  
MPlan (Hons) MRTPI