Kirklees Council
Planning and Development Service
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Date: 10-Jul-2025
Our Ref: 2024/93377

Dear Sir/Madam

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

Discharge of details reserved by conditions 6 (footpath), 8 (bin storage), 9 (drainage), 10 (FRA), 14 (ecology), 19 (construction management plan) on previous permission 2023/93097 for erection of 5 dwellings (class C3) and ancillary office accommodation, formation of associated access, car parking and landscaping
Land adj, 196, Wakefield Road, Earlsheaton, Dewsbury, WF12 8AH
Application Number: 2024/93377

I write with reference to your application to discharge the conditions for the above development as submitted on 28-Nov-2024.

Conditions 8, 9 and 19 can be discharged.

Conditions 6, 10 and 14 must remain pending further assessment until further notice. On receipt of the appropriate information, a letter will be issued in due course.

<u>Condition 6 – Footpath</u>

The details submitted to discharge Condition 6 are still under review. On receipt of the appropriate information, a letter will be issued in due course.

<u>Condition 8 – Bin Storage</u>

In support of the discharge of condition 8 the applicant has submitted:

- Proposed Bin Storage Plans – Option A “23-023-SK11”

It is noted the applicant also submitted an option B however this was superseded.

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The plan details a bin store outside each dwelling measuring 2.1x0.8m which would be timber clad. The bin store location for each dwelling is considered acceptable. A bin collection point is proposed adjacent to the access of the site with space for 5 bins. This is considered an appropriate location, in relation to both the highway and the proposed bin stores. It is noted that whilst there would be a large drag distance, this has been significantly reduced since the previous application to discharge condition 8 (2024/92267).

Condition 8 can therefore be discharged.

Condition 9 – Drainage

In support of the discharge of condition 9 the applicant has submitted:

- Drainage Connection Details “23066-ARC-XX-XX-DR-D-5015 - P1”
- Drainage General Arrangement “23066-ARC-XX-XX-DR-D-5001 - P3”
- Drainage Maintenance and Management Plan “153506-001-04”
- Flood Risk Assessment V3 – 24.01.2025 (note: this is the revised version following LLFA’s initial comments)

The LLFA confirms acceptance of the submitted drainage calculations contained within the Flood Risk Assessment, V3 and the Drainage Maintenance & Management Plan, however, they recommend additional requirements are secured via a Section 106 agreement. Officers have reviewed this and as this information was not requested at the planning application stage, it would be unreasonable to request through this process. Therefore, Condition 9 can be discharged based on the details provided.

The applicant is however advised of the requirements for a management company. A management company is required to be set up with the specific task of maintaining the drainage infrastructure installed on site until such a time that it is adopted by statutory undertaker or a NAV equivalent.

Condition 10 – Flood Risk Assessment

The details submitted to discharge Condition 10 are still under review. On receipt of appropriate satisfactory information, a letter will be issued in due course.

Condition 14 – Ecology

The details submitted to discharge Condition 14 are still under review. On receipt of appropriate satisfactory information, a letter will be issued in due course.

Condition 19 – Construction Environment Management Plan (CEMP)

In support of the discharge of condition 19 the applicant has submitted:

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- Construction and Environmental Management Plan (CEMP) For Kirklees Council (revised)

The CEMP initially submitted did not include assurances that deliveries would not take place in peak traffic hours or during local school opening/closing times. A revised CEMP was submitted however officers requested this was revised to remove the use of ambiguous language. The revised CEMP states that deliveries will be between the hours of 0900 and 1200hrs which is outside the peak traffic hours and not during local school opening/closing times referred to in the consultation response and Highways Development Management have therefore no objection to the discharge of this condition.

Note: This condition refers to footway construction details for the new footway which is also covered by condition 6. Condition 6 must still be discharged despite the discharge of condition 19.

Yours faithfully

Mathias Franklin
Head of Planning and Development