Our ref: L003/JWID4744

29th May 2025

Planning
Kirklees Council
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Civic Centre 3
Huddersfield
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The conditions for which information is submitted to secure effective discharge include Condition 7 (Surfacing Details, Waste Collection Details, Closure of Existing Highway Points Details, Street Lighting and Surfacing Details and a Stage 1 Road Safety Audit), Waste Collection), Condition 18 (Drainage – foul, surface water and land drainage scheme), Condition 19 (Intrusive Investigation to determine possible location of enclosed watercourse near southern boundary), Condition 20 (Surface Water Drainage scheme details), Condition 23 (Waste Collection – details of storage, access, collection and management of waste), Condition 25 (Ecological Design Strategy), Condition 26 (Hard and Soft Landscaping), Condition 27 (Tree Protection), Condition 29 (Boundary Treatment) for the retail aspect of the development, where appropriate further details will be submitted during the determination process to address other conditions.

Condition 7 (Surfacing Details, Waste Collection Details, Closure of Existing Highway Points Details, Street Lighting and Surfacing Details and a Stage 1 Road Safety Audit)

Condition 7 states the following:

> *"Prior to the commencement of each phase of development (excluding Phase 1A) as detailed in the phasing plan approved under condition 3, a scheme detailing the following for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the:*
>
> - *Surfacing and draining of car parks;*
> - *Method storage/collection of waste;*
> - *Closure of existing access points onto the existing highway network;*
> - *Street lighting, signing, surface finishes and the treatment of sight lines; and*
> - *Stage 1 Road safety Audit*
>
> *The scheme for that phase shall be completed in accordance with a programme agreed with the Local Planning Authority and thereafter the approved works shall be retained for the lifetime of the development."*

The **surfacing** plan Ref.7355-SMR-00-ZZ-DR-A-3003-A4-C5 is considered sufficient in providing details of the surfacing and drainage of car parks, together with the drainage plan Ref. 24184-SDS-00-SL-DR-C-3021-T2.

In relation to **waste collection**, Lidl stores typically have fewer deliveries than many of its competitors. This is because the Lidl delivery vehicle will deliver all stock to the store and then take all waste from the store after delivering groceries – there are no separate good deliveries or waste pickups.

The number of deliveries is generally 1 per day but can increase to 2 during the busiest times of year (like Christmas etc). Lidl stores have covered, hooded loading bays which means the deliveries take place almost within the store, limiting outdoor noise and disruption.

The proposed plan package highlights the **closure of existing access points** onto the existing highway network, as well as the street lighting, surface finishes and treatment of sight lines.

With regard to the request for the Stage 1 **Road Safety Audit** (RSA) the report was never required as it would have been provided at the preliminary design stage but this has stage has already been carried out and passed and therefore the requirement for submission for discharge should not be necessary.

Condition 18 (Drainage)

Condition 18 states the following:

> *"Development of each phase of development as detailed in the phasing plan approved under condition 3 (excluding Phase 1A) shall not commence until a scheme detailing finalised foul, surface water and land drainage (including a survey of how the existing site drains, agreeing a discharge rate with the Local Planning Authority (in consultation with the Lead Local Flood Authority), attenuation design and maintenance and management plans) for the phase has been submitted to and approved in writing by the Local Planning Authority. None of the buildings within the phase 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 buildings relate and thereafter retained."*

The Drainage Plan (Ref. 24184-SDS-00-SL-DR-C-3021-T2.) provides sufficient detail for discharge of the information required by the wording of the condition.

Condition 19 (Intrusive Investigation to determine possible location of enclosed watercourse near southern boundary)

Condition 19 states the following:

> *"Development of each phase of development as detailed in the phasing plan approved under condition 3 (excluding Phase 1 A) shall not commence until an intrusive investigation into the possible location of an enclosed watercourse is carried out up to 10 metres inside the southern boundary. If a watercourse is found this must be protected and safely included in any drainage design details."*

Evidence relating to matters covered by Condition 19 were been addressed during the course of ground investigation / remediation works and a summary is provided by the

enclosed document (Ref.1387). The SE corner of the site has been explored and the suspected 'watercourse' found to be an existing SW outfall drain connection to the main existing sewer system located beneath the highway to the SE.

Condition 20 (Surface Flows)

Condition 20 states the following:

> *"Development of each phase of development as detailed in the phasing plan approved under condition 3 (excluding Phase 1A) shall not commence until a scheme restricting the rate of surface water discharge from that phase of development to the same outfalls at similar points of connection to a maximum of 70% of the existing predevelopment flow rate, has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30-year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100-year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority. For each phase, the scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. 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 work comprising the approved scheme have been completed. The approved maintenance and management scheme for each phase shall be implemented thereafter."*

Provided on the surface flows diagram.

Condition 23 (Waste Collection)

Condition 23 states the following:

> *"Prior to the commencement of each phase of development as detailed in the phasing plan approved under condition 3 (excluding phase 1A) (excluding soft strip-out and demolition works), details of storage and access for collection of wastes from the residential units hereby approved, and details of management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm that waste collection points shall not obstruct access within the site, shall include details of management measures and measures to discourage dumping of large items and fly tipping. The works and arrangements comprising the approved details shall be implemented before first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority."*

As stated above, when dealing with waste collection, Lidl stores typically have a limited number of deliveries. This is because the delivery vehicles bringing stock / groceries to the store will then take all waste from the store after the delivery operation. There are no separate good deliveries or waste pickups.

The number of deliveries is generally 1 per day but can increase to 2 during the busiest times of year (like Christmas etc). Lidl stores have covered, hooded loading bays which means the deliveries take place almost within the store, limiting outdoor noise and disruption.

Condition 25 (Ecological Design Strategy)

Condition 25 states the following:

> *"Prior to the commencement of each phase of development as detailed in the phasing plan approved under condition 3 excluding Phase 1A, an Ecological Design Strategy (EDS) addressing enhancement shall be submitted to and approved in writing by the Local Planning Authority for that phase. The EDS shall include the following where relevant:*
>
> - *Purpose and conservation objectives for the proposed works;*
> - *Review of site potential and constraints;*
> - *Detailed design(s) and/or working method(s) to achieve stated objectives;*
> - *Extent and location/area of proposed works on appropriate scale maps and plans;*
> - *Type and source of materials to be used where appropriate, e.g. native species of local*
> - *provenance;*
> - *Timetable for implementation demonstrating that works are aligned with the proposed*
> - *phasing of development;*
> - *Persons responsible for implementing the works;*
> - *Details of initial aftercare and long-term maintenance;*
> - *Details for monitoring and remedial measures; and*
> - *Details for disposal of any wastes arising from works.*
>
> *The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."*

Provided a EDS.

Condition 26 (Hard and Soft Landscaping)

Condition 26 states the following:

> *"Prior to the commencement of each phase of development (excluding Phase 1A) as detailed in the phasing plan approved under condition 3), details of all hard and soft landscaping for that phase shall be submitted to and approved in writing by the Local Planning Authority. These shall include where relevant:*
>
> - *Details of existing and proposed levels, and regrading;*
> - *Species schedule and planting plans;*
> - *Details of initial aftercare and long-term maintenance;*
> - *Details of monitoring and remedial measures, including replacement of any trees,*
> - *shrubs, or planting that fails or becomes diseased within the first five years from*
> - *completion;*

- *Details (including samples, if requested), of paving and other hard surface materials; and*
- *Details of the on-site open space (including details of its purpose and management) and of any areas for designated, informal, incidental and/or doorstep play;*

No part of the phase of development hereby approved shall be occupied until all hard and soft landscaping for that phase has been implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All approved landscaping shall be retained thereafter in accordance with the approved details and approved long-term maintenance, monitoring, and remedial arrangements."

The following plans for the hard and soft landscaping incorporates full details of proposed planting on the Lidl phase of the overall site and through that planting will provide biodiversity enhancements. The following plans are submitted to address the requirements of Condition 26:

- 7355-SMR-00-ZZ-DR-A-3005-A4-C5
- R-2377-1E

Condition 27 (Trees)

Condition 27 states the following:

"Prior to the commencement of each phase of development as detailed in the phasing plan approved under condition 3 (including ground works), an Arboricultural Method Statement Plan shall be submitted to and approved in writing by the Local Planning Authority for that phase where relevant. The statement will include a Tree Protection plan of the trees to be retained that accords with plan ref: R/2377/1C. The development of the phase shall be carried out in accordance with the document so approved."

The S73 application is accompanied by an Arboricultural Method Statement (Ref.22125), which is deemed sufficient to discharge Condition 27.

Condition 29 (Boundary Treatment)

Condition 29 states the following:

"Prior to the occupation of each phase of development as detailed in the phasing plan approved under condition 3 hereby approved, details (including sections and details of levels) of all boundary treatments, and any retaining walls and gabions for that phase, shall be submitted to and approved in writing by the Local Planning Authority, should any such boundary treatments be required or proposed. The development of each phase shall be implemented in accordance with the details so approved and shall be retained thereafter."

The application is accompanied by a Boundary Treatment Plan (Ref.7355-SMR-00-ZZ-DR-A-3005-A4-C5) which provides all the above mentioned details on the site and is therefore considered sufficient to discharge Condition 29.

We trust the above and enclosed is sufficient to validate the S73 application and through its consideration approve a number of details for the Lidl phase of the overall development that were the subject of conditions attached to the previous grant of planning permission.

If there are any queries or the need for additional information, please do not hesitate to contact the undersigned.

Yours sincerely

Jeremy Williams

Jeremy Williams BA (Hons) MA, MRTPI
Director
Enc. As described above