

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:	2025/44/91094/E
Site Address:	127, Marsh Lane, Shepley, Huddersfield, HD8 8AS
Description:	Discharge of details reserved by conditions 5 (foul, surface water and land drainage scheme), 6 (assessment of the effects of storm events), 7 (surface water drainage scheme), 9 (details of the junction and associated highway works), 11 (proposed internal adoptable estate roads scheme), 12 (construction traffic schedule) and 13 (survey of the highway on Marsh Lane) of previous permission 2024/91202 for erection of eight dwellings with associated access and external works
Recommending Officer:	Nina Sayers

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 17-Oct-2025

Officer Report

Reference – 2025/91094

Site address – 127, Marsh Lane, Shepley, Huddersfield, HD8 8AS

Proposal – Discharge of details reserved by conditions 5 (foul, surface water and land drainage scheme), 6 (assessment of the effects of storm events), 7 (surface water drainage scheme), 9 (details of the junction and associated highway works), 11 (proposed internal adoptable estate roads scheme), 12 (construction traffic schedule) and 13 (survey of the highway on Marsh Lane) of previous permission 2024/91202 for erection of eight dwellings with associated access and external works

Assessment

Condition 5 – Drainage

“5. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate/s with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 + climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development 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 and retained thereafter.

Reason: *To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”*

In support of the discharge of condition 5 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2001, Drainage Layout, Rev P04 dated 18/06/2025.

- B26074-JNP-XX-XX-DR-C-3111, Construction Details (2 of 3), Rev P02 dated 18/06/2025.
- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P02 dated 18/06/2025.
- Supporting email from agent dated 27/05/2025
- Letter dated 24/06/2025 regarding permission to lay drainage across 3rd party land
- B26074-JNP-XX-XX-TN-G-1001, Technical Note, Rev P02 dated 27/06/2025
- B26074-JNP-XX-XX-DR-C-2007, Flood Routing Plan, Rev P01 dated 18/06/2025.

The Lead Local Flood Authority (LLFA) were consulted in regard to the discharge of condition 5. Initially they sought additional information on a number of matters, including the following:

- Evidence the surface water outfall across third party land has been agreed in writing with the landowner;
- Individual soakaway tests;
- Explanation for why the hydrobrake chamber cannot be made deeper
- Access for inspection and maintenance of the geocell tank; and
- Revisions to the hydrobrake design.

Revised plans and additional information were received as listed above. The LLFA confirms acceptance of the soakaway test results and associated Causeway calculations contained in the Technical Note and the 3rd party landowner letter. They therefore recommend that condition 5 can be discharged in this instance.

Condition 5 can therefore be discharged. The applicant is reminded of the further stipulation of condition 5 which requires no part of the development to be occupied until the approved drainage scheme has been provided on the site to serve the development, or each agreed phasing of the development, and retained thereafter.

Yorkshire Water were also consulted on the submitted information and raised no objection to the proposed separate systems of drainage on site and off site, the proposed point of discharge of foul water to the 150mm diameter public combined sewer crossing the site and the submitted drawing shows surface water proposed to be drained to soakaway as demonstrated on drawing B26074-JNP-XX-XX-DR-C-2001, Rev P02 dated 16/04/2025 that has been prepared by JNP Group.

Please note: The site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Condition 6 – Drainage

“6. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter. Reason: To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”

In support of the discharge of condition 6 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2001, Drainage Layout, Rev P04 dated 18/06/2025.
- B26074-JNP-XX-XX-DR-C-3111, Construction Details (2 of 3), Rev P02 dated 18/06/2025.
- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P02 dated 18/06/2025.
- Supporting email from agent dated 27/05/2025
- Letter dated 24/06/2025 regarding permission to lay drainage across 3rd party land
- B26074-JNP-XX-XX-TN-G-1001, Technical Note, Rev P02 dated 27/06/2025
- B26074-JNP-XX-XX-DR-C-2007, Flood Routing Plan, Rev P01 dated 18/06/2025.

The submitted Drainage Statement summarises that foul water will discharge to a public combined water sewer. Sub-soil conditions support the use of soakaways and surface water will discharge to soakaway.

The LLFA confirms that the flood routing indicated on drawing B26074-JNP-XX-XX-DR-C-2007 is acceptable and condition 6 can therefore be discharged. The applicant is reminded of the further stipulations of condition 6 which requires no part of the development to be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.

Yorkshire Water were also consulted on the submitted information and raised no objection to the proposed separate systems of drainage on site and off site, the proposed point of discharge of foul water to the 150mm diameter public combined sewer crossing the site and the submitted drawing shows surface water proposed to be drained to soakaway as demonstrated on drawing B26074-JNP-XX-XX-DR-C-2001, Rev P02 dated 16/04/2025 that has been prepared by JNP Group.

Please note: The site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Condition 7 – Drainage

Condition 7 has already been discharged under application 2025/91094.

Condition 9 – Junction and Highway Works

“9. No development shall take place until details of the junction and associated highway works, between the proposed site access and Marsh Lane have been approved in writing by the Local Planning Authority. No building shall be brought into use until the works to provide the junction have been completed in accordance with the approved details. Reason: To ensure that suitable access is available for the development, in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre-commencement

condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”

In support of the discharge of condition 9 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2005-P04

The submitted details have been reviewed and approved by the councils Highway Design team and are considered to be suitable for the discharge of condition 9.

Condition 9 can therefore be discharged at this time. The applicant is reminded of the further stipulation of condition 9 which requires no building to be brought into use until the works to provide the junction have been completed in accordance with the approved details.

Condition 11

“11. Notwithstanding the details shown on the approved plan ‘ODS_23/666-REV J’, the development shall not be occupied until a scheme detailing the proposed internal adoptable estate roads have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. The development shall be completed in accordance with the approved plans and retained thereafter.

Reason: *To ensure that suitable access is available for the development in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan.”*

Officers initially raised concern that no contact had been made with the council’s highways Section 38 team regarding a formal Section 38 technical approval. The agent confirmed that they are not putting the roads forward for adoption and they will be held and maintained under a private development management company.

KC Highways advised that if the internal roads are to remain private then a bin collection area would be required adjacent to, but not on, Marsh Lane to facilitate the collection of refuse for all the development.

The applicant submitted the following plan:

- Proposed Site Plan (20)008 Rev.H

The plan was reviewed by KC Highways who confirmed the proposed bin collection area was acceptable from a highway safety perspective. Condition 11 can therefore be discharged at this time.

The applicant is advised that it is their responsibility to inform the potential purchasers of the properties served by any unadopted streets that the streets will remain unadopted and provide details of the ongoing management and maintenance requirements and their obligations. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, which are described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': Highways Adoption (publishing.service.gov.uk)

The applicant is also advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code': Highways guidance note: Private Streets and the Advance Payments Code ([kirklees.gov.uk](https://www.kirklees.gov.uk)).

Condition 12 - CEMP

Condition 12 has already been discharged under application 2025/91094.

Condition 13 – Highway Survey

Condition 13 has already been partially discharged under application 2025/91094.

Decision notice text

Conditions 5, 6, 9 and 11 can be discharged at this time.

Conditions 7 and 12 have already been discharged under application 2025/91094.

Condition 13 has already been partially discharged under application 2025/91094

Condition 5 – Drainage

In support of the discharge of condition 5 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2001, Drainage Layout, Rev P04 dated 18/06/2025.
- B26074-JNP-XX-XX-DR-C-3111, Construction Details (2 of 3), Rev P02 dated 18/06/2025.
- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P02 dated 18/06/2025.
- Supporting email from agent dated 27/05/2025
- Letter dated 24/06/2025 regarding permission to lay drainage across 3rd party land
- B26074-JNP-XX-XX-TN-G-1001, Technical Note, Rev P02 dated 27/06/2025
- B26074-JNP-XX-XX-DR-C-2007, Flood Routing Plan, Rev P01 dated 18/06/2025.

The Lead Local Flood Authority were consulted on the discharge of condition 5. Following receipt of revised plans and additional information, the LLFA confirms acceptance of the soakaway test results and associated Causeway calculations contained in the Technical Note and the 3rd party landowner letter. They therefore recommend that condition 5 can be discharged in this instance.

Condition 5 can therefore be discharged. The applicant is reminded of the further stipulation of condition 5 which requires no part of the development to be occupied until the approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Yorkshire Water were also consulted on the submitted information and raised no objection to the submitted details however they remind the applicant that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Condition 6 – Drainage

In support of the discharge of condition 6 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2001, Drainage Layout, Rev P04 dated 18/06/2025.
- B26074-JNP-XX-XX-DR-C-3111, Construction Details (2 of 3), Rev P02 dated 18/06/2025.
- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P02 dated 18/06/2025.
- Supporting email from agent dated 27/05/2025
- Letter dated 24/06/2025 regarding permission to lay drainage across 3rd party land
- B26074-JNP-XX-XX-TN-G-1001, Technical Note, Rev P02 dated 27/06/2025
- B26074-JNP-XX-XX-DR-C-2007, Flood Routing Plan, Rev P01 dated 18/06/2025.

The LLFA confirms that the flood routing indicated on drawing B26074-JNP-XX-XX-DR-C-2007 is acceptable and condition 6 can therefore be discharged. The applicant is reminded of the further stipulations of the condition 6 which requires no part of the development to be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.

Yorkshire Water were also consulted on the submitted information and raised no objection to the submitted details however they remind the applicant that the site drainage details submitted have not been approved for the purposes of adoption or diversion. If the developer wishes to have the sewers included in a sewer adoption/diversion agreement with Yorkshire Water (under Sections 104 and 185 of the Water Industry Act 1991), they should contact their Developer Services Team (tel 0345 120 84 82, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption and diversion should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition, as supplemented by Yorkshire Water's requirements.

Condition 7 – Drainage

Condition 7 has already been discharged under application 2025/91094.

Condition 9 – Junction and Highway Works

In support of the discharge of condition 9 the following has been submitted:

- B26074-JNP-XX-XX-DR-C-2005-P04

The submitted details have been reviewed and approved by the councils Highway Design team and therefore the submitted details are considered to be suitable for the discharge of condition 9.

Condition 9 can therefore be discharged at this time. The applicant is reminded of the further stipulation of condition 9 which requires no building to be brought into use until the works to provide the junction have been completed in accordance with the approved details.

Condition 11

The applicant submitted the following plan:

- Proposed Site Plan (20)008 Rev.H

The plan was reviewed by KC Highways who confirmed the proposed bin collection area is acceptable from a highway safety perspective. Condition 11 can therefore be discharged at this time.

The applicant is advised that it is their responsibility to inform the potential purchasers of the properties served by any unadopted streets that the streets will remain unadopted and provide details of the ongoing management and maintenance requirements and their obligations. The potential purchasers must also be advised by the developer of the potential implications of the streets remaining private, which are described in DfT Advice Note 'Highway Adoption' at Annex C 'A Guide for Home Buyers': Highways Adoption (publishing.service.gov.uk)

The applicant is also advised to consult with the Local Highway Authority guidance document on 'Private Streets and the Advance Payments Code': Highways guidance note: Private Streets and the Advance Payments Code ([kirklees.gov.uk](https://www.kirklees.gov.uk)).

Condition 12 - CEMP

Condition 12 has already been discharged under application 2025/91094.

Condition 13 – Highway Survey

Condition 13 has already been partially discharged under application 2025/91094.

Officer Report

Reference – 2025/91094

Site address – 127, Marsh Lane, Shepley, Huddersfield, HD8 8AS

Proposal – Discharge of details reserved by conditions 5 (foul, surface water and land drainage scheme), 6 (assessment of the effects of storm events), 7 (surface water drainage scheme), 9 (details of the junction and associated highway works), 11 (proposed internal adoptable estate roads scheme), 12 (construction traffic schedule) and 13 (survey of the highway on Marsh Lane) of previous permission 2024/91202 for erection of eight dwellings with associated access and external works

Assessment

Condition 5 – Drainage

The details submitted to discharge Condition 5 are still under review. A letter will be issued in due course.

Condition 6 – Drainage

The details submitted to discharge Condition 6 are still under review. A letter will be issued in due course.

Condition 7 – Drainage

“7. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been 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 strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.*

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: To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”

In support of the discharge of Condition 7 the following has been submitted:

- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P01 dated 16/04/2025.

A plan for managing surface water during the construction phase is provided in Appendix F of the submitted Drainage Statement. The Lead Local Flood Authority (LLFA) have been consulted on the submitted information and comment that the plan contained in Appendix F of the Drainage Statement is acceptable to the LLFA and therefore they recommend Condition 7 can be discharged.

This submitted information is therefore sufficient for the discharge of condition 7. The development shall be carried out in accordance with the details. Condition 7 can be discharged.

Condition 9 – Junction and Highway Works

The details submitted to discharge Condition 9 are still under review. A letter will be issued in due course.

Condition 11

The details submitted to discharge Condition 11 are still under review. A letter will be issued in due course.

Condition 12 - CEMP

“12. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction. Reason: To ensure that harm is not caused to the highway during construction in the interest of highway safety in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”

In support of the discharge of condition 12, the applicant has submitted:

- Construction Environmental Management Plan (CEMP)– Version 1, Rev 0, Dated 17.04.25

The submitted CEMP confirms the primary route for all traffic to the site will be via Marsh Lane, turning into the site through the approved access and egress from the highway. Construction times, other than for exceptional work and safety, will be between Monday to Friday – 07:00 to 18:30, Saturdays – 07:00 to 13:00, and no noisy activities on Sundays & Bank Holidays. This information is considered acceptable from a Highway Safety perspective; however the applicant is however reminded that under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

The CEMP goes on to outline “deliveries are to be outside of the hours of 8:20-9:20 and 14:45-15:45” to avoid school drop off/pick up times. A power washer will be used to wash off any mud from the vehicle’s wheels, with excess mud / slurry being collected and disposed of. In situations where weather conditions mean mud run off is inevitable, the main contractor will arrange for street cleaning to be carried out. This will be monitored daily and cleaned when required. Adequate parking will be provided for contractors and visitors in the designated area in the compound to avoid any offsite parking.

KC Highways have been consulted on the discharge of condition 12 and raised no objection to the discharge of condition 12.

The submitted details are considered sufficient for the purposes of discharging condition 12 and therefore condition 12 can be discharged at this time. The applicant is reminded of the further stipulation of condition 12 which requires all construction arrangements to be carried out in accordance with the approved schedule throughout the period of construction.

Condition 13 – Highway Survey

“13. The development shall not commence until a survey of the existing condition of the highway on Marsh Lane has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway Marsh Lane shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use. Reason: In the interests of highway safety and to ensure the maintenance of the highway in accordance with Policy LP22 of the Kirklees Local Plan. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.”

In support of the discharge of Condition 13, the applicant has submitted:

- Defect Survey Report (ref B26074-JNP-XX-XX-RP-C-1003 P01) dated April 2025

The submitted Defect Survey Report has been completed by JNP group who carried out a visual, nonintrusive, survey of the roads, pavements and surrounding area, in the vicinity of the predeveloped site on Marsh Lane in Shepley. The roads and footpaths in the vicinity of the proposed site were considered to be generally in good condition with the majority of defects being to kerbs and spalling to asphalt. A schedule of condition / inspection report details the defects.

The report concludes the schedule should be retained as a record and on completion of the works the subject site should then be re-inspected, and any defects/damage not noted in the original Schedule (which can be proven to be because of the proposed works) should be made good at the expense of Halstead Homes. The submitted details are considered sufficient for the purposes of the first part of condition 13 which requires *a survey of the existing condition of the highway on Marsh Lane* to be submitted to, and approved by the Local Planning Authority.

The applicant is reminded of the further stipulation of condition 13 which states “Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway Marsh Lane shall be submitted to and approved in writing by the Local Planning Authority.”

The details submitted are sufficient to discharge the first part of condition 13. The condition must however remain until a condition survey is provided, and approved, upon completion. Condition 13 can therefore be partially discharged.

Recommendation: Split decision

Report Dated: 16/06/2025

Proposed Letter Text

Condition 5 – Drainage

Condition 5 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 6 – Drainage

Condition 6 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 7 – Drainage

In support of the discharge of condition 7 the following has been submitted:

- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P01 dated 16/04/2025.

A plan for managing surface water during the construction phase is provided in Appendix F of the submitted Drainage Statement. The LLFA have been consulted on the submitted information and comment that the plan contained in Appendix F of the Drainage Statement is acceptable to the LLFA and therefore they recommend Condition 7 can be discharged.

This submitted information is therefore sufficient for the discharge of condition 7. Condition 7 can be discharged at this time. The applicant is reminded of the further stipulation of condition 7 which requires the temporary works to 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 9 – Junction and Highway Works

Condition 9 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 11

Condition 11 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 12 - CEMP

In support of the discharge of condition 12, the applicant has submitted:

- Construction Environmental Management Plan (CEMP)– Version 1, Rev 0, Dated 17.04.25

The details outlined within the submitted CEMP are considered sufficient for the purposes of discharging condition 12 and KC Highways Development Management have no objection to the discharge of condition 12. Condition 12 can therefore be discharged at this time. The applicant is reminded of the further stipulation of condition 12 which requires all construction arrangements to be carried out in accordance with the approved schedule throughout the period of construction.

Condition 13 – Highway Survey

In support of the discharge of condition 13, the applicant has submitted:

- Defect Survey Report (ref B26074-JNP-XX-XX-RP-C-1003 P01) dated April 2025

The submitted details are considered sufficient for the purposes of the first part of condition 13 which requires *a survey of the existing condition of the highway on Marsh Lane* to be submitted to, and approved by the Local Planning Authority.

The applicant is reminded of the further stipulation of condition 13 which states “Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway Marsh Lane shall be submitted to and approved in writing by the Local Planning Authority.”

The details submitted are sufficient to discharge the first part of condition 13. The condition must however remain until a condition survey is provided, and approved, upon completion. Condition 13 can therefore be partially discharged.

Decision Text:

Condition 5 – Drainage

Condition 5 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 6 – Drainage

Condition 6 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 7 – Drainage

In support of the discharge of condition 7 the following has been submitted:

- B26074-JNP-XX-XX-RP-C-1002, Drainage Statement, Rev P01 dated 16/04/2025.

A plan for managing surface water during the construction phase is provided in Appendix F of the submitted Drainage Statement. The LLFA have been consulted on the submitted information and comment that the plan contained in Appendix F of the Drainage Statement is acceptable to the LLFA and therefore they recommend Condition 7 can be discharged.

This submitted information is therefore sufficient for the discharge of condition 7. Condition 7 can be discharged at this time. The applicant is reminded of the further stipulation of condition 7 which requires the temporary works to 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 9 – Junction and Highway Works

Condition 9 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 11

Condition 11 is still under review and cannot be discharged at this time. Further review and letter will be issued in due course.

Condition 12 - CEMP

In support of the discharge of condition 12, the applicant has submitted:

- Construction Environmental Management Plan (CEMP)– Version 1, Rev 0, Dated 17.04.25

The details outlined within the submitted CEMP are considered sufficient for the purposes of discharging condition 12 and KC Highways Development Management have no objection to the discharge of condition 12. Condition 12 can therefore be discharged at this time. The applicant is reminded of the further stipulation of condition 12 which requires all construction arrangements to be carried out in accordance with the approved schedule throughout the period of construction.

Condition 13 – Highway Survey

In support of the discharge of condition 13, the applicant has submitted:

- Defect Survey Report (ref B26074-JNP-XX-XX-RP-C-1003 P01) dated April 2025

The submitted details are considered sufficient for the purposes of the first part of condition 13 which requires *a survey of the existing condition of the highway on Marsh Lane* to be submitted to, and approved by the Local Planning Authority.

The applicant is reminded of the further stipulation of condition 13 which states “Upon completion of the development and before any building is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway Marsh Lane shall be submitted to and approved in writing by the Local Planning Authority.”

The details submitted are sufficient to discharge the first part of condition 13. The condition must however remain until a condition survey is provided, and approved, upon completion. Condition 13 can therefore be partially discharged.

