Kirklees Council
Planning and Development Service
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HD1 9EL

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Date: 17-Oct-2025
Our Ref: 2025/91094

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 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
127, Marsh Lane, Shepley, Huddersfield, HD8 8AS
Application Number: 2025/91094

I write with reference to your application to discharge the conditions for the above development as submitted on 22-Apr-2025.

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.

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- 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

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- 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

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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).

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.

Yours faithfully

Mathias Franklin
Head of Planning and Development