

**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:	2025/44/92535/W
Site Address:	Part of former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RA
Description:	Discharge of details reserved by conditions 9 (temporary drainage), 14 (oil/petrol interceptor), 15 (flood routing), 16, (drainage strategy), 19 (landscaping) on previous permission 2023/91405 for erection of foodstore (Class E) with associated access, parking, servicing area and landscaping
Recommending Officer:	Ellie Thornhill

DECISION – Discharge of Condition – Approve

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 07-Jan-2026

Officer report

Application: 2025/92535

Site: Part of former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RA.

Proposal: Discharge of details reserved by conditions 9 (temporary drainage), 14 (oil/petrol interceptor), 15 (flood routing), 16, (drainage strategy), 19 (landscaping) on previous permission 2023/91405 for erection of food store (Class E) with associated access, parking, servicing area and landscaping.

Condition 9: Temporary drainage

9. Prior to development commencing, details of temporary surface water drainage for the construction phase (after soil and vegetation strip) shall be 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; and*
- *Methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.*

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 ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.*

In support of Condition 9 the following documents/information has been submitted:

- Temporary drainage (reference: DR-C-0105 rev P02)
- Email dated 28/11/2025

Consultation responses

KC Lead Local Flood Authority (LLFA) – Response dated 02/10/2025

“Kirklees LLFA are concerned that crate storage is to be used to potentially store water contaminated with construction silt. Crate storage designs cause concern for long term siltation and the inability to camera the structure throughout, and depending on the design, adequately clean it.

The use of a designated area for accumulation of run off water, as long as it doesn't clash with spoil heaps, deliveries, site cabins, is encouraging. For a development of this size, we suggest a 1 in 1 year 6 hours event is calculated for volume and for it to be clearly demonstrated that these areas can contain the volume.

We encourage a narrative to go alongside any alterations to a construction phase drainage plan by way of helping explain and clarify details on drawings”.

KC Lead Local Flood Authority (LLFA) – Response dated 30/12/2025:

“There will be two phases to the construction in terms of construction phase drainage. Before the attenuation is installed and after.

The requirement to keep water on site for the 1 in 1 year 6-hour storm event as mentioned in our response of 2nd October 2025 has not been addressed. Show the area this can be contained in with levels and cross sections. It simply cannot spill out of the site. Also, the trench may be at odds with final levels in the site which shows a low spot in the car park.

No methods of preventing silt getting into the tank has been mentioned.

A narrative alongside the plans including the back up plans would be useful set out in the form of a method statement (schedule and tasks).

We do not recommend that this condition be discharged at this moment in time”

Assessment

Officers gave the applicant a chance to address the original comments raised by KC Lead Local Flood Authority (those dated 02/10/2025).

However, the response provided, does not adequately address the concerns raised by the LLFA, as confirmed in their comments dated 30/12/2025.

Officers therefore conclude that the submitted details do not meet the requirements of the condition. As such, Condition 9 **cannot** be discharged at this time.

Condition 14: Oil/petrol interceptor

14. Prior to above ground works commencing, a scheme demonstrating surface water from vehicle parking and hard standing areas passing through an oil/petrol interceptor of adequate capacity prior to discharge shall be submitted to and approved in writing by the Local Planning Authority. Roof drainage should not be passed through any interceptor. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: *In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.*

In support of Condition 14 the following documents have been submitted:

- Engineers Storm Calculations (reference 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference 21561-DR-C-0100, rev. P7)
- Aqua-Swirl brochure (by SDS Infrastructure)

Consultation responses

KC Lead Local Flood Authority (LLFA) – Response dated 02/10/2025:

“It is noted from layout drawings that a named interceptor is included in the drainage network. In addition to this, details should be supplied to demonstrate that type of oil interceptor selected is adequate for the area draining to it.

Officers note that more detailed information is required in respect of condition 14 and therefore this condition cannot be discharged at this time”.

KC Lead Local Flood Authority (LLFA) – Response dated 30/12/2025:

“An Aquaswirl AS8 SC8 has been promoted on the drawings. Kirklees accepts that a drainage engineer will have sized this accurately.

We recommend that this condition can be discharged”.

Yorkshire Water – Response dated 01/10/2025:

No objection to the discharge of conditions 14 and 16.

Assessment

Based on the additional information provided and the assessment from consultees, Officers are satisfied that Condition 14 has been met. Therefore, the submitted details are recommended to be approved.

However, the condition has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 15: Flood routing

15. Prior to above ground works commencing, 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), shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: *In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.*

In support of Condition 15 the following documents have been submitted:

- Engineers Storm Calculations (reference: 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference: 21561-DR-C-0100, rev. P7)
- Proposed Levels (reference: 21561-DR-C-0110 rev P01)

Consultation response

KC Lead Local Flood Authority (LLFA) – Response dated 02/10/2025:

“There is limited information regarding flood routing apart from some direction arrows (in opposite directions) around the tank but nowhere else. We suggest a separate drawing that has multiple level data (engineering layout), contours would help. In this instance we are looking for a demonstration that the building is protected in an exceedance event or blockage scenario.

The low spot of gulley or manhole leading to the attenuation tank is critical to show where water will flow and/or pond if the tank floods. Unlike a housing development where road networks and open spaces are encouraged to design safe routing around, flood routing on a site such as this is viewed proportionately to a design that involves a building and parking/loading areas”.

KC Lead Local Flood Authority (LLFA) – Response dated 30/12/2025:

“Contour lines have been provided but not all are labelled. Please label those around the site entrance and those around the loading bay.

It appears, but it assumed due to the above, that flows in a blockage scenario or exceedance event will begin to pond in the car parking around the 146.654m AOD spot height. Because contours are not labelled around the site entrance we cannot determine whether there is a weir point that is below the finished floor level of the building.

Gradient lines appear to contradict the contour lines.

There are spot heights suggesting the building has a finished floor level 147.000m AOD. This must be shown clearly. Ideally the building should be at a level that allows surface water to escape from site before the building is flooded.

Most of the site appears to drain to the loading bay. Again, it is not clear if the water hugs the building or is sufficiently raised to find a channel as it flows to fill the loading bay. Entrances by the loading bay are not marked with levels. It is no known whether there is anything significant such as boiler room at levels lower than the finished floor level of the shop. In short, is the loading bay safe to flood with a water level wearing over and out of the site prior to the building flooding. This may be the case but seems likely to be withing 100mm.

Drawings should be made clearer and more accurate. We suggest a narrative to support such drawings describing where water will go to support the plans. A meeting to review plans is advised.

We do not recommend that this condition be discharged at this moment in time”.

Yorkshire Water – Response dated 01/10/2025:

No objection to the discharge of conditions 14 and 16.

Assessment

Based on the information provided and the response from KC Lead Local Flood Authority, the information submitted does not adequately address the requirements of Condition 15 in relation to flood routing.

As such, Condition 15 **cannot** be discharged at this time.

Condition 16 – Drainage Strategy

16. Prior to above ground works commencing, a detailed design scheme detailing foul, surface water and land drainage, including discharge rates 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: *In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.*

In support of condition 16 the following documents have been submitted:

- Engineers Storm Calculations (reference 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference 21561-DR-C-0100, rev. P7)
- Surface Water Drainage Maintenance and Management Schedule (reference: 21561 – Blackmoorfoot Road, Huddersfield – Lidl)

Consultation response

KC Lead Local Flood Authority (LLFA) – Response dated 02/10/2025:

The condition states that, “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.” This has not been included in the submission.

KC Lead Local Flood Authority (LLFA) – Response dated 30/12/2025:

“Maintenance and Management plans need to be bespoke to the site and the tank design selected. The plan should reflect a risk assessment and suitable method statement under CDM Regs 2015 for a facility to be completed and handed over. This included methodology and scheduling of individual tasks, i.e. how you are going to do this, not just what you aim to do.

How is the tank to be accessed for inspection? Where is the pump to be used? The penstock is likely to need greasing to ensure parts do not seize up.

Sumps will need clearing in a flow control device manhole.

When a flow control device is moved we recommend to replace the neoprene seal.

A plan and cross section of the tank has not been provided.

A drawing showing contributing areas to each individual surface water sewer leg has not been produced as requested.

The problems of connecting crate storage to a combined sewers has not been addressed.

Design life has to be guaranteed or independently tested, e.g. BBA certificate.

We do not recommend that this condition be discharged at this moment in time”.

Yorkshire Water – Response dated 01/10/2025:

No objection to the discharge of conditions 14 and 16.

Assessment

Based on the information provided and the response from KC Lead Local Flood Authority, the information submitted does not adequately address the requirements of Condition 16 in relation to the sites drainage strategy.

As such, Condition 16 **cannot** be discharged at this time.

Condition 19: Landscape Management Document

19. Prior to above ground works commencing, notwithstanding the approved plans, full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- *Planting plans;*
- *Written specifications of soil depths, cultivation and other operations associated with plant and grass establishment;*
- *Schedules of plants noting species, planting sizes and proposed numbers/densities;*
- *Assessment of landscaping impact on public sewer infrastructure;*
- *Details of an implementation and maintenance programme for a minimum 5- year period; and*
- *Details of phasing of soft landscaping works.*

All soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, phasing and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning

Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

Reason: *In the interests of the provision and establishment of acceptable landscape scheme to ensure a good quality development, in accordance with Policy LP24 of the Kirklees Local Plan.*

In support of Condition 19 the following document has been submitted:

- *Landscape Management Document (prepared by FDA Landscape Ltd, dated August 2025).*

Consultation response

KC Landscape – Response date 04/11/2025:

The details provided in the Landscape Details Dwg. No. R/2682/1F are acceptable for the intended purpose of Condition 19, from a landscape perspective and provided all the landscape measures specified within the Landscape Management Document dated August 2025 are incorporated and maintained as outlined hereafter, we now support the discharge of Condition 19.

Assessment

Officers concur with the response provided by KC Landscape as the document clearly meets the requirements of Condition 19. However, as the condition has an ongoing requirement it cannot currently be discharged in a full. A note of the ongoing requirement is recommended to be included on the decision notice.

Recommendation: Split decision, as follows:

- Details approved: 14 (oil/petrol interceptor), 19 (landscaping)
- Details not approved: 9 (temporary drainage), 15 (flood routing), 16, (drainage strategy),

Report Dated: 05/01/2026.

Recommended Decision Notice Text

Overview

This decision letter concludes the following:

- Details approved: 14 (oil/petrol interceptor), 19 (landscaping)

- Details not approved: 9 (temporary drainage), 15 (flood routing), 16, (drainage strategy),

Please note a new Discharge of Condition application is required for any future submission in relation to Conditions 9, 15, and 16.

Condition 9: Temporary drainage

Pursuant to condition 9, you have submitted:

- Temporary drainage (reference: DR-C-0105 rev P02)
- Email dated 28/11/2025

The information submitted does not adequately address the concerns raised by Officers and the requirements of Condition 9. As such, Condition 9 **cannot** be discharged at this time.

Condition 14: Oil/petrol interceptor

Pursuant to condition 14, you have submitted:

- Engineers Storm Calculations (reference 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference 21561-DR-C-0100, rev. P7)
- Aqua-Swirl brochure (by SDS Infrastructure)

Based on the information provided, Officers are satisfied that the initial requirements of Condition 14 have been met and is hereby approved.

However, please be aware that condition 14 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

Thereafter the development shall be undertaken in accordance with the approved details.

Condition 15: Flood routing

Pursuant to condition 15, you have submitted:

- Engineers Storm Calculations (reference 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference 21561-DR-C-0100, rev. P7)
- Proposed Levels (reference: 21561-DR-C-0110 rev P01)

The information submitted does not adequately address the concerns raised by Officers and the requirements of Condition 15. As such, Condition 15 **cannot** be discharged at this time.

A meeting with KC Lead Local Flood Authority and Planning Officers to discuss the above, is advised. Please contact the case officer to arrange this.

Condition 16 – Drainage Strategy

Pursuant to condition 16, you have submitted:

- Engineers Storm Calculations (reference 21561-CAL-C-001 - P7 by Toppings Engineers)
- Drainage Strategy (reference 21561-DR-C-0100, rev. P7)
- Surface Water Drainage Maintenance and Management Schedule (reference: 21561 – Blackmoorfoot Road, Huddersfield – Lidl)

The information submitted does not adequately address the concerns raised by Officers and the requirements of Condition 16. As such, Condition 16 **cannot** be discharged at this time.

Condition 19: Landscape Management Document

Pursuant to condition 19, you have submitted:

- *Landscape Management Document (prepared by FDA Landscape Ltd, dated August 2025).*

The submitted information is deemed acceptable for the initial requirements of Condition 19 and is hereby approved.

However, be aware that Condition 19 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.