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Planning Development

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APPLICATION TO DISCHARGE PRE-COMMENCEMENT CONDITIONS FOR REDEVELOPMENT AND CHANGE OF USE OF FORMER MILL SITE TO FORM 19 RESIDENTIAL UNITS

HINCHLIFFE MILL, WATER STREET, HOLMBRIDGE, HOLMFIRTH, HD9 2NX

LPA REF: 2021/90800

Dear Sir or Madam,

This application seeks to discharge conditions 4, 5, 6, 9d, 10, 11, 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, and 31 on the above planning permission.

Condition 4 states:

4) Prior to the commencement of the development, the following details relating to design and appearance shall be submitted to and approved in writing by the Local Planning Authority:

a) Samples of external masonry (walling stone and ashlar) in the form of a sample panel showing coursing and pointing to be inspected on-site;

b) External material samples (photographic imagery) for all dwellinghouses (mill conversion and new-build), including but not limited to the proposed roofing, soffits, fascias and drainage runs;

c) Window and external door design schedule in the form of annotated 1:20 elevations and 1:5 sections, to include details of locations of the window designs within the elevations, their material, colour, and fixed/opening configurations. The details must be submitted for the fenestration in both the mill conversion (inclusive of the loading doors), and new-build dwellings (including details of the projecting window features);

d) Design of roof lights including patent glazing and conservation styles, where applicable, in the form of annotated 1:20 elevations and 1:5 sections; and

e) Heritage architect report setting out how internal and external heritage features (including but not limited to the cast iron structural pillars, pulley mechanisms, loading doors) are to be retained, exposed and restored alongside any internal floor plan alterations to enable such works.

The development shall be implemented in accordance approved details.

Reason: To ensure appropriate standards of design whilst maintaining the heritage significance of the mill and the wider Hinchliffe Mill Conservation Area in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Sample panel (to be viewed on-site)
- 2) Materials Schedule – Heneghan Architecture
- 3) Window and Door Details - Heneghan Architecture
- 4) Roof light designs - Heneghan Architecture
- 5) Heritage Architect Report – Mark Hide Associates

Condition 5 States:

5) Development shall not commence until a programme of archaeological investigation and recording of the area within the northern section of mill building (under an archaeological watching brief) is submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved written scheme of investigation and recording shall be carried out by an appropriately qualified and experienced archaeological organisation / consultant.

Reason: In the interests of recording the historic environment of the local area in accordance with Policy 3 of the Holme Valley Neighbourhood Development Plan and Policy LP35 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Archaeological Written Scheme of Investigation – On Site Archaeology Ltd

Condition 6 states:

6) Prior to commencement of superstructure works, the following boundary treatment details shall be submitted to and approved in writing by the Local Planning Authority:

- a) An updated boundary treatment strategy;
- b) Boundary treatment elevations and plans;
- c) Detailed material(s) schedule and hedge species; and
- d) Height(s) of boundary treatments.

The development shall be implemented in accordance with the approved boundary treatment details.

Reason: To ensure boundary treatments are appropriate to their setting and serve to sufficiently enclose and secure spaces in accordance with Policy 2 of the Holme Valley Neighbourhood Development Plan and Policies LP24 and LP35 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Boundary Treatment Strategy – Barnes Walker
- 2) Hit and Miss Fence Detail – Barnes Walker
- 3) 1.2m Metal Estate Railing Detail – Barnes Walker
- 4) Drystone Wall Detail – Barnes Walker
- 5) Retaining Drystone Wall Detail – Barnes Walker

Condition 9 states:

9) The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (KRS Environmental Ltd, ref: KRS.0646.001.R.001.A, dated September 2022) and in compliance with the following mitigation measures detailed within the approved FRA:

a) All new build development shall be located wholly within Flood Zone 1;

b) The finished floor level of the lower ground floor of units 3, 4, 5, 6, 7, 8 and 9 shall be no lower than 166.50 metres Above Ordnance Datum (AOD);

c) There shall be no residential living space on the lower ground floor of units 3, 4, 5, 6, 7, 8 and 9;

d) A scheme of flood proofing for units 3, 4, 5, 6, 7, 8 and 9 shall be submitted to and approved in writing by the Local Planning Authority and implemented no lower than the 1% AEP plus 23% climate change level with a suitable allowance for freeboard.

These mitigation measures shall be fully implemented prior to occupation of any dwellings of the development hereby approved. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Submission to discharge part of this condition (part d):

- 1) Drainage Assessment Report – EWE Associates

Conditions 10, 11 and 12 state:

10) Development shall not commence until a design scheme detailing foul, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include discharge rates (agreed with the Lead Local Flood Authority) indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details / design, plans and longitudinal sections, hydraulic calculations, and details of phasing of drainage provision. 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 an itinerary of maintenance tasks with schedules. No part of the development shall be occupied until the approved drainage scheme has been provided on the site to serve the development, and the approved scheme shall be retained thereafter.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity and environmental wellbeing, and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

11) 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 the approved scheme shall be retained thereafter.

Reason: To ensure the provision of satisfactory overland flood routing is employed, in the interests of amenity and environmental wellbeing, and to accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

12) No development shall take place until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Detail phasing of the development and phasing of temporary drainage provision; and
- b) Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and explain how flooding of adjacent land would be prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall begin 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 provision of adequate temporary means of drainage, in the interests of amenity and environmental wellbeing, and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Submission to discharge these conditions:

- 1) Proposed Drainage Details – EWE Associates
- 2) Proposed Drainage Layout Plan – EWE Associates
- 3) Drainage Assessment Report – EWE Associates
- 4) Proposed Temporary Construction Drainage Plan – EWE Associates

Condition 13 states:

13) Prior to any part of the development being brought into use, a lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) Show how and where external lighting would be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit would not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances shall any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: To prevent significant ecological harm in respect of direct impacts to bats in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Submission to discharge this condition:

- 1) Lighting Layout Drawings x 4 – Ecological Lighting Solutions
- 2) Luminaire Schedule – Ecological Lighting Solutions
- 3) Site Isolines x 8 – Ecological Lighting Solutions

Condition 14 states:

14) No groundworks or material operations, as defined in section 56(4)(a) through to (d) of the Town and Country Planning Act 1990 (other than operations required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.*

Submission to discharge this condition:

- 1) Phase 2 Geo-Environmental Report – Rogers Geotechnical Services

Condition 18 states:

18) Prior to the installation of the development's electrical system, a scheme detailing the dedicated facilities that shall be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- *A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space.*
- *One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings.*

Reason: *In the interests of supporting and encouraging the use of low emission vehicles, in the interests of air quality enhancement, to comply with the aims and objectives of Policy 12 of the Holme Valley Neighbourhood Development Plan HVNDP, Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).*

Submission to discharge this condition:

- 1) EV Charging Points and Bin Storage – Heneghan Architecture

The approved dedicated facilities for charging electric vehicles shall be installed and made operational prior to the occupation of the units they serve, and shall be maintained and retained thereafter.

Condition 19 states:

19) No development shall take place until a Construction Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include:

- a) A timetable of all works;*
- b) Details of construction vehicle sizes, access locations and routes, including indicative times of vehicle movements, the location of any HGV waiting areas and details of the management of said areas;*
- c) Details of the parking of vehicles of site operatives and visitors;*
- d) Details and location(s) of signage;*
- e) Details of loading and unloading of plant and materials;*
- f) Details of storage of plant and materials used in constructing the development;*

g) Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;

h) Measures to control and monitor the emission of dust and dirt during construction;

i) A Site Waste Management Plan, detailing recycling / disposing of waste resulting from demolition and construction works;

j) Mitigation of noise and vibration arising from all construction related activities to (these details shall also include suitable restrictions on the hours of working on the site including times of deliveries);

k) Details of artificial lighting used in connection with all construction related activities and security of the construction site;

l) Site manager and resident liaison officer contact details (including their remit and responsibilities); and

m) Details of a complaint handling system.

The development shall be carried out strictly in accordance with the approved CEMP and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Reason: *To safeguard the amenities of the occupiers of nearby properties in accordance with Policy 2 of the Holme Valley Neighbourhood Development Plan, Policy LP24 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.*

Submission to discharge this condition:

- 1) CEMP Construction Logistics Plan – Heneghan Architecture
- 2) CEMP Written Document - Heneghan Architecture
- 3) Timetable - Heneghan Architecture
- 4) Site Management Plan – Jack Holroyd

Condition 20 states:

20) Development shall not commence until a scheme detailing locations and including cross-sectional information together with the proposed design and construction details of all new retaining walls / building retaining walls adjacent to existing and proposed highways including any modifications to the existing retaining walls on Dobb Lane / Spring Lane / Dam Head has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to superstructure works of any dwellinghouse hereby approved and thereafter retained throughout the life of the development.

Reason: To ensure that any new retaining structure or modifications to existing retaining structures do not compromise the stability of the highway in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

Please Note: The applicant is not submitting any details concerning condition 20 as they are not carrying out any works in this regard.

Condition 21 states:

21) Development shall not commence until a scheme detailing locations and including cross-sectional information together with the proposed design and construction details of all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint or influence zone of highway loading has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented prior to the commencement of development relating to the foul and surface water drainage system and thereafter retained during the life of the development.

Reason: *To ensure that any new retaining structures do not compromise the stability of the highway in accordance with the requirements of Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.*

Submission to discharge this condition:

- 1) Proposed Drainage Details – EWE Associates
- 2) Proposed Surface Water and Foul Layout – EWE Associates

Condition 22 states:

22) Details of the facing materials for the retaining walls within the site shall be submitted to and approved in writing by the Local Planning Authority before works to construct the retaining walls commence. The retaining walls shall be faced in the approved materials and thereafter maintained as such.

Reason: *In the interests of visual amenity and to accord with Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.*

Submission to discharge this condition:

- 1) Materials Schedule – Heneghan Architecture

Condition 23 states:

23) Development shall not commence until a Tree Protection Plan (TPP), written in accordance with BS:5837, has been submitted to and approved in writing by the Local Planning Authority. The TPP shall include details on how retained trees shall be protected during both demolition and construction. The development shall be carried out in complete accordance with the approved TPP.

Reason: *To protect the viability of the retained trees within the application site during works on site, including to prevent compaction and damage to the roots of the trees as well as damage to the branches and stems of the trees, in accordance with Policy 13 of the Holme Valley Neighbourhood Development Plan, Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.*

Submission to discharge this condition:

- 1) Arboricultural Method Statement – Woodsage Consulting

Condition 24 states:

24) Prior to the commencement of superstructure works, a Waste Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Waste Management Plan shall:

- a) Identify the location of sufficiently sized bin stores, either internal or external, for all dwellinghouses; and
- b) Set out the construction and detailing of all external bin collection point screening (with a preference for grit stone gabion fencing) and door detailing.
- The development shall be implemented in accordance with the approved Waste Management Plan.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, and to assist in achieving sustainable development, in accordance with Policies 5 and 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP24 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Permanent Waste Management Plan – Heneghan Architecture

Condition 25 states:

25) Where any of the residential units hereby approved are to become occupied prior to the completion of the development, details of temporary arrangements for the storage and collection of waste from those residential units, and details of temporary arrangements for the management of waste collection points, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of those residential units. The temporary arrangements, as approved, shall be implemented prior to first occupation of those residential units, and shall be retained until construction works are complete.

Reason: To ensure satisfactory arrangements are implemented in relation to waste during the construction phase, in the interests of visual and residential amenity and highway safety, and to assist in achieving sustainable development, in accordance with Policies 5 and 11 of the Holme Valley Neighbourhood Plan and Policies LP21 and LP24 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Temporary Waste Management Plan – Heneghan Architecture

Condition 26 states:

26) Development shall not commence until a survey of the existing condition of the highway on the following roads: Co-op Lane, Ford Gate, Spring Lane / Dam Head, Dobb Top and Water Street 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 dwellinghouse is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on the aforementioned streets attributable to the types of vehicles serving the development during the construction period shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before no more than 50% of the dwellinghouses on the site are occupied.

Reason: In the interests of highway safety, and to accord with Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.

Condition 27 states:

27) Prior to the commencement of superstructure works, a scheme of works to re-surface the private roads forming the accesses into the site (Water Street / Dam Head / Pond Track to units 1 and 2) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide the following:

- a) A condition survey and justification statement including photographic imagery setting out which areas of the access roads require re-surfacing; and*
- b) A remediation statement for the areas requiring resurfacing to include the materials and methods for repairing the carriageway.*

The re-surfacing shall be implemented in accordance with the approved scheme prior to the occupation of no more than 14 dwellinghouses on the site and thereafter maintained to that standard for the lifetime of the development.

Reason: *Given the sub-standard nature of the accesses, the potential for the access surfaces to further degrade through re-intensification of the use, and the resultant impacts on highway safety through increased stopping distances, and to accord with Policy LP21 of the Kirklees Local Plan.*

Submission to discharge these conditions:

- 1) Condition Survey and Remediation Statement – Paragon Highways

Condition 28 states:

28) Notwithstanding the details shown on the approved drawing 3372 (0-) 623 rev I, a scheme detailing arrangements and specification for the parking layby on Dam Head including surfacing and drainage of the parking bays shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works of units 1, 2, 17, 18 and 19. The parking layby shall be completed in accordance with the details shown on the approved plans prior to the occupation of units 1, 2, 3, 4, 17, 18 and 19 and shall be retained exclusively for the use of residents of Spring Lane thereafter.

Reason: *In the interests of highway safety, and to accord with Policy 11 of the Holme Valley Neighbourhood Plan and Policy LP21 of the Kirklees Local Plan.*

Submission to discharge this condition:

- 1) Dam Head Parking Layby – Paragon Highways

Condition 30 states:

30) Development (including demolition, ground works, vegetation clearance) shall not commence until a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include:

- a) Details of minimisation of vegetation removal, including how the removal of trees, woodland and scrub shall be minimised as far as practicable by minimising working areas;*
- b) A Schedule 9 Invasive Weed Management Plan to prevent the illegal spread of Variegated Yellow Archangel within and beyond the site;*
- c) A risk assessment of potentially damaging construction activities that refers to the most up-to-date site specific survey information and specifically to nesting birds, badgers and invasive plant species;*
- d) Identification of “biodiversity protection zones”, where appropriate;*

- e) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- f) The location and timing of sensitive works to avoid harm to biodiversity features;
- g) The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate;
- h) Details of responsible persons and lines of communication; and i) Details of the use of protective fences, exclusion barriers and warning signs, where appropriate.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect biodiversity during construction by avoiding direct impacts to protected species and preventing the spread of non-native plants, and to accord with Policy LP30 of the Kirklees Local Plan.

Submission to discharge this condition:

- 1) Construction Environmental Management Plan – Quants Environmental

Condition 31 states:

31) Development shall not commence until a Landscape Ecological Design Strategy (LEDS) is submitted to and agreed in writing by the Local Planning Authority. The LEDS shall:

- a) Detail how 8.64 habitat units (as per the Biodiversity Metric dated 31/10/2022) are to be achieved post-development;
- b) Set out on-site provision for roosting bats and nesting bird as detailed in the Ecological Impact Assessment (Quants, 1504c rev 2, 24/08/2022); and
- c) Hard and soft landscaping design.

The proposed works of the LEDS shall also include the following details:

- d) Purpose and conservation objectives for the proposed works;
- e) Review of site potential and constraints;
- f) Detailed design(s) and/or working method(s) to achieve stated objectives;
- g) Extent and location / area of proposed works on appropriate scale maps and plans;
- h) Type and source of materials to be used where appropriate, e.g. stone setts and/or native species of local provenance;
- i) Specifications of tree pits or root barriers for trees within drainage easements;
- j) A timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- k) Persons responsible for implementing the works;
- l) Details of initial aftercare and long-term maintenance;
- m) Details for monitoring and (where the results from monitoring show that conservation aims and objectives of the LEDS are not being met) how contingencies and/or remedial action shall be identified, agreed and implemented so that the development still delivers a measurable biodiversity net gain;
- n) Details for disposal of any wastes arising from works; and
- o) A Landscape Management Plan to include details of initial aftercare and long-term maintenance for minimum of five years. This shall also include any existing trees and vegetation retained on site, plus management of the mill pond.

The LEDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In order to ensure the development provides adequate visual amenity, ecological enhancement and creation measures sufficient to provide no net loss to biodiversity in accordance with

Policies LP24, LP30, LP32, LP33, LP47 and LP63 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Submission to discharge this condition:

- 1) Landscape and Ecological Design Strategy Layout – Barnes Walker
- 2) Landscape Maintenance Schedule – Barnes Walker
- 3) Landscape Management Plan – Barnes Walker
- 4) LEDS – Quants Environmental
- 5) Proposed Hard Landscape Strategy – Barnes Walker
- 6) Proposed Landscape Layout – Barnes Walker
- 7) Proposed Nesting Boxes – Barnes Walker
- 8) Proposed Soft Landscape Strategy – Barnes Walker
- 9) Tree Pit Details – Barnes Walker
- 10) Timetable – Heneghan Architecture

We hope that this information is sufficient to discharge the above pre-commencement conditions. However, please contact us if you have any questions or matters to discuss.

Yours faithfully,

Nick Willock MRTPI MRICS

Robert Halstead Chartered Surveyors & Town Planners