

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:	2025/44/93383/W
Site Address:	Hinchliffe Mill, Water Street, Holmbridge, Holmfirth, HD9 2NX
Description:	Discharge of details reserved by conditions 4 (design and appearance), 5 (archaeological investigation), 6 (boundary treatments), 9 (flood proofing), 10 (drainage scheme), 11 (flood routeing), 12 (temporary drainage scheme), 13 (lighting design strategy - biodiversity), 14 (Phase II Intrusive Site Investigation Report), 18 (electric vehicle charging), 19 (Construction Environmental Management Plan), 20 (highway retaining walls), 21 (surface water attenuation in highway), 22 (materials for retaining walls), 23 (Tree Protection Plan), 24 (Waste Management Plan), 25 (temporary waste arrangements), 26 (highway condition survey), 27 (re-surfacing scheme), 28 (parking layby scheme), 30 (CEMP: Biodiversity) and 31 (Landscape Ecological Design Strategy) of previous permission 2021/90800 for redevelopment and change of use of former mill site to form 19 residential units.
Recommending Officer:	Victor Grayson

DECISION – Discharge of Condition – 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.

Nick Hirst

AUTHORISED OFFICER

Date: 09-Apr-2026

Officer Report

Discharge of details reserved by conditions 4 (design and appearance), 5 (archaeological investigation), 6 (boundary treatments), 9 (flood proofing), 10 (drainage scheme), 11 (flood routeing), 12 (temporary drainage scheme), 13 (lighting design strategy - biodiversity), 14 (Phase II Intrusive Site Investigation Report), 18 (electric vehicle charging), 19 (Construction Environmental Management Plan), 20 (highway retaining walls), 21 (surface water attenuation in highway), 22 (materials for retaining walls), 23 (Tree Protection Plan), 24 (Waste Management Plan), 25 (temporary waste arrangements), 26 (highway condition survey), 27 (re-surfacing scheme), 28 (parking layby scheme), 30 (CEMP: Biodiversity) and 31 (Landscape Ecological Design Strategy) of previous permission 2021/90800 for redevelopment and change of use of former mill site to form 19 residential units

Planning history

2021/90800 – Full planning permission granted 20/08/2025 (subject to Section 106 agreement) for redevelopment and change of use of former mill site to form 19 residential units.

2026/90162 – Section 73 application under consideration.

2026/90676 – Discharge of Condition application (condition 34 – bat licence). Approval issued 16/03/2026.

Consultation

The comments of KC Conservation and Design, KC Ecology, KC Environmental Health, KC Highways Development Management, KC Highway Structures, KC Trees, KC Waste Strategy, the Lead Local Flood Authority and the West Yorkshire Archaeology Advisory Service are referred to in the assessments below, where relevant.

Holme Valley Parish Council – No Comment. Defer to Kirklees officers.

Deemed Discharge Notice

The application was received and validated on 08/12/2025, and was due to be determined by 02/02/2026.

On 27/03/2026 the applicant submitted a Deemed Discharge Notice to the council in relation to conditions 4, 6, 13, 18, 19, 21, 22, 23, 24, 25, 26, 28, 30 and 31, stating that the notice will take effect in relation to those conditions on 10/04/2026.

Condition 4 (design and appearance)

Condition 4 reads as follows:

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.*

This pre-commencement condition is necessary to ensure design details are prepared and approved at an appropriate stage of the development process.

The applicant has stated that a sample panel is to be viewed on site, and has submitted the following documents pursuant to condition 4:

- Materials Schedule (Heneghan Architecture, 2559, issue 02, 01/12/2025)
- Window and Door Details (Heneghan Architecture, 2559-0403, rev P01, 01/12/2025)
- 7-page untitled, unreferenced document detailing windows and doors
- Report to accompany an Application to discharge Condition 4e) of Planning Application ref 2021/62/90800/W (Mark Hide Associates, 07/11/2025)

The external materials proposed by the applicant include:

- Split face tumbled and “lightly aged” walling stone from M&M Stone (for the new dwellings and retaining walls)

- Ashlar stone (for heads and cills)
- Reclaimed stone (for repairs to the retained mill building)
- Natural blue slate (for all roofs)
- Iron, painted black (for gutters and downpipes to the retained mill building)
- Black PVC (for gutters, downpipes and fascias for the new dwellings)
- Powder coated aluminium, black grey RAL 7021 (for windows and doors to the retained mill building)

The submission also refers to “composite or glazed front doors” (but provides no further detail), and illustrates “dark grey framed velux windows” (with no information regarding materials) and solar panels that would be integrated within roofslopes.

The comments of KC Conservation and Design, provided at surgery on 20/03/2026, are included in the commentary below.

The listed requirements of condition 4 are considered as follows:

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

To date, officers have not asked to inspect a sample panel on-site. It would not be appropriate to construct and inspect a sample using the external materials currently proposed by the applicant at this stage, as there are concerns regarding the proposed use of tumbled and “lightly aged” (which is understood to involve dyeing, which is not considered acceptable) walling stone. Furthermore, details of the source (quarry) of the proposed ashlar stone should be confirmed by the applicant, as should details of the reclaimed stone that would be used on the retained mill building.

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

In addition to the concerns set out above, KC Conservation and Design made the following comments on 20/03/2026 regarding the proposed external materials:

- *Slate – Details of the source (quarry) are required.*
- *Rainwater goods – It would be preferable if the materials used on the new dwellings were consistent with those to be used on the retained mill building. Metal (iron or aluminium) would be preferred instead of PVC.*
- *Powder coated aluminium – Acceptable.*
- *Solar panels – Appear to be flush, and are acceptable.*

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)

The loading doors / windows for the retained mill building as detailed in the Window and Door Details drawing (Heneghan Architecture, 2559-0403, rev P01, 01/12/2025) are considered acceptable, however for the other windows, entrance doors and French doors shown on the same drawing, the approach is not accepted. The designs of those windows and doors should be amended and simplified to be more reflective of the design and history of the retained mill. There should also be more consistency between the four designs included in this drawing.

Clarification is needed regarding the 7-page untitled, unreferenced document detailing windows and doors, and regarding where each of the illustrated windows would be installed.

Annotations to, photographs in, and cross-referencing between both the above-mentioned drawings would assist in explaining the proposals.

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

The proposed Velux rooflights are not conservation-style products, and are not considered acceptable for this site. To accord with the requirements of the condition, conservation-style rooflights are required, and these need to be shown in annotated 1:20 elevations and 1:5 sections, as is required by condition 4. The external materials (and their RAL colour) should also be confirmed.

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 applicant's proposals to retain and expose internal and external heritage features of the retained mill (as set out in the submitted report by Mark Hide Associates, dated 07/11/2025) are generally welcomed, however ambiguous wording (such as the inclusion of "could" on page 9, which raises questions as to whether the illustrated amendments would in fact be implemented) should be removed. The inclusion of historic photographs of the mill building would also assist an assessment of the proposals.

Given the above assessment, and the several outstanding concerns, it is recommended that approval of the details (submitted pursuant to condition 4) be refused.

Condition 5 (archaeological investigation)

Condition 5 reads as follows:

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.*

This pre-commencement condition is necessary to ensure that archaeological remains are recorded before they are disturbed, and potentially removed, by the development.

The applicant has submitted a Written Scheme of Investigation for an Archaeological Watching Brief (OSA, November 2025) pursuant to condition 5.

In comments dated 10/12/2025, the West Yorkshire Archaeology Advisory Service advised:

I can confirm that this document meets our requirements and is formally approved by WYAAS.

The submission and approval of this WSI satisfies the pre-commencement requirement of Condition 5. Consequently, WYAAS has no objection to the commencement of development works, provided they are undertaken in strict accordance with the agreed WSI.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 5, subject to the applicant being reminded of the ongoing requirement of the condition.

Condition 6 (boundary treatments)

Condition 6 reads as follows:

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.*

The applicant has submitted the following documents pursuant to condition 6:

- Boundary Treatments Strategy (drawing M3320-PA-04-V12)
- 1.8m High, Vertical Hit and Miss, Timber Boundary Fence – Plan, Section and Elevation (drawing M3320-PA-F1-V2)
- 1.2m High Estate Railings with Strainer Wire – Typical Elevation (drawing M3320-PA-R1-V1)
- Stone Wall (Level Ground) Section Detail (drawing M3320-PA-W1-V1)
- Garden Boundary Wall stone on edge coping Ground Level Difference up to 1300mm (drawing M3320-PA-W1-V1)
- Materials Photos (images of boundary treatments)

The submitted documents detail the following proposed boundary treatments:

- 1.2m high timber post and rail fence (to north side of mill pond, and along part of site's eastern boundary)
- 1.2m high metal estate railing, painted black (to east end of mill pond)
- Dry stone walls, various heights (to garden curtilages and along vehicular access from Spring Lane)
- 1.8m high vertical timber hit and miss fencing with hedgehog gaps (separating gardens, and along part of site's eastern boundary)
- Hedges (separating gardens, and to garden curtilages).

Details of the proposed hedges are not included in the above-listed documents, but are shown in drawings submitted pursuant to condition 31, and are considered acceptable. Beech hedges are proposed.

The proposed 1.2m high metal estate railing, painted black, is considered acceptable for this site.

In principle, dry stone walls could be considered appropriate for this site, however clarification is needed regarding the proposed stone's source, and regarding the heights of these walls (drawing M3320-PA-04-V12 refers to "various heights" and "refer to engineers details", however on 02/04/2026 the applicant confirmed that there is no "engineers details" drawing, meaning it remains unclear how high the dry stone walls would be).

The proposed timber fencing (both the 1.2m high post and rail fence and the 1.8m high vertical timber hit and miss fencing) and the extent of its proposed use are of significant concern. At a site that, historically, never would have had such boundary treatments, the proposed timber fencing would appear incongruous. Different boundary treatments, more respectful of the history and appearance of the site and the Hinchliffe Mill Conservation Area, should be proposed instead.

In comments dated 11/12/2025, KC Ecology advised that the submitted details are acceptable and in line with the requirements of the condition (in so far as it relates to ecological matters). This comment is understood to refer to the

proposed hedgehog gaps in the 1.8m high vertical timber hit and miss fencing, which are welcomed, notwithstanding the above concerns regarding timber fencing. It is noted that hedgehogs would also be able to move through most of the other proposed boundary treatments.

During the life of the application, in response to an officer request, the applicant submitted images of some of the proposed boundary treatments. These confirmed the acceptability of the proposed metal estate railing, but also reinforced concerns regarding the proposed timber fencing.

Given the above assessment, and the concerns regarding the proposed timber fencing and the lack of clarity regarding the materials and heights of the dry stone walls, it is recommended that approval of the details (submitted pursuant to condition 6) be refused.

Condition 9 (flood proofing)

Condition 9 reads as follows:

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.*

Of note, only requirement d of condition 9 requires the submission and approval of details. Condition 9 (including requirements a, b and c) is otherwise a compliance condition.

The applicant has submitted a Drainage Conditions document (EWE Associates, 2025/3388, rev D, 06/03/2026) pursuant to condition 9d.

In comments dated 12/10/2022, made in relation to application 2021/90800, the Environment Agency recommended the above condition, and it was duly imposed by the council when issuing the planning permission. In those comments, the Environment Agency did not ask to be consulted at conditions stage (the recommended condition had “shall be agreed with the LPA” wording). The Environment Agency were therefore not consulted on this Discharge of Conditions application.

The Lead Local Flood Authority have advised that they would not comment on details submitted pursuant to a condition that they did not recommend.

At page 7 of the submitted Drainage Conditions document, under a “Flood Resilience Measures” heading, the author states “Consideration should be given to flood proofing non habitable ground floor level to units 5, 6, 7, 8 and 9 to reduce the residual damages if a critical event was to occur”. On the following page the author sets out a list of recommended flood proofing measures “which can be incorporated within the design of buildings”.

The details submitted pursuant to condition 9d are brief, they only refer to units 5, 6, 7, 8 and 9 (whereas condition 9d also refers to units 3 and 4), and the ambiguous wording (“Consideration should be given”, “recommendations” and “can be incorporated”) means it is unclear whether any flood resilience measures are to be implemented.

Given the above assessment, it is recommended that approval of the details (submitted pursuant to condition 9d) be refused.

Condition 10 (drainage scheme)

Condition 10 reads as follows:

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.*

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging

flooding occurring that could harm the existing and approved dwellinghouses.

In response to earlier concerns raised by the Lead Local Flood Authority (in comments dated 09/01/2026 and 24/02/2026, and regarding several matters relevant to drainage and flood risk), the applicant submitted amended and additional information pursuant to condition 10, with the latest submission made on 07/03/2026. The applicant's submission now comprises:

- Surface Water and Foul Water Drainage Details drawing (EWE/3388/02 rev B)
- Surface Water and Foul Water Layout drawing (EWE/3388/01 rev D)
- Impermeable Area Plan (EWE/3388/04 rev O)
- Drainage Conditions (EWE Associates, 2025/3388, rev D, 06/03/2026)

In further comments dated 08/04/2026, the Lead Local Flood Authority stated:

The revised report (2025-3388, Drainage Conditions, Rev D) has been updated, however it is unclear where the flow control devices for each of the areas (Areas 1, 2 and 3) are located as the MH reference numbers given in the Notes are not indicated on the drawing. The drainage drawing (EWE/3388/01 Rev D, dated 11/02/26) indicates headwall HW1 draining to the existing Mill Pond and headwall HW4 draining to the river but there is no other apparent headwall location to account for the 3rd discharge point.

The developer should clearly indicate on drawing EWE/3388/01 the location of each of the flow control devices together with its associated discharge rate, design head, outlet diameter, and Invert Level to allow the LLFA to cross-check the inputs in the Hydraulic Calculations in Appendix C, D and E.

The total lengths of the 900mm dia pipes should be indicated on the drawing to allow the LLFA to cross-check the inputs in the Hydraulic Calculations in Appendix C, D and E.

Page 6 of the report gives a total impermeable area of 0.540ha, however the sum of the areas within the Hydraulic Calculations is 0.462ha with no explanation for the difference. The extent of each of the areas is to be clearly marked on the drawing with the associated area in hectares to allow the LLFA to cross-check the inputs from the Hydraulic Calculations in Appendix C, D and E.

Appendix C on Page 4 of the Hydraulic Calculations indicates a flow control device diameter of 58mm. Note that no outlet diameter should be less than 75mm in accordance with Building Regs Part H to reduce the risk of blockage.

The heading of the second column in Table 2-1 refers to "Size of Infiltration Device" – this is incorrect as no infiltration is proposed.

A further submission of the documents addressing the points made above is required and therefore Condition 10 cannot be discharged.

Given the above assessment, and the several outstanding concerns, it is recommended that approval of the details (submitted pursuant to condition 10) be refused.

Condition 11 (flood routing)

Condition 11 reads as follows:

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.*

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring that could harm the existing and approved dwellinghouses.

In response to earlier concerns raised by the Lead Local Flood Authority (in comments dated 09/01/2026 and 24/02/2026, and regarding levels), the applicant submitted additional information pursuant to condition 11, with the latest submission made on 07/03/2026. The applicant's submission now comprises a Flood Routing Plan (drawing EWE/3388/05 rev B), although it is noted that conditions 10 and 11 are inter-related to a degree, and that the documents submitted pursuant to condition 10 (and listed earlier in this report) are also relevant to an assessment relating to condition 11.

In further comments dated 08/04/2026, the Lead Local Flood Authority noted that the revised drawing (EWE/3388/05 rev B) has been updated to show flooding leaving the site at a level of 166.40m. This is considered acceptable, and the Lead Local Flood Authority advised that condition 11 can therefore be discharged.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 11, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 12 (temporary drainage scheme)

Condition 12 reads as follows:

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.*

This pre-commencement condition is necessary to ensure appropriate measures are designed and agreed prior to any potentially damaging flooding occurring during the construction period.

In response to earlier concerns raised by the Lead Local Flood Authority (in comments dated 09/01/2026, and regarding the lack of bunding and silt fencing to prevent any run-off from construction areas directly entering the River Holme), the applicant submitted a Surface Water and Foul Construction Drainage Plan (EWE/3388/03 rev B) pursuant to condition 12.

In further comments dated 24/02/2026, the Lead Local Flood Authority confirmed that the submitted details were acceptable.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 12, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 13 (lighting design strategy - biodiversity)

Condition 13 reads as follows:

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.*

The applicant has submitted the following documents pursuant to condition 13:

- Luminaire Schedule (Ecological Lighting Solutions, P25168, 04/12/2025)
- Layout drawings:
 - Lower Ground Floor (drawing P25168-01-01, iteration I0, rev 0)
 - Ground Floor 01 (drawing P25168-00-01, iteration I0, rev 0)
 - Ground Floor 02 (drawing P25168-00-02, iteration I0, rev 0)
 - First Floor (drawing P25168-01-01, iteration I0, rev 0)
- Site Isolines drawings:
 - 01 (drawing P25168-00-01-ISO, iteration I0, rev 0)
 - 02 (drawing P25168-00-02-ISO, iteration I0, rev 0)
 - 03 (drawing P25168-00-03-ISO, iteration I0, rev 0)
 - 04 (drawing P25168-00-04-ISO, iteration I0, rev 0)
 - 05 (drawing P25168-00-05-ISO, iteration I0, rev 0)
 - 06 (drawing P25168-00-06-ISO, iteration I0, rev 0)
 - 07 (drawing P25168-00-07-ISO, iteration I0, rev 0)
 - 08 (drawing P25168-00-08-ISO, iteration I0, rev 0)

The submitted documents identify an area that is sensitive for bats (namely, the river corridor, mill pond and vegetated area to the south, which have been annotated “dark zone requirement” on some drawings), detail the luminaires to be used (and their locations), detail the proposed bat box locations, and illustrate the proposed levels of illuminance.

The applicant has demonstrated that the proposed lighting would not prevent bats using their territory or having access to their breeding sites and resting places.

In comments dated 11/12/2025, KC Ecology advised that the submitted documents were acceptable, and were in line with the requirements of the condition.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 13, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 14 (Phase II Intrusive Site Investigation Report)

Condition 14 reads as follows:

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.*

This pre-commencement condition is necessary to ensure potential site contamination is investigated and addressed at an appropriate stage of the development process.

In response to earlier concerns raised by KC Environmental Health (dated 08/01/2026, regarding incomplete gas monitoring data), the applicant submitted further information pursuant to condition 14. The applicant's submission now comprises:

- Phase 2 Geoenvironmental Report (RGS, C5334/25/E/8207, 28/11/2025)
- Gas monitoring letter (RGS, C5334/25/E/GM, 30/01/2026)
- Phase 3 Remediation Strategy Report (RGS, C5334/25/E/8828, 05/02/2026)

In further comments dated 19/02/2026, KC Environmental Health stated:

...the consultant has presented additional gas monitoring data, concluding the site is fully characterised as Characteristic Situation Level 1, in terms of gas and therefore no gas related remediation is necessary. The intrusive phase 2 report informs underlying natural strata is considered to be uncontaminated and suitable for the intended end use but that due to exceedances of Lead, arsenic and PAH'S, within made ground, remediation is necessary to protect workers on site and end users. No asbestos was encountered.

KC Environmental Health also offered advice regarding the submitted Remediation Strategy Report, which is of relevance to condition 15.

In conclusion, KC Environmental Health stated that they would have no objection to the discharge of condition 14.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 14. As condition 14 has no ongoing requirements, this

approval would fully discharge the condition. However, it is also recommended that a note be included in the council's decision letter, reminding the applicant that condition 15 is now activated, and that the submission and approval of a remediation strategy is required pursuant to that condition.

Condition 18 (electric vehicle charging)

Condition 18 reads as follows:

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.*

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.

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).*

In response to earlier concerns raised by the case officer (on 11/02/2026, regarding the number of electric vehicle charging points being insufficient, and again on 13/03/2026 after the applicant had argued against providing a charging point for the visitor parking spaces), the applicant submitted an amended EV Charging Point and Bin Store Layout (drawing 2559-0402 rev P04) pursuant to condition 18.

The submitted drawing now shows one charging point for each of the 19 dwellings, and one charging point for the visitor parking spaces to the south of the retained mill building. In terms of numbers, this provision is considered adequate.

The same drawing confirms "Charging points to be Apex-7.3 Fast AC Single Outlet 7.3kW Tethered & Untethered Chargers", which meets the supply requirements specified in the wording of condition 18.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 18, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 19 (Construction Environmental Management Plan)

Condition 19 reads as follows:

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.*

This pre-commencement condition is necessary to ensure construction management details are prepared and approved at an appropriate stage of the development process.

The applicant has submitted the following documents pursuant to condition 19:

- Construction Environmental Management Plan (Heneghan Architecture, 2559, issue 01, 15/10/2025)
- Construction Logistics Plan (drawing 2559-0401 rev P01)
- Hinchliffe Mill – Development Timeline
- Site Waste Management Plan (Holroyd Homes, version 1, 24/11/2025)

The listed requirements of condition 19 are considered as follows:

Timetable of all works

This requirement is appropriately addressed by the submitted Hinchliffe Mill – Development Timeline document, which sets out a construction phase running from March 2026 to June 2028, and details of the proposed works and their timings.

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

The submitted Construction Environmental Management Plan (CEMP) confirms that construction traffic would access the site via Co-op Lane and Water Street, and that some vehicles would leave via Old Road. This is accepted, given there are no other realistic means of accessing the site without passing existing neighbouring residential properties.

The layby to be created on Spring Lane would be used by waiting HGVs, when necessary.

The CEMP also lists construction vehicles and their sizes. These are considered to be typical of a development of this scale and nature.

Details of the parking of vehicles of site operatives and visitors

The submitted Construction Logistics Plan (CLP) shows two contractor parking areas at the north end of the site. The parking space these would provide is considered adequate, given the scale and nature of the development.

Details and location(s) of signage

Signage is briefly mentioned in the CEMP, however details of its content/wording, and its location(s) have not been provided (other than for the wheel wash point). Given the scale and nature of the development, this is likely to comprise standard warning and directional signage, illustrations of which need not be submitted.

Details of loading and unloading of plant and materials

The CEMP confirms that all loading and unloading is to take place within the courtyard of the mill, away from Water Street. This is also annotated in the CLP.

Details of storage of plant and materials used in constructing the development

Appropriate storage areas are shown in the CLP. The CEMP adds that “Materials will be stored on hard surfaces within the compound and positioned outside of tree root protection areas” and “Fuel and chemicals will be contained in bunded stores with spill response equipment available on site at all times”. These arrangements are considered acceptable.

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

The CEMP details appropriate measures, as follows:

Measures will be put in place to prevent the deposit of mud, dirt and debris on the public highway. A wheel wash facility will be located at the site exit, supported by road sweeping as required.

A wheel wash point is annotated in the CLP.

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

The CEMP details appropriate measures, stating “Dust suppression will be achieved through damping down during dry conditions and the sheeting of vehicles carrying loose material”.

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

The submitted Site Waste Management Plan sets out appropriate site waste management measures, including in relation to segregation, re-use and recycling of materials, and avoiding contamination.

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)

Regarding this requirement, the submitted CEMP states:

Construction working hours will be limited to 07:30–18:30 Monday to Friday and 08:00–13:00 on Saturdays. No noisy operations will take place on Sundays or Bank Holidays. Plant and machinery will be fitted with noise-reducing equipment and operated efficiently. Temporary acoustic barriers will be erected where sensitive boundaries require additional protection. Activities with the potential to generate vibration will be managed carefully to avoid disturbance to nearby properties.

The proposed working hours accord with those normally recommended by KC Environmental Health (and which were detailed in an informative included in

the decision letter for application 2021/90800). The other measures proposed by the applicant, including the use of temporary acoustic barriers, are considered acceptable.

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

Regarding this requirement, the submitted CEMP states:

All construction lighting will be designed to prevent unnecessary light spill. Task lighting will be directional and shielded, while security lighting will be motion-activated and kept to the minimum necessary for safe site operation. Lighting design will also respect ecological considerations, particularly in relation to bat corridors and foraging areas.

These arrangements are considered acceptable.

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

The submitted CEMP confirms that a site manager and a resident liaison officer will be appointed. Contact details are not provided in the CEMP, however the document states that those details will be clearly displayed at the site entrance. Regarding remits and responsibilities, the CEMP confirms that the resident liaison officer will be the point of contact for neighbours.

Details of a complaint handling system

The submitted CEMP states that a formal complaints procedure will be in place to ensure that any concerns raised by residents are addressed promptly and effectively. Although more details of this procedure would have been welcomed, the applicant's information (including in relation to the resident liaison officer) is considered sufficient.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 19, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 20 (highway retaining walls)

Condition 20 reads as follows:

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.*

This pre-commencement condition is necessary to ensure that load-bearing highway structures are designed and agreed to a satisfactory standard prior to their use by vehicular traffic.

The applicant's covering letter of 08/12/2025 states "The applicant is not submitting any details concerning condition 20 as they are not carrying out any works in this regard".

In comments dated 10/12/2025, KC Highways Structures initially advised:

This condition can not be discharged pending the submission of an external works plan showing the location of the proposed retaining walls in proximity of the proposed adoptable highway to determine whether their design will be liable to a formal technical approval.

In response, on 22/12/2025 the applicant stated:

...whilst we have applied to discharge condition 20, this is merely to 'cover off' this particular condition in the event of queries in future (from purchaser's solicitors etc) because as explained in the covering letter, there are no relevant works in relation to this condition. The attached Hard Landscaping plan (which indicates in orange/salmon all the on site roads), all these area are to remain private, unadopted and maintained by the management company. We can also confirm there are no retaining structures proposed near any adopted highways.

In further comments dated 18/02/2026, KC Highways Structures stated:

...the design of any new retaining walls adjacent to the proposed private roads will also be outside the remit of my consideration, however, I will require an external works plan confirming that there are no proposed retaining walls adjacent to the existing PRow (HOL/95/10) before confirming that Condition 20 (highway retaining walls) can also be discharged. Please remind the applicant that I will need the advised drawing for reference to discharge this condition and not a confirmation via an e-mail.

The drawing requested by KC Highways Structures has not yet been submitted. Without such a drawing, officers cannot confirm formally whether any applicable retaining walls are proposed.

Given the above assessment, it is recommended that approval of the details (submitted pursuant to condition 20) be refused.

Condition 21 (surface water attenuation in highway)

Condition 21 reads as follows:

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.*

This pre-commencement condition is necessary to ensure that load-bearing highway structures are designed and agreed to a satisfactory standard prior to their use by vehicular traffic.

The applicant initially submitted a Surface Water and Foul Water Drainage Details drawing (EWE/3388/02 rev 0) and a Surface Water and Foul Water Layout drawing (EWE/3388/01 rev 0) pursuant to condition 21.

In comments dated 10/12/2025, KC Highways Structures initially advised:

This condition can not be discharged as the proposed drainage comprises of installing 3 no 900mm dia pipes positioned side by side in the proposed highway, which is in breach of our surface water attenuation policy where only 1no (max dia 900mm) pipe is permitted whilst manhole sizes located in the highway must not exceed 1800mm dia except for operational reasons, as required by YW (e.g. manholes with flow control devices).

In response, on 22/12/2025 the applicant stated:

With regard to condition 21, again because the roads are to remain private and unadopted, we would have thought that concerns relating to attenuation tanks under the highway are not relevant in this instance. Moreover, it's doubtful there is anywhere else to put them anyway.

In further comments dated 18/02/2026, KC Highways Structures stated:

Further to the response received (enclosed) from the applicant, if the proposed development is to remain private then although it would be desirable that all proposed structures adjacent or within the footprint of the new private roads are constructed to adoptable standards, we have no statutory powers to enforce this and as such condition 21 (surface water attenuation in highway) can now be discharged.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 21, albeit with reference to the latest versions of the two drawings (the Surface Water and Foul Water Drainage Details drawing (EWE/3388/02 rev B) and the Surface Water and Foul Water Layout drawing (EWE/3388/01 rev D), which have been updated in relation to other conditions), and subject to the applicant being reminded that such an approval requires the road to remain private and being reminded of the ongoing requirements of the condition.

Condition 22 (materials for retaining walls)

Condition 22 reads as follows:

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.*

The applicant has submitted a Materials Schedule (Heneghan Architecture, 2559, issue 02, 01/12/2025) pursuant to condition 22. This confirms that split face tumbled and “lightly aged” walling stone from M&M Stone would be used for the development’s new retaining walls.

As noted above in relation to condition 4, there are concerns regarding the proposed use of tumbled and “lightly aged” (which is understood to involve dyeing, which is not considered acceptable) walling stone.

Given the above assessment, it is recommended that approval of the details (submitted pursuant to condition 22) be refused.

Condition 23 (Tree Protection Plan)

Condition 23 reads as follows:

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.

This pre-commencement condition is necessary to ensure tree protection measures are devised and approved at an appropriate stage of the development process.

The applicant has submitted an Arboricultural Method Statement (Woodsage, WC-466.1 rev a, 24/11/2025) pursuant to condition 23. This includes a Tree Protection Plan at Appendix 3.

In comments dated 10/12/2025, KC Trees stated:

The Submitted Arboricultural Method Statement sufficiently details all measures that will be taken to protect retained trees during construction. The Tree Protection Plan within the AMS is clear and shows where fencing, ground protection and hand dig techniques will be implemented to ensure minimal impact on said trees. KC Trees believes condition 23 has been adequately met and there for can be discharged.

In comments dated 11/12/2025, KC Ecology advised that – from an ecological perspective – the submitted document was acceptable and in line with the requirements of the condition.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 23, subject to the applicant being reminded of the ongoing requirement of the condition.

Condition 24 (Waste Management Plan)

Condition 24 reads as follows:

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.*

The applicant has submitted a Permanent Waste Management Plan (Heneghan Architecture, 2559, issue 1, 15/10/2025) pursuant to condition 24. Section 8 of

this document states “An annotated Waste Storage and Collection Plan accompanies this report”, however no drawing with that title has been submitted. Nevertheless, it is considered that the EV Charging Point and Bin Store Layout (drawing 2559-0402 rev P04) is of relevance to condition 24, as it shows bin store and bin collection point locations. That drawing also confirms that bin stores would be partly enclosed by gritstone-filled steel mesh structures.

The numbers, sizes and locations of the bin stores and bin collection points are considered acceptable. The proposed gritstone-filled steel mesh structures meet the preference (expressed in the wording of condition 24) for “grit stone gabion fencing”. No doors (for the bin collection points) are shown on drawing 2559-0402 rev P04, and the Permanent Waste Management Plan only refers to doors to stores.

In comments dated 23/12/2025, KC Waste Strategy confirmed that the Waste Collection Authority can agree to the discharge of condition 24.

Given the above assessment, although much of the information submitted pursuant to condition 24 is considered acceptable, the missing information regarding the doors of the bin collection points prevents an approval being issued at this stage. It is therefore recommended that approval of the details (submitted pursuant to condition 24) be refused.

Clarification is also required regarding the Waste Storage and Collection Plan referred to at section 8 of the Permanent Waste Management Plan.

Condition 25 (temporary waste arrangements)

Condition 25 reads as follows:

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.*

The applicant has submitted a Temporary Waste Management Plan (Heneghan Architecture, 2559, issue 01, 15/10/2025) pursuant to condition 25. This details appropriate temporary measures (including responsibilities of a site manager)

that would be implemented until the permanent bin storage areas and collection arrangements (to be approved separately under condition 24) are complete and available for use.

In comments dated 23/12/2025, KC Waste Strategy confirmed that the Waste Collection Authority can agree to the discharge of condition 25.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 25, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 26 (highway condition survey)

Condition 26 reads as follows:

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.*

This pre-commencement condition is necessary to ensure measures are implemented to avoid increased risks to highway safety.

The applicant has submitted a Condition Survey and Remediation Statement (Paragon Highways, 2501, rev 3, December 2025) pursuant to condition 26. This provides an appropriately detailed and illustrated survey of the highway at Co-op Lane, Spring Lane / Dam Head and Water Street. Figure 33 (location AD) details enough of Ford Gate at its junction, and a sufficient part of Dobb Lane (rather than the “Dobb Top” referred to in the condition wording) has also been surveyed.

In comments dated 12/02/2026, KC Highways Development Management confirmed that the submitted details were acceptable and enabled condition 26 to be discharged.

Given the above assessment, it is recommended that an approval be issued pursuant to the initial requirements of condition 26. It is also recommended that the applicant be reminded that condition 26 sets out the following further requirements:

- 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. For the avoidance of doubt, this will require the submission of a further Discharge of Condition application pursuant to condition 26.
- All of the identified works shall be implemented before no more than 50% of the dwellinghouses on the site are occupied.

Condition 27 (re-surfacing scheme)

Condition 27 reads as follows:

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.*

The applicant has submitted a Condition Survey and Remediation Statement (Paragon Highways, 2501, rev 3, December 2025) pursuant to condition 27. Drawings at Appendix B of this document detail proposals for the resurfacing of Water Street and Dam Head. Details of materials and methods are included in these drawings.

In comments dated 12/02/2026, KC Highways Development Management stated:

The applicant has submitted a condition survey and remediation statement (ref 2501- Rev 3) dated December 2025. It should be noted that the extent of the resurfacing on Dam Hill has been cut short of the junction with Dobb Lane due to third party ownership outside of the RLB of the site

and adopted highway. The information contain within is acceptable to enable condition 27 to be discharged accordingly.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 27, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 28 (parking layby scheme)

Condition 28 reads as follows:

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.*

The applicant has submitted a Dam Head Parking Layby drawing (PRGN-2501-HGN-DR-CH-0001) pursuant to condition 28. This includes a plan and section of the proposed layby, and details of its construction and materials.

In comments dated 12/02/2026, KC Highways Development Management stated:

Given the proximity of the proposal being not in the vicinity of the adopted highway, no AIP for the retaining wall is required and therefore acceptable for condition 28 to be discharged accordingly.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 28, subject to the applicant being reminded of the ongoing requirements of the condition.

Condition 30 (CEMP: Biodiversity)

Condition 30 reads as follows:

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.*

This pre-commencement condition is necessary to ensure details relating to the required biodiversity protection measures are devised and agreed at an appropriate stage of the development process.

The applicant has submitted a Construction Environmental Management Plan (CEMP: Biodiversity) (Quants Environmental, 1507e, rev 1, 20/11/2025) pursuant to condition 30.

The listed requirements of condition 30 are considered as follows:

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

Paragraph 5.7.1.1 of the submitted document states “Prior to the start of ground works, a [suitably qualified ecologist] will undertake a site visit with the Site Manager to confirm the location of the Biodiversity Protection Zones and the extent of all habitats to be retained”. Figure 2 illustrates the on-site habitats that are to be retained. Works will not be permitted within the retained and protected areas. It is considered that there would be sufficient working space elsewhere within the site such that pressure to use the retained and protected areas would be limited.

A Schedule 9 Invasive Weed Management Plan to prevent the illegal spread of Variegated Yellow Archangel within and beyond the site

Table 1 of the submitted document states that Variegated Yellow Archangel (*Lamiastrum galeobdolon argentatum*) will be removed. Paragraph 4.3.1.1 states “Prior to the start of ground works, a [suitably qualified ecologist] will undertake a site visit with the Site Manager to confirm the location of Variegated Yellow Archangel” and adds “An exclusion zone will be demarcated around Variegated Yellow Archangel until this species has been removed”. Appropriate details of how this species would be removed are set out in paragraphs 5.4.1.1 and 5.4.1.2. The table at Section 6 states “All parts of this species to be removed using hand tools and buried in a suitable location”. These removal and management proposals are considered acceptable.

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

The table at section 3 of the submitted document lists activities, the risks they would introduce, and appropriate actions to minimise those risks.

Identification of “biodiversity protection zones”, where appropriate

Biodiversity protection zones are discussed at paragraphs 4.6.1.1, 5.7.1.1 and elsewhere in the submitted document. Figure 2 illustrates where these zones would be designated. Paragraphs 5.8.1.2 and 5.8.1.3 confirm that no work will be permitted within these areas unless supervised by the ecological clerk of works, and that signs will be attached to the fencing stating “Biodiversity Protection Zone: No Unauthorised Entry”. These measures are considered appropriate.

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)

Proposed measures (intended to reduce impact during construction) are set out throughout the submitted document. Section 5 is of particular relevance, and details measures including in relation to bats, invasive species, biodiversity protection zones and fencing. The proposed measures are considered appropriate for this site and for the proposed development.

The location and timing of sensitive works to avoid harm to biodiversity features

Section 6 of the submitted document specifically addresses this requirement of condition 30, with a table detailing appropriate information relating to nesting birds, bats, biodiversity protection zones, Variegated Yellow Archangel, other invasive species, bats, hedgehogs and badgers.

The times during construction when specialist ecologists need to be present on site to oversee works, where appropriate

The submitted document makes appropriate references to a suitably qualified ecologist and an ecological clerk of works throughout. Paragraph 7.4.1.1 lists the specific times and activities for which a suitably qualified ecologist (or their representative) must be present.

Details of responsible persons and lines of communication

Section 7 is relevant. This provides a contact address for the developer, and defines the role of a suitably qualified ecologist. Regarding lines of communication, little relevant detail is provided, however paragraph 7.3.1.2 states that “The SQE reserves the right to stop works and involve the appropriate authorities if necessary”.

Details of the use of protective fences, exclusion barriers and warning signs, where appropriate

This requirement is addressed at paragraphs 5.8.1.1 to 5.8.1.3, where appropriate fencing and signage is described. Paragraphs 4.6.1.1 and 5.7.1.1 state that exclusion zones will be demarcated where appropriate (this is also stated in the table at section 6).

In comments dated 11/12/2025, KC Ecology advised that the submitted document was deemed acceptable and in line with the requirements of the condition.

Given the above assessment, it is recommended that an approval be issued pursuant to condition 30, subject to the applicant being reminded of the ongoing requirement of the condition.

Condition 31 (Landscape Ecological Design Strategy)

Condition 31 reads as follows:

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.*

This pre-commencement condition is necessary to ensure details relating to the required no net loss to biodiversity are devised and agreed at an appropriate stage of the development process.

The applicant has submitted the following documents pursuant to condition 31:

- Landscape and Ecological Design Strategy (drawing M3320-PA-05-V2)
- Landscape Layout (drawing M3320-PA-01-V15)
- Hardscape Strategy (drawing M3320-PA-03-V13)
- Soft Landscape Strategy (drawing M3320-PA-02-V13)
- Tree Pit Detail (drawing M3320-PA-TP1-V1)
- Untitled, unreferenced drawing detailing bat boxes, bird boxes, sparrow terraces and Swift bricks
- Landscape Maintenance Schedules (Barnes Walker, M3320-PA-V1-Maintenance Schedules, 2025)
- Landscape Management Plan (Barnes Walker, M3320-PA-V1-Management Plan, 2025)
- Landscape Ecological Design Strategy (LEDS) (Quants Environmental, 1507f, rev 1, November 2025)
- Hinchliffe Mill – Development Timeline

The listed requirements of condition 31 are considered as follows:

Detail how 8.64 habitat units (as per the Biodiversity Metric dated 31/10/2022) are to be achieved post-development

At section 3 of the submitted Landscape Ecological Design Strategy, the applicant confirms that the site's existing pond and mixed scrub would be retained and enhanced, and would deliver 7.66 habitat units. In addition, new habitats would deliver a further 0.98 habitat units. These provisions total 8.64 units, in accordance with the Biodiversity Metric dated 31/10/2022 and considered under the original application (2021/90800). Figures in the final pages of the Landscape Ecological Design Strategy illustrate where these habitats are to be provided.

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)

An untitled, unreferenced drawing provides appropriate details of bat boxes, bird boxes, sparrow terraces and Swift bricks, as does the Landscape and Ecological Design Strategy (drawing M3320-PA-05-V2). Section 4 of the submitted Landscape Ecological Design Strategy describes these measures. The numbers and locations of the boxes, terraces and bricks are considered appropriate.

Hard and soft landscaping design

The submitted Hardscape Strategy (drawing M3320-PA-03-V13) is relevant to this requirement. It details the following hard surfacing materials:

- Tarmac (for the development's roads)
- Plasmor Sorrento block paving, "Sarsen Stone" colour (for driveways, paths and service margins)
- Marshalls Indian sandstone paving, "Multi Brown" colour (within private gardens)
- Moonstone loose gravel (for an area south of the mill pond)
- Locally-sourced sandstone aggregate with timber edging (for the public footpath along the eastern edge of the site)
- Marshalls conservation kerb, "charcoal" colour (for edging the vehicular access from Spring Lane)
- Plasmor Plaspave cobblestones, "Granite Stone" colour (for edging the northern vehicular access and car turning area)

Although the use of locally-quarried natural stone paving materials throughout the site would be preferable (given the site's context, and its location within the Hinchliffe Mill Conservation Area), artificial products can be considered acceptable here, if of a high quality and if they suitably respond to the materials of the retained mill building, the new dwellings, and the existing buildings surrounding the site. To inform an assessment of the suitability of the proposed paving materials, photographs of these alongside all the other external materials (including walling and roofing materials, and of boundary treatments) would need to be submitted. Subject to these being submitted, changes may need to be made to the proposed paving (for example, to the proposed Indian

sandstone paving, which – due to its colour – does not always sit comfortably within the Pennine valleys of Kirklees where locally-quarried natural stone predominates), although the need for amendments would be determined once the full complement of information has been provided.

The submitted Soft Landscape Strategy (drawing M3320-PA-02-V13) is also relevant to this requirement. This illustrates planting throughout the site, most of which is considered acceptable (several native species are proposed, as are species attractive to pollinators). Supplementary planting is detailed in the submitted Landscape and Ecological Design Strategy, and this includes a night-scented flowering plant (Honeysuckle) which attract insects which, in turn, bats feed on. However, a potentially invasive species (*Euphorbia amygdaloides robbiae*) is proposed, and this will need to be deleted from the proposals.

Purpose and conservation objectives for the proposed works

This requirement is satisfactorily addressed at section 3 of the submitted Landscape and Ecological Design Strategy.

Review of site potential and constraints

This requirement is satisfactorily addressed at section 2 of the submitted Landscape and Ecological Design Strategy.

Detailed design(s) and/or working method(s) to achieve stated objectives

Detailed designs of the proposed landscaping are set out in the various drawings and documents listed above. The submitted Landscape and Ecological Design Strategy provides acceptable details of working methods.

Extent and location / area of proposed works on appropriate scale maps and plans

This requirement is addressed via the details set out in the various drawings and documents listed above.

Type and source of materials to be used where appropriate, e.g. stone setts and/or native species of local provenance

This matter is assessed above in relation to the proposed hard and soft landscaping.

Specifications of tree pits or root barriers for trees within drainage easements

The submitted Tree Pit Detail (drawing M3320-PA-TP1-V1) addresses this requirement.

A timetable for implementation demonstrating that works are aligned with the proposed phasing of development

The timetable for implementation at section 7 of the submitted Landscape and Ecological Design Strategy, and the submitted document titled “Hinchliffe Mill – Development Timeline”, provide sufficient and acceptable detail in relation to this requirement.

Persons responsible for implementing the works

Paragraph 6.3.1.1 of the submitted Landscape and Ecological Design Strategy states that “Holroyd Homes (The Studio, Rear Of 14 Park Drive, Huddersfield, HD1 4EB) will be responsible for implementing the works detailed in this LEDS”. While more specific information would have been preferable, this – together with the details of responsibilities set out in the Construction Environmental Management Plan (CEMP: Biodiversity) submitted pursuant to condition 30 – is considered adequate.

Details of initial aftercare and long-term maintenance

Section 7 of the submitted Landscape and Ecological Design Strategy is relevant to this requirement, however more detail is set out in the Landscape Maintenance Schedules (Barnes Walker, M3320-PA-V1-Maintenance Schedules, 2025) and the Landscape Management Plan (Barnes Walker, M3320-PA-V1-Management Plan, 2025). The proposed initial aftercare and long-term maintenance arrangements are considered acceptable.

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

Paragraphs 6.1.1.3 and 6.2.1.1 of the submitted Landscape and Ecological Design Strategy state:

After each of the monitoring stages (Years 3, 5, 10, 20 and 30) and before the end of the relevant calendar year, an Ecological Monitoring Report will be submitted to the Local Planning Authority. Each Ecological Monitoring Report will include a review of all habitats against the Target Conditions and will identify any Remedial Measures required in order to meet the Target Conditions listed in this LEDS.

Where the results from the monitoring show that the Target Conditions are not being met or not likely to be met by 30 years, Remedial Measures will be detailed in the Ecological Monitoring Report and the remedial action will be implemented so that the development meets the Target Conditions and delivers the required Habitat Units and Hedgerow Units.

These arrangements are considered acceptable (although the reference to hedgerow units is understood to be an error, as condition 31 does not refer to these), and would help ensure the development would still deliver the biodiversity net gain.

Details for disposal of any wastes arising from works

Paragraphs 6.4.1.1 and 6.4.1.2 of the submitted Landscape and Ecological Design Strategy set out appropriate arrangements for the disposal of waste, including the re-use of logs / brash on-site.

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 submitted Landscape Management Plan (Barnes Walker, M3320-PA-V1-Management Plan, 2025) is largely acceptable, however it makes no mention of management of the site's mill pond.

In comments dated 11/12/2025, KC Ecology advised that the submitted document was deemed acceptable and in line with the requirements of the condition.

Given the above assessment, although much of the information submitted pursuant to condition 31 is considered acceptable, there are concerns regarding missing information relating to the proposed hard surfacing materials, the proposal to introduce a potentially invasive species to the site, and the lack of management arrangements for the site's mill pond. These prevent an approval being issued at this stage, and it is recommended that approval of the details (submitted pursuant to condition 31) be refused.

Recommendation

Split decision:

- Approve details pursuant to conditions 5 (archaeological investigation), 11 (flood routing), 12 (temporary drainage scheme), 13 (lighting design strategy - biodiversity), 14 (Phase II Intrusive Site Investigation Report), 18 (electric vehicle charging), 19 (Construction Environmental Management Plan), 21 (surface water attenuation in highway), 23 (Tree Protection Plan), 25 (temporary waste arrangements), 26 (highway condition survey), 27 (re-surfacing scheme), 28 (parking layby scheme) and 30 (CEMP: Biodiversity), subject to advice regarding the further requirements of the conditions.
- Issue refusals pursuant to conditions 4 (design and appearance), 6 (boundary treatments), 9 (flood proofing), 10 (drainage scheme), 20 (highway retaining walls), 22 (materials for retaining walls), 24 (Waste Management Plan) and 31 (Landscape Ecological Design Strategy).

Report Dated: 09/04/2026

Recommended Decision Notice Text

Overview

This letter sets out the following position:

Details approved pursuant to the following conditions (subject to advice regarding the further requirements of the conditions, where appropriate):

- 5 (archaeological investigation)
- 11 (flood routeing)
- 12 (temporary drainage scheme)
- 13 (lighting design strategy - biodiversity)
- 14 (Phase II Intrusive Site Investigation Report)
- 18 (electric vehicle charging)
- 19 (Construction Environmental Management Plan)
- 21 (surface water attenuation in highway)
- 23 (Tree Protection Plan)
- 25 (temporary waste arrangements)
- 26 (highway condition survey)
- 27 (re-surfacing scheme)
- 28 (parking layby scheme)
- 30 (CEMP: Biodiversity)

Refuse approval of the details submitted pursuant to the following conditions:

- 4 (design and appearance)
- 6 (boundary treatments)
- 9 (flood proofing)
- 10 (drainage scheme)
- 20 (highway retaining walls)
- 22 (materials for retaining walls)
- 24 (Waste Management Plan)
- 31 (Landscape Ecological Design Strategy).

Please see the following commentary regarding each condition for further details. For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant the refused conditions.

Condition 4 (design and appearance)

You have submitted the following documents pursuant to condition 4:

- Materials Schedule (Heneghan Architecture, 2559, issue 02, 01/12/2025)
- Window and Door Details (Heneghan Architecture, 2559-0403, rev P01, 01/12/2025)
- 7-page untitled, unreferenced document detailing windows and doors
- Report to accompany an Application to discharge Condition 4e) of Planning Application ref 2021/62/90800/W (Mark Hide Associates, 07/11/2025)

Due to the proposed use of tumbled and “lightly aged” walling stone, lack of information regarding other materials, unacceptable fenestration proposals, and ambiguous wording in the submission, the submitted details are not considered acceptable. An approval pursuant to condition 4 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 4.

Condition 5 (archaeological investigation)

You have submitted a Written Scheme of Investigation for an Archaeological Watching Brief (OSA, November 2025) pursuant to condition 5. Details therein are considered acceptable for the purpose of condition 5, and are hereby approved. Please be reminded of the further requirements of condition 5, as follows:

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.

Condition 6 (boundary treatments)

You have submitted the following documents pursuant to condition 6:

- Boundary Treatments Strategy (drawing M3320-PA-04-V12)
- 1.8m High, Vertical Hit and Miss, Timber Boundary Fence – Plan, Section and Elevation (drawing M3320-PA-F1-V2)
- 1.2m High Estate Railings with Strainer Wire – Typical Elevation (drawing M3320-PA-R1-V1)
- Stone Wall (Level Ground) Section Detail (drawing M3320-PA-W1-V1)
- Garden Boundary Wall stone on edge coping Ground Level Difference up to 1300mm (drawing M3320-PA-W1-V1)
- Materials Photos (images of boundary treatments)

Due to concerns regarding the proposed timber fencing and the lack of clarity regarding the materials and heights of the dry stone walls, the submitted details are not considered acceptable. An approval pursuant to condition 6 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 6.

Condition 9 (flood proofing)

Only requirement d of condition 9 requires the submission and approval of details. Condition 9 (including requirements a, b and c) is otherwise a compliance condition. The following therefore relates to 9d only.

You have submitted a Drainage Conditions document (EWE Associates, 2025/3388, rev D, 06/03/2026) pursuant to condition 9d. The details therein (where relevant to condition 9d) are brief, they only refer to units 5, 6, 7, 8 and 9 (whereas condition 9d also refers to units 3 and 4), and ambiguous wording makes it unclear whether any flood resilience measures are to be implemented. The submitted details are not considered acceptable, and an approval pursuant to condition 9d is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 9d.

Condition 10 (drainage scheme)

You have submitted the following documents pursuant to condition 10:

- Surface Water and Foul Water Drainage Details drawing (EWE/3388/02 rev B)
- Surface Water and Foul Water Layout drawing (EWE/3388/01 rev D)
- Impermeable Area Plan (EWE/3388/04 rev O)
- Drainage Conditions (EWE Associates, 2025/3388, rev D, 06/03/2026)

Several outstanding concerns are set out in the detailed comments of the Lead Local Flood Authority dated 08/04/2026. The submitted details are not considered acceptable, and an approval pursuant to condition 10 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 10.

Condition 11 (flood routing)

You have submitted a Flood Routing Plan (drawing EWE/3388/05 rev B) pursuant to condition 11. Details therein are considered acceptable for the purpose of condition 11, and are hereby approved. Please be reminded of the further requirements of condition 11, as follows:

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.

Condition 12 (temporary drainage scheme)

You have submitted a Surface Water and Foul Construction Drainage Plan (EWE/3388/03 rev B) pursuant to condition 12. Details therein are considered

acceptable for the purpose of condition 12, and are hereby approved. Please be reminded of the further requirements of condition 12, as follows:

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.

Condition 13 (lighting design strategy - biodiversity)

You have submitted the following documents pursuant to condition 13:

- Luminaire Schedule (Ecological Lighting Solutions, P25168, 04/12/2025)
- Layout drawings:
 - Lower Ground Floor (drawing P25168-01-01, iteration I0, rev 0)
 - Ground Floor 01 (drawing P25168-00-01, iteration I0, rev 0)
 - Ground Floor 02 (drawing P25168-00-02, iteration I0, rev 0)
 - First Floor (drawing P25168-01-01, iteration I0, rev 0)
- Site Isolines drawings:
 - 01 (drawing P25168-00-01-ISO, iteration I0, rev 0)
 - 02 (drawing P25168-00-02-ISO, iteration I0, rev 0)
 - 03 (drawing P25168-00-03-ISO, iteration I0, rev 0)
 - 04 (drawing P25168-00-04-ISO, iteration I0, rev 0)
 - 05 (drawing P25168-00-05-ISO, iteration I0, rev 0)
 - 06 (drawing P25168-00-06-ISO, iteration I0, rev 0)
 - 07 (drawing P25168-00-07-ISO, iteration I0, rev 0)
 - 08 (drawing P25168-00-08-ISO, iteration I0, rev 0)

Details set out in the above-listed documents are considered acceptable for the purpose of condition 13, and are hereby approved. Please be reminded of the further requirements of condition 13, as follows:

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.

Condition 14 (Phase II Intrusive Site Investigation Report)

You have submitted the following documents pursuant to condition 14:

- Phase 2 Geoenvironmental Report (RGS, C5334/25/E/8207, 28/11/2025)
- Gas monitoring letter (RGS, C5334/25/E/GM, 30/01/2026)

- Phase 3 Remediation Strategy Report (RGS, C5334/25/E/8828, 05/02/2026)

Details set out in the above-listed documents are considered acceptable for the purpose of condition 14, and are hereby approved. Condition 14 has no ongoing requirements, and is therefore discharged in full. However, you are reminded of the associated requirements of condition 15 which are hereby activated. For reference and convenience, condition 15 is repeated below:

15) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 14, no further groundworks / material operations in the affected areas of the site shall commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

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.*

It should be noted that the document 'Phase 3 Remediation Strategy Report (RGS, C5334/25/E/8828, 05/02/2026)' has been accepted for the purposes of condition 14 only. It should not be inferred to be acceptable pursuant to condition 15 as it has not been assessed in that context (as discharge of condition 15 has not been sought).

Condition 18 (electric vehicle charging)

You have submitted an EV Charging Point and Bin Store Layout (drawing 2559-0402 rev P04) pursuant to condition 18. Details therein are considered acceptable for the purpose of condition 18, and are hereby approved. Please be reminded of the further requirements of condition 18, as follows:

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 (Construction Environmental Management Plan)

You have submitted the following documents pursuant to condition 19:

- Construction Environmental Management Plan (Heneghan Architecture, 2559, issue 01, 15/10/2025)
- Construction Logistics Plan (drawing 2559-0401 rev P01)
- Hinchliffe Mill – Development Timeline
- Site Waste Management Plan (Holroyd Homes, version 1, 24/11/2025)

Details set out in the above-listed documents are considered acceptable for the purpose of condition 19, and are hereby approved. Please be reminded of the further requirements of condition 19, as follows:

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.

Condition 20 (highway retaining walls)

You have submitted no details pursuant to condition 20, as explained in your covering letter of 08/12/2025. However, the drawing requested by KC Highways Structures on 18/02/2026, to substantiate your claims, has not yet been submitted. An approval pursuant to condition 20 is hereby refused.

Condition 21 (surface water attenuation in highway)

You have submitted a Surface Water and Foul Water Drainage Details drawing (EWE/3388/02 rev B) and a Surface Water and Foul Water Layout drawing (EWE/3388/01 rev D) pursuant to condition 21. Details therein are considered acceptable for the purpose of condition 21, on the understanding that the road is to remain under private ownership / management (e.g., not adopted by the Local Highway Authority), and the details are hereby approved. Please be reminded of the further requirements of condition 21, as follows:

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.

Condition 22 (materials for retaining walls)

You have submitted a Materials Schedule (Heneghan Architecture, 2559, issue 02, 01/12/2025) pursuant to condition 22. As noted above in relation to condition 4, there are concerns regarding the proposed use of tumbled and “lightly aged” walling stone. The submitted details are not considered acceptable, and an approval pursuant to condition 22 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 22.

Condition 23 (Tree Protection Plan)

You have submitted an Arboricultural Method Statement (Woodsage, WC-466.1 rev a, 24/11/2025) pursuant to condition 23. This includes a Tree Protection Plan at Appendix 3. Details therein are considered acceptable for the purpose of condition 23, and are hereby approved. Please be reminded of the further requirement of condition 23, as follows:

The development shall be carried out in complete accordance with the approved TPP.

Condition 24 (Waste Management Plan)

You have submitted a Permanent Waste Management Plan (Heneghan Architecture, 2559, issue 1, 15/10/2025) pursuant to condition 24. Although much of the information therein is considered acceptable, the missing information regarding the doors of the bin collection points prevents an approval being issued at this stage. Clarification is also required regarding the Waste Storage and Collection Plan referred to at section 8 of the Permanent Waste Management Plan. The submitted details are not considered acceptable, and an approval pursuant to condition 24 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 24.

Condition 25 (temporary waste arrangements)

You have submitted a Temporary Waste Management Plan (Heneghan Architecture, 2559, issue 01, 15/10/2025) pursuant to condition 25. Details therein are considered acceptable for the purpose of condition 25, and are hereby approved. Please be reminded of the further requirements of condition 25, as follows:

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.

Condition 26 (highway condition survey)

You have submitted a Condition Survey and Remediation Statement (Paragon Highways, 2501, rev 3, December 2025) pursuant to condition 26. Details therein are considered acceptable for the initial purpose of condition 26, and are hereby approved. Please be reminded of the further requirements of condition 26, as follows:

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.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details (namely, the above-mentioned post-completion highway condition survey and reinstatement scheme) pursuant to condition 26.

Condition 27 (re-surfacing scheme)

You have submitted a Condition Survey and Remediation Statement (Paragon Highways, 2501, rev 3, December 2025) pursuant to condition 27. Details therein are considered acceptable for the purpose of condition 27, and are hereby approved. Please be reminded of the further requirements of condition 27, as follows:

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.

Condition 28 (parking layby scheme)

You have submitted a Dam Head Parking Layby drawing (PRGN-2501-HGN-DR-CH-0001) pursuant to condition 28. Details therein are considered acceptable for the purpose of condition 28, and are hereby approved. Please be reminded of the further requirements of condition 28, as follows:

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.

Condition 30 (CEMP: Biodiversity)

You have submitted a Construction Environmental Management Plan (CEMP: Biodiversity) (Quants Environmental, 1507e, rev 1, 20/11/2025) pursuant to condition 30. Details therein are considered acceptable for the purpose of condition 30, and are hereby approved. Please be reminded of the further requirements of condition 30, as follows:

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.

Condition 31 (Landscape Ecological Design Strategy)

You have submitted the following documents pursuant to condition 31:

- Landscape and Ecological Design Strategy (drawing M3320-PA-05-V2)
- Landscape Layout (drawing M3320-PA-01-V15)
- Hardscape Strategy (drawing M3320-PA-03-V13)
- Soft Landscape Strategy (drawing M3320-PA-02-V13)
- Tree Pit Detail (drawing M3320-PA-TP1-V1)
- Untitled, unreferenced drawing detailing bat boxes, bird boxes, sparrow terraces and Swift bricks
- Landscape Maintenance Schedules (Barnes Walker, M3320-PA-V1-Maintenance Schedules, 2025)

- Landscape Management Plan (Barnes Walker, M3320-PA-V1-Management Plan, 2025)
- Landscape Ecological Design Strategy (LEDS) (Quants Environmental, 1507f, rev 1, November 2025)
- Hinchliffe Mill – Development Timeline

Although much of the information set out in the above-listed documents is considered acceptable, there are concerns regarding missing information relating to the proposed hard surfacing materials, the proposal to introduce a potentially invasive species to the site, and the lack of management arrangements for the site's mill pond. These prevent an approval being issued at this stage. The submitted details are not considered acceptable, and an approval pursuant to condition 31 is hereby refused.

For the avoidance of doubt, a new Discharge of Conditions application will need to be submitted to enable further consideration of details pursuant to condition 31.