

# 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

<b>Reference No:</b>	2026/44/90205/E
<b>Site Address:</b>	Birkenshaw Liberal Club, 10, Croft Street, Birkenshaw, BD11 2HT
<b>Description:</b>	Discharge of details reserved by conditions 16 (LMMP), 17 (cycle storage), 18 (pedestrian link), 20 (surface water strategy), 28 (retaining walls), 29 (highway drainage structure), 30 (temporary drainage) on previous permission 2024/91853 for erection of 21 dwellings with garages, formation of adoptable road, private road and parking spaces and new car park and beer garden for the Liberal Club
<b>Recommending Officer:</b>	Katie Chew

#### **DECISION – Discharge of Condition – Approve**

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

Nick Hirst

***AUTHORISED OFFICER***

**Date: 27-May-2026**

## Officer Report

**Application:** 2026/90205

**Application Site:** Birkenshaw Liberal Club, 10, Croft Street, Birkenshaw, BD11 2HT

**Proposal:** Discharge of details reserved by conditions 16 (LMMP), 17 (cycle storage), 18 (pedestrian link), 20 (surface water strategy), 28 (retaining walls), 29 (highway drainage structure), 30 (temporary drainage) on previous permission 2024/91853 for erection of 21 dwellings with garages, formation of adoptable road, private road and parking spaces and new car park and beer garden for the Liberal Club.

## Assessment

### Condition 16 (LMMP)

*16. Prior to works commencing on the superstructure, a landscape management and maintenance plan (LMMP) for the external areas including any open space accessible to the public, playing fields etc shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include:*

- The landscape plan including all hard and soft details together with planting plan & specification, location and specification of any play equipment or play elements and playable/educational spaces or sports facilities/pitches including any surfacing (including where appropriate safety surfacing and anti-wear surfacing), structures such as street furniture seats, litter bins, bollards, picnic tables and means of enclosure.*
- An implementation, management and maintenance programme including full details for management of newly established trees including, but not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees.*
- Details of initial aftercare and long-term maintenance for a minimum of 5 years and seasonal maintenance operations. This should also include any SuDS features, existing trees and vegetation retained on site, slopes and bankings, woodlands.*
- Details of monitoring and remedial measures, including replacement of any site furniture, trees, shrubs, hedgerows or planting that fails or becomes diseased within the first five years from completion.*

- *The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this 5-year period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.*

*The works shall thereafter be carried out in accordance with the management and maintenance plan.*

**Reason:** *To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP25, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.*

The applicant has submitted the following pursuant to Condition 16:

- Landscape Management & Maintenance Plan, Ref: LMP 01, Rev 01, authored by Studio 413, dated January 2026, received 22/01/2026.
- Landscape Proposals, Drawing No. 1001, Rev G, received 22/01/2026.
- Landscape Schedule, Drawing No. 1002, Rev G, received 22/01/2026.

This condition has been reviewed by KC Landscape Officers who have provided the following response in their consultation dated 17/02/2026:

*Just a quick note on the LMMP submitted for Croft Street. I've gone through Condition 16 and whilst most of it covers the requirements of this condition, unfortunately there are just a couple of minor areas where the document falls short, specifically in relation to the hedgerows (mainly as the LMMP doesn't fully cover hedgerow requirements). For example, although the planting schedule sets out how hedges are planted (double staggered rows, mulch, watering), the LMMP does not provide any hedgerow-specific maintenance, and does not include a commitment to replace failed hedge plants for the first 5 years.*

*While the planting plan shows both native and single-species hedgerows, there's nothing in the management plan itself that actually sets out how they'll be looked after.*

*I can't see reference to*

- *hedgerow-specific maintenance specification (e.g. weeding, watering, formative pruning, trimming regime, checks on guards/protection etc.).*
- *mention of hedgerows in the maintenance schedules – they've got trees, scrub and grass covered, but the hedges are completely absent.*

- *replacement strategy for failed hedge plants within the 5-year establishment period.*
- *long-term management objectives (e.g. maintaining structure, height, density).*
- *acknowledgement that hedgerows form part of the site's boundary structure or public realm, so there's nothing tying them into the "means of enclosure" aspect of the condition.*

*So, as it stands, the LMMP doesn't quite meet Condition 16 (for hedgerows). We'll need them to provide a proper hedgerow maintenance section plus add the relevant tasks into the annual maintenance schedules.*

Following receipt of the above comments, the applicant's landscape consultant confirmed via email on the 18/02/2026 that:

*...hedgerow maintenance hasn't been included in the LMMP, as all hedgerows are within private curtilage. The LMMP covers the landscape elements that are within the common areas, and therefore the responsibility of a Management Company to maintain.*

*This is also why the maintenance of amenity grass and ornamental shrub planting isn't covered, as this will also be the responsibility of the individual occupiers.*

KC Landscape have assessed the above response and note in their comments on the 18/02/2026:

*If you are happy with this, and I suppose as long as the hedgerows are not part of the BNG (as they will have their 30yr requirements) then happy to accept this response on file and discharge.*

Officers can confirm that the private curtilage hedgerows do not form part of the Biodiversity Net Gain Metric submitted under original permission 2024/91853. Taking the above assessment into account, Officers concur with the above conclusions made by KC Landscape and recommend that the details submitted are approved. However, Condition 16 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The works shall thereafter be carried out in accordance with the management and maintenance plan.*

#### Condition 17 (Cycle Storage)

*17. No dwelling shall be occupied until the approved cycle parking facilities for that dwelling, as shown on hereby approved drawing no.*

*RHCS-MWA-XX-XX-DR-A-003 Rev P20, have been provided. The cycle storage facilities shall thereafter be retained.*

**Reason:** *To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.*

The applicant has submitted the following pursuant to Condition 17:

- Insurance Approved Bike Storage, received 22/01/2026.

Condition 17 is a prescriptive condition that cannot be discharged. It simply requires adherence to the condition's requirement(s), evidence of which (i.e., that all cycle stores have been provided in accordance with the stated plan) has not been provided. Therefore, there is no assessment to be made.

Notwithstanding the above, whilst no details are required to be submitted to the Council in respect of cycle storage facilities, Officers have considered the submitted details and deem them to be of a scale, size and design suitable for the storage of bicycles. While an 'approval' of these details cannot be issued, for the benefit of the applicant officer's support of the submitted details may be noted. This must, however, be alongside a clear note of the condition's nature.

#### Condition 18 (Pedestrian Link)

*18. Prior to development commencing on the superstructure of any dwelling hereby approved, a scheme detailing the proposed pedestrian connection(s) between Allen Croft and Croft Street, as shown on plan ref: RHCS-MWA-XX-XX-DR-A-003 Rev P20, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of gradients, any steps, surface treatments (and subsurface build up), any handrails, boundary treatments and safety measures. No more than five dwellings of the development hereby approved shall be first occupied until the connection has been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.*

**Reason:** *This pre-commencement condition is required in the interests of creating a walkable and well-connected neighbourhood, encouraging and enabling active travel and the use of sustainable modes of transport, and to achieve a satisfactory layout in accordance with Policies LP20, LP21 and LP47 of the Kirklees Local Plan.*

The applicant has submitted the following pursuant to Condition 18:

- Levels Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0025, Rev P06, received 22/01/2026.
- No Dig Footpath Construction Detail, Drawing No. 48785-ECE-XX-XX-DR-C-0029, Rev P02, received 22/01/2026.

This condition has been reviewed by KC PROW who have provided the following response in their consultation dated 17/02/2026:

*PROW has liaised with the applicant with regard to condition 18 (pedestrian link) and agreed suitable gradients, surfacing, width, and handrail to an agreed specification.*

*Condition 18 can be discharged.*

*As a note. The annotated width to the 'Typical Section Through No Dig Footpath' on '[Plan General Jid 1122876](#)' states: "2000 (Varies to suit layout)". The width must not be less than 2 metres.*

Officers concur with the above assessment made by KC PROW and recommend that the details submitted are approved, subject to a note regarding the width, as stated below. However, Condition 18 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*No more than five dwellings of the development hereby approved shall be first occupied until the connection has been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.*

#### Condition 20 (Surface Water Strategy)

*20. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including the agreed discharge rate of 3.5 l/s, indirectly or directly to watercourse, attenuation for the critical 1 in 100 + climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.*

**Reason:** *To reduce the risk of flooding to the proposed development and existing and future occupants, in accordance with Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This pre-commencement condition is necessary to ensure drainage measures are devised and agreed at an appropriate stage of the development process.*

The applicant has submitted the following pursuant to Condition 20:

- Carlow Concrete Site Requirements – Part A, Ref: QR-91\_Effective Date: 24.1.23\_Rev 3, received 22/01/2026.
- Carlow Concrete Method Statement – Part B, received 22/01/2026.
- Carlow Concrete Site Installation Risk Assessments – Part C, Ref: QR-93\_Effective Date: 24.1.23\_Rev 2, received 22/01/2026.
- Drainage Calculations, Ref: 48785-ECE-XX-XX-CA-C P02, authored by Causeway, received 22/01/2026.
- Drainage Management & Maintenance Plan, Ref: 48785-ECE-XX-XX-RP-C-0010, dated 18/07/2025, received 22/01/2026.
- Longitudinal Sections Sheet 1, Drawing No. 48785-ECE-XX-XX-DR-C-0006, Rev P05, received 22/01/2026.
- S104 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0010, Rev P07, received 10/04/2026.
- Section through Adoptable Tank and Highway, Drawing No. 48785-ECE-XX-XX-DR-C-0032, Rev P03, received 22/01/2026.
- 1.4 Deep Attenuation Tank Base Layout, Drawing No, STS4287-001, Rev B, received 22/01/2026.

This condition has been reviewed by both Yorkshire Water and KC LLFA who have provided the following responses:

KC LLFA consultation response dated 12/02/2026:

*The LLFA confirms that sufficient information has been submitted and therefore Condition 20 can be discharged.*

Yorkshire Water consultation response dated 17/02/2026:

***Yorkshire Water has no objection to the discharge of condition 20.***

*Yorkshire Water has no objection in principle to:*

- 1) *The proposed separate systems of drainage on site with combined off-site*
- 1) *The proposed amount of curtilage surface water to be discharged to the public combined sewer at a restricted rate of 3.5 (three point five) litres/second*
- 2) *The proposed point of discharge of foul and surface water to the public 225mm diameter combined sewer south of site*

*submitted on drawing 4875-ECE-XX-XX-DR-C-0010 (revision P05) dated 19/11/2025 that has been prepared by Eastwood Consulting Engineers.*

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

Officers concur with the above assessment made by KC LLFA and Yorkshire Water and recommend that the details submitted are approved. However, Condition 20 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.*

#### Condition 28 (Retaining Walls)

*28. Before the development commences, a scheme detailing location(s) and including cross-sectional information together with the proposed design and construction details of all new retaining walls/building retaining walls adjacent to the existing/proposed adoptable highway shall be submitted to and approved by the Local Planning Authority in writing. Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

**Reason:** *To ensure that any retaining structures do not compromise the stability of the highway in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that details of highway retaining structures are agreed at an appropriate stage of the development process.*

The applicant has submitted the following pursuant to Condition 28 (following amendments):

- Plot 18 Retaining Wall Details, Drawing No. 48785-ECE-XX-XX-DR-C-0105, Rev P05, received 21/05/2026.
- Approval in Principle for Design of Plot 18 Private Retaining Wall Croft Street, Birkenshaw, Rev P04, dated and received 12/05/2026.

- Wind Loading on Screen Wall (fixed to top of retaining wall), authored by Eastwood & Partners (Consulting Engineers) Ltd. Job No. 48785, dated December 2025, received 24/04/2026.
- S38 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0020, Rev P11, received 19/05/2026.

This condition has been reviewed by KC Highway Structures who have provided the following response in their consultation dated 09/04/2026:

*This condition cannot be discharged pending the satisfactory conclusion of the technical approval process for the design of proposed retaining walls at this site, which is ongoing.*

Following receipt of the above, the applicant sought to submit several amended drawings and additional information of which KC Highways Structures confirmed via email on the 12/05/2026 that the AIP Rev 04 has now been signed for the design of the proposed private masonry faced gravity retaining wall, adjacent to Plot 18. KC Highways Structures also note that the applicant will need to arrange for the submission of satisfactory structural calculations together with a Design & Check Certificate for this structure in compliance with the approved AIP Rev 04, so as to enable the conditional conclusion of the technical approval process. Alongside, the submission of a “Construction Compliance Certificate” including “As Built” drawings in accordance with CG 300 upon the completion of the works.

This request in relation to submission of further calculations, certificates and drawings relates to KC Highway Structures own processes and cannot be reasonably required as part of the condition as imposed. Therefore, Officers recommend that the details submitted are approved. However, Condition 28 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

A note regarding the need to submit the requested satisfactory structural calculations together with a Design & Check Certificate, and “*Construction Compliance Certificate*” and “*As Built*” drawings directly to KC Highway Structures is also recommended.

#### Condition 29 (Highway Drainage Structure)

*29. Before the development commences a scheme detailing location(s) 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 shall be submitted to and approved*

*by the Local Planning Authority in writing. Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

**Reason:** *This pre-commencement condition is required to ensure that the design/details of new surface water attenuation tanks/pipes/manholes are agreed at an appropriate stage of the development, in the interests of highway safety, in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.*

The applicant has submitted the following pursuant to Condition 29:

- S104 Construction Details Sheet 1, Drawing No. 48785-ECE-XX-XX-DR-C-0011, Rev P04, received 01/04/2026.
- S104 Construction Details Sheet 2, Drawing No. 48785-ECE-XX-XX-DR-C-0012, Rev P03, received 19/05/2026.
- Flow Control Detail, Drawing No. 48785-ECE-XX-XX-DR-C-0013, Rev P08, received 01/04/2026.
- Manhole schedule, Drawing No. 48785-ECE-XX-XX-DR-C-0017, Rev P06, received 01/04/2026.
- S38 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0020, Rev P11, received 19/05/2026.

This condition has been reviewed by KC Highway Structures who, following several discussions with the applicant's agent and the submission of revised/additional information, have provided the following response in their consultation dated 09/04/2026:

*This condition can be partially discharged pending the submission of a satisfactory "Construction Compliance Certificate" and "As Built" drawings upon the completion of the works.*

As above, KC Highway Structures are noted as saying that there is a requirement for the submission of a satisfactory "Construction Compliance Certificate" together with "As Built" drawings to conclude the technical approval for these structures. This request relates to KC Highway Structures own processes and cannot be reasonably required as part of the condition as imposed. Therefore, Officers recommend that the details submitted are approved. However, Condition 29 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

Again, a note regarding the need to submit the "Construction Compliance Certificate" and "As Built" drawings directly to KC Highway Structures is also recommended.

### Condition 30 (Temporary Drainage)

*30. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:*

- Detail phasing of the development and phasing of temporary drainage provision;*
- Include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented; and*
- Include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.*

*The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.*

***Reason:*** *This pre-commencement condition is required to ensure appropriate temporary drainage arrangements are designed and implemented prior to potentially harmful works taking place, in accordance with the aims and objectives of Policies LP27 and LP28 of the Kirklees Local Plan.*

The applicant has submitted the following pursuant to Condition 30:

- Temporary Run-off Management Plan, Ref: 48785-ECE-XX-XX-RP-C-0009, authored by Eastwood Consulting Engineers, dated 16/04/2025, received 22/01/2026.

This condition has been reviewed by KC LLFA Officers who have provided the following response in their consultation dated 12/02/2026:

*The LLFA confirms that the proposals set out in the Temporary Run-off Management Plan are accepted, therefore Condition 30 can be discharged.*

Officers concur with the above assessment made by KC LLFA Officers and recommend that the details submitted are approved. However, Condition 30 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.*

**Recommendation:** Approve details.

**Report Dated:** 27/05/2026.

### **Recommended Decision Notice Text**

#### **Condition 16 (LMMP)**

Pursuant to Condition 16, you have submitted:

- Landscape Management & Maintenance Plan, Ref: LMP 01, Rev 01, authored by Studio 413, dated January 2026, received 22/01/2026.
- Landscape Proposals, Drawing No. 1001, Rev G, received 22/01/2026.
- Landscape Schedule, Drawing No. 1002, Rev G, received 22/01/2026.

The submitted details are deemed to be acceptable for the initial requirements of Condition 16 and are hereby approved. However, Condition 16 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The works shall thereafter be carried out in accordance with the management and maintenance plan.*

#### **Condition 17 (Cycle Storage)**

Pursuant to Condition 17, you have submitted:

- Insurance Approved Bike Storage, received 22/01/2026.

Condition 17 does not require details to be submitted nor can it be formally discharged. The condition reads:

*No dwelling shall be occupied until the approved cycle parking facilities for that dwelling, as shown on hereby approved drawing no. RHCS-MWA-XX-XX-DR-A-003 Rev P20, have been provided. The cycle storage facilities shall thereafter be retained.*

Condition 17 is a prescriptive condition which should be adhered to.

Notwithstanding the above, officers note the details submitted and confirm that the specific details shown raise no concerns and, if implemented in accordance with the cycle parking facilities shown on drawing no. RHCS-MWA-XX-XX-DR-A-003 Rev P20, would likely comply with condition 17's requirement(s).

#### Condition 18 (Pedestrian Link)

Pursuant to Condition 18, you have submitted:

- Levels Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0025, Rev P06, received 22/01/2026.
- No Dig Footpath Construction Detail, Drawing No. 48785-ECE-XX-XX-DR-C-0029, Rev P02, received 22/01/2026.

The annotated width to the 'Typical Section Through No Dig Footpath', contained within the plan titled No Dig Footpath Construction Detail, states "2000[mm] (Varies to suit layout)", in regard to the path's width. The width must not be less than 2 metres.

On the understanding this will be the case, the submitted details are deemed to be acceptable for the initial requirements of Condition 18 and are hereby approved.

However, be aware that Condition 18 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*No more than five dwellings of the development hereby approved shall be first occupied until the connection has been completed in accordance with the approved plans and details or unless otherwise agreed in writing by the Local Planning Authority.*

Should the path width fall below 2000mm, further details would need to be submitted for assessment.

#### Condition 20 (Surface Water Strategy)

Pursuant to Condition 20, you have submitted:

- Carlow Concrete Site Requirements – Part A, Ref: QR-91\_Effective Date: 24.1.23\_Rev 3, received 22/01/2026.

- Carlow Concrete Method Statement – Part B, received 22/01/2026.
- Carlow Concrete Site Installation Risk Assessments – Part C, Ref: QR-93\_Effective Date: 24.1.23\_Rev 2, received 22/01/2026.
- Drainage Calculations, Ref: 48785-ECE-XX-XX-CA-C P02, authored by Causeway, received 22/01/2026.
- Drainage Management & Maintenance Plan, Ref: 48785-ECE-XX-XX-RP-C-0010, dated 18/07/2025, received 22/01/2026.
- Longitudinal Sections Sheet 1, Drawing No. 48785-ECE-XX-XX-DR-C-0006, Rev P05, received 22/01/2026.
- S104 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0010, Rev P07, received 10/04/2026.
- Section through Adoptable Tank and Highway, Drawing No. 48785-ECE-XX-XX-DR-C-0032, Rev P03, received 22/01/2026.
- 1.4 Deep Attenuation Tank Base Layout, Drawing No, STS4287-001, Rev B, received 22/01/2026.

The submitted details are deemed to be acceptable for the initial requirements of Condition 20 and are hereby approved. However, Condition 20 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.*

#### Condition 28 (Retaining Walls)

Pursuant to Condition 28, you have submitted:

- Plot 18 Retaining Wall Details, Drawing No. 48785-ECE-XX-XX-DR-C-0105, Rev P05, received 21/05/2026.
- Approval in Principle for Design of Plot 18 Private Retaining Wall Croft Street, Birkenshaw, Rev P04, dated and received 12/05/2026.
- Wind Loading on Screen Wall (fixed to top of retaining wall), authored by Eastwood & Partners (Consulting Engineers) Ltd. Job No. 48785, dated December 2025, received 24/04/2026.
- S38 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0020, Rev P11, received 19/05/2026.

The submitted details are deemed to be acceptable for the initial requirements of Condition 28 and are hereby approved. However, Condition 28 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

Notwithstanding the above, you are reminded of the separate requirement to provide satisfactory structural calculations together with a Design & Check Certificate, and “Construction Compliance Certificate” and “As Built” drawings directly to KC Highway Structures on completion of the works, at [highways.structures@kirklees.gov.uk](mailto:highways.structures@kirklees.gov.uk)

#### Condition 29 (Highway Drainage Structure)

Pursuant to Condition 29, you have submitted:

- S104 Construction Details Sheet 1, Drawing No. 48785-ECE-XX-XX-DR-C-0011, Rev P04, received 01/04/2026.
- S104 Construction Details Sheet 2, Drawing No. 48785-ECE-XX-XX-DR-C-0012, Rev P03, received 19/05/2026.
- Flow Control Detail, Drawing No. 48785-ECE-XX-XX-DR-C-0013, Rev P08, received 01/04/2026.
- Manhole schedule, Drawing No. 48785-ECE-XX-XX-DR-C-0017, Rev P06, received 01/04/2026.
- S38 Agreement Plan, Drawing No. 48785-ECE-XX-XX-DR-C-0020, Rev P11, received 19/05/2026.

The submitted details are deemed to be acceptable for the initial requirements of Condition 29 and are hereby approved. However, Condition 29 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Thereafter the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*

Notwithstanding the above, you are reminded of the separate requirement to provide “Construction Compliance Certificate” and “As Built” drawings to KC Highway Structures on completion of the works, at [highways.structures@kirklees.gov.uk](mailto:highways.structures@kirklees.gov.uk)

#### Condition 30 (Temporary Drainage)

Pursuant to Condition 30, you have submitted:

- Temporary Run-off Management Plan, Ref: 48785-ECE-XX-XX-RP-C-0009, authored by Eastwood Consulting Engineers, dated 16/04/2025, received 22/01/2026.

The submitted details are deemed to be acceptable for the initial requirements of Condition 30 and are hereby approved. However, Condition 30 does have

the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.*