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:	2026/44/90254/W
Site Address:	land at, Vanguard Processing Equipment, Spa Fields Industrial Estate, Slaithwaite, Huddersfield, HD7 5BB
Description:	Discharge of details reserved by conditions 3 (Phase II Intrusive Site Investigation Report), 7 (EV Charging Point), 8 (retaining structures foundations), 9 (CEMP), 10 (retaining walls and boundary treatments details), 11 (invasive species protocol), 12 (foul, surface water and land drainage scheme), 13 (1 in 100 year storm events), 15 (oil/petrol interceptor), and 17 (bat and bird box) on previous permission 2021/90605 for erection of an industrial building (B1(c) use)
Recommending Officer:	Farzana Tabasum

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: 10-Jul-2026

Application 2026/90254

Site land at, Vanguard Processing Equipment, Spa Fields Industrial Estate, Slaithwaite, Huddersfield, HD7 5BB

Proposal: Discharge of details reserved by conditions 3 (Phase II Intrusive Site Investigation Report), 7 (EV Charging Point), 8 (retaining structures foundations), 9 (CEMP), 10 (retaining walls and boundary treatments details), 11 (invasive species protocol), 12 (foul, surface water and land drainage scheme), 13 (1 in 100 year storm events), 15 (oil/petrol interceptor), and 17 (bat and bird box) on previous permission 2021/90605 for erection of an industrial building (B1(c) use)

Assessment:

Condition 3 - Phase II Intrusive Site Investigation Report

> *3. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Phase II Intrusive Site Investigation Report shall also include an assessment of the adjacent canal to ensure that there is no risk of contamination towards the waterway.*
> ***Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework*

Submitted details

- Phase 2 Geo-Environmental Report, prepared by RGS, ref. C4272/24/E/6581, dated 28 March 2025.
- Supplementary Gas Letter Report, prepared by RGS, ref. C4272/26/E/GM, dated 6 March 2026.

Consultation responses

Environmental Health (Pollution and Noise Control):

Environmental Health initially reviewed the submitted Phase 2 Geo-Environmental Report and advised that, in their consultation dated 18/02/2026, whilst the land contamination investigation was generally acceptable, the submitted gas monitoring data was incomplete. It was considered that sufficient monitoring had not been undertaken to demonstrate worst-case ground gas conditions and, consequently, Environmental Health were unable to recommend discharge of the condition at that stage.

Following the submission of the Supplementary Gas Letter Report, Environmental Health were re-consulted and provided updated comments dated 21/04/2026. The additional gas monitoring information was reviewed and

confirmed that the site had been fully characterised as Characteristic Situation Level 1, concluding that no gas protection or remediation measures were necessary. Environmental Health confirmed that the submitted information was satisfactory and raised no objection to the discharge of condition 3.

Officer assessment

Condition 3 requires the submission and approval of a Phase II Intrusive Site Investigation Report prepared by a suitably competent person prior to the commencement of groundworks. The report is also required to assess any potential contamination risks to the adjacent Huddersfield Narrow Canal, thereby ensuring the site is suitable for its proposed commercial use and that there is no unacceptable risk to human health or the surrounding environment.

The applicant has submitted a Phase 2 Geo-Environmental Report together with a Supplementary Gas Letter Report, both prepared by RGS. The Phase 2 investigation comprised intrusive site investigations, including boreholes, penetration testing, dynamic probing and gas monitoring installations, together with laboratory testing for organic contaminants, inorganic contaminants and asbestos. The investigation concluded that the site was not significantly contaminated for its proposed commercial end use.

Whilst Environmental Health initially identified deficiencies in the ground gas monitoring data, preventing discharge of the condition, these matters were subsequently addressed through the submission of the Supplementary Gas Letter Report. Environmental Health have confirmed that the additional monitoring adequately characterises the site as Characteristic Situation Level 1, with no requirement for gas protection or remediation measures, and have raised no objection to the discharge of the condition.

Having regard to the submitted reports and the specialist advice provided by Environmental Health, it is considered that the submitted information satisfactorily addresses the requirements of condition 3. The Phase II Intrusive Site Investigation Report demonstrates that the site is suitable for the approved development and confirms that no unacceptable contamination risks have been identified.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 3 and as such recommended for discharge.

<u>Condition 7 - EV Charging Point</u>

> *7. Before the electrical system is installed a scheme detailing the dedicated facilities that will 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:*

• One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.
***Reason:** In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.*

Submitted details

- Revised Proposed Site Plan 25C01-FBA-00-00-DR-A-9000-C06- - received 02/07/2026

Officer assessment

Condition 7 requires the submission and approval of a scheme detailing the dedicated facilities to be provided for charging electric vehicles and other ultra-low emission vehicles prior to the installation of the electrical system. The condition requires the provision of a minimum of one standard EVCP providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces Buildings and parking spaces.

Twenty six parking spaces were approved on the original scheme, as such 10% would equate to 2.6, rounding this off would require three EVCP's. The condition also requires that the approved charging facilities are installed and operational before the building and associated parking spaces are first brought into use and that they are retained thereafter.

The revised submitted proposed site plan identifies the location of four dedicated 7kW electric vehicle charging points through the provision of x2 double port chargers, within the parking area to the front of the industrial building.

The proposed charging point exceed the minimum charging capacity specified by the condition, providing a 7kW, compared with the minimum requirement of a continuous 16A (3.5kW) supply. The submitted scheme therefore demonstrates appropriate electric vehicle charging infrastructure, subject to being incorporated into the development in accordance with the requirements of the condition.

The ongoing requirements of the condition remain applicable, requiring the approved charging points to be installed and fully operational before the building and associated parking areas are first brought into use, with the charging facilities thereafter retained for the lifetime of the development.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 7 and as such recommended for approval, subject to a note of the condition's ongoing requirements.

Condition 8 - retaining structures foundations

> *8. No development shall take place until full details of earthworks, the construction of foundations and any new retaining structures on site have first been submitted to and approved in writing by the Local Planning Authority. Details shall include cross sections showing the relationship of such works to the Huddersfield Narrow Canal. The development shall thereafter be carried out in accordance with the approved details.*
> ***Reason:** This is a pre-commencement condition to ensure that details on how to minimise the risk of creating land instability is agreed at an appropriate stage of the development process, in accordance with the advice and guidance contained in paragraphs 180 (part e) and 189 of the National Planning Policy Framework.*

Submitted details

- Unit in Relation to Canal, drawing ref. 25C01-FBA-DR-A-9901 Rev C01.

Consultation responses

Canal & River Trust:

The Canal & River Trust (C&RT) initially advised in their consultation dated 12/02/2026 that whilst the submitted information had been reviewed, additional cross-sections showing the relationship between the proposed retaining wall and the canal edge, ideally including the canal at full depth, were required. C&RT advised that this information was necessary to enable the calculation of the zone of influence and to determine whether the proposed retaining walls could result in loading upon the canal wash walls, potentially affecting local land stability. Accordingly, C&RT advised that condition 8 should not be discharged until the additional information had been submitted and assessed.

Following the submission of additional information, including revised retaining wall details and cross-sections, C&RT confirmed within their consultation dated 04/04/2026 that they were satisfied that the retaining wall detail and foundations relative to the canal would not significantly impact the canal structure. C&RT therefore confirmed that sufficient information had been provided to allow the discharge of condition 8.

Officer assessment

Condition 8 requires the submission and approval of full details of the proposed earthworks, foundations and retaining structures prior to the commencement of development. The condition specifically requires cross-sections demonstrating the relationship between the proposed retaining structures and the adjacent

Huddersfield Narrow Canal to ensure that the development would not adversely affect the stability or structural integrity of the canal infrastructure.

The applicant has submitted a sectional drawing showing the relationship between the proposed building, retaining wall and the Huddersfield Narrow Canal together with the relative levels, separation distance and indicative structural arrangement. The submitted drawing provides the additional cross-sectional information specifically required by the condition, illustrating the relationship between the proposed retaining wall foundations and the adjacent canal.

Whilst C&RT initially requested further information to enable an assessment of the potential loading effects on the canal wash walls, this information was subsequently provided by the applicant. Following review of the additional details, C&RT confirmed that they were satisfied that the proposed retaining wall detail and foundations would not significantly impact upon the canal structure and raised no objection to the discharge of the condition.

Having regard to the submitted drawings and the specialist advice provided by the C&RT, it is considered that sufficient information has been submitted to demonstrate the relationship between the proposed retaining structures and the adjacent canal, and that the proposals would not give rise to unacceptable risks to land stability or the structural integrity of the Huddersfield Narrow Canal.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 8 and as such recommended to be approved, although there is an ongoing requirement which is to be noted on the decision notice.

Condition 9 - CEMP

> *9. Prior to development commencing (including any groundworks) a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The CEMP shall describe in detail the actions that will be taken to safeguard the structural integrity of the waterway. It shall include details of the location of construction equipment and any stockpiling on site, as well as measures to protect the canal infrastructure, the wider canal corridor and its users during construction works. Details of dust suppression and protection measures to avoid any unmanaged runoff to the canal should also be provided. The agreed plans shall be adhered to throughout the construction of the development and no change therefrom shall take place without the prior written consent of the Local Planning Authority.*
> ***Reason:** This is a pre-commencement condition to ensure that details on how to safeguard the structural integrity of the waterway have been agreed at an appropriate stage of the development proposals, to accord with Chapter 15 of the National Planning Policy Framework.*

Submitted details

- Construction Environmental Management Plan (CEMP), ref. KRS.0870.001.R.001.C, dated March 2026.

Consultation responses

Canal & River Trust (C&RT):

The C&RT in their consultation dated 12/02/2026 confirmed appropriate details have been provided and raised no i objection to the discharge of condition 9.

Ecology:

The Ecology Officer reviewed the submitted CEMP in their comments dated 05/02/2026 and advised that, whilst the condition is not specifically biodiversity-related, the document includes appropriate measures relating to the canal, watercourse protection and runoff management. Accordingly, no ecological objection was raised, and the Ecology Officer confirmed that condition 9 is met on an ecological basis.

Officer assessment

Condition 9 requires the submission and approval of a CEMP prior to the commencement of development. The condition specifically requires details of the measures that will be implemented to safeguard the structural integrity of the adjacent Huddersfield Narrow Canal, together with the location of construction equipment and stockpiles, measures to protect the canal infrastructure, the wider canal corridor and its users during construction, and details of dust suppression and measures to prevent unmanaged runoff entering the canal.

The submitted CEMP has been prepared specifically to discharge condition 9 and sets out the environmental management measures that will be implemented throughout the construction phase. The document identifies the Huddersfield Narrow Canal as a sensitive receptor and includes measures to protect the canal from pollution, sedimentation and physical damage. It also establishes stockpile and heavy plant exclusion zones adjacent to the canal, details pollution prevention measures, dust suppression, surface water management procedures, spill response arrangements, refuelling controls and runoff mitigation measures to safeguard the water environment during construction.

The submitted CEMP further includes arrangements for monitoring, staff induction, environmental responsibilities and construction management procedures, together with plans identifying stockpile exclusion zones and heavy machinery exclusion zones adjacent to the canal. These measures collectively address the specific requirements of the condition relating to the protection of the canal infrastructure, the wider canal corridor and its users throughout the construction period.

The submitted details have been reviewed by the C&RT, who, following amendments to the document, confirmed that the CEMP satisfactorily addresses their requirements and raised no objection to the discharge of the condition. The Ecology Officer has also confirmed that the submitted CEMP includes appropriate measures relating to the canal and runoff management and raises no ecological objection.

The ongoing requirements of the condition remain applicable, requiring the approved CEMP Plan to be adhered to throughout the construction of the development. No changes to the approved CEMP shall take place unless otherwise agreed in writing by the Local Planning Authority.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 9 and as such recommended for discharge.

Condition 10 - retaining walls and boundary treatments details

> *10. Prior to works commencing on the retaining structures or installation of any boundary treatments, details in respect of the materials, design and cross-sectional information of the proposed retaining walls and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Works shall then be undertaken in accordance with the approved details and be retained thereafter.*
> ***Reason:** In the interests of visual amenity, to ensure that the retaining structure and any boundary treatment is sympathetic to the outward view of the canal, and to accord with LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework. This is a pre-commencement condition to ensure the necessary design has been secured prior to works being undertaken.*

Submitted details

- Proposed Retaining Wall Setting-Out Plan, drawing ref. 25C01-FBA-00-00-DR-A-9002 Rev C01.
- Unit in Relation to Highway, drawing ref. 25C01-FBA-DR-A-9902 Rev C01.

Consultation responses

Canal & River Trust:

The C&RT in their consultation dated 12/02/2026 confirmed that on review of the details submitted the Trust has no concerns with the proposed facing materials and raised no objection to the discharge of condition 10.

Highways Structures:

The Council's Bridges and Structures Manager initially advised that the submitted cross-sectional drawings did not relate to the location specified and, therefore, the condition could not be discharged at that stage. Following the

submission of revised cross-sectional details, the Bridges and Structures Manager confirmed, in their comments dated 12/06/2026, that there are no highway retaining walls proposed at this location that fall within the remit of the Structures Team's consideration and, accordingly, raised no objection to the discharge of condition 10.

Officer assessment

Condition 10 requires the submission and approval of details relating to the materials, design and cross-sectional information of the proposed retaining walls and boundary treatments prior to works commencing. The purpose of the condition is to ensure that the retaining structures and boundary treatments are of an appropriate design, are sympathetic to the outward views from the Huddersfield Narrow Canal and can be constructed without adversely affecting the surrounding environment.

The applicant has submitted revised drawings identifying the location and extent of the proposed retaining walls together with the proposed boundary treatments, including 2.1 metre high green V-Mesh Paladin fencing, vehicle access gates, Armco barriers and associated site boundary arrangements. The submitted drawings also include cross-sectional information illustrating the relationship between the retaining walls, highway, landscaping and the proposed building.

The submitted details have been reviewed by the Council's Bridges and Structures Manager. Whilst the initial submission required amended cross-sectional information, revised drawings were subsequently provided. Following review of the amended details, the Structures Officer confirmed that there are no highway retaining walls proposed at this location that fall within the remit of the Structures Team's consideration and, therefore, raised no objection to the discharge of the condition.

The C&RT has also reviewed the amended retaining wall and boundary treatment details and confirmed that the proposals would not adversely affect the adjacent canal infrastructure, raising no objection to the discharge of the condition.

Having regard to the submitted drawings and the specialist advice received, it is considered that sufficient details have been provided in respect of the materials, design and cross-sectional arrangement of the proposed retaining walls and boundary treatments. The proposed boundary treatments are considered appropriate in visual terms and sympathetic to the adjacent canal corridor, whilst the submitted cross-sectional details demonstrate that the retaining structures can be accommodated without giving rise to unacceptable impacts on the canal infrastructure.

The ongoing requirements of the condition remain applicable, requiring the retaining walls and boundary treatments to be constructed in accordance with the approved details and retained thereafter.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 10 and as such recommended for approval, subject to a note of the condition's ongoing requirement.

Condition 11 invasive species protocol

> *11. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority. The protocol shall detail the measures for the containment, control and removal of Japanese Knotweed found within the site. The measures shall be carried out strictly in accordance with the approved scheme.*
> ***Reason:*** *This is a pre-commencement condition to ensure that adequate measures are in place to protect the biodiversity by preventing the accidental spread of non-native plant species within and outside of the site during and after development in line with the requirements of Policies LP30 and LP53 and Chapter 15 of the National Planning Policy Framework.*

Submitted details

- Invasive Plant Survey and Report, Ref. 22605/AWe, revised 17 March 2026.

Consultation responses

Ecology:

The Council's Ecology Officer reviewed the submitted Invasive Plant Survey and Report and confirmed, in their comments dated 30/03/2026, that it satisfactorily addresses the requirements of condition 11. No objection was raised to the discharge of the condition.

Canal & River Trust:

The C&RT reviewed the submitted report and confirmed in their comments dated 12/02/2026 that the proposed measures for the containment, control and removal of Japanese knotweed are acceptable. No objection was raised to the discharge of the condition.

Officer assessment

Condition 11 requires the submission and approval of an invasive non-native species protocol detailing the measures for the containment, control and removal of Japanese knotweed prior to the commencement of development.

The submitted Invasive Plant Survey and Report identifies the presence of Japanese knotweed within the planning application red line boundary, although outside the applicant's ownership, together with additional areas of infestation located on the adjacent canal towpath. The report recognises the potential for

the species to spread if not appropriately managed and recommends a coordinated approach to its eradication both on and adjoining the site.

The report sets out a comprehensive management strategy, including the use of specialist contractors, appropriate treatment methods, biosecurity measures during construction, controls to prevent the movement of contaminated soils and plant material, staff toolbox talks, vehicle inspections and a programme of post-treatment monitoring. The submitted protocol also recommends that monitoring continues for a minimum of two years following the successful eradication of Japanese knotweed to ensure that no regrowth occurs.

The submitted protocol has been reviewed by both the Council's Ecology Officer and the C&RT, both of whom have confirmed that the submitted details satisfactorily address the requirements of the condition and have raised no objection to its discharge.

Having regard to the submitted report and the specialist consultation responses received, it is considered that sufficient measures have been provided for the containment, control and removal of Japanese knotweed, thereby reducing the risk of the spread of this invasive non-native species during and following the development.

The ongoing requirements of the condition remain applicable, requiring the approved measures to be implemented strictly in accordance with the approved invasive non-native species protocol.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 11 and as such recommended for approval, subject to a note of the condition's ongoing requirement..

Condition 12 - foul, surface water and land drainage scheme

> *12. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, (including agreed discharge rates with the LLFA 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, 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 an itinerary of maintenance tasks with schedules. 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 deliver effective sustainable systems that will be operated, maintained and managed for the lifetime of the development that it will serve, in accordance with LP28 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.

Submitted details

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.
- Drainage Management and Maintenance Plan, ref. 8839-HJCE-00-XX-RP-C-3001. V2, Rev P02, dated 22 May 2026.

Consultation responses

Yorkshire Water (YW)

YW, following review of the submitted details confirmed in their consultation response dated 23/02/2026, no objections to the discharge of conditions 12,13 15.

Lead Local Flood Authority (LLFA):

The LLFA in their consultation dated 23/02/2026 initially reviewed the submitted drainage information and accepted the proposed surface water discharge rate and discharge point. However, it advised that further information was required in relation to the Drainage Management and Maintenance Plan before condition 12 could be discharged.

Following the submission of the revised Drainage Management and Maintenance Plan, the LLFA confirmed in their comments dated 08/06/2026 that the submitted information was acceptable and advised that, notwithstanding a minor cross-reference within the maintenance plan, the details satisfactorily address the requirements of condition 12 and the condition can be discharged.

Officer assessment

Condition 12 requires the submission of a detailed foul, surface water and land drainage scheme, together with arrangements for the future management and maintenance of the drainage infrastructure.

The applicant has submitted a detailed drainage layout and a Drainage Management and Maintenance Plan, which sets out the proposed maintenance responsibilities, inspection regimes and management arrangements for the drainage system throughout the lifetime of the development.

The submitted details have been reviewed by the LLFA, who initially requested additional maintenance information before confirming, following the submission of revised details, the requirements of the condition have been satisfactorily addressed and condition 12 is recommended to be discharged. Officers support this assessment and recommend that the details be approved.

The ongoing requirements of the condition remain applicable, requiring the approved drainage scheme to be implemented prior to the occupation of the development, or in accordance with any approved phasing, and retained thereafter.

Condition 13 - 1 in 100 year storm events

> *13. The 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 until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.*
> ***Reason:** To reduce the risk of flooding to the proposed development and future users, 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*.

Submitted details

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.

Consultation responses

Yorkshire Water (YW)

YW, following review of the submitted details confirmed in their consultation response dated 23/02/2026, no objections to the discharge of conditions 12,13 15.
Lead Local Flood Authority (LLFA):

The LLFA reviewed the submitted drainage information and confirmed that the proposed exceedance flood routing arrangements are acceptable. Accordingly, the LLFA advised that the requirements of condition 13 have been satisfactorily addressed and that the condition can be discharged.

Officer assessment

Condition 13 requires the submission of an assessment demonstrating the effects of 1 in 100 year storm events, including allowances for climate change, blockage scenarios and exceedance events, to ensure that the development would not increase flood risk.

The submitted drainage information has been reviewed by the LLFA who confirmed that the proposed exceedance flow routing is acceptable and that the submitted details satisfy the requirements of the condition. Officers have no reason to depart from this specialist advice.

The ongoing requirements of the condition remain applicable, requiring the approved drainage works to be completed prior to the development being brought into use and retained thereafter.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 13 and as such recommended for discharge

Condition 15 - oil/petrol interceptor

> *15. Development shall not commence until a scheme demonstrating surface water from vehicle parking and hard standing areas passing through an oil/petrol interceptor of adequate capacity prior to discharge. Roof drainage should not be passed through any interceptor.*
> ***Reason:** This pre-commencement condition is necessary to ensure that all surface water arising from vehicle parking and hard standing areas which pass through oil/petrol interceptors are of adequate capacity at an appropriate stage of the development process to prevent and manage flooding and drainage issues during the construction period, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.*

Submitted details

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.

Consultation responses

Yorkshire Water (YW)

YW, following review of the submitted details confirmed in their consultation response dated 23/02/2026, no objections to the discharge of conditions 12,13 15.

Lead Local Flood Authority

The LLFA reviewed the submitted drainage information and confirmed that the proposed SPEL Stormceptor 204 oil separator (or similar) shown on the drainage layout is acceptable. Accordingly, the LLFA advised that the requirements of condition 15 have been satisfactorily addressed and that the condition can be discharged.

Officer assessment

Condition 15 requires the submission of a scheme demonstrating that surface water from vehicle parking and hard standing areas will pass through an oil/petrol interceptor of adequate capacity prior to discharge.

The submitted drainage layout identifies the proposed oil separator serving the vehicle parking and hardstanding areas. The submitted details have been reviewed by the LLFA, who confirmed that the proposed oil separator is acceptable and satisfies the requirements of the condition. Officers have no reason to depart from this specialist advice.

Accordingly, the submitted details are considered sufficient to satisfy the requirements of condition 15 and as such recommended for discharge.

Condition 17 - bat and bird box

> *17. Notwithstanding the submitted plans and information, 1 new bat box and 1 new bird box shall be incorporated into the approved building during the period of construction. The boxes shall be long-lasting Schwegler type or similar and shall be located on the southern elevation of the building, away from sources of light and located at least 5 metres above ground level. The bat box and bird box shall be provided prior to first occupation of the building and be thereafter retained.*
> ***Reason:** To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework*.

Submitted details

- Proposed GA Elevations, drawing ref. 25C01-FBA-00-ZZ-DR-A-2100 Rev C02.

Consultation responses

Ecology

In their comments dated 05/02/2026 the Council's Ecology Officer initially advised that the submitted drawings did not identify the required bat and bird boxes and, therefore, the condition could not be discharged. Following the submission of revised drawings, the Ecology Officer confirmed (via informal discussion) that the proposed bat and bird boxes are now shown and advised that the requirements of condition 17 have been satisfactorily addressed. No objection was raised to the discharge of the condition.

Officer assessment

Condition 17 requires the provision of one bat box and one bird box to be incorporated into the approved building during construction. The condition further requires the boxes to be located on the southern elevation of the building, away from sources of light, at least 5 metres above ground level, and installed prior to the first occupation of the building.

The submitted Proposed GA Elevations identify the location of one bat box and one bird box incorporated within the proposed building elevations in accordance with the requirements of the condition. The submitted details have been reviewed by the Council's Ecology Officer, who confirmed that the revised drawings satisfactorily address the requirements of the condition and raised no objection to its discharge.

Having regard to the submitted drawings and the specialist advice received from the Ecology Officer, it is considered that sufficient details have been provided to satisfy the requirements of condition 17, and as such recommended for approval.

The ongoing requirements of the condition remain applicable, namely that the approved bat and bird boxes shall be incorporated into the building during construction, installed prior to the first occupation of the building and retained thereafter.

Summary

All conditions applied for may be approved, subject to (where applicable) reference to their ongoing requirements within the decision notice.

The submitted drawings and documents may contain information beyond that required to discharge the conditions subject to this application. This assessment has therefore considered only those matters necessary to satisfy the relevant conditions. Any approval relates solely to those details and does not approve, amend or vary any other aspect of the extant planning permission or any additional details shown on the submitted plans.

Recommendation: Approve details

Report dated: 02/07/2026

Recommendation Decision Text

<u>Condition 3 – Phase II Intrusive Site Investigation Report</u>

The following details have been submitted in support of the discharge of condition 3:

- Phase 2 Geo-Environmental Report, prepared by RGS, ref. C4272/24/E/6581, dated 28 March 2025.
- Supplementary Gas Letter Report, prepared by RGS, ref. C4272/26/E/GM, dated 6 March 2026.

The submitted details are considered sufficient to satisfy the requirements of condition 3, which is hereby discharged.

<u>Condition 7 – Electric Vehicle Charging Point</u>

The following details have been submitted in support of the discharge of condition 7:

- Revised Proposed Site Plan 25C01-FBA-00-00-DR-A-9000-C06- - received 02/07/2026

The submitted details are sufficient to satisfy the requirements of condition 7 and are hereby approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.*

Condition 8 – Retaining Structures Foundations

The following details have been submitted in support of the discharge of condition 8:

- Unit in Relation to Canal, drawing ref. 25C01-FBA-DR-A-9901 Rev C01.

  The submitted details are sufficient to satisfy the requirements of condition 8 and are hereby approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance: *The development shall thereafter be carried out in accordance with the approved details.*

Condition 9 – Construction Environmental Management Plan

The following details have been submitted in support of the discharge of condition 9:

- Construction Environmental Management Plan (CEMP), ref. KRS.0870.001.R.001.C, dated March 2026.

The submitted details are considered sufficient to satisfy the requirements of condition 9 and are therefore approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *The agreed plans shall be adhered to throughout the construction of the development and no change therefrom shall take place without the prior written consent of the Local Planning Authority*.

Condition 10 – Retaining Walls and Boundary Treatments

The following details have been submitted in support of the discharge of condition 10:

- Proposed Retaining Wall Setting-Out Plan, drawing ref. 25C01-FBA-00-00-DR-A-9002 Rev C01.
- Unit in Relation to Highway, drawing ref. 25C01-FBA-DR-A-9902 Rev C01.

The submitted details are considered sufficient to satisfy the requirements of condition 10 and are therefore approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *Works shall then be undertaken in accordance with the approved details and be retained thereafter.*

Condition 11 – Invasive Non-Native Species Protocol

The following details have been submitted in support of the discharge of condition 11:

- Invasive Plant Survey and Report, Ref. 22605/AWe, revised 17 March 2026.

The submitted details are considered sufficient to satisfy the requirements of condition 11 and are therefore approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *that the measures shall be carried out strictly in accordance with the approved scheme.*

Condition 12 – Foul, Surface Water and Land Drainage Scheme

The following details have been submitted in support of the discharge of condition 12:

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.
- Drainage Management and Maintenance Plan, ref. 8839-HJCE-00-XX-RP-C-3001. V2, Rev P02, dated 22 May 2026.

The submitted details are considered sufficient to satisfy the requirements of condition 12 and are therefore approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *That 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 13 – 1 in 100 Year Storm Events

The following details have been submitted in support of the discharge of condition 13:

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.

The submitted details are considered sufficient to satisfy the requirements of condition 13 and are therefore approved. However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *That no part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.*

Condition 15 – Oil/Petrol Interceptor

The following details have been submitted in support of the discharge of condition 15:

- Proposed Drainage Layout, drawing ref. 8839-HJCE-XX-XX-DR-C-3000 Rev P02.

The submitted details are considered sufficient to satisfy the requirements of condition 15 and are therefore approved.

Condition 17 – Bat and Bird Boxes

The following details have been submitted in support of the discharge of condition 17:

- Proposed GA Elevations, drawing ref. 25C01-FBA-00-ZZ-DR-A-2100 Rev C02.

The submitted details are considered sufficient to satisfy the requirements of condition 17 and are therefore approved. . However, please be aware of the condition's ongoing requirement, which must be adhered to, to ensure ongoing compliance:

> *That the bat box and bird box shall be provided prior to first occupation of the building and be thereafter retained.*

INFORMATIVE

For the avoidance of doubt, the approval of details under this application relates solely to the requirements of the individual conditions listed above. It does not approve, amend or vary any other aspect of planning permission 2021/90605. Any details shown on the submitted drawings or contained within the supporting documents which are not expressly required by the conditions discharged

under this application, or which would otherwise constitute a variation to the approved development, are not approved by this decision and remain subject to the terms of the extant planning permission and any other necessary consents.