

Kirklees Council
Planning Services
PO Box 1720
Huddersfield
HD1 9EL
FAO: Nick Hirst

Date: 6 March 2026

Our ref: 63026/01/JW/40828341v2

Your ref: PP-14753555 and 2023/62/91405/W

Dear Mr Hirst

**Land south of Blackmoorfoot Road, Crosland Moor, Huddersfield:
Application under Section 73 of the Town and Country Planning Act
1990 (as amended) to amend full planning permission
2023/62/91405/W**

On behalf of our client, Lidl GB Ltd, please find enclosed an application submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) which seeks minor amendments to the layout of the development for a new Lidl foodstore, approved by planning permission 2023/62/91405/W.

Background to the s73 Application

The application site is located to the south of Blackmoorfoot Road, in the Crosland Moor area on the south-western side of Huddersfield and covers around 0.72 ha. It falls within the wider former St Luke's Hospital site, which is subject to residential-led development by Avant Homes, and which is being marketed as Fitzwilliam Grange. The site fronts directly onto Blackmoorfoot Road.

Full planning permission was granted on 5 August 2025 for the following development: *"Erection of foodstore (Class E) with associated access, parking, servicing area and landscaping"* (ref. 2023/62/91405/W).

The following pre-commencement conditions have been discharged: conditions 14 and 19 on 8 January 2026 (ref. 2025/44/92535/W), and conditions 17, 18, 20, 21, 23, 32 on 2 February 2026 (ref. 2025/44/92676/W).

Applications to discharge condition 33 (ref. 2025/44/92379/W) and conditions 7, 8, 10, 13, 22 and 24 (ref. 2025/44/92887/W) were made on 22 August 2025 and 14 October 2025, respectively. These are being considered by Kirklees Council.

Advertisement consent for the display of signage on the store building and site was granted on 4 November 2025 (ref. 2025/64/92472/W).

Lidl intends to proceed with development of the site as soon as possible, with the intention to open the store within the next 12 months.

Proposed s73 amendments

Lidl now seeks approval for a slightly revised scheme which increases the finished floor level (FFL) by 300mm across the site. Lidl has undertaken a review of the overall layout and levels of the approved development following the grant of planning permission. This has revealed it is necessary to make a change to the site levels around the site access and in front of the store to enable the bellmouth at the site access to be adopted by the Local Highways Authority.

The proposed amendments therefore comprise an increase of 300mm to the FFL across the site, the most effective solution to the site drainage, and the provision of an additional two EV charging car parking spaces (bringing the total EV charging bays shown to four), in response to feedback from KC Environmental Health Officers on discharge of condition application 2025/44/92379/W. Other than these two amendments, the site layout will remain as approved – there are no changes proposed to the building footprint or position, or to the layout of the car park, landscaping or pedestrian infrastructure.

The revised proposals therefore comprise:

- a Lidl foodstore with a gross internal area of 2,000 sqm and a net sales area of 1,331 sqm;
- 93 car parking spaces, including six disabled spaces, nine parent and child spaces and four electric vehicle charging points;
- vehicular and pedestrian access from Turnstone Way;
- a servicing area to the eastern side of the store; and
- a coordinated scheme of landscaping across the site.

As set out above, the only proposed amendments to the approved scheme are the change to the finished floor levels and the addition of two EV charging points in the car park. No changes are proposed to the layout or design of the store.

As a result, this application seeks to substitute a number of approved scheme drawings referred to within condition 2 of permission 2023/62/91405/W. This application is therefore submitted under the Town and Country Planning Act 1990 (as amended) in order to vary condition 2 of planning permission 2023/62/91405/W.

The application submission demonstrates that the proposed changes are minor in the context of the approved scheme, and that these are acceptable in planning terms.

Application submission

The application has been submitted via the Planning Portal (ref. PP-14753555) and comprises:

- 1 Completed application form and ownership certificates;
- 2 The following plans and drawings, prepared by HTC:
 - a Site location plan (drawing no. 2783 P1410, rev. A);

- b Existing site plan (drawing no. 2783 P1411, rev. A);
 - c Proposed site plan (drawing no. 2783 P1400);
 - d Proposed site plan – annotated (drawing no. 2783 P1401, rev. G);
 - e Proposed floor plan (drawing no. 2783 P1110, no rev.);
 - f Proposed roof plan (drawing no. 2783 P1111, no rev.);
 - g Proposed elevations (drawing no. 2783 P1210, no rev.);
 - h Proposals elevations, showing material details (drawing no. 2783 P1211, no rev.);
 - i Proposed sections AA and BB (drawing no. 2783 P1301, rev. A);
 - j Proposed sections CC (drawing no. 2783 P1302, rev. A);
 - k Proposed surface treatment plan (drawing no. 2783 P1402, rev. A);
 - l Proposed boundary treatment plan (drawing no. 2783 P1406, rev. C);
 - m Proposed site lighting plan (drawing no. 2783 P1407, rev. A);
 - n Proposed crime prevention plan (drawing no. 2783 P1408, rev. A);
- 3 Updated Design and Access Statement, prepared by Lichfields;
 - 4 Planning and Retail Statement Addendum, prepared by Lichfields;
 - 5 Landscape Details Plan, prepared by FDA Landscape (R-2682-1, rev. H);
 - 6 Flood Risk Assessment, prepared by Topping Engineers (ref. 21561-FRA-001, rev. H);
 - 7 Surface Water Drainage Maintenance and Management Schedule, prepared by Topping Engineers (ref. 21561-SH-C-0002, rev. A);
 - 8 Drainage Strategy plan (ref. 21561-DR-C-0100, rev. P11), prepared by Toppings Engineers;
 - 9 Temporary Drainage plan (ref. 21561-DR-C-0105, rev. P03), prepared by Toppings Engineers;
 - 10 Proposed Levels plan (ref. 21561-DR-C-0110, rev. P04), prepared by Toppings Engineers; and
 - 11 Updated Noise Impact Assessment, prepared by ENS.

The following drawings are submitted for illustrative purposes only:

- 1 Street scene – Turnstone Way (drawing no. 2783 P1303, rev. A); and
- 2 Proposed site plan showing the finished floor levels of the proposed foodstore and houses surrounding the site (drawing no. 2783 P1409, rev. B).

Payment of the application fee for a S73 application in relation to a major scheme of £2,000 has been made via the Planning Portal.

Planning conditions

In addition to amending the approved plans listed under condition 2, This application seeks variations to the planning conditions imposed on the 2025 planning permission. The reasons for the proposed variations to conditions are as follows:

- 1 To allow the approved plans list referenced by condition 2 to be updated to include the revised drawings submitted with this application;
- 2 The timing trigger for condition 12, which relates to retaining walls, is proposed to be amended so that the condition is only required to be discharged prior to the construction of the new retaining walls. This change is required as Kirklees Council has requested an 'Approval in Principle' to discharge condition 12. The proposed variation is consistent with the approach agreed with the Council in relation to Lidl's proposed store on New Hey Road, which is being considered under application reference 2025/70/93378/W; and
- 3 Several of the conditions imposed on the 2025 planning permission have been discharged. As such, it is not necessary to reimpose all conditions in the form which they were originally presented (for example, some conditions could be re-worded as compliance conditions). Lidl intends to implement planning permission and make a material start on site as soon as possible. The development will provide a number of important benefits (as outlined in the Planning & Retail Statement Addendum). Therefore, rewording those pre-commencement conditions which have already been discharged, to allow implementation and delivery of the scheme without delay, is in the public interest.

Full details of the variation of conditions sought are set out in the Planning and Retail Statement Addendum.

Summary

This S73 application seeks the approval of minor amendments to the layout of the development for a new Lidl foodstore, approved by planning permission 2023/91405. The overall extent of changes proposed is modest in the context of the scheme as a whole. We have agreed in correspondence with Kirklees Council planning officers that this change can be addressed through a s73 application.

We trust that you have sufficient information to validate this application. If you require any further information of clarification, please do not hesitate to contact me or my colleague Paige Carpenter.

Yours sincerely

Tom Willshaw
Associate Director
BA (Hons) MSc MRTPI