Discharge of conditions.

Response to consultee comments.

Application	2026/91775, discharge of conditions on permission 2025/92728
Site	Land at Dowker Street, Milnsbridge, Huddersfield HD3 4JU
Client	Westshield
Consultee comments	KC Highways Structures (7 July 2026); KC Lead Local Flood Authority (28 July 2026); Yorkshire Water B/01946 (30 July 2026); KC Highways DC (14 August 2026); KC Conservation and Design (18 August 2026); KC Planning (7 October 2026)
AJP ref	223-043
Date	23 October 2026

Introduction.

Alan Johnston Partnership (AJP) has prepared this response on behalf of Westshield to the consultee comments on the civil and structural engineering conditions, as summarised in the Council's email of 7 October 2026. It covers Conditions 7, 9, 11, 12, 18, 19 and 20. Westshield is responding separately on Conditions 4, 6, 10, 13, 15 and 16, and Bernard Taylor Partnership and Trevor Bridge Associates on the remaining conditions.

A revised drainage layout (DSH-AJP-XX-00-DR-C-0900 P09), updated hydraulic calculations and the supporting drawings and reports listed in the schedule at the end of this response are issued with it. Following Mr Khatibi's suggestion, we would welcome a meeting with Highways Structures, Highways Development Control and the LLFA at the earliest opportunity to agree the remaining technical approval scope.

Condition 7: retaining walls.

> KC Highways Structures comment. *The condition cannot be discharged, as suitably dimensioned cross sectional details based on maximum retained height have not been provided for the retaining walls and embankments adjacent to plots 13 and 14 and George Street, so as to establish whether their design will be subject to a formal technical approval process.*

AJP response. AJP acknowledge this comment. A retaining wall schedule DSH-AJP-XX-00-DR-C-1451 RETAINING WALL SECTIONS is enclosed listing each wall, its location, maximum retained height, distance from the highway boundary, whether it supports the highway or private land, and whether technical approval is required under clause 2.1 and Figure 1 of the Council's Highways Structural Procedures (November 2021). The walls are located on drawing DSH-AJP-XX-00-DR-C-1400 P09, Finished Levels and Retaining Walls, which follows the current site layout DS-BTP-00-SP-DR-A-4016_105.2. Dimensioned cross sections at the maximum retained height of the walls adjacent to plots 13 and 14 and George Street are shown on drawing DSH-AJP-XX-00-DR-C-1451 RETAINING WALL SECTIONS. Typical details for garden retaining walls that carry no highway loading are on drawing DSH-AJP-XX-00-DR-C-1450 P01.

Where the schedule shows that technical approval is required, a draft Approval in Principle is enclosed for the Technical Approval Authority's review. Facing to any wall supporting the adoptable highway will be natural stone in accordance with clause 6.8, which also addresses Mr Khatibi's comment under Condition 24.

Condition 9: surface water features in the highway.

> KC Highways Structures comment. *The condition cannot be discharged as the proposed drainage design includes oversize manholes with an internal diameter exceeding 1.8m, in breach of the Highways Structural Procedures.*

AJP response. AJP acknowledge this comment. The submitted design used five 3000mm diameter storage chambers (S1 to S5) on a 900mm oversized pipe run within the estate road. The drainage layout has been revised on drawing DSH-AJP-XX-00-DR-C-0900 P09 so that no chamber within the proposed adoptable highway exceeds 1.8m internal diameter, the storage pipes are reduced to 600mm diameter, and all attenuation with an internal dimension over 0.9m sits outside the adoptable highway, in line with Figure 1 and drawing SWAP/GA/21/01. Every chamber between 1.2m and 1.8m internal diameter within the highway is listed on the manhole schedule, drawing DSH-AJP-XX-00-DR-C-1010 P05. A Category 0 Design and Check Certificate will be provided for these under the simplified technical approval procedure, together with confirmation of Yorkshire Water's inspection responsibility.

Condition 12: drainage strategy.

Lead Local Flood Authority.

The LLFA's comments are answered in the order they appear in its response of 28 July 2026.

LLFA point 1: adoption of the 1 in 100 year storage.

> LLFA comment. *The design stores the 1 in 30 year event for adoption, with an overflow to private infrastructure. There is no reason Yorkshire Water or a NAV cannot adopt the 1 in 100 plus climate change event and suitable crate storage.*

AJP response. AJP accept this comment. The storage for all events up to and including the 1 in 100 year plus 45% climate change event is now provided within a single system offered for adoption by Yorkshire Water under the current Section 104 application (YW ref S104-2026-034), with no private overflow storage. It comprises 600mm diameter storage pipes and a 4m by 20m by 1.2m cellular tank fed from manhole S2, shown on drawings DSH-AJP-XX-00-DR-C-0900 P09 and DSH-AJP-XX-00-DR-C-1070 P03. Response from Linda @ Yorkshire Water confirms that the Attenuation Tank will be adopted as long as the Tank is done to their standards To comply with the Council's Highways Structural Procedures, all attenuation over 0.9m internal dimension sits outside the proposed adoptable highway.

LLFA point 2: surcharge in the 30 year event.

> LLFA comment. *Hydraulic simulation shows an overflow in the M30_360 event, so storing the 30 year event in pipework has failed.*

AJP response. AJP acknowledge this comment. The network has been remodelled for the revised layout, and the updated calculations (MDX Network Rev E, 22 October 2026) are enclosed and supersede those issued on 3 September 2026. They show no flooding in any storm up to and including the 1 in 100 year plus 45% climate change event, so the 1 in 30 year event, including the M30_360 storm, is contained within the network.

LLFA points 3 to 6: tank details, type, access and maintenance.

> LLFA comment. *The incoming pipe is not shown on the tank cross sections (Manhole S2 is relevant); the tank type is not specified; no access is shown; and sediment management is unclear.*

AJP response. AJP acknowledge these comments. Revised tank details on drawing DSH-AJP-XX-00-DR-C-1070 P03 shows the overflow inlet from S2 and the outlet to the non-return valve chamber with their invert levels, the specified product (Carlow Precast Concrete Tanks, 4m by 20m by 1.2m, giving 91.2m3 of storage at 95% voids) and its load class, and the access and inspection chambers. A catchpit is provided upstream of the tank, with access for jetting and CCTV inspection. Inspection and maintenance are set out in Section 7 of the Flood Risk Assessment and Drainage Strategy (223-043 Rev 3) until the system is vested in Yorkshire Water under the Section 104 agreement.

LLFA point 7: flood volume.

> LLFA comment. *The current design shows flooding of 10.7 cubic metres, which is not acceptable.*

AJP response. AJP acknowledge this comment. The revised calculations show no flooding in any storm up to and including the 1 in 100 year plus 45% climate change event. The peak water level in that event is 91.228m AOD at the flow control chamber S5, 0.44m below its cover level of 91.672m AOD.

LLFA point 8: outlet and emergency drain down.

> LLFA comment. *A 300mm outlet for 5 l/s is shown, which is large, with no emergency drain down (penstock or disc valve).*

AJP response. The 300mm pipe is the outlet downstream of the flow control. Discharge is limited to 5.0 l/s, the rate agreed with the LLFA at pre-application stage (ref 2023/20429, 1 June 2023), by a Hydro-Brake Optimum (MD-SHE-0092-5000-2000-5000, design head 2.0m) within the control chamber, and a penstock has been added for emergency drain down, as shown on drawing DSH-AJP-XX-00-DR-C-1290 P04.

After speaking with Yorkshire Water they are happy to adopt the hydrobrake at its current dims even thought it is less then a minimum opening of 100mm (email attached in submission)

LLFA point 9: climate change allowance.

> LLFA comment. *40% rather than 45% has been used for climate change.*

AJP response. The updated calculations apply 45% to the 1 in 100 year event, and the network is sized accordingly.

LLFA point 10: contributing areas.

> LLFA comment. *A full coloured contributing hardstanding drawing showing where and how much area contributes to each sewer leg is required.*

AJP response. AJP acknowledge this comment. The S104 Surface Water Catchment Plan, drawing DSH-AJP-XX-00-DR-C-1040 P05, is enclosed showing the area contributing to each pipe length. The total of 0.268ha matches the hydraulic model.

LLFA point 11: existing combined manhole levels.

> LLFA comment. *Levels for the existing combined manhole have not been verified, so it is not known whether the design is buildable.*

AJP response. AJP acknowledge this comment. A level and CCTV survey of the existing combined manhole in Dowker Street (YW ref 6012) was carried out on May 5th 2023 and is enclosed in the CCTV folder referenced as MH1. It records a cover level of [91.574]m AOD and an outgoing invert of [89.074]m AOD, and the connection on drawing DSH-AJP-XX-00-DR-C-0900 P09 has been checked against these levels.

Yorkshire Water.

> Yorkshire Water comment. *Evidence should be submitted showing that means of surface water disposal other than the public sewer have been considered and why they were discounted, and discharge to the culverted watercourse crossing the site should be considered before the public combined sewer.*

AJP response. Each option in the surface water disposal hierarchy has been considered in the order set by the NPPG and the National Standards for Sustainable Drainage Systems, as follows.

Rainwater harvesting. Water butts will be fitted to each house, as set out in the FRA, but they provide no reliable storage in a design storm and cannot be relied on for disposal.

Infiltration. Discounted. The site is underlain by made ground over alluvium, chrysotile asbestos has been found in the demolition rubble, and the remediation approach relies on a clean cover system that infiltration would compromise (ARP Stage 2 Geo Environmental Report WSD/01r1, June 2023). The LLFA also ruled out soakaways at pre-application stage (ref 2023/20429).

Discharge to the Longwood Brook culvert. This was the intended outfall when the strategy was first prepared, and it was discounted on levels. The culvert runs along the western boundary and falls south towards George Street at an assumed gradient of about 1 in 31, from an invert of 90.52m AOD at the surveyed chamber behind the turning head to about 89.8m AOD where it leaves the site (drawing DSH-AJP-ZZ-00-DR-C-3000). The site falls the other way, from west to east, so the low point of the network and the outfall to the public sewer (invert 89.125m AOD) are on the Dowker Street frontage, about 65m from the culvert.

A gravity connection would mean running the network back westwards against the fall of the land to meet the culvert near the southern boundary, at an invert no lower than about 89.8m AOD. Allowing for the 1 in 400 gradient of the storage pipes, the inverts along the frontage would need to rise to about 90.0m AOD. With finished levels there of about 91.35m AOD, the 600mm storage pipes would have only around 0.72m of cover against the 1.2m needed for adoption, so the eastern half of the site would have to be raised by around [0.78]m, which the fixed tie-in levels on Dowker Street and George Street do not allow.

A culvert outfall would also be drowned in a flood. The River Colne 1% AEP flood level just downstream of the site is 90.40m AOD (FRA Table 1, Environment Agency node 4), around 0.6m above a connection at 89.8m AOD, so in that event the culvert would back up into the network and the flow control would not work as designed. A new outfall into an culvert would also need an Environmental Permit for a flood risk activity from the Environment Agency.

Discharge to a surface water sewer. Yorkshire Water's statutory sewer record (map SE1115NE, enclosed) shows only combined sewers around the site, with no public surface water sewer within reach.

Discharge to the public combined sewer. The combined sewer in Dowker Street is therefore the first option in the hierarchy the site can reach by gravity. Discharge is restricted to 5.0 l/s, the rate agreed with the LLFA, and foul and surface water are kept separate up to the point of connection. Yorkshire Water's pre-development response (ref Z001681, 30 March 2023) accepts surface water to the public sewer where the other routes are shown not to be viable, which this assessment does, and the network is being progressed for adoption under S104-2026-034. The existing 150mm surface sewer crossing the site is to be abandoned under a Section 116 Application which Yorkshire water have already approved.

Condition 12: flood routing.

> LLFA comment. *A small area of road falls to flats 1 to 3, and the building appears to be positioned in a cutting with the topography falling back to the lower ground floor, against the general north to south fall. The applicant should examine a way of designing out this risk, possibly with an alternative low spot on the land through which the culvert runs.*

AJP response. AJP agree with this comment. The highway levels have been revised on drawing DSH-AJP-XX-00-DR-C-1400 P09 so that no part of the road or adjacent hardstanding falls towards flats 1 to 3. Exceedance flows are now directed away from the building to a designed low spot within the open land over the culvert corridor, with the carriageway crossfall amended to suit. The Flood Routing Plan, drawing DSH-AJP-XX-00-DR-C-1055 P06, shows levels, flow paths and predicted depths for the 1 in 100 year plus 45% climate change event, with threshold levels at flats 1 to 3 set 272mm freeboard above the exceedance water level.

Conditions 18, 19 and 20: estate road, access and footpath.

> KC Highways DC comment. *Conditions 18, 19 and 20 are all subject to Section 38 technical approval, which has not yet been undertaken.*
>
> KC Conservation and Design comment. *Tactile paving is marked on the highway details plans but its colour is not specified; buff rather than red is requested within the Conservation Area.*
>
> KC Planning comment. *No details of the footpath to George Street have been located.*

AJP response. A Section 38 technical approval submission was made on 28th August 2026, and the details required by Conditions 18, 19 and 20 form part of it. The highway details, drawing DSH-AJP-XX-00-DR-C-1530 P01, now specify buff tactile paving, and the footpath connection to George Street is shown on drawing DSH-AJP-XX-00-DR-C-1550 S38 & S278 SURFACE FINISHES & KERBING PLAN. We would ask that these conditions are discharged once technical approval is issued.

Close.

We trust this addresses the comments raised and would be happy to discuss any point at the meeting proposed above.

Yours faithfully

Kenny O'Brien
Director

creating balance in
the built environment

Supporting documents enclosed.

All issued 29 October 2026.

Document	Rev	Title
DSH-AJP-XX-00-DR-C-0900	P10	Drainage Layout Section 104
DSH-AJP-XX-00-DR-C-1010	P05	S104 Manhole Schedule
DSH-AJP-XX-00-DR-C-1020	P03	S104 Long Sections
DSH-AJP-XX-00-DR-C-1040	P05	S104 Surface Water Catchment Plan
DSH-AJP-XX-00-DR-C-1055	P06	Flood Routing Plan
DSH-AJP-XX-00-DR-C-1070	P04	Attenuation Tank Details
DSH-AJP-XX-00-DR-C-1290	P04	Control Manhole Detail
DSH-AJP-XX-00-DR-C-1400	P09	Finished Levels and Retaining Walls
DSH-AJP-XX-00-DR-C-1450	P01	Typical Retaining Wall Details
DSH-AJP-XX-00-DR-C-1451	P01	Retaining Wall Schedule, Sections and draft AIP
DSH-AJP-XX-00-DR-C-1530	P01	S38 Highway Details
DSH-AJP-XX-00-DR-C-1590	P05	S38 and S278 Highway Adoption Layout
DSH-AJP-ZZ-00-DR-C-3000	P02	Existing Culvert Long Section
MDX Network Rev E	Rev E	Hydraulic calculations (45% CC), 22.10.2026
SHE-0092-5000-2000-5000	/	Hydro-Brake Optimum design data
YW map SE1115NE	/	Yorkshire Water statutory sewer record
EXISITNG Outfall Manhole Card MH1	/	Level and CCTV survey of YW manhole 6012, 21.10.2026
223-043	Rev 3	Flood Risk Assessment and Drainage Strategy
DSH-AJP-XX-00-DR-C-1550	P02	S38 & S278 SURFACE FINISHES & KERBING PLAN