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Date: 3 November 2026
Our ref: 62129/03/CD/LBu/41338722v1

Dear William

Application to Discharge Conditions 18 and 20 of Planning Permission 2024/70/91591/E at Land off Bankwood Way, Birstall Retail Park

On behalf of our client, Lidl GB Limited ("Lidl"), we are pleased to provide details to address the requirements of planning conditions 18 and 20 pursuant to planning permission 2024/70/91591/E at Land off Bankwood Way, Birstall Retail Park, Birstall, Batley, WF17 9DT.

Application Submission

The application has been submitted via the Planning Portal (reference: PP-15330518) and comprises this covering letter and the following documents:

- Completed application form;
- An As-Built Remediation Strategy (ref. 1080.13.01), dated October 2026, prepared by Remada;
- A Ground Gas Risk Assessment, prepared by EPG and included as Appendix I to the As-Built Remediation Strategy;
- A Verification Report (Ref. 1080.08.02, dated September 2026, prepared by Remada).

Application Context

On 21st November 2023, detailed planning permission was granted for the "*Erection of retail development, associated parking, servicing areas and landscaping*" (ref: 2021/62/92528/E).

A Section 73 application was approved in May 2025 to make minor amendments (ref: 2024/91591), principally to bring the approved scheme in line with Lidl's latest specification.

An application (ref. 2024/44/92949/E) was submitted in October 2024 to discharge conditions 9 (retaining walls), 17 (Phase II Report), 18 (remediation), 21 (coal mining), 23 (charging facilities), 24 (facing materials) and 27 (construction management plan) of previous permission 2021/92528 for erection of retail development, associated parking, servicing areas and landscaping (ref:

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2024/44/92949/E). A split decision was issued on 12.06.2025 with further information required to discharge conditions 9 and 18.

Another application (ref. 2025/44/92088/E) was subsequently submitted in July 2025 to discharge condition 9 (highways structures) and condition 18 (remediation). A split decision was issued on 16.06.2026 and Condition 18 was not discharged as the Environmental Health Officer considered that further information was required in relation to the state of the site in terms of ground-works/remediation and clarification on the reporting submitted to discharge the condition.

Following this application, another was submitted (ref. 2026/44/92028/E) to discharge conditions 18 and 20. Condition 18 was not discharged due to the requirement for further information regarding the remediation of the site and gas protection measures proposed. Lidl have since commissioned EPG to provide a ground gas risk assessment, as well as completing a series of internal gas monitoring surveys to inform the updated risk assessment. This information has informed the new comprehensive, As-Built Remediation Strategy which supersedes all previous assessments and is prepared by Remada.

This application seeks to discharge conditions 18 and 20 given they both relate to remediation of the site.

Condition 18 - Site Remediation

Condition 18 states:

"*Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 17, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.*"

The following document is submitted in order to discharge condition 18:

- An As-Built Remediation Strategy (ref. 1080.13.01), dated October 2026, prepared by Remada;
- A Ground Gas Risk Assessment, prepared by EPG and included as Appendix I to the As-Built Remediation Strategy;

Condition 18 can therefore be discharged.

Condition 20 – Verification of Remediation

Condition 20 states:

"Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy and the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the

whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority."

The following documents are submitted in order to discharge condition 20:

- Verification Report (Ref. 1080.08.02, dated September 2026, prepared by Remada).

Condition 20 can therefore be discharged.

Summary

I trust you have sufficient information to validate this application, and to fully discharge conditions 18 and 20 at Land at Bankwood Way, Birstall. In the meantime, should you wish to discuss the application, or require further information, please contact me on the number above.

Yours sincerely

Lucy Sime
Senior Planner
BA (Hons) MSc MRTPI