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:	2019/44/90614/W
Site Address:	adj 106, Royd Street, Milnsbridge, Huddersfield, HD3 4RB
Description:	Discharge conditions 6 (parking) and 11 (drainage) on previous permission 2015/91261 for erection of 2 storey annex forming 4 residential respite care apartments
Recommending Officer:	William Simcock

DECISION – Approve the Discharge of Conditions Application 6 and 11

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 04-Nov-2019

Officer Report

The application seeks approval of details reserved in respect of the following two conditions imposed on permission 2015/91261 for the erection of erection of two-storey annex forming respite care apartments at 16 Royd Street:

6. Notwithstanding the details on the approved block plan, before development commences plans detailing arrangements for access, layout and parking to the private parking areas/courtyards and service areas, and the surfacing of any new parking areas, shall be submitted to and approved in writing by the Local Planning Authority. All of these areas shall be completed in accordance with the approved scheme before any part of the development is brought into operation.
Reason: In the interests of highway safety and to achieve a satisfactory layout, in accordance with the aims of Policies T10 and T19 of the Unitary Development Plan. This information is required pre-commencement to ensure that satisfactory parking can be accommodated within the site in such a way as to allow vehicles to turn and exit in forward gear.

11. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including off site works, outfalls, balancing works, plans and longitudinal sections, hydraulic calculations, phasing of drainage provision, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. This shall include drainage arrangements both for the new building and for the proposed additional parking spaces and other areas to be used by vehicles. If soakaways are to be used, the scheme shall include percolation tests in accordance with BRE Digest 365 along with calculations demonstrating that the designed soakaways can store a critical 1 in 30 year storm event and can empty by 50% within 24 hours. The approved drainage scheme shall be provided on the site to serve the development before the building is first occupied or brought into use and thereafter retained.
Reason: In the interests of satisfactory and sustainable drainage to accord with Policy D2 of the Kirklees Unitary Development Plan and the National Planning Policy Framework. This information is required pre-commencement to ensure that surface water can be disposed of safely.

Assessment

Condition 6:
In respect of condition (6) the applicant has provided a plan showing an additional 4 spaces to the rear of the new building, with a driveway leading off the main parking, turning and access area. The submitted details have been assessed by the Highways DM Team.

The block plan approved as part of the application showed that new parking spaces were to be formed to the rear of the original building. The condition

was imposed because whilst the number of additional parking spaces shown was satisfactory, it was considered that the layout was not.

The proposed layout shown on drawing 007 B now shows an additional 4 spaces provided to the rear of the annexe building and accessed off the main drive. The parking spaces are of satisfactory dimensions and can all be accessed safely. Although the new driveway would take up part of the existing hard-surfaced area, which can be used for parking although not formally marked out, it is considered that the overall amount of space for parking would be sufficient to serve the site in its entirety. Vehicles would be able to turn either in the area to the rear of the annexe or within the existing hard-surfaced areas as they do now. The applicant's agent has confirmed that the new areas would be surfaced in tarmac like the rest of the site.

It is considered that the details are acceptable and that the implementation of these measures would discharge condition 6.

Condition 11:
In respect of condition (11) the applicant has submitted a plan showing a drainage layout to detail the use of an existing soakaway for surface water. It is also noted that the proposed development is relatively small in scale and for current applications of this scale specific matters of drainage set out in this condition would be dealt with through Building Regulations.

It is standard practice to apply the drainage hierarchy principle to all developments and that mains drainage should only be allowed or surface water if more sustainable options have been eliminated. The proposed use of soakaways are considered to be an acceptable approach to deal with surface water, however they should not be installed unless there is evidence to detail that they will work. Whilst no percolation tests have been supplied with respect to this condition, the installation of soakaways would need Building Regulations the approval.

In light of the above, and given the requirement to have building regulations approval for the use of soakaways it is considered that sufficient information has been provided to discharge this condition. This is subject to gaining building regulations approval for the use of soakaways.

Decision Text

Details supplied in respect of condition (6) and as detailed on Dwg. No. 007 B are considered satisfactory. As long as the relevant areas are completed in accordance with the approved scheme before any part of the development is brought into operation, the condition will be discharged.

Details in respect of condition (11) for drainage and the use of soakaways for surface water as detailed on Dwg. No. 007 B are considered to be acceptable, subject to gaining the appropriate building regulations approval for their use. The condition will therefore be discharged.