

Consultation Response from KC, Lead Local Flood Authority		
2020/90549 Land west of, Ashbrow Infant and Nursery School, Ashbrow Road, Ashbrow, Huddersfield		
Discharge conditions 4-6,9-15,19,20,22 on previous permission 2019/92940 for erection of 161 residential units including a 50 unit extra care facility (all class C3) and public open space		
Date Responded: 22nd March 2020	Responding Officer: Paul Farndale	Responding Ref:

Condition 9 – Temporary Drainage Plan (Flooding and Pollution Control – Construction Phase)

The LLFA is encouraged by the submission of an 'initial phase swmp' Ref Y005-KM-XX-DR-HS-002B. In order to fully discharge this condition we suggest a format of a document with supporting plans that look at a source-pathway-receptor model, i.e. pollution and sediment sources, where water will flow after soil strip and what might be in harms way, whether that be 3rd party land, property, existing gullies, sewers and watercourses.

From this a risk assessment should be formed and the applicant then needs to provide a method statement that is linked to various phases of the build out and also after soil strip and before and after groundworkers have installed the permanent drainage. The method statement should include back up plans in case initial plans are overwhelmed.

We suggest that a 5 to 10 year return period is used when focusing on storing water behind bunds. Gully and manhole protection on and off site should be examined in an examination of potential consequences but also a reduction in likelihood of a negative result by introducing wheel washing and sweeping at appropriate stages.

All actions should be described and responsibility for them designated and its frequency included.

As the site is built out we expect risk and methodology to change.

We recommend that this condition is NOT discharged and to be RE-EXAMINED upon receipt of FURTHER INFORMATION.

Condition 10 – Off site surface water drainage.

Headwall details 114509/2047A has been supplied. The LLFA has no objection to this or the connection point shown. However, the point of connection and approach is shown different to that on Section 104 drawing 114509/2003Y. The latter drawing should be updated and notation suggesting the outfall is still to be investigated and levels to be verified should be changed to reflect the former drawing. If any investigation and potential change is still envisaged, then we would expect to receive a finalised drawing when appropriate.

We recommend that this condition is NOT discharged until MINOR AMENDMENTS and clarification is received. We do not believe that this will be an issue for the applicant.

Condition 11 – Maintenance and Management of Surface Water Sewerage

The LLFA, in conjunction with Planning Enforcement and advice from Kirklees Legal Officers, has established the protocol using a section 106 unilateral undertaking for the LPA to fulfil its obligation under NPPF to ensure the maintenance and management of surface water drainage systems for the lifetime of the site.

This does not appear to have been processed for this application. A management company should be set up to be responsible for the maintenance and management including inspection, desilting of tanks, testing the operation of flow control devices and penstocks including repair or replacement of component parts either when required or when directed. The latter may be appropriate for such items as neoprene seals.

The management company's activities can cease upon formal adoption by the statutory undertaker.

This condition does not cover the setting up of a management company and no actual plan for maintenance and management has been submitted.

We do NOT recommend that this condition is discharged at this stage and strongly suggest a unilateral undertaking occurs under section 106 to ensure the LPA can carry out its obligation effectively using the enforcement powers this creates.