

**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: 2020/44/90823/W

Site Address: Adj, 1, Spring Lane, Holmfirth, HD9 2LN

Description: Discharge condition 6 (drainage) on previous permission 2016/91502 for outline application for erection of one detached dwelling

Recommending Officer: Nick Hirst

DECISION – Details for condition 6 acceptable

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 05-May-2020

Application: 2020/44/90823/W

Site: Adj, 1, Spring Lane, Holmfirth, HD9 2LN

Proposal: Discharge condition 6 (drainage) on previous permission 2016/91502 for outline application for erection of one detached dwelling

Assessment

Condition 6 (Drainage details)

6. Development shall not commence until a scheme detailing foul, surface water and land drainage, has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until such approved drainage scheme has been provided on the site to serve the development. The scheme shall be retained thereafter.

Reason: *To ensure the provision of adequate and sustainable systems of drainage in the interests of amenity, environmental well-being and to accord with Policy BE1 (iv) of the Kirklees Unitary Development Plan and the guidance contained within the National Planning Policy Framework. This is a pre-commencement condition to ensure that drainage matters are address at the appropriate stage.*

Foul drainage is to be to via Yorkshire Water's combined sewer. This is acceptable given the site's proximity to the network. Such a connection will require permission from Yorkshire Water however officers see no prohibitive reason why this would not be permitted.

Surface water is to be via a percolation tested soakaway. This includes the rain water pipes connecting into the soakaway. Land drainage, with the addition of the soakaway, is to be as existing, excepting the surfaced areas for car parking: this is required by condition 7 to comply with '*the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)'*'. It is stated that the surfaced areas will also connect into the soakaway(s), which would comply with the document.

Given the scale and nature of the proposal, the Lead Local Flood Authority are satisfied that the site's drainage will be addressed by Building Regulations. Notwithstanding being a pre-commencement condition, the application is retrospective and Building Regulations have been applied for. Regulation Approved Document H relates to drainage and waste disposal. The applicant has shown the building's competition certificate (ref. 2018/01293) issued by K.C. Building Control. This demonstrates that the drainage has been undertaken in accordance with Building Regulations and is accepted by planning officers.

Proposed Letter Text

You have submitted the plan ref. '138 / 2 - 004 Rev. B' as well as the building's completion certificate to discharge condition 6.

I can confirm that the submitted details are acceptable for the purposes of condition 6. It should be noted that condition 6 requires the approved drainage scheme to be provided before the dwelling is occupied and for this approved scheme to be thereafter retained. As such the requirements of the condition cannot be 'discharged'.

Report Dated: 04.05.2020