



Kirklees Council
Planning Department
Civic Centre 3
Market Street
Huddersfield
West Yorkshire
HD1 1WG

Via the Planning Portal

Our Ref: 62262304-006

12 May 2020

Dear Sir/Madam,

**APPLICATION TO DISCHARGE CONDITION 16 (PHASE 2) OF PLANNING PERMISSION REF: 2016/60/92298/E
FORMER NORTH BIERLEY WASTE WATER TREATMENT WORKS, OAKENSHAW, BD12 7ET
PLANNING PORTAL REF: PP08713441**

On behalf of Interchange 26 LLP, please find enclosed an application to discharge Condition 16 of planning permission ref: 2016/60/92298/E, in respect of Phase 2 of the above site.

In addition to this cover letter, a Mine Entry Investigation and Preliminary Treatment Strategy (MEIPTS) prepared by Curtins is submitted in support of the application.

As required, this application is submitted ahead of the submission of any reserved matters applications at the site.

Condition 16

Condition 16 states:

"Prior to the submission of reserved matters, the developer shall submit a report detailing intrusive site investigations for the mine entries and shallow coal workings on site for the written approval of the Local Planning Authority

Reason: *In the interest of health and safety and to ensure any unidentified pollution/risk is dealt with accordingly and to comply with Policies D2 and G6 of the Kirklees Unitary Development Plan, PLP52 and PLP53 of the Publication Draft Local Plan as well as guidance in the National Planning Policy Framework."*

A Coal Mining Risk Assessment (CMRA) was previously submitted in support of discharging Condition 16 in respect of Phases 1 and 2, under application ref: 2019/44/93679/E. Officers confirmed that the condition could be discharged via a phased approach and this was also agreed with the Coal Mining Authority.

On 9 March 2020, a split decision was issued to application ref: 2019/44/93679/E, confirming that Condition 16 could be discharged in respect of Phase 1, subject to the recommendations set out in section 6 of the submitted CMRA being adhered to. However, the decision required further intrusive site investigation information to be submitted (as set out in the recommendations section

of the submitted CMRA and in accordance with the Coal Authority's advice), in order for the condition to be discharged in respect of Phase 2. As such, the enclosed MEIPTS provides the outstanding information required to discharge the condition in respect of Phase 2.

Appendix A of the enclosed MEIPTS indicates the parcels of land that relate to Phases 1 and 2. Whilst the phasing strategy for the development of the site has changed slightly to reflect the market and a change in interest, the phasing in terms of the CMRA remains the same. Albeit, the CMRA phasing and the phasing of future development on the site cover the same geographical area.

Conclusion

I trust the above and enclosed information provides the outstanding information required to discharge Condition 16 in respect of Phase 2. However, please let me know if you have any queries or require any additional information.

For your information, we intend on submitting the first reserved matters application at the site in the coming days, alongside a further discharge of conditions application relating to sitewide conditions.

Yours faithfully,



Fraser Dann
Senior Planner

Cc: Ryan Unsworth – Opus North
Adam Watson – Fox Lloyd Jones
John Brooks – WSP

Enc: As noted above.