

**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: 2020/44/91468/E

Site Address: Former North Bierley Waste Water Treatment Works,
Oakenshaw, BD12 7ET

Description: Discharge of conditions 5 (Phasing Plan), 11 (Sewer
Overflow), 13 (Foul Water Drainage), 14 (Discharge of
Surface Water), 23 (Flood Risk) and 24 (Disposal of
Surface Water) on previous permission 2016/92298
for outline application for re-development of former
waste water treatment works following demolition of
existing structures to provide employment uses (use
classes B1(c), B2 and B8)

Recommending Officer: Kate Mansell

DECISION – Discharge of Conditions – Approve

**I hereby authorise the approval of this application to discharge
conditions for the reasons set out in the officer's report and
recommendation annexed below in respect of the above matter.**

Victor Grayson

AUTHORISED OFFICER

Date: 25-Nov-2020

2020/91468 – OFFICER REPORT

This discharge of condition application relates to development pursuant to outline planning approval 2016/92298 granted on 25th October 2018 for the demolition of the waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8). This outline decision was subject to a Non-Material Amendment (NMA) - 2020/91436 granted on 22nd May 2020 to allow for the phased submission of details.

The wording of the conditions below is taken from the NMA but in discharging the conditions pursuant to the NMA, it also covers the requirements of 2016/9229 as it relates to Phase 1. This application therefore seeks to discharge Condition 5 (Phasing Plan), Condition 11 (Sewer Overflow), Condition 13 (Foul Water Drainage), Condition 14 (Discharge of Surface Water), Condition 23 (Flood Risk) and Condition 24 (Disposal of Surface Water) on previous permissions 2020/91436 and 2016/92298 in relation to either the entire site (where stated) or specific to Phase 1.

Condition 5 – Phasing Plan

The development authorised by this permission shall not begin until a phasing plan for the whole of the application site has been submitted to and approved in writing by the Local planning Authority. The development shall be carried out and completed in accordance with timescales of each phased part of the development.

Reason: *This is a pre-commencement condition to ensure the development of the site can be carried out within an approved phasing approach to avoid unnecessary delays, to enable the works continue and progress in accordance with guidance in the National Planning Policy Framework.*

The phasing plan was revised in the course of the application to specifically incorporate a demolition phase (Phase 0). The applicant has therefore submitted Plan 1856 PL 150E received 7th August 2020 in order to discharge Condition 5. The phasing plan clearly identifies the future phases of development to comprise 5 phases:

Phase 0: Demolition

Phase 1: Approved in accordance with 2020/91488 relating to the construction of the access road and the formation of plateaued, remediated and serviced development plots.

Phase 2: Building phase (2020/91807 PCO)

Phase 3: Building phase (Future phase)

Phase 4: Building phase (Future Phase).

The submitted phasing plan is clear and comprehensive in setting out how the development of this site will come forward the purpose of ensuring that the development proceeds in an appropriate phased manner. Condition 5 is therefore discharged for the whole site subject to advice that to secure full

compliance with Condition 5, the development shall be carried out and completed in accordance with the phasing plan 1856 PL 150E received 7th August 2020.

Condition 11 – Sewer Overflow

No development shall commence until details of ensuring permanent access throughout all phases of the development to Moorend Combined Sewer Overflow and associated syphon sewer have been submitted to and approved by the Local Planning Authority. Furthermore no construction activity shall commence in the affected area (s) of the site until the approved works have been implemented and verified as complete to the Local Planning Authority.

Reason: *This is a pre commencement condition, to ensure sufficient access for maintenance and repair work at all times is retained and to accord with Policy PLP24 of the Publication Draft Local Plan.*

In order to discharge Condition 11, the applicant submitted the following:

- 1856 PL 1528 Proposed YW Compound Site Plan received 22 May 2020

This condition was requested by Yorkshire Water as part of the outline planning permission. Yorkshire Water originally objected to the discharge of this condition on the basis that they required further information, including a detailed masterplan which includes the surveyed positions of the sewer apparatus (including the CSO) crossing the site and details of the required access routes to the CSO, with all the relevant sewer stand-off distances adhered to. They also required the relevant phasing information in relation to the construction and discharge of foul water to the public sewer network. The applicant subsequently provided the following:

- Plan 1856 PL 150E Phasing Plan received 7th August 2020
- Email from the agent dated 11th August 2020 confirming that the YW Sewer Overflow is within the area of land to be retained by YW and hence will not be negatively impacted by the proposed development as access to the overflow will therefore be as existing through the YW compound.

Yorkshire Water confirmed by letter dated 28th August 2020 that they had no objection to the discharge of Condition 11. Condition 11 is therefore discharged subject to advice that to secure full compliance with Condition 11, the development across the whole site shall be carried out and completed in accordance with the phasing plan 1856 PL 150E received 7th August 2020 and the email from the agent dated 11th August 2020.

Condition 13 – Foul Water Drainage

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works, the point(s) of connection and appropriate phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. If sewage pumping is required, the peak pumped foul water discharge must not exceed 6 (six) litres per second. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: *This is a pre commencement condition to ensure that no foul water discharges take place until proper provision has been made for their disposal. In the interests of achieving satisfactory and sustainable drainage of the site. This is to accord with Policy BE1(i) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and guidance in part 14 of the National Planning Policy Framework.*

This condition was requested by Yorkshire Water as part of the outline planning permission. In order to discharge this condition, the applicant submitted the following:

- Drainage calculations prepared by Curtins received 22nd May 2020
- Agent response to Yorkshire Water dated 11th August 2020
065646-CUR-00-ZZ-DR-C-92002-P02 Drainage Masterplan phase 2 received 22nd May 2020
- Developer confirmation as set out in the letter from Yorkshire Water dated 28th August 2020 of their intention to pump foul water at maximum rate of 3.5 (three point five) litres per second to the public combined sewer crossing the site.

In terms of the extent of this application, the email from the agent dated 11th August noted that YW had requested the relevant phasing information regarding the construction and discharge of foul water to the public sewer network. They subsequently advised that the foul water connections for the Phase 2 plot were shown on the information submitted for the Phase 1 RM application – they had not shown these for the future Phases 3 and 4 where buildings are proposed, as these are not yet fixed. This information will be provided with the submission of the relevant conditions and RM applications for those phases.

Subject to these matters above, YW confirm that that they have no objection to the discharge of Condition 13. Condition 13 is therefore discharged for Phases 1 and 2 subject to advice that to secure full compliance with Condition 13, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works in accordance with the drainage calculations prepared by Curtins received 22nd May 2020, the agent response to Yorkshire Water dated 11th August 2020, Plan 065646-CUR-00-ZZ-DR-C-92002-P02 Drainage Masterplan phase 2 received 22nd May 2020 and the developer confirmation as set out in the letter from Yorkshire Water dated 28th August 2020 of their intention to pump foul water at maximum rate of 3.5 (three point five) litres per second to the public combined sewer crossing the site.

Condition 14 (Discharge of Surface Water)

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure the provision of adequate and sustainable systems of drainage are employed, during and after the construction phase in the interests of amenity, environmental well-being and to ensure that the site is satisfactorily drained and avoids the risk of flooding from the proposed development in accordance with Policy BE1(iv) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and part 14 of the National Planning Policy Framework*

To discharge Condition 14, the applicant submitted the following:

Drainage Masterplan (ref: 065646 CUR 00 ZZ DR C 92001 P02) received 26th October 2020

Drainage Masterplan Phase 2 (ref: 065646 CUR 00 ZZ DR C 92002 P02) received 22nd May 2020

S38 Drainage Layout Sheet 1 (ref: 065646 CUR ZZ ZZ DR C 95501 P05) received 26th October 2020

S38 Drainage Layout Sheet 2 (ref: 065646 CUR ZZ ZZ DR C 95502 P05) received 26th October 2020

S38 Manhole Schedules (ref: 065646 CUR ZZ ZZ DR C 95601 P03) received 26th October 2020

S104 Drainage Layout North (ref: 065646 CUR 00 ZZ DR C 92501 P02) received 26th October 2020

S104 Drainage Layout South (ref: 065646 CUR 00 ZZ DR C 92502 P02) received 26th October 2020

S104 Long Sections Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92601 P02) received 26th October 2020

S104 Long Sections Sheet 2 (ref: 065646 CUR 00 ZZ DR C 92602 P02) received 26th October 2020

S104 Long Sections Sheet 3 (ref: 065646 CUR 00 ZZ DR C 92603 P02) received 26th October 2020

S104 Drainage Manhole Schedules Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92701

P02) received 26th October 2020

S104 Drainage Details Sheet 1 (ref: 065646 CUR 00 C ZZ DR 92801 P01) received 26th October 2020

S104 Basin Details Sheet 1 065646 CUR 00 C ZZ DR 92811 P01

The LLFA originally objected to the discharge of Condition 14 on the grounds that the applicant's drainage consultant used a M5-60 value of 17 in the production of the drainage design. Kirklees LLFA requested the applicant review this because within the Kirklees District, there is no location with an

M5-60 lower than 18. This was subsequently discussed at length between the applicant and the LLFA.

Following the submission of additional information over the course of the application, as detailed above, the LLFA advised by email received 24th November 2020 that as outlined in the documents provided, no connection to the watercourse for the discharge of surface water from the site is being requested during the enabling works phase (Phase 1). The volume provided within relict infrastructure on site has been identified as being sufficient for this phase. Should a positive discharge to the watercourse be required to drain down these attenuation areas in future phases then approval must be sought with the LLFA prior to connection at that time. However, for the purposes of Phase 1 only, the details are acceptable to enable the discharge of Condition 14.

Condition 14 is therefore discharged for Phase 1 subject to advice that to secure full compliance with Condition 14, the discharge of surface water from the application site shall take place in accordance with details contained within the above plans and information.

Condition 23 – Flood Risk

Detailed plans and particulars of the reserved matters for the first phase shall include

‘Residual Uncertainty Assessment’ in relation to flood risk to be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- a) Use latest Environment Agency Guidance that seeks to develop certainty from known inputs;*
- b) Validate REFH2 hydrograph or where demonstrated that this is not possible, increase Standard of Protection significantly to allow for the uncertainty posed by an invalidated hydrograph (the LLFA recommend the use of the 1 in 1000 year flood extent given the minimal change); and*
- c) Ensure that all areas of the site have a dry evacuation route that does not cross a*

Fluvial, Surface Water risk area or an area of flood routing.

Reason: In order for officers to make an informed assessment and to ensure satisfactory drainage of the site is delivered, in accordance with the National Planning Policy Framework and Policies PLP28 and PLP 29 of the Publication Draft Local Plan.

To discharge Condition 23, the applicant submitted the following:

Flood Zone Extents Unit 1 North (ref: 065646 CUR 00 ZZ DR C 04953 P01) received 6th November

Unit 1 Flood Extents (ref: 065646 CUR 00 ZZ DR C 04904 P01) received 19th November 2020

1D Hydraulic River Model Summary Report received 26th October 2020

Email from Curtins dated 10th November 2020
North Compensation attenuation (ref: 065646-CUR-00-ZZ-DR-C-04905-P01)
received 13th November 2020
Flood Compensation Strategy (ref: 065646-CUR-ZZ-ZZ-CO-C-002 received
13th November 2020
Flood Outline Model received 12th October 2020
Email from Curtins dated 12th October 2020

The LLFA initially responded to the original submission to state that no information had been provided within the documents submitted as part of this discharge of condition to demonstrate that flood risk has been satisfactorily incorporated. No updated information has been provided to demonstrate validation of the inflow hydrographs. In 2016, the Modelling report stated that there was no monitoring on the watercourse. Investigation did show that there was an EA model downstream of the motorway culvert that could be used to compare the discharge hydrograph from this model, against the inflow hydrograph to the EA model. The applicant did not provide details of the flood evacuation plan and routes within this submission.

However, over the course of the application, the applicant provided the additional information detailed above. Subsequently, the LLFA confirmed by email dated 24th November that as part of assessing displacement, the applicant has used the 1 in 1000-year flood depth and provided a displacement allowance for this within what was previously proposed to be an attenuation pond. The modelling report provided shows that the modelling uses standard approaches for 1D modelling, with a stated limitation being the incoming hydrology. As the exceedance storage volume exceeds the potentially displaced 1 in 1000-year event, this demonstrates that the proposed development should not adversely impact third parties by passing increased flows downstream. The presence of this pipe may also alleviate issues of displacement from the existing roadway during lower order events.

The exceedance storage is proposed to be connected to the watercourse by a 300mm diameter pipe, the maintenance of this system could be a significant burden long term. Therefore, as part of further phases management and maintenance agreements will need to be put in place for this pipe infrastructure. Kirklees LLFA have no objection to a 300mm pipe but would prefer a larger pipe diameter if possible be installed. During Phase 2 preparation, it may be possible to reduce the cost implications of this design by refining the modelling work undertaken to allow 2D-1D representation and scale back the conservative allowances provided within this design proposal. However, for the purposes of Phase 1, these details are acceptable.

Condition 23 is therefore discharged for Phase 1 subject to advice that to secure full compliance with the condition, Phase 1 shall be implemented in accordance with these approved plans and details.

Advisory Note:

It is recommended that the 300mm pipe is subject to a monthly inspection or after each heavy rain event to ensure that it is kept clear of debris.

Condition 24 – Disposal of Surface Water

Detailed plans and particulars of the reserved matters for the first phase pursuant to

Conditions nos. 1, 2 and 5 above shall include a scheme to dispose of surface water from the development. This scheme shall:

- a) Restrict discharge from the development to a combined discharge rate of 50.2l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the Local Planning Authority;*
- b) Adhere to the principles as set out in the drainage strategy from Curtins reference 65646-FRA-SB Rev 4;*
- c) Provide attenuation on site for the 1 in 100 year plus climate change event;*
- d) Using known flood levels perform simulations to ascertain the risk associated with a blocked outfall and provide compensatory storage and high level overflow within the drainage systems to manage this;*
- e) Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable. Justification for alternatives should be by means of a viability assessment; and*
- f) Provide details of the adoption and maintenance of all surface water features on site.*

The resultant drainage information shall inform the layout of the site and shall include appropriate stand-off distances between drainage infrastructure and buildings within the site and appropriate measures for flood risk management. None of the buildings within any phase shall be occupied until the approved drainage scheme, the flow restriction and attenuation works has been provided on the site to serve the development for each agreed phasing of the development to which the buildings relate and thereafter retained.

Reason: *In this instance it is necessary that the layout of the site be interdependent with the existing and proposed drainage infrastructure. A comprehensive layout taking its form following investigation and consideration of on-site drainage systems and their relationship to adjoining off-site drainage networks shall be submitted to demonstrate that the site can be satisfactorily drained and to mitigate flood risk. This is to accord with Policy BE1(i) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and part 14 of the National Planning Policy Framework.*

To discharge Condition 24, the applicant has submitted the following over the course of the application process:

Drainage Masterplan (ref: 065646 CUR 00 ZZ DR C 92001 P02) received 26th October 2020

Drainage Masterplan Phase 2 (ref: 065646 CUR 00 ZZ DR C 92002 P02)

S38 Drainage Layout Sheet 1 (ref: 065646 CUR ZZ ZZ DR C 95501 P05)
received 26th October 2020
S38 Drainage Layout Sheet 2 (ref: 065646 CUR ZZ ZZ DR C 95502 P05)
received 26th October 2020
S38 Manhole Schedules (ref: 065646 CUR ZZ ZZ DR C 95601 P03) received
26th October 2020
S104 Drainage Layout North (ref: 065646 CUR 00 ZZ DR C 92501 P02)
received 26th October 2020
S104 Drainage Layout South (ref: 065646 CUR 00 ZZ DR C 92502 P02)
received 26th October 2020
S104 Long Sections Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92601 P02)
received 26th October 2020
S104 Long Sections Sheet 2 (ref: 065646 CUR 00 ZZ DR C 92602 P02)
received 26th October 2020
S104 Long Sections Sheet 3 (ref: 065646 CUR 00 ZZ DR C 92603 P02)
received 26th October 2020
S104 Drainage Manhole Schedules Sheet 1 (ref: 065646 CUR 00 ZZ DR C
92701
P02) received 26th October 2020
S104 Drainage Details Sheet 1 (ref: 065646 CUR 00 C ZZ DR 92801 P01)
received 26th October 2020
S104 Basin Details Sheet 1 065646 CUR 00 C ZZ DR 92811 P01

The LLFA initially objected to the discharge of Condition 24 by memo dated 23rd June 2020 due to a lack of information and the need for an overarching site plan showing all drainage is provided so it is possible to understand drainage routes across the site. The applicant had also not provided any simulations to understand the impact of a submerged outfall. This was identified as an essential component of the conditions imposed at previous phases and must be provided to understand risks of water backing up the network from the watercourse or the impact of flows not being able to discharge due to a submerged outfall.

Extensive discussions were held between the applicant and the LLFA in the course of the application and further information submitted as detailed above. The LLFA have confirmed by memo dated 24th November that they now have no objection to the drainage design proposals with a restricted discharge for all events up to the 1 in 100-year plus climate change, with attenuation being provided in oversized pipes located under the access road. The LLFA advises that the design shows a flow restriction of 24.5l/s being applied to drainage, design drawings also show the concept for the private drainage connecting into the carriageway system at 7l/s, however, these have been superseded with the attenuation now being used as compensatory storage for the development plateaus. The refinement of the modelling could provide greater understanding of the system meaning the attenuation basin could revert back to balancing for the site area. However, the LLFA now have no objection to the discharge of Condition 24 for Phase 1 only.

Condition 24 is therefore discharged for Phase 1 subject to advice that to secure full compliance with the condition, the first phase of the Reserved

Matters (approved in accordance with 2020/91488) shall be implemented in accordance with the plans and documents listed above and thereafter retained.

Decision Notice Text

Summary Decision:

Conditions discharged subject to advice:

Condition 5 (whole site)
Condition 11 (whole site)
Condition 13 (Phases 1 and 2)
Condition 14 (Phase 1)
Condition 23 (Phase 1)
Condition 24 (Phase 1)

ADVICE:

Condition 5: Phasing

The development authorised by this permission shall not begin until a phasing plan for the whole of the application site has been submitted to and approved in writing by the Local planning Authority. The development shall be carried out and completed in accordance with timescales of each phased part of the development.

Reason: *This is a pre-commencement condition to ensure the development of the site can be carried out within an approved phasing approach to avoid unnecessary delays, to enable the works continue and progress in accordance with guidance in the National Planning Policy Framework.*

Condition 5 is discharged for the whole site subject to advice that to secure full compliance with Condition 5, the development shall be carried out and completed in accordance with the phasing plan 1856 PL 150E received 7th August 2020 which identifies 5 phases of development comprising:

- Phase 0 – Demolition (pursuant to the outline permission)
- Phase 1 – including access road, plateauing, remediation, servicing and drainage in accordance with 2020/91488 (Approved)
- Phase 2 – 2020/91807 (Pending)
- Phase 3 – Pending
- Phase 4 – Serviced Plot (Pending)

Condition 11: Sewer Access

No development shall commence until details of ensuring permanent access throughout all phases of the development to Moorend Combined Sewer Overflow and associated syphon sewer have been submitted to and approved by the Local Planning Authority. Furthermore no construction activity shall

commence in the affected area (s) of the site until the approved works have been implemented and verified as complete to the Local Planning Authority. Reason: This is a pre commencement condition, to ensure sufficient access for maintenance and repair work at all times is retained and to accord with Policy PLP24 of the Publication Draft Local Plan.

Condition 11 is discharged for the whole site subject to advice that to secure full compliance with the condition, the development across the whole site shall be carried out and completed in accordance with the following:

- Phasing plan 1856 PL 150E received 7th August 2020
- Email from the agent dated 11 August 2020 confirming that the YW Sewer Overflow is within the area of land to be retained by YW and hence will not be negatively impacted by the proposed development as access to the overflow will therefore be as existing through the YW compound.

Condition 13: Foul Water Drainage

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works, the point(s) of connection and appropriate phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. If sewage pumping is required, the peak pumped foul water discharge must not exceed 6 (six) litres per second. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: This is a pre commencement condition to ensure that no foul water discharges take place until proper provision has been made for their disposal. In the interests of achieving satisfactory and sustainable drainage of the site. This is to accord with Policy BE1(i) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and guidance in part 14 of the National Planning Policy Framework.

Condition 13 is discharged for Phases 1 and 2 subject to advice that to secure full compliance with the condition, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works in accordance with the following:

- Drainage calculations prepared by Curtins received 22nd May 2020;
- The agent response to Yorkshire Water dated 11th August 2020;
- Plan 065646-CUR-00-ZZ-DR-C-92002-P02 Drainage Masterplan phase 2 received 22nd May 2020;
- Developer confirmation as set out in the letter from Yorkshire Water dated 28th August 2020 of their intention to pump foul water at maximum rate of 3.5 (three point five) litres per second to the public combined sewer crossing the site.

Condition 14: Outfall

No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, during and after the construction phase in the interests of amenity, environmental well-being and to ensure that the site is satisfactorily drained and avoids the risk of flooding from the proposed development in accordance with Policy BE1(iv) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and part 14 of the National Planning Policy Framework

Condition 14 is discharged for Phase 1 subject to advice that to secure full compliance with Condition 14, the discharge of surface water from the application site shall take place in accordance with details contained within the following plans.

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- Drainage Masterplan (ref: 065646 CUR 00 ZZ DR C 92001 P02) received 26th October 2020
- Drainage Masterplan Phase 2 (ref: 065646 CUR 00 ZZ DR C 92002 P02)
- S38 Drainage Layout Sheet 1 (ref: 065646 CUR ZZ ZZ DR C 95501 P05) received 26th October 2020
- S38 Drainage Layout Sheet 2 (ref: 065646 CUR ZZ ZZ DR C 95502 P05) received 26th October 2020
- S38 Manhole Schedules (ref: 065646 CUR ZZ ZZ DR C 95601 P03) received 26th October 2020
- S104 Drainage Layout North (ref: 065646 CUR 00 ZZ DR C 92501 P02) received 26th October 2020
- S104 Drainage Layout South (ref: 065646 CUR 00 ZZ DR C 92502 P02) received 26th October 2020
- S104 Long Sections Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92601 P02) received 26th October 2020
- S104 Long Sections Sheet 2 (ref: 065646 CUR 00 ZZ DR C 92602 P02) received 26th October 2020
- S104 Long Sections Sheet 3 (ref: 065646 CUR 00 ZZ DR C 92603 P02) received 26th October 2020
- S104 Drainage Manhole Schedules Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92701
- P02) received 26th October 2020
- S104 Drainage Details Sheet 1 (ref: 065646 CUR 00 C ZZ DR 92801 P01) received 26th October 2020
- S104 Basin Details Sheet 1 065646 CUR 00 C ZZ DR 92811 P01

Condition 23: Residential Uncertainty

Detailed plans and particulars of the reserved matters for the first phase shall include

'Residual Uncertainty Assessment' in relation to flood risk to be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- a) Use latest Environment Agency Guidance that seeks to develop certainty from known inputs;*
- b) Validate REFH2 hydrograph or where demonstrated that this is not possible, increase Standard of Protection significantly to allow for the uncertainty posed by an invalidated hydrograph (the LLFA recommend the use of the 1 in 1000 year flood extent given the minimal change); and*
- c) Ensure that all areas of the site have a dry evacuation route that does not cross a Fluvial, Surface Water risk area or an area of flood routing.*

Reason: In order for officers to make an informed assessment and to ensure satisfactory drainage of the site is delivered, in accordance with the National Planning Policy Framework and Policies PLP28 and PLP 29 of the Publication Draft Local Plan.

Condition 23 is discharged for Phase 1 subject to advice that to secure full compliance with the condition, the first phase of the Reserved Matters (approved in accordance with 2020/91488) shall be implemented in accordance with the following documents and plans:

- Flood Zone Extents Unit 1 North (ref: 065646 CUR 00 ZZ DR C 04953 P01) received 6th November
- Unit 1 Flood Extents (ref: 065646 CUR 00 ZZ DR C 04904 P01) received 19th November 2020
- 1D Hydraulic River Model Summary Report received 26th October 2020
- Email from Curtins dated 10th November 2020
- North Compensation attenuation (ref: 065646-CUR-00-ZZ-DR-C-04905-P01) received 13th November 2020
- Flood Compensation Strategy (ref: 065646-CUR-ZZ-ZZ-CO-C-002) received 13th November 2020
- Flood Outline Model received 12th October 2020
- Email from Curtins dated 12th October 2020

Advisory Note:

It is recommended that the 300mm pipe is subject to a monthly inspection or after each heavy rain event to ensure that it is kept clear of debris. Whilst the above details are satisfactory for the purposes of discharging Condition 23, should the applicant wish to install a twin 300mm pipe or a larger diameter pipe, there would be no objection from the Council to that additional provision.

Condition 24: Disposal of Surface Water

Detailed plans and particulars of the reserved matters for the first phase pursuant to

Conditions nos. 1, 2 and 5 above shall include a scheme to dispose of surface water from the development. This scheme shall:

- a) Restrict discharge from the development to a combined discharge rate of 50.2l/s for all rainfall events up to and including the 1 in 100 year event, unless otherwise agreed by the Local Planning Authority;*
- b) Adhere to the principles as set out in the drainage strategy from Curtins reference 65646-FRA-SB Rev 4;*
- c) Provide attenuation on site for the 1 in 100 year plus climate change event;*
- d) Using known flood levels perform simulations to ascertain the risk associated with a blocked outfall and provide compensatory storage and high level overflow within the drainage systems to manage this;*
- e) Incorporate vegetated sustainable drainage techniques throughout the development wherever possible and practicable. Justification for alternatives should be by means of a viability assessment; and*
- f) Provide details of the adoption and maintenance of all surface water features on site.*

The resultant drainage information shall inform the layout of the site and shall include appropriate stand-off distances between drainage infrastructure and buildings within the site and appropriate measures for flood risk management. None of the buildings within any phase shall be occupied until the approved drainage scheme, the flow restriction and attenuation works has been provided on the site to serve the development for each agreed phasing of the development to which the buildings relate and thereafter retained.

Reason: In this instance it is necessary that the layout of the site be interdependent with the existing and proposed drainage infrastructure. A comprehensive layout taking its form following investigation and consideration of on-site drainage systems and their relationship to adjoining off-site drainage networks shall be submitted to demonstrate that the site can be satisfactorily drained and to mitigate flood risk. This is to accord with Policy BE1(i) of the Kirklees Unitary Development Plan, PLP 28 of the Publication Draft Local Plan and part 14 of the National Planning Policy Framework.

Condition 24 is discharged for Phase 1 subject to advice that to secure full compliance with the condition, the first phase of the Reserved Matters (approved in accordance with 2020/91488) shall be implemented in accordance with the following documents and plans:

- Drainage Masterplan (ref: 065646 CUR 00 ZZ DR C 92001 P02) received 26th October 2020
- Drainage Masterplan Phase 2 (ref: 065646 CUR 00 ZZ DR C 92002 P02)
- S38 Drainage Layout Sheet 1 (ref: 065646 CUR ZZ ZZ DR C 95501 P05) received 26th October 2020
- S38 Drainage Layout Sheet 2 (ref: 065646 CUR ZZ ZZ DR C 95502 P05) received 26th October 2020
- S38 Manhole Schedules (ref: 065646 CUR ZZ ZZ DR C 95601 P03) received 26th October 2020

- S104 Drainage Layout North (ref: 065646 CUR 00 ZZ DR C 92501 P02) received 26th October 2020
- S104 Drainage Layout South (ref: 065646 CUR 00 ZZ DR C 92502 P02) received 26th October 2020
- S104 Long Sections Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92601 P02) received 26th October 2020
- S104 Long Sections Sheet 2 (ref: 065646 CUR 00 ZZ DR C 92602 P02) received 26th October 2020
- S104 Long Sections Sheet 3 (ref: 065646 CUR 00 ZZ DR C 92603 P02) received 26th October 2020
- S104 Drainage Manhole Schedules Sheet 1 (ref: 065646 CUR 00 ZZ DR C 92701 P02) received 26th October 2020
- S104 Drainage Details Sheet 1 (ref: 065646 CUR 00 C ZZ DR 92801 P01) received 26th October 2020
- S104 Basin Details Sheet 1 065646 CUR 00 C ZZ DR 92811 P01

Report Dated: 24th November 2020