

**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: 2020/44/92345/E

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

Description: Discharge of Condition 26 (Part of Phase 1 -
demolition and enabling works) 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 Condition – Approve

**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.**

Victor Grayson

AUTHORISED OFFICER

Date: 08-Nov-2020

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 26: Temporary Surface Water Drainage pursuant to demolition and earthworks associated with Phase 1.

Condition 26

Prior to the commencement of each phase of development, details of the disposal of surface water from the development through the construction phase for that phase shall be submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall then be implemented in accordance with the approved details.

Reason: This is a pre commencement condition to ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features, in accordance 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

The application was originally supported by the following:

- Covering letter prepared by WSP dated 22nd July 2020
- Temporary Surface Water Drainage Strategy prepared by PRL dated July 2020 (Issue 01) and received 22nd July 2020

However, the LLFA advised by memo dated 4th August 2020 that there was insufficient information to adequately assess the proposals. Discussions then ensued between the applicant and the LLFA, which resulted in the submission of the following revised information:

- Temporary Surface Water Drainage Strategy prepared by PRL (Issue 04) received 20th August 2020
- Drainage/Foul Sewerage Assessment Water Testing prepared by Envirolab received 18 September 2020.
- Temporary Surface Water Plan 065646-CUR-00-ZZ-DR-C-04905-PO1 prepared by Curtins received 20th August 2020.
- Existing services plan C411-05/103 received 17th August 2020.

- Correspondence from applicant by email dated 18th September 2020.

The additional information has been considered by the LLFA following further telephone discussions with the applicant. The LLFA has confirmed by memo dated 6th November 2020 that the information provided is acceptable but only for the purposes of the demolition and enabling phase of the proposal. This relates to the demolition works and undertaking earthworks, including cut and fill to achieve the desired development platforms. A further discharge of condition application pursuant to Condition 26 will be required prior to works commencing on the access road.

Decision Notice Text:

For the demolition and enabling phase of development only, Condition 26 is discharged subject to advice that to secure full compliance with the condition for the stated phase, the disposal of surface water from the development shall be implemented in accordance with the following documents:

Temporary Surface Water Drainage Strategy prepared by PRL (Issue 04) received 20th August 2020

Drainage/Foul Sewerage Assessment Water Testing prepared by Envirolab received 18 September 2020.

Temporary Surface Water Plan 065646-CUR-00-ZZ-DR-C-04905-PO1 prepared by Curtins received 20th August 2020.

Existing services plan C411-05/103 received 17th August 2020.

Correspondence from applicant by email dated 18th September 2020.

Report Dated: 6th November 2020