



Kirklees Council
Planning and Development Service
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Date: 03-Apr-2023
Our Ref: 2020/93650

Dear Sir,

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of condition 3 (access road), condition 4 (internal estate road) and condition 5 (landscape works) of previous reserved matters permission 2020/91488 pursuant to outline application 2016/92298 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)

Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Oakenshaw, BD12 7ET

Application Number: 2020/93650

I write with reference to your application to discharge the conditions for the above development as submitted on 28-Oct-2020.

Condition 3 (access road)

The access works have received approval via a Section 278 agreement, dated 06/01/2023. The Section 278 agreement includes a comprehensive list of the approved plans in Schedule 2, with phase 1 relating to the access pursuant to condition 3. The following plans are relevant:

- L004-CUR-P1-ZZ-DR-C-95001-P04-S278 Phase 1 – General Arrangements
- L004-CUR-P1-ZZ-DR-C-95002-P04-S278 Phase 1 – Junction Vehicle Tracking
- L004-CUR-P1-ZZ-DR-C-95003-P04-S278 Phase 1 – Refuse Vehicle Tracking
- 065646-CUR-ZZ-ZZ-DR-C-95012.1-P01-S278 Phase 1 – Dedication Plan
- 065646-CUR-ZZ-ZZ-DR-C-95013.1-P01-S278 Phase 1 – Site Clearance

- 065646-CUR-ZZ-ZZ-DR-C-95014.1-P01-S278 Phase 1 – Pavement Construction
- 065646-CUR-ZZ-ZZ-DR-C-95015.1-P01-S278 Phase 1 – Full Pavement Construction
- 065646-CUR-ZZ-ZZ-DR-C-95021.1-P01-S278 Phase 1 – Long sections Sheet 1
- 065646-CUR-ZZ-ZZ-DR-C-95022.1-P01-S278 Phase 1 – Long sections Sheet 2
- 065646-CUR-ZZ-ZZ-DR-C-95023.1-P01-S278 Phase 1 – Long sections Sheet 3
- 065646-CUR-ZZ-ZZ-DR-C-95041.1-P01-S278 Phase 1 – Construction details sheet
- 065646-CUR-ZZ-ZZ-DR-C-95051.1-P01-S278 Phase 1 – Drainage Layout
- 065646-CUR-ZZ-ZZ-DR-C-95061.1-P01-S278 Phase 1 – Kerbing
- L004-CUR-P1-ZZ-DR-C-95071-P06-S278 Phase 1 – road makings and signs

The approved Section 278 agreement and the approved plans, as listed above, are sufficient to meet the initial requirement of condition 3. However, be aware that condition 3 has the following ongoing requirement, which must be adhered to, to ensuring ingoing compliance:

The development shall be completed in accordance with the approved scheme before any building on site is brought into use and retained thereafter.

Condition 4 (internal estate road)

The submitted details are insufficient to enable discharge of condition 4 at this time. Negotiations are ongoing between the applicant and K.C. Highways (Section 38 team).

For the avoidance of doubt, condition 4 is not hereby discharged.

Condition 5 (landscape works)

You have submitted the following details pursuant to condition 5:

- Plan ref: 798/LA2H
- Document titled Soft Landscape Specification
- Document titled Planting Schedule

The submitted details are sufficient to meet the initial requirement of condition 5. However, be aware that condition 5 has the following ongoing requirement, which must be adhered to, to ensuring ingoing compliance:

All soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.



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Note that this approval relates to condition 5 of application 2020/91488, only. Negotiations are ongoing in relation to the Public Right of Way SPE/21/20 which is subject to conditions imposed on the original outline application.

Yours faithfully,

Mathias Franklin
Head of Planning and Development