

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2020/61/91488/E

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

Description: Reserved matters application pursuant to outline
permission 2016/92298 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)
(Phase 1) to include the discharge of Conditions 6
(BEMP), 17 (Site investigations), 18 (Tree Survey), 29
(Noise attenuation) and 31 (Electric vehicle charging
points).

Recommending Officer: Kate Mansell

DECISION – Approval of Reserved Matters

**I hereby authorise the approval of this application for the reasons set
out in the agenda of the Strategic Planning Committee dated 16/09/20
and the committee decision authorisation sheet annexed below in
respect of the above matter.**

David Wordsworth

AUTHORISED OFFICER

Date: 15-Oct-2020

Decision Authorisation – Committee Decision

Committee: Virtual Meeting, Strategic Planning Committee

Date of Committee: 16th September 2020

Application Number: 2020/91488

Officer Recommendation: DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete a list of conditions, including those contained within this report.

Committee Decision: Application Approved (delegated) as per Officer Recommendation.

Conditions

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted.

2. The development hereby permitted shall be completed in accordance with the advice and directions (including tree protection and schedule of tree works) set out within the Arboricultural Impact Assessment and Arboricultural Method Statement (Phase 1) prepared for Brooks Ecological (Report Reference AR-4003-02-A) dated June 2020 received 1st July 2020.

Reason: For the avoidance of doubt and to ensure an acceptable quality of development, including appropriate tree retention.

3. No construction of the access road shall take place until final details of the new junction with Cliff Hollins Lane and associated highway works (including the relationship to the Public Right of Way) have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Full sections (long and cross);
- b) Drainage works;
- c) Street lighting;
- d) Signing;
- e) Surface finishes;
- f) Speed reducing features;
- g) Construction specifications;
- h) White lining;
- i) Treatment of sight lines;

- j) Independent safety audits covering all aspects of the highway works;
- k) Details (long and cross-sections) of the relationship of the access road to the PROW.

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

Reason: To ensure that suitable access is available for the development.

4. No construction of the access road shall take place until a scheme detailing the proposed internal adoptable estate road approved as part of Phase 1 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) Full sections (long and cross);
- b) Drainage works;
- c) Street lighting;
- d) Signing
- e) Surface finishes
- f) Speed reducing features
- g) Construction specifications;
- h) White lining
- i) Treatment of sight lines
- j) Independent safety audits covering all aspects of the highway works;
- k) Details (long and cross-sections) of the relationship of the access road to the Public Right of Way along the entrance to the site as well as drainage measures for the PROW

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

Reason: To ensure that suitable access is available for the development.

5. Notwithstanding the approved plans, prior to any soft planting commencing, full details of soft landscape works, including an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The details of the soft landscape works shall include:

- (a) Final planting plans;
- (b) Written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (c) Schedules of plants noting species, planting sizes and proposed numbers/densities.

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.

Reason: To ensure the provision and establishment of an acceptable finalised landscape scheme in broad accordance with the overall plan and schedule submitted with the application.

INFORMATIVES

Condition 6 is discharged pursuant to Phase 1 subject to advice that to secure full compliance with Condition 6, the development must be implemented in accordance with the approved details and timescales pre, during and post construction as set out in the BEMP prepared by Brooks Ecological (Report Ref: ER-4003-02.3) received 1st July 2020.

Condition 17 is discharged pursuant to Phase 1 and the wider site as detailed in the submitted reports subject to advice that to secure full compliance with Condition 17, the development must be implemented in accordance with the information and recommendations set out in the Ground Investigation Report (Ref: V01) dated 3rd December 2019, the Phase II Geo-environmental Report prepared by Wardell Armstrong dated November 2017 (Report Ref: RPT-002C) both received 26 May 2020 and the Coal Mining Risk Assessment for Phase 1 and 2 prepared by Curtins dated 4 February 2020 (Report Ref: B065646-CUR00-XX-RP-GE-001) approved as part of Condition 16 in accordance with 2019/93679.

Condition 18 is discharged for Phase 1. This is subject to advice that to secure full compliance with Condition 18, the development must be implemented in accordance with the information and recommendations set out in the Arboricultural Method Statement prepared by Brooks Ecological (Report Ref: AR-4003-02-A) received 1st July 2020.

Condition 29: On the basis that Phase 1 does not result in the construction of any new buildings, no specific details are required for Condition 29 in respect of Phase 1 and it can be considered to be discharged on this basis.

Condition 31: On the basis that Phase 1 does not result in the construction of any new buildings such that it will create neither a demand nor a requirement for electric vehicle charging points or a low emission strategy no specific details are required for Condition 31 in respect of Phase 1 and it can be considered to be discharged on this basis

PLANS

Plan Type	Reference	Version	Date Received
Location Plan	856 PL154	Rev A	28 May 2020
Planning Layout	856 PL153	Rev C	28 May 2020
Phasing Plan	1856 PL 150	Rev E	7 August 2020
Planning layout	1856 PL 155		28 May 2020
Landscape Plan	798_LA 1 (Overall plan)	Rev B	17 July 2020
Topographical Survey	SH10534-005 1 of 2		26 May 2020
Topographical Survey	SH10534-005 2 of 2		26 May 2020
Proposed Bulk Earthworks Levels Phase 1	065646-CUR-00-ZZ-DR-C-91012-P02		26 May 2020
BulkEarthworks Levels Phase2	065646-CUR-00-ZZ-DR-C-91012-P03-)		26 May 2020

Site Sections	CUR-00-ZZ-DR-C-91021 PO2 1 of 2		28 August 2020
Site Sections layout	065646-CUR-00-ZZ-DR-C-91020-P01		25 August 2020
Design and Access Statement	Prepared by Ellis Healey	V2.1	26 May 2020
Arboricultural Impact Assessment and Method Statement	Prepared by Brooks Ecological Ref AR-4003-02-A		1 July 2020
Tree Survey and Tree Constraints Plan	Prepared by Brooks Ecological AR-4003-01 September 2019		26 May 2020
Phase 2 Geo-Environmental Assessment	Prepared by Wardell Armstrong Ref: RPT-002C dated November 2017		28 May 2020
Biodiversity Enhancement and Management Plan	Prepared by Brooks Ecological Ref: ER-4003-02.3dated June 2020		1 July 2020
Ground Investigations Reports	Prepared by Curtins Ref: 065646-CUR-00-XX-RP-GE-001 dated December 2019		26 May 2020
Phase 1 Planting Schedule			17 July 2020
Phase 1 Soft Landscaping Specification			17 July 2020

Dated: 15 October 2020