

**Consultation Response from KC,
Lead Local Flood Authority**

2021/91506 Shop Lane, Kirkheaton, Huddersfield, HD5 0DB

Reserved matters application pursuant to outline permission 2014/92535 for erection of 41 dwellings, formation of access and associated infrastructure

Date Responded: 10th July 2023

Responding Officer: Paul Farndale

Responding Ref:

Further to our comments of 3rd February 2023, a plan showing revised levels around plot 41 including has been submitted showing flow routes back to the access road.

Management Company Requirements

The original 2014 outline application was made before there was a requirement under House of Commons Written Statement 161 obligating the LPA to ensure the maintenance and management of SUDS systems for the life of the development.

However, the above is still recommended established through a unilateral undertaking under Section 106 Town and Country Planning Act 1990. A management company is required to carry out responsibilities for the 2 watercourses within the site boundaries and the land drainage system serving Cockley Hill application which will need to pass under the existing public highway. These should not therefore come under riparian ownership leaving the Council or individual house purchasers liable. A detailed itinerary and schedule of maintenance tasks should be agreed.

Suggested Conditions

DR10 Construction Phase (Temporary) Drainage

Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail: - phasing of the development and phasing of temporary drainage provision. - include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented. - cater for a 1 in 2-year storm event. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.

DR02 Watercourse Piping and Land Drainage (adapted) (to be examined by the planning officer with legal advice on wording where necessary).

Development shall not commence until a scheme detailing the piping of the watercourses within the site, and land drainage serving this or other applications crossing areas within and between red line boundaries, as demonstrated on submitted locations plans. The scheme will include a detailed maintenance and management regime (itinerary and schedule) for the piped watercourse and piped land drainage for the lifetime of the site and attached to a unilateral undertaking under section 106 of the Town and Country Planning Act 1990, to create a management company to carry out the maintenance regime. The scheme shall be submitted to and approved in writing by the Local Planning Authority. No part of the

development shall be brought into use until the watercourse piping works and land drainage works have been completed. The maintenance and management regimes shall be implemented thereafter.

DR07 Flood Routing (amended) for Plot 41 and the adjacent existing property

The development shall be constructed in accordance with drawing ref 906/09/SK07.01 Revision J, 'Flood Routing Layout Sheet 1 of 2', in order to protect the proposed property at plot 41 and the adjacent existing property from exceedance events and blockage scenarios on watercourses and surface water drainage infrastructure within the site. This includes finished floor levels, surrounding ground levels and gradients, and the use of retaining walls to block flow paths. If the applicant desires or requires alterations to this drawing, subsequent revisions should be submitted to the LLFA and LPA and approved in writing prior to construction commencing.

Advice Note

Alongside planning application 2021/92527 for Cockley Hill Lane, that shares the drainage outfall, we expect finalised plans to ensure at least one road gully on Shop Lane is connected to the existing trough so that some flow is maintained along this route. This should be included in the detailed design for discharge of conditions applications for any outline and reserved matters applications.