



Kirklees Council
Planning Department
Civic Centre 3
Market Street
Huddersfield
West Yorkshire
HD1 1WG

62262304-006
Via Planning Portal
17 May 2021

Dear Sir / Madam,

**APPLICATION TO DISCHARGE CONDITIONS 8 AND 26 OF PLANNING PERMISSION REF:
2016/60/92298/E RELATING TO PHASE 1 – ACCESS ROAD
FORMER NORTH BIERLEY WASTE WATER TREATMENT WORKS, OAKENSHAW, BD12 7ET
PLANNING PORTAL REF: PP-09845029**

On behalf of Interchange 26 LLP, please find enclosed an application to discharge Conditions 8 and 26 of planning permission ref: 2016/60/92298/E at the above site in relation to the Phase 1 access road.

In addition to this cover letter, the following documents are submitted in support of the application:

- Construction Environmental Management Plan (CEMP) prepared by GMI Construction; and
- Topo Survey and Land Drainage Sheets 1 and 2.

The application fee of £116 has been paid online via the Planning Portal.

BACKGROUND

Planning History

The application site benefits from an outline planning permission (ref: 2016/60/92298/E) for the redevelopment of a former waste water treatment works, following the demolition of existing structures to provide employment uses (Use Classes B1(c), B2 and B8).

Reserved matters (RM) approval was granted in respect of Phase 1 of the site (the access road and development plateaus) on 15 October 2020, under application ref: 2020/91488. Furthermore, a number of conditions attached to the outline consent have been discharged, enabling the construction of the development plateaus to commence. This includes the partial discharge of Conditions 8 and 26 on 27 October 2020 under application ref: 2020/92342, in respect of the demolition works (which formed Phase 0) and development plateaus for Phase 1 only.

However, the other element of Phase 1 relates to the access road that will serve the development. The works associated with the road have not yet commenced as they will be undertaken by a different contractor (GMI Construction) than that which was involved in the formation of the development plateaus. As such, GMI Construction has prepared the enclosed documents which

are submitted in support of discharging Conditions 8 and 26, to enable the construction of the access road to commence.

CONDITION 8

Condition 8 states:

“Prior to the commencement of each phase, a Construction Environment Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the procedures that will be used to protect the amenity of occupiers of nearby sensitive premises by effectively controlling:-

- a) Noise and vibration from construction activities and vehicle movements;*
- b) Dust from construction activities and vehicle movements; and*
- c) Stray light and glare from artificial lighting used on site*

Thereafter, each phase of the development shall be carried out adhering to the approved plan at all times during the construction of each phase, until completion.

Reason: In the interest highway safety of all those using the surrounding highway infrastructures and residential amenity of nearby residents in accordance with Policies T10 and EP4 of the Kirklees Unitary Development Plan and PLP21 and 52 of the Publication Draft Local Plan. This is a pre commencement condition to ensure the development of this site can reasonably be carried out with minimal disruption to occupants of nearby residential properties.”

As required by Condition 8, the enclosed CEMP is submitted in the interest of highways safety and to protect the residential amenity of nearby residents. The CEMP addresses each of the above criteria as follows:

- a (noise and vibration) – Paragraph 5.2 of the report sets out a number of measures which will be applied on site to mitigate noise and vibration from construction activities and vehicle movements. These measures include but are not limited to the completion of a risk assessment, restricted working hours, good maintenance of plant and equipment, liaison with residents and management of complaints. Please refer to Paragraph 5.2 for more details.
- b (dust) – Paragraph 5.2 also sets out the measures that will be in place to control dust from construction activities and vehicle movements. These include but are not limited to identification of sensitive receptors, adequate shielding or wetting of cutting and grinding operations, appropriate cleaning methods, wheel washing and visual checks and recordings. Please refer to Paragraph 5.2 for more details.
- c (stray light and glare) – Paragraph 5.2 explains that no works are planned to be conducted during hours of darkness on the project, so nuisance lighting will not be an issue.

CONDITION 26

Condition 26 states:

“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 enclosed Land Drainage drawings (Sheets 1 and 2) provide details of the proposed method of disposing surface water from site during the construction of the access road. The discharge system will comprise a series of drainage ditches, grips and temporary storage lagoons and then the extraction of water from the lagoon via pumps to a Kelly Tank Siltbuster (or similar). The existing outlet is to be cleared of debris and vegetation.

As explained above, this surface water drainage proposal relates to the access road for Phase 1 during the construction period only. Subsequent applications to discharge this condition in relation to future phases of the site (ie buildings) will be submitted in due course.

CONCLUSION

I trust that the above and enclosed information is sufficient to discharge Conditions 8 and 26 in respect of Phase 1. However, please let me know if you have any queries or if you require any additional information.

Yours faithfully,



Fraser Dann
Senior Planner

Cc: Ryan Unsworth – Interchange 26 LLP
James Farnaby – Interchange 26 LLP
Adam Watson – Fox Lloyd Jones
John Brooks – WSP

Enc: As noted above.