

**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:	2022/44/91033/E
Site Address:	Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Oakenshaw, BD12 7ET
Description:	Discharge of condition 13 (partial - foul water drainage - units 1 and 2) of previous outline permission 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)
Recommending Officer:	Nick Hirst

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: 25-May-2022

Application: 2022/44/91033/E

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

Proposal: Discharge of condition 13 (foul water drainage) of previous outline permission 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)

Assessment

Condition 13 (foul water drainage)

13. No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works, the point(s) of connection and appropriate phasing of the necessary infrastructure, have been submitted to and approved by the Local Planning Authority. If sewage pumping is required, the peak pumped foul water discharge must not exceed 6 (six) litres per second. No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: *This is a pre commencement condition to ensure that no foul water discharges take place until proper provision has been made for their disposal. In the interests of achieving satisfactory and sustainable drainage of the site. This is to accord with Policy BE1(i) of the Kirklees Unitary Development Plan, PLP28 of the Publication Draft Local Plan and guidance in part 14 of the National Planning Policy Framework.*

The submission has been reviewed by the LLFA and Yorkshire Water. The LLFA responded:

Connection points to the public sewer network and restrictions on foul water drainage would require a response from Yorkshire Water. The LLFA is statutory consultee for surface water. No further comment.

Yorkshire Water replied:

Yorkshire Water has no objection to the discharge of condition 13.

Application details show foul discharge to the combined network at a pumped rate of discharge of 6 litres per second.

In light of Yorkshire Water's agreement and no further comment from the LLFA, officer recommend that condition 13 be discharged.

It should be noted that the development is phased, with this application relating to a single phase only. A note to this effect, referring to this DOC being associated with the land in question (as shown on plan) is advised.

Recommendation: Approve Discharge of Condition

Report Dated: 25/05/2022

Proposed Letter Text

Condition 13 (foul water drainage – units 1 and 2)

You have submitted the plans '065646 CUR 00 ZZ DR C 92501 P05' and L004-MJM-XX-XX-DR-D-5220 rev. C03' to discharge condition 13.

The site has been split into several phases of development. The submitted information, in so far as it relates to Units 1 and Units 2 as shown on plan ref. '065646 CUR 00 ZZ DR C 92501 P05', is considered acceptable. You are however reminded that condition 13 has the following condition which must be adhered to, to ensure continued compliance:

No buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Further submissions will need to be made pursuant to condition 13 in relation to other phases of the development. These submissions will need to be made under (a) new Discharge of Conditions application(s), and will incur a further application fee.