Consultation Response from KC, **Lead Local Flood Authority**
2023/90915 adj, 115, Westfield Lane, Wyke, BD12 9LY
Discharge conditions 6, 7, 8, 9, 10, 12, 13, 14, 21, 22, 24, 27, 29, 30, 32, 33, 34, 35, 38 on previous permission 2020/90436 for outline permission for demolition of 1 dwelling and erection of residential development and associated works with details for access
Date Responded: **Responding Officer:** **Responding Ref:**

Condition 6 – Flood Routing for Reserved Matters Design

Our comments regarding flooding routing are unchanged from 11th May 2023.

The planning officer needs to confirm that this layout design has been fixed at a reserved matters application for the condition to be considered.

Further detail is required on site levels taking off the original contour lines for clarity. While levels for the road have been included, there are no levels for back of kerb and no levels for the driveways and gradient arrows. Spot levels around relevant properties must be included.

In addition, we need to have details of boundary treatments and how that may contain water or release it through adjacent land.

Plots of particular concern are nos. 8-11. Driveways falling back to the road is advised for flood routing.

The risk at the southwest corner must be assessed and make reasonable attempt to protect the property at 24 Brookfields Avenue with water flowing beyond the property.

We do NOT recommend that this condition is discharged at this moment in time.

Condition 7 – Drainage Details for Reserved Matters

Our comments of 11th May 2023 remain unchanged. The planning officer needs to confirm that this layout design has been fixed at a reserved matters application for the condition to be considered.

We accept that soakaways will not be used on this site.

A watercourse of unknown size and condition is located 120 metres to the west of the site. It must be demonstrated that this is with unsuitable for a connection or there is proven inability to legally connect to this feature for a connection to sewer to be considered.

A connection to combined sewer is the final resort in the hierarchy of disposal. Plans show a 3.5l/s connection to this sewer which can be requisitioned across 3rd party land providing Yorkshire Water carry out a successful feasibility study.

The tank design on the submitted plans is generic and does not reflect that in microdrainage, a plan can cross section of the selected final design needs to be submitted to complete this application.

We do NOT recommend that this condition is discharged at this moment in time.

Maintenance Agreement – Tie in with condition 8 – not applied for.

This site has over 10 dwellings and is considered a major application. The Local Planning Authority is obliged to ensure that sustainable drainage systems are maintained and managed for the lifetime of the site. This will include the period from construction to potential adoption by Yorkshire Water or a substitute NAV.

A Section 106 unilateral undertaking needs to be signed to set up a management company to perform these tasks until such a time as the system is formally adopted. This is in line with Kirklees protocol, agreed with Planning Enforcement and Kirklees's Legal Department.

If no such agreement was signed at outline stage, it must be done prior to reserved matters being agreed. A condition is required stating a risk assessment and method statement must be carried out by the Principal Designer under CDM Regulations 2015 to hand over to the management company. This will consist of an itinerary, schedule and methodology of maintenance tasks and inspections to be carried out, including methods of access to and into any attenuation structure.