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:	**2023/44/91865/E**
Site Address:	Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET
Description:	Discharge of condition 3 (materials) of previous reserved matters approval 2021/91932 (units 1 and 2) pursuant to 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) relating to Phase 4 - the construction of 2 x industrial warehouse units with ancillary office accommodation (approximately 6021m2 and 4046m2) with parking and landscaping, including the dischrarge of condition 6 (Bio-diversity Enhancement Management Plan), condition 17 (Site Investigations), condition 19 (Public Rights of Way), condition 29 (Noise Attenuation) and condition 31 (Electric Vehicle Charging Points)
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: 26-Jun-2023

Application: 2023/91865

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

Proposal: Discharge of condition 3 (materials) of previous reserved matters approval 2021/91932 (units 1 and 2) pursuant to 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) relating to Phase 4 - the construction of 2 x industrial warehouse units with ancillary office accommodation (approximately 6021m2 and 4046m2) with parking and landscaping, including the discharge of condition 6 (Bio-diversity Enhancement Management Plan), condition 17 (Site Investigations), condition 19 (Public Rights of Way), condition 29 (Noise Attenuation) and condition 31 (Electric Vehicle Charging Points)

Assessment

<u>Conditions 3 (materials)</u>

> *3. No above ground building works shall take place until samples (manufacturing details) of all external cladding and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed from the approved materials.*
> ***Reason**: To ensure good design and in the interests of visual amenity*

This application seeks to normalise a breach in planning control. The buildings in question have been built prior to the condition being discharged, and are substantially complete.

Notwithstanding this breach, the present situation allows officers to view the materials (fully implemented) as part of a detailed assessment. Officers have visited the site and seen the materials / buildings first hand. The materials are considered acceptable and, notwithstanding the assessment being out of sequence with the wording of condition 3, officers recommend that the details submitted pursuant to condition 3 be approved, and that condition may be discharged.

Recommendation: Discharge of Condition – Approve.

Date: 23/06/2023

Proposed Letter Text

<u>Conditions 3 (materials)</u>

You have submitted the following plans to discharge condition 3:

- Plan titled ‘Samples of External Materials – Unit 1’ by Ellis Healey Architecture
- Plan titled ‘Samples of External Materials – Unit 2’ by Ellis Healey Architecture

The submitted details are acceptable for the initial purpose of condition 3. Furthermore, as the buildings in question have been substantially completed, it is also confirmed that the second part of the condition has been adhered to, and therefore condition 3 is hereby discharged in full.