

**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:	2023/44/92238/E
Site Address:	rear of, 38, Occupation Lane, Dewsbury, WF13 4BP
Description:	Discharge condition 4 (drainage) on previous permission 2020/91918 for reserved matters application pursuant to previous permission 2018/93598 for outline application for erection of 3 dwellings
Recommending Officer:	Elenya Jackson

DECISION – DISCHARGE OF CONDITION

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.

Emma Thompson

AUTHORISED OFFICER

Date: 20-Sep-2023

Officer Report

rear of, 38, Occupation Lane, Dewsbury, WF13 4BP

Discharge condition 4 (drainage) on previous permission 2020/91918 for reserved matters application pursuant to previous permission 2018/93598 for outline application for erection of 3 dwellings

Condition 4

4. Prior to the development being brought into use the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with details that have previously been approved in writing by the Local Planning Authority. The areas shall thereafter be retained in accordance with the details so approved.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Policy LP21 of the Kirklees Local Plan and Chapters 9 and 14 of the National Planning Policy Framework.

Assessment Condition 4

The following has been submitted:

- Application Form
- Drainage Layout
- Proposed Plans & Elevations
- Site Plan

The PPG sets out that the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

1. into the ground (infiltration);
1. to a surface water body;
2. to a surface water sewer, highway drain, or another drainage system;
3. to a combined sewer.

Under Policy LP28 of the Kirklees Local Plan, all new development should normally be required to demonstrate net run-off reduction.

It is considered that as the proposal is for three dwellings, the evidence submitted is sufficient to demonstrate the proposed drainage methods for this site. The proposals have been discussed further with the Lead Local Flood Authority.

The provided report demonstrates that there is limited scope for SUDs on site due to the subsoils having limited infiltration capacity.

The documents indicate that a management company is to maintain the proposed system. It is the applicant's responsibility that during the build out a management and maintenance plan including responsible management company is secured. This should be enforced until adoption and continued for the life of the development if adoption fails. Adoption can fail at any step in the development process from concept design to site inspection post construction.

In conclusion, it is considered that the proposed drainage arrangements set out would, in the circumstances, be acceptable for the purposes of discharging condition 4.

Decision notice text

Condition 4

The following has been submitted:

- Application Form
- Drainage Layout
- Proposed Plans & Elevations
- Site Plan

It is considered that the submitted information would be acceptable for the purpose of condition 4.

It is the applicant's responsibility that during the build out a management and maintenance plan including responsible management company is secured. This should be enforced until adoption and continued for the life of the development if adoption fails. Adoption can fail at any step in the development process from concept design to site inspection post construction.