

**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:	<b>2023/44/93323/E</b>
Site Address:	Centurion House, Centurion Way, Cleckheaton, BD19 3QB
Description:	Discharge condition 5 (surface water drainage) on previous permission 2022/92271 for demolition of Centurion House, erection of petrol filling station and ancillary unit with drive-thru and associated works
Recommending Officer:	Nicole Helliwell

**DECISION – REFUSE DISCHARGE OF CONDITION 5**

**I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 17-Oct-2025**

## **Officer Report**

**Reference No.** 2023/44/93323/E

**Site Address:** Centurion House, Centurion Way, Cleckheaton, BD19 3QB

**Proposal:** Discharge condition 5 (surface water drainage) on previous permission 2022/92271 for demolition of Centurion House, erection of petrol filling station and ancillary unit with drive-thru and associated works.

## **Assessment**

### **Condition 5 – Surface Water Drainage**

*5. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail: - phasing of the development and phasing of temporary drainage provision. - include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented. - the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA. The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.*

**Reason:** *As to ensure suitable drainage of the construction site is achievable in practice in accordance with Policy LP27 and LP28 of the Kirklees Local Plan and Chapters 14 and 15 of the National Planning Policy Framework. This is pre-commencement condition as to ensure this matter is considered at the appropriate stage which must be prior to works commencing given the nature of the condition*

### **Assessment of Condition 5**

The applicant has submitted a plan titled 'Existing Layout' (dated June 2022, reference no. 170352-PLNG10(A)) in support of the application to discharge condition 5. It is assumed that the green line type represents the extent of the proposed French Drain – this line type should be included in the key and a detail of the proposed construction of the French Drain should be provided. The surface water run-off is shown connecting to the Yorkshire Water Combined Sewer in Centurion Way – this is not acceptable and run-off should be discharged to the adjacent Surface Water Sewer. Condition 5 requires the surface water discharge to be limited to 2.5 l/s for the 1 in 2 year rainfall event,

however, the submitted drawing does not show how this would be achieved. On this basis, the Lead Local Flood Authority considers that the submitted information is not accepted and Condition 5 cannot be discharged.

Further communication was undertaken between KC Lead Local Flood Authority and the agent for the application, The LLFA asked for further clarification as to what discharge rate can be achieved without extensive additional temporary storage. However, no additional information was received.

**Decision Notice Text**

**Condition 5 – Surface Water Drainage**

The following information has been submitted:

- Existing Layout (dated June 2022, reference no. 170352-PLNG10(A))

The submitted details are not acceptable at this time and therefore it is recommended that Condition 5 remains until further notice.