



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England) Order
2015**

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2023/62/93805/E

To: Luke Jiggins
WSP
8, First Street
Manchester
M15 4RP

For: GOULDSBOROUGH, YORKSHIRE WATER SERVICES LIMITED

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

DEVELOPMENT OF AN INTEGRATED CONSTRUCTED WETLAND (ICW),
MOTOR CONTROL CENTRE KIOSK, WETLAND OUTFALL WEIR AND
ASSOCIATED ANCILLARY PLANT FOR OPERATIONAL IMPROVEMENTS TO
CLAYTON WEST WASTE WATER TREATMENT WWTW WORKS (WWTW).

At: SOUTH EAST OF, WAKEFIELD ROAD, CLAYTON WEST, HUDDERSFIELD

**In accordance with the plan(s) and applications submitted to the Council on
02-Jan-2024, subject to the condition(s) specified hereunder:-**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP24, LP30, LP31, LP33, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan and Chapters 2, 4, 9, 12, 13, 15 and 16 of the National Planning Policy Framework.

3. Prior to the installation of surface water/foul drainage, detailed designs shall be submitted regarding foul, surface water and land drainage, including agreed discharge rates with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 (+ climate change allowance) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.

Reason: To ensure the effective disposal of surface water from the development so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Public Footpath Denby Dale 13 is within the development site and must not be interfered with or obstructed, prior to, during or after development works without the consent of Kirklees Council (Public Rights of Way team). Authority must be applied for and approval in writing given, prior to works commencing on the footpath. The council's Public Rights of Way team may be contacted by telephone 01484 221000 (please ask for Sharon Huddleston) and the team are based at Civic Centre 1, Huddersfield HD1 2NF. The team's email address is publicrightsofway@kirklees.gov.uk.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays.
- 08.00 and 13.00 hours Saturdays,
- With no working Sundays or Public Holidays.

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan	YW.202043.02 MMB WWT WWT DR C 1010	P02	02/01/2024
Site plan integrated constructed wetlands proposed site layout	YW.202043.02 MMB WWT WWT DR C 1012	P04	21/03/2024
Existing sewage treatment works proposed site layout	YW.202043.02 MMB WWT WWT DR C 1013	P03	21/03/2024
Existing site flood risk plan	YW.202043.02 MMB WWT WWT DR C 1016	P02	02/01/2024
Main works hedgerow and tree removal plan	YW.202043.02 MMB WWT WWT DR C 1011	P02	02/01/2024
Existing and proposed prow general arrangement	YW.202043.02 MMB WWT WWT DR C 1100	P02	21/03/2024
MCC Kiosk Elevation	YW.202043.02 MMB WWT WWT DR C 2104	P02	02/01/2024
Wetland plan and longitudinal section a-a (cells 1-4)	YW.202043.02 MMB WWT WWT DR C 2002	P04	21/03/2024
Wetland plan and longitudinal section b-b (cells 5-7)	YW.202043.02 MMB WWT WWT DR C 2003	P04	21/03/2024
New public right of way plan, longitudinal section and cross section	YW.202043.02 MMB WWT WWT DR C 1102	P02	21/03/2024
Proposed constructed wetland outfall elevation plan	YW.202043.02 MMB WWT WWT DR C 2204	P03	21/03/2024
Planning statement	70113565		02/01/2024
Coal Mining Risk Assessment Report	YW.202043.02-MMB - WWT-WWT-RA-G-0004	1	04/01/2024
Flood risk assessment and outline drainage strategy	DR1UMP-WSP-XX-RP-D-000002		04/01/2024
Factual report on site investigation	D30024/00		21/03/2024
Landscape Mitigation and Management Plan	70113565-LMMP-LA_0001	P02	04/04/2024
Landscape and Visual Appraisal	70113565-LUD-S3-002		04/01/2024
ADDENDUM – Landscape and Visual Impact Appraisal			29/03/2024
Water Framework Directive Assessment	70061334	R1	02/01/2024
Archaeological Watching Brief	4025		02/01/2024

Plan Type	Reference	Version	Date Received
Historic Environment Desk-Based Assessment	331001734	1	02/01/2024
Preliminary Ecological Appraisal Report	021-23 RE01	1	02/01/2024
Arboricultural Survey Report	YW.202043.02-MMB-WWT-WWT-RP-Z-0001	4	14/08/2024
Dearne Reach Integrated Constructed Wetland Positive Biodiversity Net Change Design Stage Report	YW.202043.02-MM-WWT-WWT-RP-Z-0008	P01	08/04/2024
Outline Construction Environmental Management Plan	YW.202043.02-MM-WWT-WWT-RP-Z-0011	P01	21/03/2024
Report on Exploratory Drilling at Dearne Reach, Clayton West Sewage Treatment Works	TD8602/FRpt02	02	28/05/2024
Permit to Enter or Disturb Coal Authority Interests			26/03/2024
Written Scheme of Investigation for an Archaeological Evaluation		1.1	28/08/2024
Probe Drilling Plan	YW.202043.02 MMB WWT WWT SK C 0002	P01	26/03/2024
Biodiversity Metric			08/04/2024
Phase 2 Ground Investigation Report	YW.202043.02-MMB-WWT-WWT-RP-C-0001	A	14/05/2024
Clayton West Ground Engineering Desk Study Report	YW202043 STA WTN WWT SY C 0004	P01	15/05/2024
Surface water management plan	YW.202043.02 MMB WWT WWT DR Z 0005	P01	31/05/2024
Archaeological Excavation	4151		27/06/2024
Trial Trench Evaluation	4118		27/06/2024
Flood Prevention Plan	YW.202043.02-MMB-WWT-WWT-RA-Z-0001	P01	04/06/2024
Technical Note	YW.202043.02-MMB-WWT-WWT-RP-Z0020		02/08/2024
Construction of a reed bed treatment system	YW.202043.02-MMB - WWT-WWT-RP-Z0021		02/08/2024
Bat and Barn Owl Protected Species Report	YW.202043.02-MM-WWT-WWT-RP-Z-0009-A	P01	21/03/2024
Otter, Water Vole, Kingfisher and WCC Protected Species Report	YW.202043.02-MM-WWT-WWT-RP-Z-0010-A	A	21/03/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Due to the time constraints required for funding, the applicant has sought to avoid pre-commencement conditions. As such the following additional information has been provided during the course of this application:

- Biodiversity Net Gain Calculations
- Protected Species Reports
- Construction Environmental Management Plan (CEMP)
- Ground Investigation Reports (Phase 1 and 2)
- Trial Trenching and Probe Drilling Plan
- Landscaping
- Water Management Plan
- Excavation and Trenching Summary
- Construction Environment Management Plan
- Preliminary Ecological Assessment
- Site Plan with related changes
- Flood Prevention Plan
- Dust Management Plan

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “*submitted to and approved in writing by the Local Planning Authority*”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- **If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 11-Sep-2024

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2023/62/93805/E.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
