

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:	2024/44/92521/W
Site Address:	Seventy Acre Farm, Meltham Road, Honley, Holmfirth, HD9 6RG
Description:	Discharge of details reserved by conditions 4 (highway survey), 10 (landscape management and maintenance strategy), and 11, 12 and 13(drainage) of previous permission 2023/92075 for conversion, alterations and extensions to existing barns to form 10 dwellings together with associated garages, accesses, parking spaces, landscaping, drainage pond and boundary treatment. Demolition of redundant agricultural structures; alterations to existing access road; and formation of new (diverted) bridleway
Recommending Officer:	Ellie Thornhill

DECISION – Discharge of Conditions – Split Decision

I hereby authorise the split decision 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: 18/10/2024

Officer report

Application: 2024/92521

Site: Seventy Acre Farm, Meltham Road, Honley, Holmfirth, HD9 6RG

Proposal: Discharge of details reserved by conditions 4 (highway survey), 10 (landscape management and maintenance strategy), and 11, 12 and 13 (drainage) of previous permission 2023/92075 for conversion, alterations and extensions to existing barns to form 10 dwellings together with associated garages, accesses, parking spaces, landscaping, drainage pond and boundary treatment. Demolition of redundant agricultural structures; alterations to existing access road; and formation of new (diverted) bridleway.

Condition 4: Highway survey

4. The development shall not commence until a survey of the existing condition of the highway on Meltham Road, 100m either side of the sites access, has been submitted to and approved in writing by the Local Planning Authority. The survey shall include carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signing and white lining. Upon completion of the development and before any dwelling is occupied a highway condition survey identifying a scheme to reinstate any subsequent defects in the condition of the highway on Meltham Road shall be submitted to and approved in writing by the Local Planning Authority. All of the identified works shall be implemented before any part of the development is first brought into use.

Reason: *In the interests of highway safety, to ensure the effective maintenance of the highway and to accord with Policy LP21 of the Kirklees Local Plan.*

This pre-commencement condition is necessary to ensure highways surrounding the site are appropriately surveyed prior to works commencing, and to ensure responsibility for remedial works can be fairly assigned with reference to evidence.

Assessment

In support of condition 4 the following documents have been submitted:

- Condition 4 – Highway Survey plan (unreferenced)
- Highway Defects Survey (dated 24/04/2024)

KC Highway Development Management have confirmed that the pre-commencement condition survey is acceptable to allow development to commence.

However, condition 4 can only be partially discharged, as the condition requires the submission of a post-construction survey to identify and reinstate any subsequent defects. All of the identified works are required to be implemented before the site is first brought into use.

For these reasons, condition 4 must remain at this time.

Condition 10: Landscape management

10. Prior to the occupation of any of the dwellings hereby approved, a Landscape Management and Maintenance strategy shall be submitted to and approved in writing by the Local Planning Authority with regard to: (a) an implementation, management and maintenance programme including full details for management of existing and newly establishing trees including, but not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees. (b) Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of five years. This should also include any SuDS features, existing trees and vegetation retained on site. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: *To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.*

Assessment

In support of condition 10 the following document has been submitted:

- Landscape Management Document (by FDA Landscape LTD)

The final comments of KC Landscape in respect of condition 10 are awaited. A decision relating to condition 10 will be issued in due course.

Condition 11: Foul, land and surface water drainage

11. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including infiltration via a basin designed for the critical 1 in 100 + climate change rainfall event, basin 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 basin, 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 provision of adequate and sustainable systems of drainage in the interests of amenity, environmental wellbeing, in accordance with Policy LP28 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.*

This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

Assessment

In support of condition 11 the following document has been submitted:

- Surface Water and Foul Water layout (reference EWE/2761/02 rev A)

The information submitted provides sufficient evidence to demonstrate that rainfall up to the critical 1 in 100 event (plus climate change) would be contained within the proposed Infiltration Basin. The long term maintenance of the drainage system has also been accepted by KC Lead Local Flood Authority.

Therefore, these details in relation to surface water are considered acceptable for the purpose of condition 11.

Regarding foul drainage, a package sewage treatment plant has been proposed. However, the details regarding foul drainage are outside the remit of KC Lead Local Flood Authority. KC Environmental Health, Yorkshire Water and the Environment Agency have been consulted.

In this case, comments are awaited and a decision relating to condition 11 will be issued in due course.

Condition 12: Exceedance flows

12. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (i.e. the development shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

Reason: *To ensure the effective disposal of surface water from the development (including its internal roads) 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.*

This pre-commencement condition is necessary to ensure details of drainage are agreed at an appropriate stage of the development process.

Assessment

In support of condition 12 the following document has been submitted:

- Drainage statement, by EWE Associates LTD (rev D)

The information submitted provides sufficient evidence to demonstrate that exceedance flows would not cause flooding off-site, and therefore the details submitted pursuant to condition 12 can be approved.

However, it is recommended that the applicant be reminded that no part of the development may be occupied until the works comprising the approved scheme have been completed. It should also be noted that the works thereafter need to be retained.

Condition 13: Construction Phase Drainage

13. 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.*
- 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 hectare, 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: *To ensure the effective disposal of surface water from the development (including its internal roads) 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.*

This pre-commencement condition is necessary to ensure adequate temporary drainage is agreed and implemented before works commence.

Assessment

In support of condition 13 the following document has been submitted:

- Surface Water Construction Phase (reference EWE/2761/03 rev O)

The information submitted provides sufficient evidence to demonstrate that surface water would be contained within the site during the construction phase and would not cause flooding off-site. Therefore, the details submitted pursuant to condition 13 can be approved.

However, it is recommended that the applicant be reminded that no phase of the development may commence until the temporary works approved have been completed. The temporary drainage scheme must also 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.

Decision notice text

Condition 4: Highway survey

Pursuant to condition 4 you have submitted:

- Condition 4 – Highway Survey plan (unreferenced)
- Highway Defects Survey (dated 24/04/2024)

The details set out in the above plan and document are acceptable for the purpose of discharging the initial requirement of condition 4.

However, you are reminded that the condition requires the submission of a post-construction survey to identify and reinstate any subsequent defects. Any identified works are required to be implemented before the site is first brought into use.

For this reason, condition 4 cannot be fully discharged at this stage.

Condition 10: Landscape management

Pursuant to condition 10 you have submitted:

- Landscape Management Document (by FDA Landscape LTD)

The final comments of KC Landscape in respect of condition 10 are awaited. A decision relating to condition 10 will be issued in due course.

Condition 11: Foul, land and surface water drainage

Pursuant to condition 11 you have submitted:

- Surface Water and Foul Water layout (reference EWE/2761/02 rev A)

The information submitted provides sufficient evidence to demonstrate that rainfall up to the critical 1 in 100 event (plus climate change) would be contained within the proposed Infiltration Basin. The proposed long-term maintenance of the drainage system is also accepted.

These details adequately address condition 11 in relation to surface water.

Final comments on the proposed package sewage treatment plant from Yorkshire Water, the Environment Agency and KC Environmental Health are

awaited. A decision relating to condition 11 will therefore be issued in due course.

Condition 12: Exceedance flows

Pursuant to condition 12 you have submitted:

- Drainage statement, by EWE Associates LTD (rev D)

The information submitted provides sufficient evidence to demonstrate that exceedance flows would not cause flooding off-site. The details submitted pursuant to condition 12 are therefore hereby approved.

Please be reminded that no part of the development shall be occupied until the works comprising the approved scheme have been completed and that they shall thereafter be retained.

Condition 13: Construction Phase Drainage

Pursuant to condition 13 you have submitted:

- Surface Water Construction Phase (reference EWE/2761/03 rev O)

The information submitted provides sufficient evidence to demonstrate that surface water would be contained within the site during the construction phase and would not cause flooding off-site. The details submitted pursuant to condition 13 are therefore hereby approved.

Please note, however, that no phase of the development may commence until the temporary works approved have been completed. Also, the temporary drainage scheme is required to 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.

Dated: 18/10/2024