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27 September 2024

Dear Sir/Madam

Full (retrospective) planning application for the construction of Motor Control Centre Kiosk at Deighton Wastewater Treatment Works, Ashgrove Road, Huddersfield, HD2 1UA (nearest postcode)

1. Introduction

On behalf of our client, Yorkshire Water Services Ltd (YWS), I am pleased to enclose for your consideration a planning application made in full to Kirklees Council (KC) seeking retrospective permission for the erection of one Glass Reinforced Plastic (GRP) Motor Control Centre (MCC) kiosk (hereafter referred to as 'the Development') at the existing operational Deighton Wastewater Treatment Works (WwTW), Ashgrove Road, Huddersfield.

The installation of the MCC kiosk was completed on the 12th December 2023. Photographs of the Development can be found in Appendix A. The MCC kiosk has been installed as an important functional element of the operational WwTW site. Therefore, YWS is seeking to regularise the Development through this application for full retrospective planning permission.

In accordance with the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO), this planning submission comprises this covering letter (which incorporates the Planning Supporting Statement), the planning application form, certificates and notices duly completed. The documents and drawings listed in Table 1 below are also submitted as part of this planning application.

Table 1: Submitted Documents and Drawings

Document/Drawing Title	Document/Drawing Reference	Produced By
Planning – Site Location Plan	HUDE MMB WWT SED DR C 0101 P02	Mott Macdonald Bentley

Document/Drawing Title	Document/Drawing Reference	Produced By
Planning – Proposed Site Plan	HUDDE MMB WWT SED DR C 0103 P03	Mott Macdonald Bentley
Planning – Existing Site Plan	HUDDE MMB WWT SED DR C 0102 P02	Mott Macdonald Bentley
Planning – Proposed Kiosk Plan & Elevations	HUDDE MMB WWT SED DR C 0104 P03	Mott Macdonald Bentley
Preliminary Ecological Appraisal	HUDD-MMB-WWT-SED-SU-J-0002 AC.P03	Mott Macdonald Bentley
Flood Risk Assessment	N/A	Mott Macdonald Bentley

2. The Applicant

YWS is one of the largest water and wastewater companies in England and Wales and collects and treats around one billion litres of wastewater from homes and businesses every day. As part of their environmental performance commitments, YWS is improving river water quality by investing £500 million in phosphorus removal at 80 of its operational wastewater treatment sites. The investment will support and enhance the natural environment and biodiversity.

3. Need for the Development

As part of the response to the UK's Climate Emergency declaration in 2019, the Environment Agency (EA) established the Water Industry National Environment Programme (WINEP), which comprises of a set of actions that water companies across England are required to complete during the period from 2020 to 2025. These actions will ensure that a number of environmental obligations are met, including binding targets for water quality and biodiversity whilst also supporting the sustainable management of wastewater. Collectively, the WINEP actions will deliver approximately £5.2 billion of asset improvements and interventions across England.

To ensure full compliance with WINEP requirements, YWS is investing in improvements across a number of its wastewater treatment sites to reduce phosphorous levels in final effluent by the regulatory date of December 2024. The Development at Deighton WwTW has formed part of this critical investment.

4. Application Site and Surroundings

4.1 Site and Surroundings

The land to which this application for full (retrospective) planning permission relates ('the Site') extends to 0.18 hectares in area. The Site is located within the southeastern section of the existing YWS operational Deighton WwTW site and also includes a section of an existing internal access road to the south west within the WwTW. The approximate National Grid Reference (NGR) for the Site is SE 17185 19168. The location of the Site is shown edged in red on the submitted Site Location Plan (drawing reference: HUDDE

MMB WWT SED DR C 0101 Revision P02). YWS is the sole landowner of the land to which this planning application relates.

The Site comprised an area of existing hardstanding with some ruderal ephemeral plant species on rocky substrate, and a section of internal access track. The proposal is located on brownfield land. No trees are located within the Site.

In line with KC's requirement for all planning application red line boundaries to include access to the application site from the public highway, the internal access track is included in the red line boundary until it meets Ashgrove Road (public highway) which provides access to the WwTW as well as other industrial units based off Ashgrove Road. No works are proposed to the internal access road or the access into the WwTW site.

The Site is bounded by a collection of existing wastewater infrastructure to the north and west and lies directly south of large scale existing primary settlement tanks. Located approximately 24 metres south of the Site lies the River Colne, which is separated from the WwTW by a five-foot-high brick wall. Further to the south beyond the river lies Dalton Bank Road (approximately 65 metres away from the Site) which is lined by trees which mainly screen the WwTW in any views from the road. To the north west, beyond the boundary of the WwTW, lies Huddersfield Broad Canal (approximately 216 metres north west of the Site), beyond which lies an industrial estate. A public right of way (PROW) runs along the south side of the canal. The existing, well established WwTW infrastructure screens views of the Development from the PROW.

Beyond the River Colne and Dalton Bank Road and Darlton Bank Nature Reserve, approximately 450 metres east of the Site, lies the closest residential property (New Farm House). To the south east of the Site, the land use is largely agricultural, with a number of isolated farmhouses, set within wider farmsteads, beyond New Farm House. The closest residential area lies beyond the industrial estate to the west, approximately 525 metres from the Site. Due to the distance and vegetation screening, the Site is not visible from the residential area or industrial estate.

4.2 Site Access

Vehicular access to the Site is taken from the public highway at Ashgrove Road.

4.3 Designations

A review of KC's Local Plan Policies Map shows that the Site and wider WwTW within which it sits are covered by several designations. These include being on land allocated as part of the Strategic Green Infrastructure Network, a Biodiversity Opportunity Zone (Flood Plains) and a Sand and Gravel with Sandstone and Surface Coal Reserve (SCR) Mineral Safeguarding area.

The Site and wider WwTW are not located within a Conservation Area. The nearest designated heritage assets to the Site are the Grade II Listed "Calder and Hebble Navigation Number 4 Lock Site John Ramsden Canal Number 4 Lock" and "Calder and Hebble Navigation Bridge Taking Leeds Road Sir John Ramsdens Canal Bridge Taking Leeds Road", located approximately 230 metres and 530 metres respectively from the Development.

There is one statutory site for nature conservation within two kilometres of the WwTW site, which is Dalton Bank Local Nature Reserve (LNR) (80 metres southeast of the Site). There is one non-statutory Local Wildlife Site (LWS) within 2 kilometres of the Site (Sir John Ramsden Canal Lower) 114 metres east of the Site.

The Site is located within Flood Zone 3 (as defined by the Environment Agency Flood Map for Planning) in an area with a high probability of flooding. The access track, to which no works are proposed lies predominantly in Flood Zone 2.

4.4 Site Planning History

A search of KC’s online planning register has been undertaken to identify any relevant planning applications relating to the Site or within its immediate surroundings, including within the wider operational WwTW. No relevant applications were found within the Site, however there is one application of relevance within the wider WwTW site, as set out in Table 2.

Table 2: Relevant Planning History

Planning Reference	Description and Location	Decision
2022/93656	Installation of a primary sewage tank pump gallery ventilation system consisting of a 14.5-metre-high intake stack, pipe bridge and ductwork Deighton Waste Water Treatment Works, Ashgrove Road, Deighton, Huddersfield, HD2 1FE	Approved March 2023

Further planning history for the erection a kiosk and extensions to the treatment works site have been identified dating from 1989-2008. These are not deemed directly relevant to the Development but demonstrate that the WwTW has been subject to periodic change during its operational lifetime in response to local need and changing operational requirements.

5. The Development

5.1 Description of the Development

The Development to which this retrospective planning application relates comprises the installation of an MCC kiosk within YWS’ operational land, as shown on the proposed Site Plan in Figure 1 (drawing reference: HUDDE MMB WWT SED DR C 0103 P03). Details of the Development are also shown on the Proposed Kiosk Plan & Elevations (drawing reference: HUDDE MMB WWT SED DR C 0104 P03) and are described in Table 3.

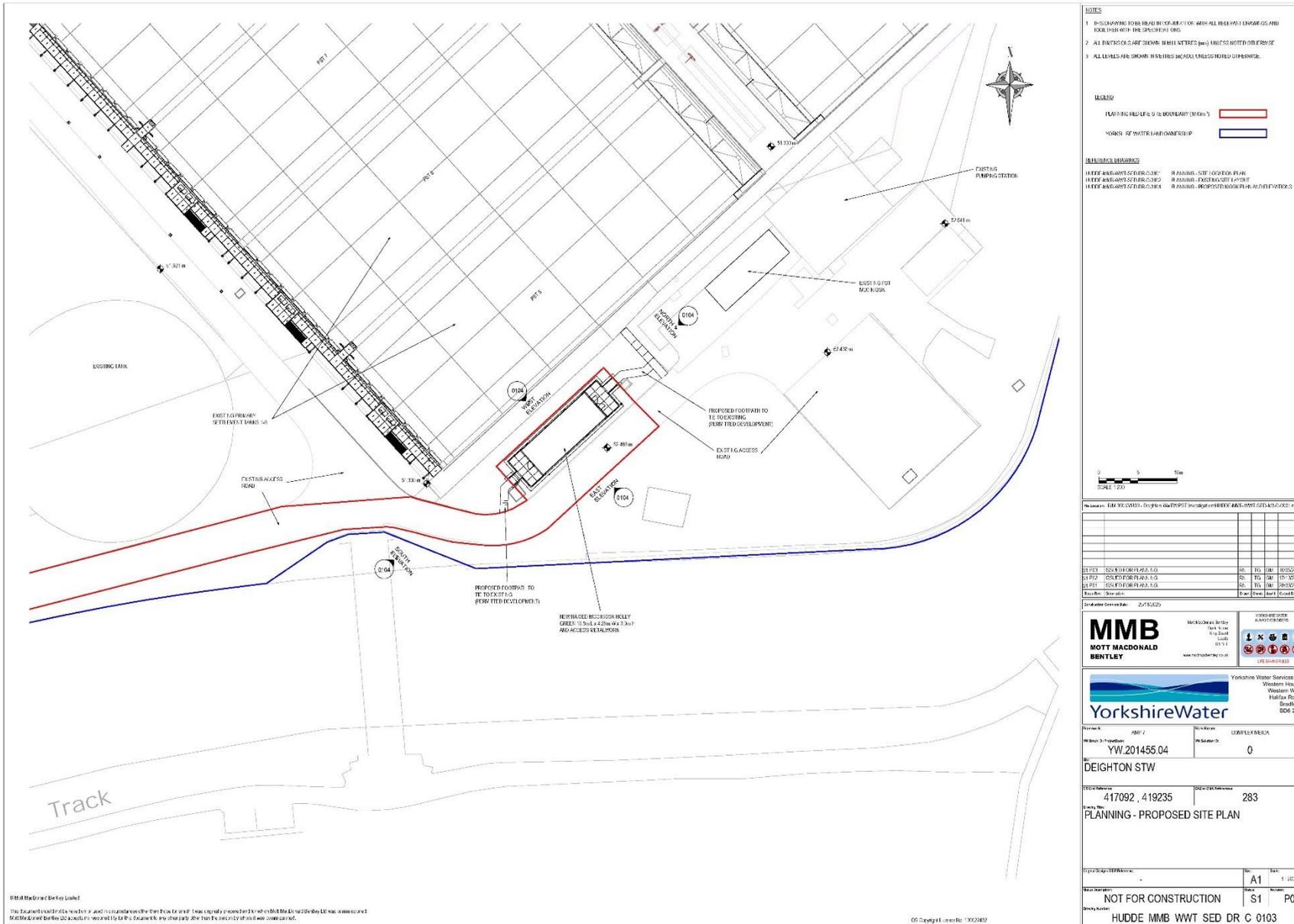
Table 3: Details of Development

Kiosk	Approximate Dimensions (metres) (L x W x H)	Colour	Material	Drawing Reference
1 x MCC Kiosk	10.8m x 4.25m x 3.0m	Holly Green	Glass Reinforced Plastic (GRP)	HUDDE MMB WWT SED DR C 0104 Revision P03

5.2 Operational Traffic

Operational traffic required to serve and maintain the Development is minimal and as such, there is no noticeable increase compared to the usual movements associated with the existing WwTW operations.

Figure 1 –Site Plan



NOTES

1. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT LEGISLATION AND REGULATIONS WITH THE SPECIFIC DRS.
2. ALL DIMENSIONS ARE SHOWN IN METERS (m) UNLESS NOTED OTHERWISE.
3. ALL LEVELS ARE SHOWN IN METERS ABOVE UNLESS NOTED OTHERWISE.

LEGEND

PLANNING BOUNDARY (DRS)

WORKS OF WATER BOUNDARY (DRS)

REFERENCE DRAWINGS

HUDDERSDALE WWT SED DR C 0103 R NUMBER - SITE LOCATION PLAN
 HUDDERSDALE WWT SED DR C 0103 R NUMBER - EXISTING SITE LAYOUT
 HUDDERSDALE WWT SED DR C 0103 R NUMBER - PROPOSED WORKS PLAN AND FOOTINGS

Scale: 1:250

Project No.	YW 201455.04	Project Name	YORKSHIRE WATER SERVICES LTD WESTERN HOUSING WESTERN WAY, HULLING ROAD, BRADFORD, GDS 5ZZ
Client	YORKSHIRE WATER SERVICES LTD	Project Manager	DAVID BENTLEY
Design No.	YW 201455.04	Design Title	PLANNING - PROPOSED SITE PLAN
Drawn By	DAVID BENTLEY	Checked By	DAVID BENTLEY

MMB
MOTT MACDONALD
BENTLEY

Yorkshire Water Services Ltd
Western House,
Western Way,
Hulling Road,
Bradford,
GDS 5ZZ

Project No.	YW 201455.04	Project Name	YORKSHIRE WATER SERVICES LTD WESTERN HOUSING WESTERN WAY, HULLING ROAD, BRADFORD, GDS 5ZZ
Client	YORKSHIRE WATER SERVICES LTD	Project Manager	DAVID BENTLEY
Design No.	YW 201455.04	Design Title	PLANNING - PROPOSED SITE PLAN
Drawn By	DAVID BENTLEY	Checked By	DAVID BENTLEY

Project No: 417092, 419235 | Project Name: 283
 Planning - Proposed Site Plan

Sheet No.	A1	Scale	1:250
Sheet Description	NOT FOR CONSTRUCTION	Sheet No.	S1 P03
Project Name	HUDDERSDALE WWT SED DR C 0103		

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5.3 Design Considerations

The Development is sited within the confines of the existing operational WwTW site. Whilst the location and design of the Development has largely been dictated by technical specifications and operational requirements, opportunities have been sought to minimise visual impacts to nearby receptors.

The construction footprint and vertical scale of the Development have also been minimised as far as practicable within the parameters of the technical specifications that have driven the design process. These measures have sought to minimise landscape and visual impact with the materials, colour and scale of the Development being standard for this type of infrastructure located within a large operational WwTW.

Design development has sought to minimise the impact on any habitat of value within the WwTW site by locating the Development in an area of low ecological value, predominantly on existing hardstanding. Access to the Site is provided via the existing internal WwTW access road off the existing public highway, Ashgrove Road. No works are proposed to the access or Ashgrove Road.

5.4 Wider Works Benefitting from Permitted Development Rights

The Development forms part of wider works that are collectively required at the Deighton WwTW site to comply with the WINEP requirements. There are a number of elements of the wider works that are considered to be permissible under the permitted development (PD) rights afforded to YWS as a statutory undertaker under Part 13, Class B 'development by or on behalf of sewerage undertakers' of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). The works that are considered permissible under the GPDO are:

- Civil Works: Concrete base and frame to elevate kiosk
- Civil Works: Roads, access and footpaths modified to service the newly installed equipment.

The above elements are shown on the Planning – Proposed Site Plan (drawing reference: HUDDE MMB WWT SED DR C 103 Revision P03).

The works that are considered permissible under the GPDO have, where possible, been developed utilising the same design considerations as outlined in section 5.3 with the aim of minimising their collective visual impact on the wider area through appropriate siting and material/colour treatment where relevant.

5.5 Construction Management

A range of traffic, environmental management and mitigation measures were employed during the construction period for the Development and associated works at the Deighton WwTW to limit potential impacts upon nearby receptors.

5.5.1 Construction Traffic Route

The existing WwTW is accessed via Ashgrove Road, which has a width of over 5 metres. The current vehicle movements along this route comprise operational vehicles associated with the WwTW and other traffic associated with the adjacent industrial park.

The delivery of the MCC kiosk was carried out over one day, by two vehicles comprising the delivery lorry and the installation team. This will have resulted in a negligible temporary increase in the traffic movements to and from the Site, in addition to the current vehicle movements.

The bridge crossing Ashgrove Road, before the entrance of the WwTW site, has a clearance height of approximately 6 metres and therefore was adequate clearance for delivery of the kiosk. No works were needed to the internal access track to facilitate the Development.

5.5.2 Temporary Construction Compound and Car Parking

Within the WwTW, a temporary construction compound and car park was established, which will remain in situ until spring 2025. This facilitates the wider permitted development works as well as the Development.

5.5.3 Construction Time and Hours

During the construction phase across the wider WwTW, including the Development, working hours have been limited to 07:30 to 17:00 from Monday to Friday.

5.5.4 Construction Environmental Impact Control Measures

Several environmental impact control measures were implemented during the installation of the MCC kiosk, as follows:

- All construction and operational phases of the Development should avoid artificially lighting trees.
- Any spillages of harmful chemicals or substances to be cleaned up immediately with a spill kit and prevented from entering the watercourse.

6. Summary of Supporting Technical Reports

6.1 Ecology Reporting

A Preliminary Ecological Assessment Report (PEAR) has been undertaken for the Development which accompanies this application. The PEAR identifies no impact from the Development on the statutory or non-statutory designated sites located within two kilometres of the Site. 92 metres north-west of the WwTW site lies one area of ancient woodland which is not considered to be directly or indirectly affected by the Development. The River Colne, flowing east of the Site, is of County importance, however the PEAR states that the Development will have no impact on the river system.

The Site primarily comprised brownfield land comprising ruderal ephemeral plant species on rocky substrate and hardstanding. The ruderal ephemeral plant species were classed as 'moderate' and 'poor' and the developed land being assessed as being 'poor'. There were no habitats identified within or immediately adjacent to the Site that represented a constraint on development.

There were no records of Great Crested Newts (GCN) or suitable ponds within the Site. A precautionary approach to works in regard to invasive species, water vole, 'other mammals', white-clawed crayfish and fish has been recommended as part of the PEAR's assessment, however no known risks to these species have been identified.

There were two records of otter within 2 kilometres of the Site from 2019. However, due to the 5-foot high brick wall on the eastern side of the WwTW, it would be difficult for otter to access the Site. The wall blocks the Site from the view of the River Colne, therefore preventing visual disturbance to possible otters.

The PEAR identified that the Development was unlikely to have a significant impact on the habitats present in the river corridor to the east of the WwTW which have some suitability for bats, and therefore bat activity

transect surveys were not required. The Development was constructed in line with the recommended mitigation measures set out in the PEAR (as set out in section 5.5.4 of this document). As the Development was constructed over one day, no artificial lighting was required.

As set out in the PEAR, the Site did not include any vegetation able to support birds, therefore the recommendations with regard to birds do not apply to this application.

Recommendations in regard to common toad and reptiles relate to the wider scope of works covered under permitted development at the WwTW site and therefore do not form part of the consideration for this application.

There have been no residual impacts identified within the PEAR. As such the operational phase of the Development is not considered to have any impacts on the protected and priority species.

6.2 Flood Risk Assessment

A Flood Risk Statement (FRA) has been undertaken and accompanies this planning application. The Environment Agency (EA) flood map for planning shows the land within the Site where the kiosk is sited as being within fluvial Flood Zone 3. No works are proposed to the internal access track which is within the Site boundary, this internal access track lies predominately in Flood Zone 2, with a small area in Flood Zone 3. Footnote 59 of the National Planning Policy Framework (NPPF) requires a site-specific Flood Risk Assessment (FRA) to be provided for all developments in Flood Zones 2 and 3 and as such an FRA is submitted with this application.

The FRA classes the MCC kiosk as 'Essential Infrastructure' ("water treatment works that need to remain operational in times of flood"). Therefore, in accordance with Annex 3 of the National Planning Policy Framework (NPPF), it is an acceptable development in Flood Zone 3. The internal access track is classed as 'Essential Utility Infrastructure' which must be in a flood-risk area for operational reasons, as the WwTW site needs to remain operational in times of flood.

The Site lies within an area at medium risk of surface water flooding. As set out within the FRA, the Development has been built on a platform with stilts and a mesh base to reduce the risk of any increase in surface flood water risk. The FRA concludes that the Development will not change the surface water flood risk.

Recommendations in relation to access pathways to the Development, being constructed of permeable materials, are being delivered through PD Rights granted to YWS (as identified in section 5.4 above) and therefore do not relate to this application and should not form part of the consideration.

The FRA demonstrates that the Development will not result in any significant impacts to flood risk. The Site is, and will continue to, be within a zone of high risk of fluvial flooding and this should be managed accordingly on site by YW during the operation phase of the Development, as it was during the construction phase.

7. Biodiversity Net Gain

The Kirklees Local Plan was adopted in 2019 and forms part of the adopted Development Plan for this area. Policy 24 'Design' of the Local Plan states proposals should promote good design by ensuring development contribute supports biodiversity.

The Development involved the installation of a single MCC kiosk sited on a concrete slab which in itself benefits from PD rights.

Biodiversity Net Gain became mandatory for most planning applications in April 2024, except where exemptions apply. The requirement for planning applications to satisfy the conditions set out under Schedule 7A of the Town and Country Planning Act (TCPA) 1990 (inserted by the Environment Act 2021) does not apply to retrospective planning applications, made under section 73A of the TCPA 1990 as set out in paragraph 003 (Reference ID: 74-003-20240214) of the National Planning Practice Guidance. As such, the Development is exempt from providing BNG.

8. Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The material considerations for the Development include the National Planning Policy Framework (NPPF) (updated 2023), as well as the following Development Plan Documents (DPDs) that form part of KC's adopted Local Plan:

- Kirklees Local Plan Strategy and Policies (adopted February 2019)

Relevant policies pertaining to the Site and the Development contained within the adopted Local Plan are summarised below.

8.1 Kirklees Local Plan Strategy and Policies (2019)

The following Local Plan policies are considered to be relevant to this planning application:

- **Policy LP1** 'Presumption in favour of sustainable development'
- **Policy LP4** 'Providing infrastructure'
- **Policy LP7** 'Efficient and effective use of land and buildings'
- **Policy LP21** 'Highways and access'
- **Policy LP24** 'Design'
- **Policy LP27** 'Flood risk'
- **Policy LP28** 'Drainage'
- **Policy LP30** 'Biodiversity & Geodiversity'
- **Policy LP31** 'Strategic Green Infrastructure Network'
- **Policy LP32** 'Landscape'
- **Policy LP34** 'Conserving and enhancing the water environment'
- **Policy LP43** 'Waste management hierarchy'
- **Policy LP52** 'Protection and improvement of environmental quality.'

9. Planning Considerations

In this section, the planning issues raised by the Development are considered against the prevailing planning policy framework identified in Section 8.

This section identifies any material considerations that should be considered in relation to the Development. In so doing, it demonstrates the planning rationale for the Development and why planning permission should be granted.

Having established the Site conditions, the prevailing policy framework and the likely effects arising from the Development, the main planning issues raised by this application are considered within the remainder of this section under the following headings:

- Principle of and Siting of the Development
- Impact of Flooding
- Nature Conservation
- Traffic and Transport
- Landscape and Visual Impacts
- Amenity

9.1 Principle and Siting of the Development

Local Plan Policy LP1 'Presumption in favour of sustainable development' requires a positive approach to be taken to decision-making, adopting a presumption in favour of sustainable development as per paragraph 8 of the NPPF. Policy LP43 generally supports waste developments, including those relating to wastewater treatment works. Local Plan Policy LP28 'Drainage' requires that development does not prejudice the local water quality; development will be permitted where it can be demonstrated that the wastewater infrastructure required can be co-ordinated to meet demand. Policy LP4 'Providing infrastructure' commits the Council to working alongside partners to bring forward necessary and proportionate essential and desirable infrastructure. Policy LP24 'Design' requires that development proposals achieve a high level of sustainability, proportionate to the degree of the proposal.

YWS is committed to improving the quality of water across the region and is required to reduce phosphorus entering rivers in the treated wastewater, in order to safely return it to the environment in line with the requirements of WINEP. The Development comprises a single MCC kiosk, as part of wider infrastructure provision at the WwTW, in order to meet the legally binding phosphorous removal targets of WINEP and contribute to achieving higher environmental standards. Thus, it accords with Local Plan Policy LP1 and paragraph 8 of the NPPF as it will improve the social and environmental conditions of the local area. The Development forms an essential part of the future operations of the WwTW. It is, therefore, underpinned by a technical requirement to be located within the existing WwTW in order to be strategically linked operationally with the existing infrastructure on-site.

The Development is located within a small parcel of predominantly brownfield land within the wider context of the existing established WwTW, making effective use of operational land whilst meeting YWS' operational requirements and those of WINEP.

The design of the Development has been driven by the specific requirements of WINEP, but also takes into consideration, where appropriate, the findings of the technical assessments and surveys which have been undertaken to support the design development. The siting and layout of the Development has sought to minimise the footprint and scale of the MCC kiosk on the Site, within the parameters of the required technical specifications and the overarching requirements of WINEP. The scale, nature, design and materials of the proposed Development reflect the existing infrastructure which form the existing WwTW and the established context within which the MCC kiosk is sited.

As such, the Development is considered to be in compliance with Local Plan Policies LP1, LP4, LP24, LP28 and LP43 and is in accordance with national planning policy.

9.2 Nature Conservation

Local Plan Policy LP30 sets out that proposals will be permitted where there will be no unacceptable loss or harm on biodiversity. Development proposals should protect habitats and species of principle importance.

Similarly, paragraph 180 of the NPPF sets out that development must enhance the natural environment by protecting sites of biodiversity value and minimising any negative impacts it may have.

As identified within the PEAR, the Development is not considered to pose any threat to any statutory or non-statutory designated sites due to the Site not being within proximity to these sites and the small-scale nature of the Development.

The PEAR has not recorded any protected species within the Site. Removal of a small area of ruderal/ephemeral plant species of moderate condition was required to facilitate the Development.

The PEAR concludes that provided that the recommended mitigation measures are followed, there would be no impact on notable species as a result of the Development. As set out within sections 5.5.4 and 6.1, the recommendations applicable to the Development were followed and thus the Development is considered acceptable in line with the supporting PEAR.

An extensive area of Kirklees district lies within the allocated Strategic Green Infrastructure areas (which are focused largely around existing rivers, valleys and becks). Local Plan Policy LP31 sets out the requirement to respect, enhance and protect the green infrastructure and biodiversity and ecological links in these areas. The Site and the wider WwTW fall within this strategic designation. Due to the small-scale nature of the Development, set within the context of the existing infrastructure of the well-established WwTW, it is not considered that the development would materially impact the Strategic Green Infrastructure Network and the associated policy requirements.

As such, the Development is considered to be in compliance with Local Plan Policy LP30 and LP31 and is in accordance with national planning policy.

9.3 Traffic and Transport

Chapter 9 of the NPPF reinforces the importance of highways safety in determining the acceptability of development. Local Plan Policy LP21 requires proposals to demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network.

Ashgrove Road is an established vehicular route for access to and from the operational WwTW. It is therefore considered that the temporary construction vehicle movements associated with the Development, which involved a single delivery by one articulated lorry accompanied by an installation team, did not have an unacceptable additional impact upon the safety of users of Ashgrove Road or on the free flow of traffic on the surround highway network, compared to the normal vehicle movements associated with the WwTW. The WwTW site speed limit is already set to 11mph, this established speed limit was maintained during delivery of the MCC kiosk.

It is considered that, given the scale of the Development and associated construction traffic, there were no material impacts arising in terms of amenity, the safety of users of the access route compared to the existing arrangement, or on the flow of traffic on the wider highway network. This is also the case for operational traffic associated with the Development, which will not materially increase the existing traffic movements associated with the WwTW.

As such, the Development is considered to accord with Local Plan Policy LP21 and the provisions of the NPPF.

9.4 Impact of Flooding

Local Plan Policy LP28 states that proposals will be supported where they can demonstrate that no unacceptable impacts will arise on local water quality. Policy LP27 supports development that adopts measures to minimise flood risk; and requires that any proposal should not increase flood risk elsewhere.

The MCC kiosk is located within Flood Zone 3, with the internal access track falling within Flood Zones 2 and 3. It must therefore satisfy national policy but also the further restrictions for development proposals within Flood Zone 3 as set out by Policy LP27.

As demonstrated within the FRA that accompanies this application, whilst the Development is located within Flood Zone 3, it is classed as 'Essential Infrastructure'. It forms part of a WwTW that needs to remain operational in times of flood, and therefore is acceptable in this area of flood risk. The internal access track is also classed as 'essential' now works have been required to this access as a result of the Development. As such, it is concluded therefore that an Exception Test is not required.

As the Site is located within a Flood Zone 3, particular care was taken when construction personnel were present on site. The features incorporated into the Development, to mitigate any potential risk on construction users and future operational users of the kiosk, include using water-tight doors and windows to prevent water from getting into the kiosk and damaging the equipment inside. As set out within the FRA, the Development has been built on a platform with stilts and a mesh base to reduce the risk of any increase in surface flood water risk.

As such, the Development is considered to be in compliance with Local Plan Policies LP27 and LP28 and is in accordance with national planning policy.

9.5 Landscape and Visual Impact

Policy LP32 requires proposals to consider the appearance of rivers, canals and other water features within the landscape, protecting all landscapes from the harmful effects of development and proposals will be permitted where they will have no unacceptable impact. In line with LP24, the form, scale, layout and details of the development are required to respect and enhance the character of the landscape.

The Development has been carefully sited and designed to respect the Site's setting, including through choice of materials, colour and scale. Only very limited vegetation removal was required to facilitate the Development with no direct or indirect impact on any trees. The Development consists of a single kiosk that is small in scale and is located within the established envelope of the existing WwTW infrastructure and as such is not considered to be detrimental to the landscape character.

The nearest sensitive receptors are located at some distance from the Development and well screened by trees and vegetation, these sensitive receptors include those residential properties located approximately 525 metres west of the Site. Due to the location of the Development, distance and screening from Ashgrove Road and Dalton Bank Road and the PROW along the south side of the canal mean, it is unlikely to be visible to users of these routes except for potential glimpses through vegetation from Dalton Bank Road. The design of the Development reflects the similar and established infrastructure on the operational WwTW site. Any glimpsed external views of the Development from outwith the Site will be viewed directly against this industrial context.

As such, the Development is considered to be in compliance with Local Plan Policies LP24 and LP32 and is in accordance with national planning policy.

9.6 Amenity

Local Plan Policy LP24 requires development to provide a high standard of amenity for future and neighbouring occupiers. Local Plan Policy LP52 requires proposals to evidence that there will be no increase in ‘*pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution*’. Paragraph 180 of the NPPF requires development to ‘*contribute to and enhance the natural and local environments by protecting valued landscapes and recognise the intrinsic character and beauty of the countryside*’. Paragraph 191 of the NPPF requires planning decisions to ensure that new development is appropriate for its location and takes account of the effects of pollution on health, living conditions, and natural environment.

The construction phase of the Development was short term and temporary in duration (over one day only). Any effects that may have arisen from the associated works such as noise, vibration, or dust were limited by the confined nature of the Site. During construction, appropriate mitigation measures previously stated in section 5.5.4 and the use of best practicable means were implemented. There were no construction activities that significantly increased noise levels beyond those typically expected for the temporary construction of prefabricated kiosks. The kiosk required a single delivery and its arrival to the Site occurred within normal construction hours.

The Development is not considered to increase noise above the existing levels in its operational phase. The construction and operational phases of the Development will not generate any odours above the current background levels at the WwTW.

The Development consists of a single kiosk that is small in scale and has been sited within the existing WwTW and associated similar infrastructure. The vegetation screening that exists beyond the WwTW boundary will remain. As the Development is well-designed and carefully sited, the existing WwTW will continue to operate without causing undue disturbance to the amenity of the surrounding areas in the operational phase and any glimpsed views from visual receptors (users of Dalton Road and the canal) will remain largely unchanged.

As such, the Development does not have an impact on local amenity and is considered to be in compliance with Local Plan Policies LP24 and LP52 and is in accordance with national planning policy.

10. Conclusion

YWS is seeking to secure full planning permission retrospectively for new infrastructure at the operational Deighton WwTW. The Development to which this planning application relates comprises installation of a MCC kiosk. The Development is required as part of a wider package of works to enable YWS to meet the requirements of the WINEP, namely the reduction in phosphorous levels entering final effluent at the existing Huddersfield WwTW's.

The Development is located wholly within YWS operational land at the existing WwTW. The Site represents the most appropriate location for the Development to facilitate integration and operational effectiveness with the existing infrastructure. Any temporary limited impacts during the construction phase were effectively managed through best practice construction methods, as demonstrated within this Covering Letter. It has also been demonstrated that there will be no significant adverse impacts of the Development during its operational phase on the environment, amenity, or on road safety and the transport network.

It is considered that the Development is in line with the principles of sustainable development, national planning policy and KC's adopted development plan policies. Therefore, YWS considers that there are no sound planning reasons as to why planning permission should not be granted for the Development.

The submission has been made electronically via the Planning Portal (www.planningportal.gov.uk), under portal reference PP-13203953. The planning application fee has been calculated as £586.00 plus £70.00 service charge. A payment of £656.00 has been made directly through the Planning Portal.

I trust that the above details and fees are sufficient to register and process this application. In the meantime, if you have any queries regarding the submission or require any additional information, please do not hesitate to contact me.

Yours faithfully



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Appendix A. Photos of Development



Photo 1 - South elevation of the MCC kiosk



Photo 2 - North elevation of the MCC kiosk