

**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:	2025/44/93299/E
Site Address:	Centre 27 Business Park, Bankwood Way, Birstall, Batley, WF17 9TB
Description:	Discharge of details reserved by condition 8 (drainage) on previous permission 2025/91401 for variation condition 2 (plans) on previous permission 2024/93522 for variation conditions 2, 7, 12, 13, 14, 15, 16, 20 on previous permission 2023/93781 for demolition of existing buildings and erection of coffee shop with drive thru facility; drive-thru restaurant (Class E and Sui Generis); flexible commercial unit (Class E (a) and/or Class E (b) and/or hot-foot takeaway Sui Generis use); formation of hard and soft landscaping works; modifications to access and associated works
Recommending Officer:	Nicole Helliwell

DECISION – APPROVE DISCHARGE OF CONDITION 8

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 20-Feb-2026

Officer Report

Reference No. 2025/44/93299/E

Site Address: Centre 27 Business Park, Bankwood Way, Birstall, Batley, WF17 9TB

Proposal: Discharge of details reserved by condition 8 (drainage) on previous permission 2025/91401 for variation condition 2 (plans) on previous permission 2024/93522 for variation conditions 2, 7, 12, 13, 14, 15, 16, 20 on previous permission 2023/93781 for demolition of existing buildings and erection of coffee shop with drive thru facility; drive-thru restaurant (Class E and Sui Generis); flexible commercial unit (Class E (a) and/or Class E (b) and/or hot-foot takeaway Sui Generis use); formation of hard and soft landscaping works; modifications to access and associated works

Assessment

Condition 8 – Drainage

8. Excluding demolition, development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rate of 20.3 l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 40% climate change 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 provision of an adequate drainage system in the interests of amenity, environmental well-being, and to accord with Policies LP24, LP28 and LP52 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any flood risk is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.*

Assessment of Condition 8

A 'Proposed Surface Water Drainage Layout' drawing (reference no. 16209-2000 revision T03, dated 14/06/2026*) (should be 14/01/2026) has been received in support of the Condition 8. SWMH08 has now been added to provide access into the attenuation tank and SWMH05 is noted as a catchpit and gradient/Invert Level of pipe through the attenuation tank now shown. These revisions are accepted by the LLFA, and therefore, Condition 8 will be

discharged by the provision of the approved drainage scheme prior to occupation of the development, and its retention thereafter.

Decision Notice Text

Condition 8 – Drainage

The following information has been submitted:

- Proposed Surface Water Drainage Layout' drawing (reference no. 16209-2000 revision T03, dated 14/06/2026*) should be 14/01/2026).

In conclusion, the submitted details are considered acceptable for the purposes of Condition 8 which will be discharged by the provision of the approved drainage scheme prior to occupation of the development, and its retention thereafter.