

# 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

|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <b>Reference No:</b>         | 2026/44/92409/E                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Site Address:</b>         | Former North Bierley Waste Water Treatment Works,<br>Oakenshaw, BD12 7ET                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Description:</b>          | Discharge of details reserved by condition 5 (landscape management plan) on previous permission for reserved matters application 2021/91932 pursuant to outline permission 2016/92298 for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) relating to Phase 4 - construction of 2 x industrial warehouse units with ancillary office accommodation (approximately 6021m <sup>2</sup> and 4046m <sup>2</sup> ) with parking and landscaping, including discharge of condition 6 (Bio-diversity Enhancement Management Plan), Condition 17 (Site Investigations), Condition 19 (Public Rights of Way), Condition 29 (Noise Attenuation), Condition 31 (Electric Vehicle Charging Points) |
| <b>Recommending Officer:</b> | Farzana Tabasum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

#### DECISION – Discharge of Condition – Approve

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.

Nick Hirst

**AUTHORISED OFFICER**

**Date: 09-Sep-2026**

**Application:** 2026/92409

**Site:** Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET

**Proposal:** Discharge of details reserved by condition 5 (landscape management plan) on previous permission for reserved matters application 2021/91932 pursuant to outline permission 2016/92298 for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) relating to Phase 4 - construction of 2 x industrial warehouse units with ancillary office accommodation (approximately 6021m<sup>2</sup> and 4046m<sup>2</sup>) with parking and landscaping, including discharge of condition 6 (Bio-diversity Enhancement Management Plan), Condition 17 (Site Investigations), Condition 19 (Public Rights of Way), Condition 29 (Noise Attenuation), Condition 31 (Electric Vehicle Charging Points).

## **Assessment**

### Condition 5 – Landscape Management Plan

*5. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be implemented in accordance with these approved details.*

**Reason:** *To ensure the successful aftercare of the landscaping.*

### *Submitted Details*

The following details have been submitted in support of the discharge of Condition 5:

- Ongoing Landscape Management – Unit 1 & 2 Interchange Way, prepared by Potterton Associates Ltd, dated August 2026, including and appended approved landscape drawings 823/LA1 and 823/LA2 Rev A; and
- Certificate of Incorporation – Interchange 26 Management Company Limited, dated 14 July 2025.

The Landscape Management Plan confirms that it has been prepared by Potterton Associates Ltd specifically for the ongoing landscape management of Units 1 and 2, Interchange Way. It identifies approved drawings 823/LA1 and 823/LA2 Rev A as defining the extent and detail of the implemented landscape scheme.

### *Consultation Response*

The Council's Landscape Officer was consulted and provided comments, dated 7th September 2026.

The Landscape Officer confirmed that the submitted Landscape Management Plan was considered from a landscape perspective, to generally address the requirements of condition 5. In particular, the officer noted that the document provides long term management objectives, maintenance prescriptions, monitoring and review arrangements and detailed maintenance schedules for the various landscape elements across the site.

The Landscape Officer did, however, identify one outstanding matter prior to discharge. Although the submitted plan refers to a Management Company assuming responsibility following the initial maintenance period, the company itself was not identified. Confirmation was therefore requested of the company responsible for the long term management and maintenance of the landscaped areas, together with relevant contact details. Subject to receipt of this information, the Landscape Officer raised no objection to discharge of condition 5.

The Landscape Officer also noted that the plan contains management proposals for the attenuation basin and associated grassland and suggested that the Drainage team may wish to consider whether the long term arrangements are sufficiently robust in relation to any SuDS infrastructure and associated drainage features.

#### *Additional Information/Clarification*

Additional information has been received, in the form of a Certificate of Incorporation confirming that Interchange 26 Management Company Limited, was incorporated under the Companies Act 2006 as a private company limited by shares on 14 July 2025.

This provides the formal identification of the Management Company which was absent from the original Landscape Management Plan and responds to the clarification sought by the Landscape Officer regarding the identity of the organisation responsible for the long term management arrangements.

#### *Officer assessment*

Condition 5 requires the Landscape Management Plan to address three principal matters:

1. Long term design objectives;
1. management responsibilities; and
2. maintenance schedules.

It also contains an ongoing requirement that the approved Landscape Management Plan thereafter be implemented in accordance with the approved details.

Each element is considered below.

## **1. Long term design objectives**

The Landscape Management Plan sets out clearly the objectives for the continued establishment and management of the approved landscaping.

These include securing the implementation and establishment of the approved landscape scheme; establishing a functional and attractive landscape network which contributes to the sites visual amenity, providing habitat, forage, refuge and shelter for wildlife and birdlife, securing sustainable drainage features with associated landscape and wildlife value, maintaining appropriate horticultural and health and safety practices, maintaining high standards of landscape development, encouraging wildlife wherever possible and ensuring that landscape defects are identified and addressed promptly.

The management approach distinguishes between the different functions and characteristics of the landscaping, including avenue trees, attenuation basin/wildflower areas, hedgerows, shrub planting and freestanding trees.

The submitted details therefore provide an appropriate long term framework for maintaining both the visual and functional purposes of the approved landscaping rather than simply providing a short term establishment programme.

This element of Condition 5 is considered satisfactorily addressed.

## **2. Management responsibilities**

The Landscape Management Plan confirms that the initial landscape contract includes a 12 month maintenance and defects liability period commencing from practical completion. Following that period, the landscaped areas are to be maintained by an appropriately qualified landscape contractor through the Management Company.

The document places clear operational responsibilities upon the appointed contractor. This includes maintaining appropriate insurance and certification, using experienced and qualified operatives and undertaking the prescribed works in accordance with good horticultural practice. It also provides for replacement of plant material where losses arise through contractor neglect.

The original document referred generically to the "Management Company". This was specifically identified by the Landscape Officer as requiring clarification before the condition could be discharged. The subsequent Certificate of Incorporation now formally identifies the relevant organisation as Interchange 26 Management Company Limited.

Accordingly, the long term management mechanism set out within the Landscape Management Plan can now be linked to an identified incorporated

management company. This satisfactorily addresses the concern raised by the Landscape Officer.

This element of Condition 5 is therefore considered satisfactorily addressed.

### **3. Maintenance prescriptions and schedules**

The Landscape Management Plan contains detailed maintenance requirements for the principal landscape components across the site. These include:

- litter and debris removal;
- amenity tree and shrub maintenance;
- hedgerow maintenance;
- maintenance of the attenuation basin and meadow grass areas; and
- maintenance of road frontage mown grass strips.

Detailed prescriptions are provided for woodland and shrub planting, including inspections, weed control, pruning, checking and replacement of guards and shelters, removal and replacement of dead shrubs, thinning and coppicing where appropriate.

Separate provisions address tree planting and maintenance, including inspections, maintenance and eventual removal of stakes and ties, pruning, replacement planting, weed control, mulching, watering, monitoring of pests and diseases and inspections following adverse weather.

The Plan similarly contains specific provisions for shrub beds and hedgerows, including weed control, pruning, replacement planting, maintenance of mulch and prescribed hedge heights.

The maintenance schedules then translate these requirements into a programme of works throughout the year. For example, the shrub schedule provides for weed control, formative pruning, watering, fertilising, mulching, replacement planting and longer term thinning.

The submitted schedules therefore provide both the nature and frequency of the principal maintenance operations and are sufficiently detailed to provide an effective framework for ongoing landscape management.

This element of Condition 5 is considered satisfactorily addressed.

### **Monitoring and long term review**

The Landscape Management Plan does not cease following the initial establishment period. It establishes an ongoing monitoring and review process. Issues requiring immediate attention are to be brought to the attention of the Landscape Architect, Management Company/authorising body or Local Authority as appropriate. Monitoring and amendments are to continue during

years 1–5, followed by a wholesale review at the end of year 5. The Plan then provides for review in perpetuity at five-year intervals.

The dedicated Management Plan Review section further confirms monitoring during years 1–5, a wholesale review at the end of year 5 and continued five-yearly reviews thereafter in perpetuity.

This is particularly relevant to the purpose of Condition 5, which is not simply to secure initial planting but to ensure its successful aftercare over the longer term.

The monitoring and review arrangements are therefore considered sufficient and proportionate to the requirements and reason for the condition.

## **INFORMATIVE**

### *Attenuation basin, meadow areas and drainage-related landscape management*

The Landscape Officer's reference to possible Drainage consideration is noted. However, no objection on this matter forms part of the Landscape consultation response, rather, the comment was expressly made as an aside in relation to whether the Drainage team may wish to consider the arrangements for SuDS infrastructure.

For the purposes of the specific requirements of condition 5, which concerns the landscape management plan and successful aftercare of the landscaping, the submitted document contains identifiable and ongoing landscape management provisions for the attenuation basin, associated meadow areas and the maintenance of swale/attenuation basin inlets and outlets.

No assumption is made through the discharge of condition 5 as to the satisfaction of any separate drainage condition or other drainage requirement applying to the development.

## **Conclusion**

The submitted Ongoing Landscape Management – Unit 1 & 2 Interchange Way, Bradford, BD12 7AZ, August 2026, provides comprehensive long term landscape management objectives, identifies the responsibilities of the appointed landscape contractor and Management Company, provides detailed maintenance prescriptions and annual maintenance schedules for the range of landscape elements across the site, and establishes monitoring and review arrangements extending in perpetuity.

The Council's Landscape Officer has confirmed that the Landscape Management Plan generally addresses the requirements of condition 5 and raised no landscape objection to its discharge subject to identification of the Management Company.

Having regard to the submitted details, the Landscape Officer's consultation response and the subsequent clarification, the requirements of condition 5 relating to long term design objectives, management responsibilities and maintenance schedules are considered to have been satisfactorily addressed.

The submitted details are therefore considered sufficient to satisfy the requirements of condition 5 and are recommended for discharge, subject to the ongoing requirement of the condition that the Landscape Management Plan is implemented in accordance with the approved details.

**Recommendation:** Approve details

**Report dated:** 09/09/2026

### **Recommended Decision Text**

#### Condition 5 – Landscape Management Plan

The following information has been submitted pursuant to condition 5:

- Ongoing Landscape Management – Unit 1 & 2 Interchange Way, prepared by Potterton Associates Ltd, dated August 2026, including and appended approved landscape drawings 823/LA1 and 823/LA2 Rev A; and
- Certificate of Incorporation – Interchange 26 Management Company Limited, dated 14 July 2025.

The submitted details are considered sufficient to satisfy the requirements of condition 5 and are hereby approved.

The Landscape Management Plan shall thereafter be implemented in accordance with the approved details, in accordance with the ongoing requirements of condition 5 of planning permission 2021/91932.