

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY STRATEGIC PLANNING COMMITTEE

29 JULY 2020

Planning Application 2019/94051

Item 7 – Page 25

Outline application of up to 39 dwellings and associated works

Land off Burn Road, Huddersfield, HD3 3BT

Clarification

It is stated within paragraphs 2.1, 10.45 and 10.52 that the PROW running through the site (PROW HUD/399/10) forms part of the Kirklees Way route. This is not correct: the PROW does not form part of the formal Kirklees Way route. However, the PROW does connect to the Kirklees Way route approximately 300m to the north.

Notwithstanding the above, this clarification does not impact upon the assessment made within the committee report.

Planning Application 2019/93246

Item 9 – Page 63

Installation of 2 fibre cabins, twelve air conditioning units, two generators and perimeter fence

Land to the south of Jack Lane, Dewsbury, WF17 6JT

Request for deferral

A request for deferral of the application has been received by a third party. The third party raises concerns in relation to what they consider to be procedural irregularities and unfairness over the handling of the application. The concerns are summarised as follows:

- No information including the Flood Risk, Sequential Test amended plans, or latest consultations responses (post-dating / October November) have been placed on the Council's website.
- Without being provided with either the opportunity to view or comment on the amended / additional information, the rights of third parties to make material representations on this information have been prejudiced.

- The committee report refers to (at 5.1) "Amendments to the boundary treatment following initial comments from Conservation and Design Officers". Neither the amended plans, nor any comments (before or after) from the Conservation & Design department have been placed on the Council's website (the public register).
- The absence of up to date consultations responses on the website has not allowed the objectors to obtain up to date information on the application and therefore their ability to decide whether or not to make further representations has been prejudiced
- There appears to be no rational explanation as to why KC Environmental Services wanted the Noise Report pre-determination one minute, and then not the next.
- With regard to the flood risk sequential assessment, there is an error of fact in para.10.27 of the committee report.

Officer Response:

There is no statutory requirement to re-consult 3rd parties and consultees when additional information and amended plans are received. It is at the discretion of the Local Planning Authority taking account of the scale of the development proposed, amount of information and detail received and the potential impact upon residents near to the site. As such, Officers do not consider that the views of any third parties have been prejudiced in the processing of the application. The remaining concerns raised are addressed below.

Residential Amenity

Paragraph 10.11 refers to residential properties on Croft Street. For clarification, the properties to the west are located on Town Street.

For clarification, KC Environmental Health officers have confirmed that the Noise Report referred to in paragraph 10.12 can be dealt with by condition. The site is located within an urban location adjacent to a main road and the nearest residential properties are located an adequate distance from the site. Based on these factors and the nature of the proposed development, the requirement for the Noise Report as a pre-commencement condition is proportionate.

Flood Risk

With reference to paragraph 10.25, for clarification, there was no statutory requirement for the applicant to submit a Flood Risk Sequential Test, due to the location of the site within Flood Zone 2 and the nature of the development, which could be considered to be 'essential infrastructure' or at worst, 'less vulnerable'. In any case, following comments received in representations, the applicant provided the Sequential Test, which demonstrates that there are no other suitable and reasonably available sites in Flood Zone 1 in the area of search that could accommodate the proposed development, except for the application site at Jack Lane.

Representations

10.27 Response to Representations:

Flood Risk and Drainage

A flood risk sequential test is required but has not been submitted to support the application

Response: A Flood Risk Sequential Test was submitted in relation to the application and considered to be acceptable. The conclusions of this are set out above.

Planning Application 2020/90020

Item 11 – Page 83

Erection of two storey side extension and external alterations

9, Kirkstone Drive, Gomersal, Cleckheaton, BD19 4QG

Amended Plans and Clarification

An amended site plan has been received correcting the distance that would be retained between the proposed extension and the boundary. The elevation drawings have been amended to correctly show the distance retained between the extension and the adjacent property. It is stated within paragraph 10.13 that the distance retained between the extension and the adjacent property would be 1.80 metres. This would in fact be 2.50 metres.

Notwithstanding the above, the amended plans and clarification does not impact upon the assessment made within the committee report.

Planning Application 2018/92309

Item 13 – Page 105

Reserved Matters application (pursuant to outline application 2016/93411) for residential development of 41 dwellings

Land to rear of 125 Helme Lane, Meltham, Holmfirth, HD9 5RJ

Correction

At paragraph 10.60, the third sentence should read: “If adequate compensatory works could not be achieved on-site, the applicant would need to look for nearby, available sites where compensatory works can be implemented with the agreement of the relevant landowner”.

West Yorkshire Combined Authority (Metro) contribution

The £15,840 sum referred to at paragraph 10.49 was based on the earlier, 32-unit iteration of the proposals. With 41 units now proposed, and using WYCA's updated formula, the required sustainable transport contribution would be £20,705. As the officer recommendation is for a higher (£40,000) sustainable transport contribution to be secured in any case, this recalculation does not affect the recommended Section 106 Heads of Terms.
