

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

2 SEPTEMBER 2021

Planning Application 2020/94345

Item 9 – Page 41

Erection of 5 dwellings

land at St Luke's, Bierley Marsh, East Bierley BD4 6PL

10.0 APPRAISAL

Ecology

A Preliminary Ecological Appraisal (PEA) was submitted within a previous application on this site, which was subsequently withdrawn. At the time KC Ecology made comments in relation to the content of this report, which did not follow recognised best practice guidance, KC Ecology also made recommendations to ensure a biodiversity net gain. The latest application does not contain any updated ecological information. However, as most of the mature trees are to be retained at the boundaries of the site and, given the habitats identified during the ecological survey of the site, there is limited scope for significant ecological harm. However, a condition to ensure protection of nesting birds throughout construction, in accordance with Kirklees Local Plan LP30i, should be applied.

In addition, the development will need to demonstrate a biodiversity net gain post-development. A condition for an Ecological Design Strategy (EDS) should be applied to secure this in accordance with Kirklees Local Plan Policy LP30ii and the National Planning Policy Framework.

Two further conditions pertaining to ecology are recommended to be attached to the Decision Notice in the event of a grant of planning permission:

- 1) Control of trees/Shrub removal in the interests of nesting birds
- 2) Submission of ecological design strategy (EDS) prior to commencement of development

Highway issues

Following comments received from the Councils Section 38 Team, the proposed access road is not considered suitable for adoption; this is due to constraints in its width and conflict with the existing St Luke's Church Hall access ramp at the side of the building, on the junction of South View Road. In addition, there are several technical issues, which are unable to be resolved to make the proposed road to an adoptable standard.

Whilst it is acknowledged that ordinarily no more than 5 dwellings would be accepted off an unadopted road, given there are existing established dwellings along this road, sporadically located along its length, it is considered that an additional 5 dwellings at the beginning of the access road would not cause any significant or unacceptable highway safety issues. Highway Development Management would however wish to see some improvements to the existing track to bring the road to a better standard, which is recommended to be conditioned. Based on these factors it is considered that, on balance, this proposal would be acceptable from a highway perspective on this occasion, subject to relevant conditions.

Taking the above into account, it is considered necessary to impose a condition to the Decision Notice, in the event of a grant of planning permission, a pre-development and post-development condition survey of this stretch of Bierley Marsh (within the red line boundary) as well as associated highway improvement works e.g. re-surfacing and associated operations, to be completed before any of the new dwellings are first occupied and subsequent future maintenance.

Planning Application 2021/91052

Item 11 – Page 65

Use of premises for sale of used cars

105 Warren Street, Savile Town, Dewsbury, WF12 9AS

7.0 LOCAL / PUBLIC RESPONSE

Due to technical errors, comments made by Ward Members were not included in the committee report. The following update should be read in conjunction with section 7 of the committee report:

7.4 Ward Members Cllr Jackie Ramsay and Cllr Masood Ahmed both made representations regarding this application. Cllr Jackie Ramsay supports the application whilst Cllr Masood Ahmed is against the application. These representations have been summarised as follows:

7.5 Cllr Jackie Ramsay's comments:

- The proposal would cause a limited increase in activity on the highway given the companies sell very few cars a day, and viewing is by appointment only.
- The existing highways issues are caused by other persons and businesses, not by these businesses.
- The proposed use, in a light industrial area, would cause less noise, disruption and general harm than the previous factory use.

7.6 Cllr Masood Ahmed's comments:

- Concerns the proposal will cause highway safety concerns, which includes the parking of vehicles associated with these businesses on the highway.
- The car sales use, by moving of the vehicles and associated activities causes harm through noise and general disruption to local residents.
- The proposed use causes anti-social behaviour and waste management issues.

Change of use to car sales premises

105A Warren Street, Savile Town, Dewsbury, WF12 9AS

LOCATION PLAN

For clarification, the incorrect location plan has been included in the agenda on page 77. Please see the correct location plan identifying the application site below.



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