

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

#### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

#### PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

21 SEPTEMBER 2023

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**Planning Application 2023/92079**

**Item 8 – Page 9**

**Outline application for erection of residential development of 10 dwellings, demolition of existing extension at 27 Moor Lane, widening of existing access and realignment of boundary walls**

**Rear of 23 to 43 Moor Lane, Gomersal, Cleckheaton, BD19 4LF**

Two additional representations have been received. The key points raised are as follows:

- Additional information submitted online since comment period ended.
- Response from the Coal Authority has been received. There have already been workers on site who have reported coal being present.
- Drainage agreements are reliant on 41 Moor Lane which is owned by the Council. Concerns regarding a conflict of interest.
- Area Character and Density Appraisal shows incorrect figures.
- Concerns regarding the applicants highways calculations and methodology.

The information referred to above was all submitted prior to, and has been included within, the published Officer's Report. The concerns raised have been raised in previous representation and therefore considered and discussed within the Officer's Report:

- Coal Mining – Paragraphs 10.112 – 10.116.
- Drainage - Paragraphs 10.106 – 10.111.
- Density – The figures were reviewed by officers and an amended Area Character and Density Appraisal was requested – see paragraph 5.1.

It is noted that a complaint has been received which Officers are responding to separately, in line with the Council's complaints procedure. The concerns regarding Highway matters have been responded to within the updated consultation response from KC Highways DM (dated 18/09/2023).

An email was received from the agent querying details of the S106 agreement with regard to the inclusion of neighbouring properties. Officers consider it necessary to include all owners of land within the red line boundary within any S106 agreement and cannot rely on any external third-party agreements to which the council would not be party to.

Regarding condition 24 which relates to the acoustic fencing, Officers would also request details of the appearance of fencing in the interest of visual amenity.

In addition to paragraph 10.99, KC Ecology have confirmed within their consultation response that “Off-setting shall aim to be delivered in a hierarchical manner, firstly it should aim to be delivered within the ward, then wards adjacent, and so on and so forth”.

In addition to the Trees sections of the Officers Report (paragraph 10.82 onwards), the applicant has included detail within their submitted planning statement regarding the number of trees to be retained or removed. In summary there will be no net loss of trees as a result of the proposed development.

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