KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2017/60/91046/E
Site Address:	Greenside Mill, Savile Road, Skelmanthorpe, Huddersfield, HD8 9EE
Description:	Outline application for demolition of existing buildings and structures and erection of residential development
Recommending Officer:	Bill Topping

DECISION - Refused

I hereby authorise the refusal of this application for the reasons set out in the agenda of the Heavy Woollen Sub- Committee dated 28/09/17 and the committee decision authorisation sheet annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 06-Oct-2017

Decision Authorisation – Committee Decision

Committee: Heavy Woollen Sub Committee

Date of Committee: 28/9/17

Application Number: 2017/91046

Officer Recommendation: Refusal

Committee Decision: Refusal

Reasons for Refusal

1. The proposal fails to make any provision for Public Open Space, contrary to Policy H18 of the Kirklees Unitary Development Plan.

2. The proposal fails to make any provision towards Education Improvements contrary to Council Policy Guidance "Providing for Education Needs generate by New Development".

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan			24/3/17
Indicative Layout	SK02		24/3/17
Design and Access Statement			24/3/17
Planning Statement			24/3/17
Geo-Environmental Phase 1 Desk Top Study	163-11		24/3/17
Coal Risk Assessment	1057		24/3/17
Coal Authority report; Coal Geo index report			24/7/17
Preliminary Ecological Appraisal	R-2586-01		24/3/17
Bat Emergence Survey	R-2586-02		24/3/17
Transport Assessment	9191/001/01		24/3/17
Flood Risk Assessment	163-11FR		24/3/17

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-

application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application .

Development within a Coal Mining Area

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
https**://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries**

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com **or a similar service provider.**

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Report Dated: 2/10/17