

**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: 2018/60/92686/E

Site Address: land adj, 127, Westgate, Heckmondwike, WF16 0EW

Description: Outline application for erection of retail (A1) and drive thru restaurant (A3) development and associated car parking, landscaping and infrastructure

Recommending Officer: Glenn Wakefield

DECISION - Refused

I hereby authorise the refusal of this application for the reasons set out in the agenda of the Strategic Planning Committee dated 14.03.19 and the committee decision authorisation sheet annexed below in respect of the above matter.

David Wordsworth

AUTHORISED OFFICER

Date: 08-Apr-2019

Decision Authorisation – Committee Decision

Committee: Strategic Planning Committee

Date of Committee: 14 March 2019

Application Number: 2018/60/92686/E

Officer Recommendation: Refuse

Committee Decision: As per officer recommendation

Reasons for Refusal

1. The site is allocated for housing in the Kirklees Local Plan. The proposal constitutes a departure which conflicts with the long term development aims of the local plan. It is considered that in this case, the benefits associated with the provision of housing are not significantly and demonstrably outweighed by the benefits of this proposal which is contrary to Kirklees Local Plan policy PLP1 (as modified) and policy PLP3 (as modified).

2. The applicant has failed to demonstrate that this proposal will not have a detrimental impact on the ecology of the area and that local biodiversity will not be detrimentally affected. This would be contrary to Kirklees Local Plan Policy PLP30 (as modified) and Section 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	0001	P1	16 August 2018
Existing site survey	0002	B	16 August 2018
Transport Assessment	1426		16 August 2018
Flood Risk Assessment			
Phas1 Geotechnical Report	E17/6946/R001A		30 August 2018
Flood Risk Assessment	E17/6946/FR01		30 August 2018
Revised Noise Assessment	J2704-R1 (17.12.18)		19 December 2018
Block Plan - proposed	0003	B	21 December 2018
Existing site survey with drainage overlay	K15/5867/103		21 December 2018
Arboricultural assessment	180108		21 December 2018
Ecological impact assessment	180103/EcIA		21 December 2018

Plan Type	Reference	Version	Date Received
Addendum to Transport Assessment	1426A		21 December 2018
Stage 1 road safety audit	1426		21 December 2018
Revised retail impact assessment			21 December 2018
Revised retail sequential assessment			21 December 2018
Drainage schematics	E18/6946/001A		01 February 2019
Junction arrangement	02	D	06 March 2019
Access arrangements	01	D	06 March 2019
Vehicle tracking data	03	D	06 March 2019

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 Planning 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.

Report Dated:

08.04.19