

Rebecca Drake
Kirklees Council
Development Management
PO Box B93
Civic Centre 3
Huddersfield
HDI 2JR

PLANNING PORTAL SUBMISSION REF: PP-07550612

22 March 2019

Dear Ms Drake,

RE: SECTION 73 VARIATION OF PLANNING CONDITIONS TO APPROVED APPLICATION 2016/60/94117/E: CONDITION 5 (MEANS OF ACCESS) AND CONDITION 21 (ACCESS CONSTRUCTION) FOR RESIDENTIAL USE (C3)

LAND OFF LEES HALL ROAD, DEWSBURY

Spawforths are instructed on behalf of Miller Homes to prepare and submit an application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 5 and Condition 21 which are attached to an outline planning permission (application reference: 2016/60/94117/E) for the following approved development at 'Land off Lees Hall Road, Dewsbury':

Outline application for residential use (C3)

Background

Outline planning permission was granted on the 12th April 2017 by Kirklees Council for the construction of up to 120 residential units (C3) including means of access to/from Lees Hall Road. An Access plan (dwg. ref: ITY11389 - GA – 001, REV B) prepared by I-Transport formed part of the approved application package.

Spawforths

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Spawforths is a trading name of Spawforth Rolinson Ltd. Incorporated in England, Company Registration Number 2247289

The approved Access plan (dwg. ref: ITYI 1389 - GA – 001, REV B) outlines a T-Junction arrangement from the development site onto Leeds Hall Road. The Access Plan is referenced in Conditions 5 and 21 attached to the approved planning permission as outlined below:

Condition 5

Details of layout submitted in respect of conditions 1 and 2 shall provide for up to 120 dwellings distributed in accordance with the details shown on the Indicative Layout (Drawing no ITYI 1389 - GA – 001 Rev B).

Condition 21

With reference to plan ITYI 1389-GA-001 Rev B; the development shall not commence until a scheme detailing the layout and construction specification, and all necessary associated highway works, including the appropriate stage Road Safety Audits to provide the site access off Lees Hall Road has been submitted and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the approved scheme has been implemented and thereafter maintained throughout the lifetime of the development.

The Dewsbury Riverside Masterplan Framework was endorsed by Members at Cabinet on Tuesday 19 March 2019. The recommendation also sought authority for the Council to receive Local Growth Fund grant that will support the delivery of access and drainage infrastructure. The Cabinet Report states in paragraph 2.6.1:

The Council is seeking grant assistance from the Combined Authority Local Growth Fund that will help to de-risk the delivery of infrastructure and unlock the development of the site. An outline business case has been submitted for funding to:

- *Construct the roundabouts and accesses into site from Ravensthorpe Road and Lees Hall Road to facilitate development of early phases that will open up the wider housing allocation helping to accelerate delivery.*
- *Construct the SUDS and drainage infrastructure to facilitate delivery of the early phases of development.*
- *Enable two development partners establish sales outlets on site that will help meet the delivery trajectory for the allocation.*
- *Help create a high quality housing development that will set a standard as subsequent phases come forward.*
- *Bring forward land for the development of 240 residential units.*

Therefore, to support key infrastructure delivery and assist with the early phases of housing development the Access plan at Lees Hall Road needs to be updated to deliver the new roundabout and road alignment.

Application Proposals

As such, this application proposes a 'minor material amendment' to the approved access plan and as such amendments are sought to Conditions 5 and 21. The proposed amendments are to the approved access plan (dwg. ref: ITY11389 - GA – 001, REV B) to ensure it reflects Kirklees Council's proposed roundabout access arrangement. The amendments will allow for Kirklees Council to utilise the LGF funding and allow for the first phases of housing development to come forward.

A Stage 1 Road Safety Audit for the proposed roundabout junction has been prepared by White Young Green and is submitted as part of the application package. The Audit identifies three potential problems and recommends solutions to overcome each problem.

For the avoidance of doubt, all other conditions attached to the outline planning permission (application reference: 2016/60/94117/E) are to remain unaltered and are unaffected by the proposed amendments.

It is proposed that Conditions 5 and 21 should be amended to the following:

Condition 5

Details of layout submitted in respect of conditions 1 and 2 shall provide for up to 120 dwellings distributed in accordance with the details shown on the Indicative Layout (Drawing no52/61664/DL/D7-V54/01B).

Condition 21

With reference to plan 52/61664/DL/D7-V54/01B; the development shall not commence until a scheme detailing the layout and construction specification, and all necessary associated highway works, including the appropriate stage Road Safety Audits to provide the site access off Lees Hall Road has been submitted and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the approved scheme has been implemented and thereafter maintained throughout the lifetime of the development.

Application Package

In accordance with the agreed procedures of Kirklees Council, this application is submitted electronically via the Planning Portal. The planning application fee (£234) will be paid electronically via the Planning Portal

The application package comprises the following:

Submission Title	Ref no. / Dwg no.
Application Forms and Certificates	N/A
Application Fee: £234	PP - 07550612
Location Plan, Spawforths	0000-0018, rev C
Dewsbury Riverside Masterplan Framework - Lees Hall Gateway	-
Roundabout Feasibility Layout (Design 7)	52/61664/DL/D7-V54/01B
Proposed Roundabout Junction – Stage I Road Safety Audit	AI11TBC/LHR/RSA1

We trust that the submitted information is sufficient for the application to be validated and therefore we anticipate that you will confirm this in due course and that a written confirmation of the target date for a decision will be issued shortly.

Should you require any further information or clarification then please do not hesitate to contact us on the attached details.

Yours sincerely,

Alastair Cliffe BA (Hons), MA, MRTPI
Associate: Chartered Town Planner
(alastair.cliffe@spawforths.co.uk)

Encs: As detailed above
cc: Tim Williams – Miller Homes
Thomas Fish – Kirklees Council
File Ref: P0-TP-SPA-LT-P3565-0031-A