

DC Admin

From:
Sent: 05 October 2025 13:28
To: DC Admin
Cc:
Subject: Objection to planning application 2020/60/92350/E Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury.

To the planning officer handling application reference 2020/60/92350/E,

I object to Kirklees Council's proposal to determine the Section 106 Agreement for this application under delegated authority instead of referring it back to the Strategic Planning Committee (SPC).

This would remove the matter from democratic scrutiny and likely breach both the Council's constitution and Section 70(2) of the Town and Country Planning Act 1990, as interpreted in *Kides v South Cambridgeshire DC [2002]*.

The *consolidated Section 106 agreement* introduces new and material considerations that were not before the SPC in 2022. Specifically, that the 10% Biodiversity Net Gain (BNG) could be delivered *off-site* within **Dum Wood** and **Dogloitch Wood**, both ancient woodlands.

Using existing ancient woodland as "offset land" risks not increasing biodiversity, and instead damaging delicate ecosystems. This proposal appears to represent a superficial attempt to appear compliant. The ecological impact of this proposal has not been properly assessed and requires full scrutiny by elected members.

For these reasons, the application and Section 106 must be brought back before the Strategic Planning Committee.

Yours Faithfully,