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Our ref.
Your ref.

18th May 2023

Dear Sir/Madam,

APPLICATION FOR THE NON – MATERIAL AMENDMENT OF APPLICATION REF 2022/70/92675/E – VARIATION OF CONDITION 2 (INTERNAL ROAD SPECIFICATION) OF PERMISISON 2020/93254 FOR VARIATION OF CONDITIONS 1 (PLANS AND SPECIFICATION), 10 (WASTE COLLECTION), 11 (ELECTRIC VEHICLE CHARGING POINT) OF PREVIOUS RESERVED MATTERS APPROVAL 2019/92710 PURSUANT TO OUTLINE PLANNING PERMISISON 2017/93347 FOR ERECTION OF 32 DWELLINGS

LAND OFF FIELDHEAD LANE, BIRSTALL, BATLEY

PLANNING PORTAL REF: PP-12166473

Further to telephone and email correspondence between Johnson Mowat and Nick Hirst, the Local Authority has been made aware that the latest Section 73 Decision Notice (Application Number 2022/70/92675/E) dated 1st February 2023 pertaining to Land off Fieldhead Lane, Birstall does not correctly reference application plans within two of the planning conditions, these being conditions 7 and 10. It was advised by Nick Hirst on 4th April 2023 the most effective way to address this issue is through the submission of a Non – Material Amendment Application. I have therefore today submitted a Non – Material Amendment Application via the Planning Portal, under reference PP-12166473.

Condition 7 of the decision notice pertaining to application number 2022/70/92675/E currently reads as follows:-

Notwithstanding the submitted information, prior to the occupation of the hereby approved dwellings, details for the provision of a pedestrian route and cycle track across the site from Field Head Lane to the boundary with Oakwell Hall Park, as indicatively shown on plan ref. '3001.09.102 Rev. E' shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include details of signage to bring the route to the attention of users of the route via the application site. This approved pedestrian/ cycleway route shall be provided prior to the occupation of the site, or in accordance with a timeframe agreed with the Local Planning Authority and permanently retained thereafter

Reason: To enhance pedestrian and cycle facilities, in the interest of public health and highway safety, to comply with Policy LP21 of the Kirklees Local Plan

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The plan as referenced within condition 7 is incorrect and needs to be changed to 3001.09.603 Rev D as per condition 7 of the previously approved Section 73 Application (2020/70/93254/E).

Condition 10 of the decision notice pertaining to application number 2022/70/92675/E currently reads as follows:-

Prior to the occupation of each of the hereby approved dwellings, the dwelling shall have its respective bin presentation point shall be hard paved and provided on site, as shown on plan ref. '3001.09.103 Rev. A'. Thereafter each bin presentation point shall be retained.

Reason: To ensure adequate waste collection arrangements are in place, in the interest of the safe and efficient operation of the highway as per Policy LP21 of the Kirklees Local Plan.

The plan as referenced within condition 10 is incorrect and needs to be changed to 3001.09.603 Rev D as per condition 10 of the previously approved Section 73 Application (2020/70/93254/E).

For the purposes of validation, I have provided Site Plan reference 3001/09.603 Rev D as part of the application documentation for this Non – Material Amendment submission.

I trust that you have all the necessary information required to consider this Non – Material Amendment Application and look forward to receiving notification that this application has been validated.

Yours faithfully

Jennie Hanbidge
Senior Planner

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