

26 July 2023

Planning Department
Kirklees Council
Flint Street
Fartown
Huddersfield
HD1 6LG

Dear Sirs,

**LAND AT 81 STATION LANE, BIRKENSHAW BD11 2JE
S73 APPLICATION TO AMEND CONDITION 7 ON PERMISSION REF. 2017/62/91991/E**

This Application is submitted on behalf of Kingscrown Developments Ltd to amend the wording within condition 7.

An application has been submitted electronically via the Planning Portal and a payment for the requisite sum will be made directly to the Council.

Please find submitted with this application:

- Application forms and certificates, completed and duly signed; and
- West Yorkshire Fire Consultee Response.

Application to Amend Condition

Condition 7 - The development shall not be occupied until the access, parking and turning shown on the approved plan ref: 17/54/C Rev A, have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for the uses specified on the submitted plans thereafter.

This Application seeks to amend the condition, by removing the following wording from the planning condition:

“... free of obstructions...”

The Fire Service, through the Highways Development Management consultation response (HDC Ref. K8-11NW-29 from the 22/06/2017) confirmed that:

“The turning area at the end of the development would have to accommodate turning manoeuvres for a fire tender, this would need to be demonstrated by means of swept path analysis shown on a plan. Failing this a dry riser arrangement would be required to each property as required.”

Dry risers were installed by the Applicant during construction, and it was also proven through swept path analysis that a fire tender could accommodate turning manoeuvres within the turning head – if the residents for Plot 4 (89 Station Lane) relocate their car elsewhere for the manoeuvre. This was agreed with the fire service in 2017 and has been reconfirmed by Beckie Walton, Fire Engineering Inspector at West Yorkshire Fire on the 19 July 2023. See the attached correspondence for reference.

A fire engine can access the site safely in the event of a fire and can put out said incident within the current and proposed arrangement. The fire service would only require a car to be moved from the parking area within Plot 4 when exiting the site and after any incident is over.

The Application therefore seeks to remove this wording (free of obstructions) from within Condition 7 to allow the residents at Plot 4 Station Lane to park within the tip of the turning head (private driveway) without the threat of enforcement action.

Final Comment

I will endeavour to contact you over the next few days to discuss the Council's agreed timescale for determining the application and I trust that the application can proceed through to approval at the earliest opportunity.

Should you have any queries or require any additional information, please contact me on 0161 820 7959.

Yours faithfully

FOR KINGSCROWN DEVELOPMENTS LTD

Daniel Russell Mplan (Hons) MRTPI
Development Manager - Kingscrown Group