

Our ref; MF300056 Drake

Planning & Development Services  
Kirklees Council  
Development Management  
PO Box 1720  
Huddersfield  
HD1 9EL

22<sup>nd</sup> February 2024

Dear Sir/Madam

**Application for a Certificate of Appropriate Alternative Development, Land forming part of Warren House Farm, lying north of Lindley Road and west of Kew Hill, Huddersfield, HD33RS and forming part of HMLR Title WYK329296**

On behalf of the owner of the above property, Mr C I Drake, we wish to make an application for a Certificate of Appropriate Alternative Development under Section 17 (1) of the Land Compensation Act 1961. In the absence of a pro-forma application form, this letter and attachments comprise the formal application and adopt the information requirements set out as part 3 to the Land Compensation Development (England) Order 2012, which state that the application must;

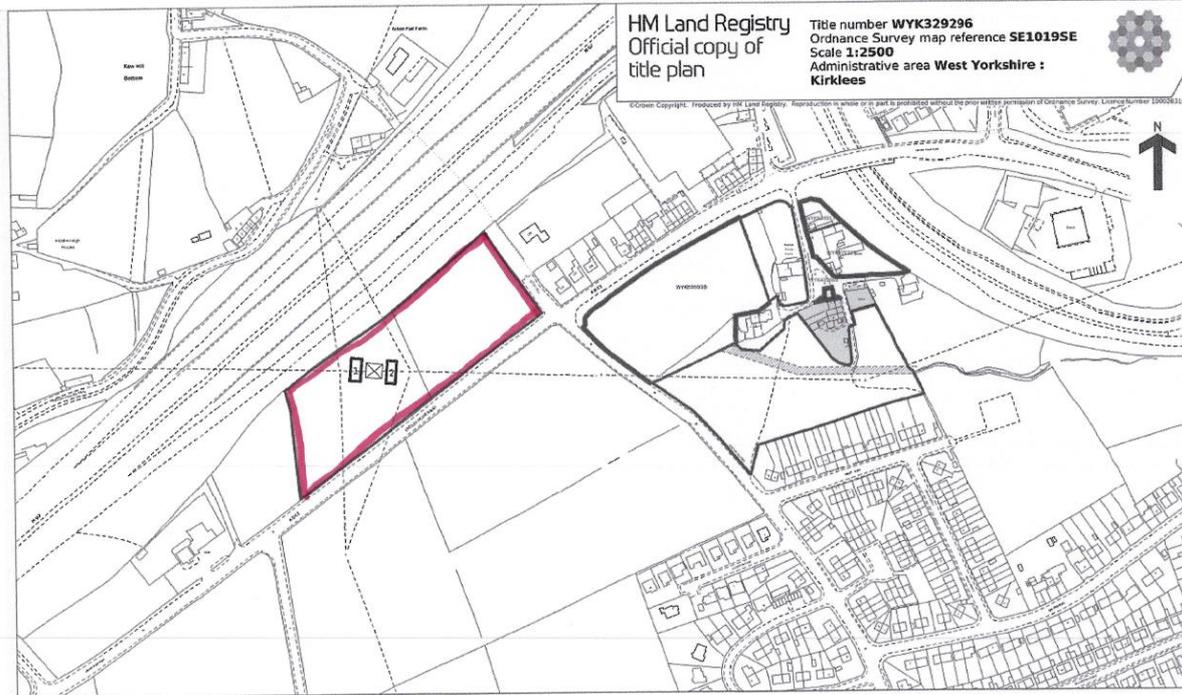
- a) Be made in writing
- b) Include a plan or map sufficient to identify the land to which the application relates, and
- c) Comply with the requirements of Section 17(3) of the Land Compensation Act 1961

An application under section 17(3) shall;

- a) Specify one or more classes of development appearing to the applicant to be classes of development which would be appropriate for the land in question if it were proposed to be acquired by any authority possessing compulsory purchase powers; and
- b) Be accompanied by a statement specifying the date on which a copy of the application has been served or will be served upon the other parties

On page 2 of this application, we attach HMLR Plan ref WYK329296 with the subject area edged red

The class of possible development for which a certificate is sought is that for C3 residential development, plus any other use that the authority considers appropriate. Of a type comparable in design and density to the one of the adjacent new development sites, for example, your ref 2020/90442 at Land east of Crossland Road, Lindley, Huddersfield, HD3 3SU which comprised approximately 8.5 acres /109 units



The acquiring authority in this instance will be National Grid Plc. To date the acquisition of required rights over the property are by negotiation, but as the attached email from National Grid's agent dated 24<sup>th</sup> February 2022 refers, such rights could be acquired by way of Compulsory Purchase. A reverse Compulsory Purchase could be instigated by the Landowner following service of a Notice to Remove National Grid's apparatus, which would cause a Necessary Wayleave hearing and the purchase cost being set by the Lands Tribunal if the parties could not agree themselves.

Negotiations have been ongoing for some time between the parties and National Grid's position is that the land does not have any form of development consent against which they could justify more than a basic agricultural value. Our research suggests that the presence of the overhead power line and steel pylon has confirmed that the Councils' view that because of the apparatus and the inability to develop the land, planning consent would not be granted.

We look forward to receiving a determination of this application as soon as possible.  
Yours faithfully,

*Mark Ferguson*

M M Ferguson BSc, MRICS

**Redacted**



From: [REDACTED]  
Sent: 24 February 2022 17:21  
To: [REDACTED]  
Subject: RE: Warren House Farm - Huddersfield [BK-BK.FID274587]

**Subject to contract Subject to client approval and without prejudice**

Simon

Further to your note below

The valuation date would be the date of vesting the rights in National Grid pursuant to a CPO to be made, given the land is not in the finalised local plan nor does it have the benefit of a planning permission it would be valued based on its actual status.

There is no provision for a retrospective valuation.

Best regards

[REDACTED]

[REDACTED] BSc MRICS MCIWM Pg Dip  
Partner



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