

Kirklees Council

Planning and Development

Civic Centre 3

PO Box B93

Huddersfield

HD1 2JR

Thornfield, Bierley Marsh

East Bierley

Bradford

BD4 6PL

20/01/25

FAO Elenya Jackson

Re. Comments in relation to application 2024/93226 – Discharge Details. Land at St Luke's Bierley Marsh, East Bierley, BD4 6PL. Lack of information.

The developer is required provide information relating to his proposals.

The Appeal Decision letter, amongst other matters, states:

Other Matters

20. The appellant is proposing to manage surface water and foul sewage through the mains sewer,...

26. Rights of access along Bierley Marsh would be a matter for the appellant to address.

Conditions

31.... Details of the construction phase is necessary to ensure that the impacts of construction on public safety and living conditions of neighbouring residents are minimised....

Documents submitted provide no information regarding drainage plans other than the statement within reports:

9.14 The disposal of surface water using soakaways is unlikely to be practical on the site due to the presence of low permeability strata.

I request that the developer submits details of his drainage proposals, and that Kirklees Building Control confirm that the developers' proposals are acceptable.

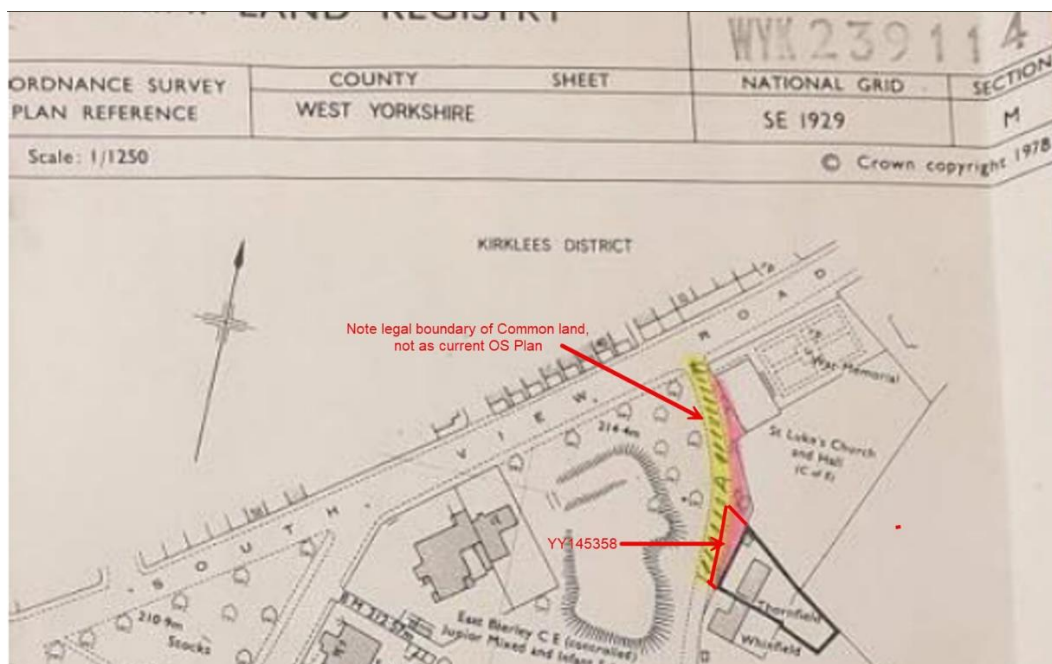
I ask that Kirklees Public Rights of Way Officers confirm whether the developer has any legally established vehicular access rights over SPEN 6-30.

Without such rights the proposed development would be unlawful.

I maintain that the developer does not have legally established vehicular access rights over SPEN 6-20 and Bierley Marsh, and I have sent separately evidence and communication in relation to this matter.

I will object to any Temporary Traffic Regulation Order, (TTRO), associated with application 2020/94345, 2024/93226, 2024/93227, on the basis that Bierley Marsh is a c. 3m wide, single track private street, that I use to access my property and have rights over.

My private rights, over SPEN 6-30, Bierley Marsh and other land are recorded in deeds and registered with Land Registry in 1989 and again in 2004 and 2020:



My private vehicular access rights, as shown yellow, are in a northerly direction onto Southview Road. Private streets have special status and my private rights, over this access, must be protected.

The narrow width (3m) of Bierley Marsh, means any construction traffic would likely completely block my access, for 6mths possibly up to 18mths.

The public footpath adds another layer of consideration. Any TTRO would need to account for both my private access rights and public right of way.

I request that the applicant submits detailed plans showing how he would maintain both, my private access vehicular access rights, other access and public footpath access. Also, I ask that Kirklees Officers advise, should development proceed, what timescale will be given for implementing the TTRO, including for advertisement, objections and inquiry.

I ask that you confirm that above information will be required as part of the process to discharge conditions.

Yours sincerely

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Cc Enforcement, DC.Admin, Chris Read, Kevin Walton