

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	2025/44/90094/E
Site Address:	Land at, Blue Hills Farm, Whitehall Road West, Birkenshaw, BD11 2DU
Description:	Discharge of details reserved by condition 16 (electric vehicle charging) of previous Reserved Matters approval 2022/91047 for a development of 91 dwellings
Recommending Officer:	Victor Grayson

DECISION – Discharge of Condition – Approve

I hereby authorise the approval this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 31-Jan-2025

Officer Report

Discharge of details reserved by condition 16 (electric vehicle charging) of previous Reserved Matters approval 2022/91047 for a development of 91 dwellings

Decisions to date

Outline

2018/20382 – EIA Screening Opinion issued 27/09/2018, confirming EIA not required for development of the site to provide up to 123 residential units.

2019/90527 – Outline permission granted 09/12/2019 for erection of up to 127 dwellings, with details of access.

2022/90349 – condition 13 (phase II site investigation) – approval issued 20/01/2023.

2022/90409 – condition 11 (site investigation) – approval issued 08/04/2022.

2022/90985 – condition 8 (construction management plan) – approval issued 23/01/2023 (although a post-development road condition survey will still need to be submitted).

2022/91750 – condition 27 (affordable housing) – approval issued 26/07/2023.

2022/91898 – conditions 6 (roundabout works), 7 (Travel Plan), 17 (electric vehicle charging) and 30 (highways impacts and sustainable transport) – approval issued 15/09/2023.

2022/92196 – condition 28 (open space) – pending decision.

2023/90428 – condition 14 (phase II site investigation report) – partial approval issued (phase 1 only) 12/05/2023.

2023/90581 – conditions 5 (highways) and 18 (noise) – approvals issued 12/05/2023 and 17/08/2023.

2023/92474 – condition 29 (education facilities) – pending decision.

2024/90028 – condition 16 (Validation Report) – refusal issued 22/01/2025.

2025/90050 – condition 10 (foul and surface water drainage strategy) – pending decision.

2025/90093 – condition 25 (external lighting) – pending decision.

Reserved Matters

2022/91047 – Reserved Matters approved 30/06/2023 for a development of 91 dwellings.

2023/92089 – condition 3 (proposed internal roads, footways and footpaths) – approval issued 02/10/2024.

2023/92090 – condition 4 (permanent site entrance) – approval issued 09/10/2024.

2023/92092 – condition 5 (new retaining walls) – refusal issued 02/07/2024.

2023/92093 – condition 6 (public rights of way) – pending decision.

2023/92094 – condition 7 (ground investigations) – pending decision.

2023/92137 – condition 11 (drainage) – approval issued 05/01/2024.

2023/92377 – condition 12 (drainage within/near highway) – approval issued 07/02/2024.

2023/92719 – condition 10 (road condition surveys) – split decision issued 02/09/2024 (a post-development road condition survey will still need to be submitted).

2023/93552 – condition 13 (pump house design) – pending decision.

2024/92939 – NMA – pending decision.

2025/90095 – condition 17 (external lighting) – pending decision.

2025/90096 – condition 19 (public rights of way) – pending decision.

Consultation

KC Environmental Health – Submitted information is acceptable. Condition requires installation and retention of the electric vehicle charging points.

Outline condition 17

Condition 17 of the outline permission (2019/90527) also concerned electric vehicle charging. A Discharge of Conditions application (2022/91898) sought discharge of that outline condition. The council's decision letter of 15/09/2023 stated:

Condition 16 of the Reserved Matters consent ref: 2022/91047 largely repeats the requirements of condition 17 of the outline permission ref: 2019/90527. As consideration of these matters will need to continue pursuant to Reserved Matters condition 16, outline condition 17 is hereby discharged, albeit without reference to any specific drawings or documents. For the avoidance of doubt, please note that no details are

hereby approved pursuant to outline condition 17. The discharge hereby provided simply confirms that no further submissions are required pursuant to outline condition 17, and that relevant matters will continue to be considered under Reserved Matters condition 16. Pursuant to that Reserved Matters condition, specifications of the electric vehicle charging points (to ensure a minimum continuous current demand of 16Amps and a maximum demand of 32Amps) would be expected.

Condition 16 (electric vehicle charging)

Reserved Matters condition 16 reads as follows:

16. Prior to installation, full details of the Electric Vehicle Charging Points to be installed for each dwelling in Phase 1 and Phase 2 of the development shall first be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be carried out prior to first occupation of each dwelling and shall be retained as such thereafter.

Reason: *In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, in accordance with Policies LP20 and LP24 of the adopted Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.*

The applicant submitted an External Lighting & EVCP Plan (drawing 035-20-AWSM-XX-XX-DR-A-1036 rev P1) pursuant to condition 16.

The submitted plan shows wall-mounted or post-mounted electric vehicle charging points for all units within phase 1 of the development. The minimum specification of the charging points is to be 7kW and Mode 3, which is considered adequate. The number of charging points proposed (one for each dwelling) meets the requirements of condition 16.

KC Environmental Health are satisfied with the submitted information.

As the submitted information relates only to the 77 dwellings of phase 1 of the development, only a partial approval pursuant to condition 16 can be issued at this stage.

It is recommended that the details be approved, and that the applicant be reminded of the ongoing requirement of condition 16, which states:

The approved details shall thereafter be carried out prior to first occupation of each dwelling and shall be retained as such thereafter.

Recommendation

Approve details pursuant to condition 16.

Decision Notice Text

Condition 16 (electric vehicle charging)

You have submitted an External Lighting & EVCP Plan (drawing 035-20-AWSM-XX-XX-DR-A-1036 rev P1) pursuant to condition 16, in so far as it relates to phase 1 of the development, as identified on the submitted plan.

The information set out in that drawing is acceptable for the initial purpose of condition 16 and is hereby approved.

For the avoidance of doubt, it is reiterated that this approval relates only to the 77 dwellings of phase 1 of the development, and that a further submission would be needed in the future in relation to phase 2.

Please also be reminded of the further requirement of condition 16, which states:

The approved details shall thereafter be carried out prior to first occupation of each dwelling and shall be retained as such thereafter.

Report Dated:

31/01/2025
