

About the application

Application number: 2025/92713	
What is the application for?:	Reserved matters application pursuant to outline permission 2023/92079 for erect
Address of the site or building:	Rear of, 23 to 43, Moor Lane, Gomersal, Cleckheaton, BD19 4LF
Postcode:	LS10 1NB

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes
<p>Outline Planning Permission was granted to Binks Developers in December 2023. The owners signed an agreement to follow all the section 106 conditions imposed by Kirklees.</p> <p>Binks subsequently advertised the site for sale with Michael Steel & Co - "our ref 1135A/M updated Sept 2024". A plan showing outline permission for 6 x 3 bed and 4 x 4 bed houses appears in the sales brochure.</p> <p>On application 2023/93079 report id 1007435 under "Committee" which recommended outline be granted this time by the planning committee, reference is made to the planning conditions to be secured by a section 106 agreement.</p> <p>PPJ have failed to adhere to all the outline planning conditions listed below:-</p> <p>3.3 - reasons the planning sub committee first refused planning ref 2022/92100.</p> <p>3.4 - the few changes Binks made including</p> <p>a) improvement to community open space</p> <p>b) plots 1 and 2 re-positioned to allow view to adjacent listed building</p> <p>10.15 - officers note that the revised development makes space for areas of habitat creation, non-car dominated dwelling frontages and good levels of outdoor garden amenity space.....</p> <p>10.20 - the proposed residential development (at a maximum of 2 storey) would also likely be largely unseen from the roadside</p> <p>10.24 The proposal is for 6 x 3 bed, 4 x 4 bed</p> <p>10.29 refers to the proposed dwellings being 2 storey in height and a mix of detached and semi detached dwellings as per LP24</p> <p>10.32 refers to LP24(b). The proposal requires a high standard of amenity for future and neighbouring occupiers including maintaining appropriate distances between properties.</p> <p>10.33 There should be 2m between side walls of properties.</p> <p>10.34 refers to proposed 2 storey dwelling height restriction not causing significant detrimental impact to existing neighbour properties in terms of not being overbearing</p>	

detrimental impact to existing neighbour properties in terms of not being overbearing, overlooking or over shadowing. Plot 10 is a large 5 bed house that towers over 21 Summerdale.

10.67 refers to the requirement for 3 visitor car parking spaces.

10.75 applicant has now repositioned plots 1 and 2.

10.81 the proposal had potential to cause harm to the Grade 2 listed building and if left unmitigated this policy would be contrary to policy LP 35. To be considered within Reserved Matters.

Summary

PPJ have not adhered to all the section 106 conditions:-

The housing mix - plots 1 and 10 should be smaller 4 bed houses - there is no permission for 5 bed homes

Plots 1 and 2 should be moved further into the development

3 visitor parking spaces are required

Housing should be no higher than 2 storey

The development should provide good levels of amenity space

Separation distances in a regular street should be at least 2 metres between property side walls

Plot 10 dwelling is very near 21 Summerdale. Their conservatory has conveniently been missed off most of the plans.

PPJ have not yet had reserved matters condition 8, Landscaping, accepted by the Council and they are not following the maximum bin drag distance rules.

Given all the outstanding issues mentioned above, I trust that this application will be refused. Otherwise, it makes a nonsense of setting conditions back in 2023 and then allowing said conditions to be ignored.

Regards

Please withhold my name