

Application Number: 19/02277/OUT
Date of Application: 9 October 2019
Date Decision Issued: 11 August 2020

**Service Director for Planning and
Transportation: Bronwen Knight**

Wakefield One
PO Box 700
Burton Street
Wakefield
WF1 2EB

Typetalk calls welcome

Mr Duffy, Mr Duffy & Mr Davies
c/o Mr Jay Everett
Addison Planning Consultants Ltd
Floor 3 Calls Landing
36-38 The Calls
Leeds
LS2 7EW

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order
2015**

Refusal of Outline Planning Permission

Description and Location of Application

Twenty Two (22) Dwellings including associated works (Outline including access and layout)

at: Land Off Wakefield Road Town End Pontefract WF8 4HW

Particulars of Decision

Outline planning permission is refused for the following reason(s):-

1. By virtue of the existing levels of traffic upon, and the congested nature of, Wakefield Road (A645) the proposed development would have a detrimental impact upon access and highway safety for vehicles and pedestrians contrary to policy D14 of the Council's adopted Local Development Framework Development Policies Document and the NPPF.
2. The proposed development would result in the unacceptable loss of protected trees and lead to the loss of an important ecological asset with no suitable mitigation or replacement measures proposed and no clear need for the development demonstrated to justify the loss and the harm caused to the ecological value of the site contrary to policy D7 of the Council's adopted Local Development Framework Development Policies Document and the NPPF.

3. By virtue of the loss of a significant number of mature trees the proposal would have a detrimental impact upon the visual amenity and character of the locality contrary to policy D9 of the Council's adopted Local Development Framework Development Policies Document and the NPPF.

This decision is based on the following plans(s):-

Plan Type	Reference	Version	Date Received
Landscaping Documentation	Landscape Masterplan	R-2305-1A	19.12.2019
Miscellaneous Support Documentation	Viability assessment		16.06.2020
Confidential Miscellaneous Supporting	Viability Assessment		05.12.2019
Existing Plans	Existing Layout	3132-1-002	21.11.2019
Geological Documentation		E13/5816/R001A	21.11.2019
Application Form			09.10.2019
Applicant/Agent Letter	Cover letter	APC00092	09.10.2019
Miscellaneous Support Documentation	Residential/Dwelling Units - Supplementary information		09.10.2019
CIL Additional Information Form			09.10.2019
Location Plan		3132-1-000	09.10.2019
Miscellaneous Drawings	Topographical survey	1665/001	09.10.2019
Design and Access Statement			09.10.2019
Planning Statement			09.10.2019
Miscellaneous Support Documentation	Affordable housing statement	APC00092	09.10.2019
Flood Risk/Run Off Impact Assessment		E19/7533/FRA001	09.10.2019
Arboricultural Report		1	09.10.2019
Ecological Documentation	Ecological Appraisal	MBE/ECO/2018/22/01	09.10.2019
Transport Documentation		16-1104Issue 2	09.10.2019
Site Plans	Proposed site layout	3132-1-001-M	23.03.2020

Site Plans	Proposed access arrangements	001 Rev A	09.10.2019
Miscellaneous Support Documentation	email dated 3rd April	Trees	03.04.2020
Drawing	002	vehicle tracking	03.04.2020
Arboricultural Report	March 2020 revA		23.03.2020
Drainage Documentation	Micro Drainage Calculations		11.12.2019
Drainage Documentation	Drainage Strategy	DR-C-0100RevP 1	11.12.2019

Notes

Please refer to the accompanying Statutory Provisions and Notes, which form part of this Notice.

Service Director for Planning

B. Knight

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FURTHER INFORMATION

Now that your application has been determined, this information sheet is intended to inform you of your options.

If you wish to talk to someone about your application, please contact Development Control and quote your Application Number: 0345 8 506 506 or devcontrol@wakefield.gov.uk

GRANTED

If your application has been granted, please be aware that the following may apply to you.

TIMESCALES

- If you do not begin the development within the period specified on your decision notice, the permission will lapse.
- If the development is begun but not completed we can, in certain circumstances, require that it is completed within a specified period.

CONDITIONS

If your application has been granted subject to conditions you may be required to submit information to discharge of conditions these conditions. Some conditions must be discharged before development can commence.

The form for discharge of condition applications can be found using the following link https://ecab.planningportal.co.uk/uploads/appPDF/X4725Form027_england_en.pdf a fee will also be payable.

OTHER CONSENTS

This is only a Planning Permission; it does not necessarily mean you can start your development. You must also assess the impact of the following on your development:

- It may be necessary to obtain approval under the Building Regulations. This is handled by our Building Control Department.
- This permission does not entitle you to obstruct a Right of Way. If you need to stop up or divert a footpath or bridleway to enable you to carry out the development you should contact our Public Rights of Way office.
- Any applications for Council grants towards the costs of the development will need to be approved before work starts.
- Your development may come under the jurisdiction of two different pieces of Civil Legislation: the Party Wall Act and Right to Light: see the MHCLG website for more information
- If your development requires you to alter any existing utilities (Drainage, Water, Electricity, Gas, Phone, Cable, etc.) then you will need to liaise with the appropriate organisation.

Do not start your development until you have all the applicable consents

GROUND STABILITY

- This Planning Permission does not constitute any guarantee as to the stability of the site.

GRANTED WITH CONDITIONS, SPLIT DECISION OR REFUSAL

If your application has been refused, in part or in full, or if there are conditions attached to the grant, then you may wish to consider making a resubmission or an appeal.

APPEALS

If you are aggrieved by this decision, then you may be able to make an appeal. Appeals in England and Wales are handled (on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government) by the Planning Inspectorate in Bristol.

There are strict time limits on when Appeals can be made and you are urged to visit <https://www.gov.uk/government/organisations/planning-inspectorate>. Alternatively information about all aspects of the Appeal Process are available from the Planning Inspectorate, and the Planning Portal.

INFORMATION

BUILDING CONTROL

01924 306557

buildingcontrol@wakefield.gov.uk

www.wakefield.gov.uk/Planning/BuildingControl

PUBLIC RIGHTS OF WAY

0345 8 506 506

prowteam@wakefield.gov.uk

www.wakefield.gov.uk/CultureAndLeisure/ParksAndOpenSpaces/Footpaths/default.htm

PLANNING INSPECTORATE

<https://www.gov.uk/government/organisations/planning-inspectorate>

The Planning Inspectorate,
Temple Quay House,
2 The Square, Temple Quay,
Bristol BS1 6PN

PLANNING PORTAL

The Planning Portal is the UK Government's online planning and building regulations resource. Use this site to learn about planning and building regulations, and appeal against a decision and research government policy.

www.planningportal.co.uk

MHCLG (MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT)

MHCLG is the central Government Department responsible for planning policy and building regulations.

<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>

