

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

**UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY
PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)**

20 JULY 2017

Planning Application 2016/92203

Item 15 – Page 25

**Demolition of existing dwelling and erection of 2 detached dwellings
with integral garages**

65, Colders Lane, Meltham, Holmfirth, HD9 5JL

One additional representation received opposing the development. This is summarised below.

- Disappointed that the objections from 17 local residents and comments from the Public Rights of Way Officer were not sufficient to warrant refusing the application at the last committee.

Response: These comments are noted by Officers, and reported to Members for information.

- Request that the matter raised in paragraph 10.33 of the published committee report, in respect of inconsistencies in the height of the building shown in the submitted sections, is attached as a condition.

Response: As set out in the committee report, amended plans have been received that ensures that all plans and elevations accord with each other with the overall height of the building shown to be 8.7 metres. These plans are conditioned by the imposition of condition 2 regarding the development being carried out in accordance with the approved plans.

- There is concern that permitted development rights have only be withdrawn for Plot 1 as an extension to Plot 2 would exacerbate the degree of intrusion into the amenities currently enjoyed by occupiers of no. 162 Wessenden Head Road.

Response: The concerns are noted by Planning Officers however as set out in the published committee report under paragraph 10.15 it is not considered necessary to withdraw permitted development rights for Plot 2 because the neighbouring dwellings are at a higher level.

Clarification paragraph 10.27.

There is a typing error in the proposed wording of condition A. Section A, i, b, should read:

- b. a written report detailing the current condition of the road with a list of defects that exist prior to commencement of development including specific photographs identifying individual defects;*
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Erection of rear and side extensions

46, Meltham Road, Honley, Holmfirth, HD9 6HL

Following advertisement of the amended plans one additional representation has been received. The following is a summary of the comments made and response:

- No further comment in regards to the new plans. However concerns are held over future development on site, and whether it would require Planning Permission.

Response: Comments are noted. The case officer has provided a response to the representation with an explanation of Permitted Development for householders. In summary due to the limitations set out in 'Part 1 Class A' of the General Permitted Development Order 2015 further extensions could not be undertaken without a planning application being submitted.

Partial Demolition of existing Listed Building and erection of 1no. A1 retail store and 2no units (A1/A2/A3 use class) at ground floor and offices (B1 use class) at first floor level with associated parking, servicing and landscaping (Within a Conservation Area)

43, Northgate, Almondbury, Huddersfield, HD5 8RX

Members will note the recommendation detailed in the committee report:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to negotiate further amendments to the submitted scheme to mitigate harm to the residential amenities of no. 55 Northgate, complete the list of conditions including those contained within this report and issue the decision.

Residential Amenity

In an attempt to address the concerns raised by officers, the applicant has submitted amended plans.

- The height to the eaves of the roof where it faces no55 Northgate has been reduced by 600mm. Due to the level difference across the site and within the garden area of no55 Northgate, the height of the building when viewed from no55 Northgate would range between approximately 3.4m to eaves and 4.2m to eaves.

Response: The amendments proposed are considered mitigate the harm to no55 Northgate to some extent. However, given the relatively close proximity of the proposed retail unit to no55 Northgate and the nature of the built form proposed, there is considered to be some harm to the amenity of the occupiers of no55 Northgate, in particular, associated with their garden area.

Officers did suggest to the applicant that setting the proposed building further away from the boundary of no55 Northgate may provide suitable mitigation. However, the applicant has stated that such amendments are not achievable but has not demonstrated the reasoning for this.

In conclusion, officers consider that the case is very finely balanced. It is acknowledged that there would be some harm to the amenity of the occupiers of no55 Northgate but, on balance, given the reduction in the eaves height and the sloping nature of the roof form away from the boundary of no55 Northgate, it is considered that the overall benefits set out in the officer report outweigh the totality of the harm in this case, subject to the conditions recommended.

Other Issues

Further amended plans and points of clarification have been submitted relating to the following:

- Revised plans have been submitted showing that the bin storage area can be access directly from the courtyard. This would reduce the impact on no55 Northgate ensuring that bins were not manoeuvred along this boundary.
- Revised plans have been submitted showing a private/staff entrance to unit C so it faces no55 (the dwelling). Previously this access faced the garden of no55 Northgate. A fence would be erected so that there would be no access for staff members or members of the public between Northgate and the car park to the rear of the proposed development. Therefore, no 'cut through' adjacent to the boundary of no55 Northgate.

Highways

- Para 9.36 of the officer report details that an amendment was requested in order to remove the spaces proposed along the access so that HGV's and other vehicles could safely access and egress the site. The applicant has provided additional detail confirming that the operator would control the short stay parking area and use temporary bollards. However, this would be difficult to properly control and manage and therefore, it is recommended that this element of the scheme be amended so that the spaces are removed.
- The applicant has shown indicative details of a dropped crossing over the site access. It is recommended that final details are conditioned.

Recommendation

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to negotiate further amendments to the submitted scheme to ensure that the parking spaces along the proposed access are altered/removed in order that vehicles can be safely accommodated within the site and, complete the list of conditions including those contained within this report and issue the decision.

Additional Conditions

- Details of finished floor levels to be provided.
- Details of bin collection area to be provided.

Planning Application 2017/91173

Item 19 – Page 85

Reserved matters application for erection of 19 dwellings pursuant to outline permission 2015/90507 for outline application for residential development (within a Conservation Area)

Land off, Carr Top Lane, Golcar, Huddersfield, HD7 4JB

Amended plans have been received which:

- Slightly amend alignment of the access to achieve satisfactory maintenance easements for the retaining wall and improved ramp position;
- Minor internal highways changes comprising margins, access between parking bays; and
- Introduction of a boundary to define domestic curtilages to the rear of plots 12-16. (to remove the wooded bank from the domestic curtilage of these properties)

Consultation responses to amended plans

KC Trees - "In light of the amended plan I'm happy to support this proposal. However we need conditions attaching should permission be given". See recommendation below for details of additional conditions.

KC Highways - the amendments are in accordance with changes requested.

Representations

One additional letter of objection has been received, the main points of concern being:

- Outline permission for 16 was excessively overcrowded, 19 is even more so.
Response: the layout and scale of development are considered acceptable for the reasons set out in the report.
- Detrimental impact on habitat, and loss of wildlife;
Response: the Ecology officer raises no objections to the proposal related to impact on biodiversity, there is a landscape management plan condition on the outline application and a proposed condition regarding biodiversity enhancement opportunities in the recommendation to members in the main report.

- TPO trees on the southern boundary will be under threat in the future;
Response: the amended plans lately received would improving the long-term viability of protected trees by separating them from domestic curtilage.
- Highways survey for outline is now obsolete, given 3 extra dwellings;
Response: matters related to access were approved at outline stage
- Plot 16 is too close to no 1a, Carr Top Lane - loss of privacy, a full boundary/ fence plan needs submitting.
Response: details of boundary treatment are shown on the layout plan. However, further details are required for the north east boundary to delineate where all sections of the 1.8m screen walls and fences will be sited. Furthermore following the recent receipt of amended plans there are no clear details of the boundary treatment proposed to separate the garden areas of plots 12-16 from the wooded bank of protected trees. For these reasons an additional condition is proposed.

Recommendation: Reserved matters approved.

Additional conditions:

7. Notwithstanding the submitted plans and information, an Arboricultural Method Statement, in accordance with British BS 5837, which includes a schedule of pruning works, shall be submitted and approved in writing by the Local Planning Authority before development commences. The method statement shall include details on how the construction work will be undertaken with minimal damage to the adjacent protected trees and their roots. Thereafter, the development shall be carried out in complete accordance with the Arboricultural Method Statement.
 8. Details of any additional tree works required during the construction process, that is not identified within the submitted information, shall be submitted to and approved in writing by the Local Planning Authority prior to the work being carried out. The works shall thereafter be carried out in complete accordance with the approved details.
 9. Notwithstanding the details indicated on the revised layout plan ref MI 1074-003 Rev C, the superstructure of the dwellings shall not commence until full details of all boundary treatment, including that to separate the site from nos. 1 and 1a Carr Top Lane and to separate the domestic curtilages of plots 12-16 from the wooded banking to the south of the site, have been submitted to and approved in writing by the local planning authority. The details submitted shall provide a timescale for the erection of boundary treatment which shall be undertaken during the construction period. Thereafter the development shall be undertaken in accordance with the details so approved and be retained as such thereafter.
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Demolition of existing public house and erection of 26 no. dwellings

Land Adjacent to Spotted Cow Public House, New Hey Road, Salendine Nook, Huddersfield, HD3 3FG

Request from the Agent for the application to be deferred.

The agent sent an email on 12th July stating:

“The applicant has advised me that the layout of the scheme may have to be amended. We are awaiting confirmation and then will get amended plans prepared but would it be possible to postpone this application to the August committee?”

To date officers have not received any amended plans or further information from the agent. As the site layout before members may not be that which the applicants wish to take forward, officers concur with the agent that the application be deferred.

Variation of condition 3 (extractor flue) on previous permission 2012/92279 for change of use from newsagent (A1) to hot food takeaway (A5) and installation of flue

48, Bradley Road, Bradley, Huddersfield, HD2 1XD

Urban Design

I draw member's attention to paragraph 10.6 of the published committee report which advises that Planning Officers were seeking to ascertain whether the flue has been painted using a preparatory product for galvanised surfaces. Officers have been unable to establish this, however the flue has been painted black and condition 3 on the recommendation ensures that the flue must be retained in a black finish. Planning Officers considered that this represents sufficient control to ensure that the flue remains in a black colour.
