

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No: 2018/62/91866/E

Site Address: 1, Ouzelwell Lane, Thornhill Lees, Dewsbury, WF12 9EP

Description: Demolition of existing dwelling and erection of 4 dwellings

Recommending Officer: Anthony Monaghan

DECISION - REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation contained within the Heavy Woollen Planning Sub-Committee agenda and update dated 25 April 2019 and the Committee Decision Authorisation annexed below in respect of the above matter.

Julia Steadman

AUTHORISED OFFICER

Date: 30-Apr-2019

COMMITTEE DECISION AUTHORISATION REPORT

APPLICATION NO. 2018/62/91866/E

DESCRIPTION OF PROPOSAL: Demolition of existing dwelling and erection of 4 dwellings.

SITE ADDRESS: 1, Ouzelwell Lane, Thornhill Lees, Dewsbury, WF12 9EP.

CASE OFFICER: Anthony Monaghan.

COMMITTEE: Heavy Woollen Planning Sub-Committee

DATE OF COMMITTEE: 25th April 2019

OFFICER RECOMMENDATION: REFUSE

1. The proposed dwellings, by virtue of the combination of their scale and design, would result in an incongruous and cramped form of development on this prominent corner site. The proposals would therefore be harmful to visual amenity and fail to add to the overall quality of the area and would not be visually attractive. As such, the proposals would be contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework.

2. The proposed dwellings, due to a combination of the proximity to the rear site boundary and the scale of the dwellings, would result in the overlooking and overbearing impact on the rear elevation and rear garden area of no.515 Lees Hall Road. As such, the proposals would be harmful to residential amenity and contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework, which seeks to, amongst other things, ensure that developments function well.

COMMITTEE RESOLUTION: Refuse as per of the officer recommendation set out above.

SUMMARY OF MEETING: A debate took place regarding the number of dwelling being proposed. Members agreed with the officers that the principle of residential development was acceptable on this site however, the number of dwellings being proposed was overdeveloping the site. And, for the reasons set out in the agenda (and repeated above), the application was refused.

REASONS FOR REFUSAL:

1. The proposed dwellings, by virtue of the combination of their scale and design, would result in an incongruous and cramped form of development on this prominent corner site. The proposals would therefore be harmful to visual

amenity and fail to add to the overall quality of the area and would not be visually attractive. As such, the proposals would be contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework.

2. The proposed dwellings, due to a combination of the proximity to the rear site boundary and the scale of the dwellings, would result in the overlooking and overbearing impact on the rear elevation and rear garden area of no.515 Lees Hall Road. As such, the proposals would be harmful to residential amenity and contrary to Policy PLP 24 (as modified) of the Kirklees Local Plan as well as the aims of Chapter 12 of the National Planning Policy Framework, which seeks to, amongst other things, ensure that developments function well.

Plans and specification schedule:-

Plan Type	Reference	Version	Date Received
Location plan and site plans as existing and proposed.	16-132-20C	3	6 th November 2018
Grouped plans and elevations.	16-132-21C	3	6 th November 2018
Coal mining risk assessment and phase 1 report.	16-132-27	1	11 th June 2018
Bat Survey.	AE17.216	1	11 th June 2018
Design and Access Statement.	16-132-25	1	11 th June 2018

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter and otherwise actively engaged with the applicant in dealing with the application. Discussions took place with the agent in an attempt to address the issues raised during the course of the application and amended plans submitted, however for the reasons set out above, the proposals are considered unacceptable.

Report Dated: 29/04/19