KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

5 SEPTEMBER 2019

Planning Application 2019/91529 Item 12 – Page 33

Outline application for erection of one detached dwelling

99, Knowl Road, Mirfield, WF14 9RQ

Procedural matter:

The initially submitted location plan indicated that the bin store and the parking for 99 Knowl Road would be outside the red line. It is appreciated that the whole of the site is currently in the ownership of the applicant however for clarification purposes the agent has submitted an additional plan indicating, in blue, all land owned by them.

Representations:

Two objections have been received from the same interested party with respect to the amended details. Any new issues raised which have not been included in the committee report have been summarised below based on the amended plans and additional detail with officer responses.

- The development in its current form would be contrary to Local and National Policy.
  Response: *The application has been fully considered having regards to both the Kirklees Local Plan and the National Planning Policy Framework as outlined in the officer report. The application is considered, by officers, to comply with the relevant policies.*
- The application should be deferred from the committee agenda as the neighbours were not informed of the officer's recommendation or the inclusion of the application on the agenda for September 5th.
  Officer Response: *The website and neighbour notification letters notes that the Local Planning Authority do not inform interested parties of relevant committee dates either in writing or by site notice.*
- The amended drawings appear to include additional information rather than changes to the scheme which appears to remain the same as initially proposed.
  Officer Response: *The scheme has been reduced substantially in terms of height from the initially proposed with the eaves height being reduced from 5m to 3m and the overall height being reduced from 8.1m to 6.5m.*
- The site section is misleading.
  Officer Response: *This application is for outline permission incuding scale and access. Officers have carried out a site visit and have*

considered to impact upon occupants along York Grove, particularly 1 York Grove which is the closest property which would be affected (when considering the indicative position of the new dwelling). The topography of the site has been fully appreciated by Officers and the relationship which would be formed with the neighbouring properties. As such, the proposed 'scale', in the opinion of officers, is acceptable.

- The west elevation of the new dwelling is that which will face the bungalows on York Grove. It is enormous and truly oppressive with its vast, largely unbroken and featureless roof and walls.
  Officer Response: *It is acknowledged that there would be some impact on the neighbouring properties. However, the overall height of the scheme has been reduced at the officer's request during the course of the application and this, together with the orientation of the new dwelling relative to the existing properties along York Grove, is considered to allow for a development which would have an acceptable impact on residential amenity.*
- The south elevation is overwhelming with considerable overlooking potential including a potential balcony.
  Officer Response: *This application is for outline planning permission assessing scale and access. At this stage, the appearance of the dwelling, as shown on the submitted plans, is for indicative purposes only. However, Officers have still considered the potential impact of a dwelling in this location on the neighbouring occupants. Given the indicative orientation / appearance of the new dwelling relative to the neighbouring properties, the opportunities for overlooking are not considered to be significant.*
- The existing ground levels will be built up to create a new domestic garden.
  Officer Response: *This application is for outline planning permission considering scale and access. The section detail indicates only very minor changes to the existing land level. However, as part of the reserved matters (layout, appearance and landscaping) full topographical details, including any changes to land levels, would need to be shown on the submitted plans.*
- The drawings and scheme remain woefully poor with little detail. The design of the dwelling remains anonymous contributing nothing to the character and distinctiveness of the area.
  Officer Response: *This application is for outline permission considering access and scale at this time only. As such, full elevational/detailed drawings are not required at this stage and consideration in terms of the 'appearance' of the dwelling would take place at reserved matters, should outline permission be granted.*

RECOMMENDATION:

The amended plan publicity has now ended, and as such, the recommendation set out on page 22 of the agenda is updated as follows:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report and issue the decision.

Planning Application 2019/90056 Item 13 – Page 45

Change of use of A1 (Retail) to Snooker lounge and games room D2 (Assembly and Leisure) (within a Conservation Area)

Mina House, 47-51, Daisy Hill, Dewsbury, WF13 1LF

Additional comments from agent:

The agent has submitted a statement in support of the proposed snooker/games room. Within the statement it is stated that the applicant would be willing to accept a temporary permission in order to assess the impact of the proposed use.

Officer response:

A temporary permission is not considered to be acceptable for the reasons outlined within the reason for refusal.

We have received allegations that the snooker/games room has started operating from the unit following reports dating from March 2019.
An update has also been received from the Dewsbury Policing team who are monitoring the site due to concerns.

Planning Application 2019/90190 Item 14 – Page 55

Erection of 3 dwellings (within a Conservation Area)

adj, 1, Lowgate, Kirkburton, Huddersfield, HD8 0SE

Ecology

A number of representations received made reference to the type of wildlife on the site which has been impacted by the removal of the trees. An informal consultation was undertaken with the K.C Ecology Officer who after assessing the site has requested for a condition to be added to the permission for measures to be included to secure ecological enhancements, should the application be approved.

Environment Agency

The Environment Agency were contacted by a resident of Low Town following the comments with 'no objection' to the proposed development. The resident provided evidence as to the position of the culvert directly to the Environment Agency. As a result of the information received, the Environment Agency have re-assessed the application and issued a holding objection as the proposal involves building within close proximity to a culverted main river. The information submitted to date by the applicant has not demonstrated there is no risk of increased flood risk as a result of this activity and subsequently the Environment Agency cannot confirm whether it would be likely to grant a flood risk activity permit for this development without further information.

Following discussions with the Environment Agency, whilst this is not considered to substantiate a reason for refusal at this stage, if Members are minded to approve, the application would need to be delegated back to Officers to secure further information prior to any decision being issued.

Representations

Two representations were received following the publishing of the agenda. Any new issues raised which have not been included in the committee report have been summarised below based on the amended plans and additional detail with officer responses:

Objections

- The plans do not appear to be to scale and are therefore only rough approximations
  Response: The plans have been electronically scaled and officers are satisfied demonstrate sufficient detail to enable an assessment of the scheme to be made.
- The areas of garden are not sufficient; the back elevation shows an angle of approximately 45 degrees which is not usable space
  Response: The level of residential amenity offered to future residents of the proposed dwellings is assessed within the report contained in the agenda.

Support

- This application is very sensible. The applicants have changed and provided all requirements that they have been asked for.
  Response: The comments in support are noted and a full assessment of the amended details is included within the report.

The applicant has also submitted two photographs of the application site to evidence that the sight lines can be achieved.