
Report of the Head of Planning and Development**DISTRICT-WIDE PLANNING COMMITTEE****Date: 13-Mar-2025****Subject: Planning Application 2022/93731 Partial demolition and alterations to convert public house to 4 residential units Woolpack Inn, Whitley Road, Whitley, Dewsbury, WF12 0LZ****APPLICANT**

R Parker

DATE VALID

29-Nov-2022

TARGET DATE

24-Jan-2023

EXTENSION EXPIRY DATE

20-Mar-2025

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN

Map not to scale – for identification purposes only

Electoral wards affected: Dewsbury South Ward

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

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

1. Introduction:

- 1.1 This application is brought to committee due to the significant number of representations received contrary to officer recommendation. 75 representations have been received, 69 in objection, 1 in support and 5 general comments. This is in accordance with the council's Delegation Agreement.
- 1.2 The representations will be discussed further in sections 10.41-10.46 of this report.

2. Site and Surroundings:

- 2.1 The application site relates to a vacant public house known as the Woolpack Inn in Whitley. The property is a two storey, stone structure which fronts Whitley Road. The property steps down towards the east, following the topography of the site. To the rear there is single storey L-shaped section which has been a more recent addition to the property. There is also two-storey structure to the rear which serves as accommodation associated with the public house. Parking associated with the public house is located to the rear and is accessible off Scopsley Lane.
- 2.2 The property is set within a predominantly residential area with dwellings of a variety of scales and designs. There is a car park to the south and a green space allocated as a small open space to the east.
- 2.3 The site is located within the Green Belt as allocated on the Kirklees Local Plan.

3. Proposal:

- 3.1 The application is seeking planning permission for the partial demolition and alterations to convert public house to 4 residential units.
- 3.2 The proposed development would include the demolition of the single storey extension and two storey annex to the rear of the property. The interior of the remaining building would be divided to form 4 residential dwellings serving between two and three-bedroom properties.

- 3.3 The external works would be minimal and would be limited to enlarging an existing opening in the north-eastern elevation, reducing the size of an existing opening and introducing a new opening in the south-western elevation and introducing openings to the north-western elevation where the current extension is.
- 3.4 Parking and amenity space would be provided to the rear of the dwellings. There would be parking for 8 vehicles in the north-western corner of the site, accessible off Scopsley Lane.

4. Relevant Planning History

- 4.1 91/05640 Erection of conservatory. Conditional full permission
- 91/02684 Erection of detached unit. Conditional full permission.
- 98/93491 Outline application for erection of extension. Conditional outline permission.

5. History of Negotiations

- 5.1 Officers raised concerns regarding the internal scale of the proposed development and the interior was reconfigured which changed the proposal from 5 dwellings to 4. The description of proposal as amended to reflect this. Officers still had concerns one of the bedrooms was too small and there was not sufficient light to the lounge of dwelling 4. Amended plans were sought and received.
- 5.2 Officers also queried the red line boundary which did not adjoin the adopted highway. Amended plans were received which relocated the parking so access did not rely on the unadopted road.
- 5.3 Amended plans were readvertised via neighbour notification letter.
- 5.4 Officers requested the applicant conducted a marketing exercise of the property in order to comply with policy LP48. Evidence of marketing was provided by the applicant as discussed in section 10.11 of this report.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Kirklees Local Plan (2019):

- 6.2 **LP1** – Achieving sustainable development
LP2 – Place shaping
LP3 – Location of new development
LP21 – Highways and access
LP22 – Parking
LP24 – Design

- LP30** – Biodiversity and Geodiversity
- LP48** – Community facilities and services
- LP51** – Protection and improvement of local air quality
- LP52** – Protection and improvement of environmental quality
- LP53** – Contaminated and unstable land
- LP60** – The re-use and conversion of buildings

Supplementary Planning Guidance / Documents:

6.3 Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and alterations and open space, to be used alongside existing SPDs previously adopted. They are now being considered in the assessment of planning applications, with full weight attached. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs are applicable:

- Biodiversity Net Gain Technical Advice Note
- Highways Design Guide SPD
- Housebuilders Design Guide SPD

National Planning Guidance:

6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

6.5 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving sustainable development
- **Chapter 9** – Promoting sustainable transport
- **Chapter 11** – Making efficient use of land
- **Chapter 12** – Achieving well-designed places
- **Chapter 13** – Protecting green belt land

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by neighbour notification letters and on the council website. In total, over the course of the application 75 representations have been received, 69 in objection, 1 in support and 5 general comments.

7.2 The application was initially advertised and received 46 representations, 42 in objection, 4 general comments and none in support. They raised the following comments which have been grouped into themes:

Objections

Community/business use

- Keep public house as community asset
- No other community facilities in the village
- The pub has been deliberately run down
- The premises could thrive as a business in the right hands
- Food and drink quality in the pub prior to closure was poor
- Limited social media presence
- With refurbishment and new ownership/management would be a successful business
- Pubs are a valuable place for the community
- Not advertised on social media
- Other pubs in rural locations have been successful
- Serves a community of 486 people
- Other pubs in the immediate vicinity that are successful

Highways

- Insufficient parking
- Existing problems with access onto Scopsley Lane
- Highway safety concerns
- Lack of parking would result in obstructive parking elsewhere in the village
- Public have asked for traffic calming measures
- Bus services in area are bad
- Impact and hinder access of emergency vehicle and agricultural vehicles to Scopsley Lane

Residential amenity

- Impact on neighbouring properties parking
- Noise and disturbance would impact neighbouring properties

Other matters

- The building could be split part public house part residential
- Property has not been marketed
- Village has already lost Charlotte's Ice Cream Parlour
- Applicant owns a different pub
- Covenant on the property
- Owner has put money and effort into another pub

General Comment:

- Covenant on building preventing it being any use other than a public house
- Sad to see the loss of public house
- Could have been turned into a smaller pub with 2/3 small homes
- Boarded up looks like an eye sore
- Business has diminished over time
- Could make a good contribution to hospitality/tourism

- 7.3 Following receipt of amended plans, the application was re-advertised and final publicity expired on 16th August 2024. A further 27 representations were received, 25 in objections, 1 in support and 1 general comment. They raised the following comments which have been grouped into themes:

Objection:

Community/business use

- Should have reached out to community for ideas for the pub
- Community centre is not open daily and does not serve hot food
- Wasn't promoted on social media
- Food and drink were not nice, poor quality
- Different experience to the community centre
- not aware of 7 pubs in 1 mile radius
- Visitors will have to travel to other pubs by car which will encourage drunk driving
- Pub never advertised or let residential rooms
- Village is not responsible for rooms not being used
- Owners never advertised pub, they didn't do enough to encourage business
- If it was run efficiently there would be employment opportunities for locals
- When pub was bought it was supported by people traveling to the pub not just locals
- Village needs the pub
- Quiz was a success and the pub was busy

Highways

- Turning within car park is limited, limited visibility
- Limited bus services with restricted times
- No updated highways comments based on amendments
- Horse riders use Scopsley Lane
- Development would intensify vehicle use
- Sometimes cars parked outside Causeway
- Parking is an issue
- Insufficient parking proposed

Residential amenity

- New dwellings have openings straight onto the pavement

Other matters

- Do not need more housing in the area
- Query land ownership
- Application not re-advertised
- Covenant on building
- No public consultation was carried out
- Comments regarding the applicant and their professional status
- No attempt to market the woolpack
- Includes land not within the applicant's ownership

Support

- Supports new residential homes in the community
- Asks developer to include small public house

7.4 Following additional information regarding the marketing of the public house, officers received a further 2 objections. They raised the following comments:

- No real effort to market the pub - tick box exercise
- Advertising did not include car park
- 'Soft' advertising only, no board outside
- Advert is poor and photographs do not show building in a positive light

7.5 All representation will be addressed and responded to in sections 10.41-10.46 of this report.

8.0 CONSULTATION RESPONSES:

8.1 KC Highways Development Management – No objection.

8.2 KC Environmental Health – No objections subject to condition.

8.3 KC Policy – Requested additional information regarding policy LP48.

9.0 Main Issues

- Principle of development
- Impact on visual amenity
- Impact on residential amenity
- Impact on highway safety
- Other matters
- Representations
- Conclusion

10.0 Appraisal

Principle of development

10.1 NPPF paragraph 12 and Policy LP1 of the Kirklees Local Plan outlines a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

10.2 The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Housing Supply

- 10.3 The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.
- 10.4 The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).
- 10.5 As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 10.6 The Council’s inability to demonstrate a five-year supply of housing land weighs in favour of housing development but has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer’s assessment below.

Community Facility

- 10.7 LP48 of the Kirklees Local Plan states that proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:
- a) there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or
 - b) its current use is no longer viable; or
 - c) there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or
 - d) an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and
 - e) any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.

- 10.8 Paragraph 17.17 in the Local Plan states that applicants will normally be required to provide evidence covering the results of reasonable attempts to actively market the land or premises for sale or lease, at existing use value to demonstrate that there is no longer a need for the facility. 17.18 goes on to state that information will be required for licensed premises including the last 3 years of trading accounts with a breakdown of the percentages of income from food and drink.
- 10.9 Initially KC Policy raised concerns regarding the lack of information to support the closure of a community facility and thus failure to comply with LP48. They specifically requested additional information to demonstrate that criteria a and b of policy LP48 were satisfied. It is also noted that significant representation was received which raised concerns regarding the closure of the public house including an application to turn the building into an Asset of Community Value, however this was not successful.
- 10.10 Since KC Policy's initial comments, the applicant has submitted a supporting document in response. It outlines that whilst The Woolpack is the only public house in Whitley Village, it is not the only community facility as Whitley Community Centre is located ~300m away and is fully licenced with cooking facilities. The applicant also outlines that there are 7 other public houses within a 1 mile radius, however officers dispute this as according to council records there is only one public house (Old Shoulder of Mutton, Bristfield) within a 1 mile radius. It is noted there are 9 other public houses that fall just outside this catchment, located within a 1.5 mile radius.
- 10.11 The applicant has also outlined the history of ownership of the property. The applicant purchased the public house in 2016, followed by extensive refurbishment. They detail the openings hours including the food and drinks options available. They have also outlined their exploration of other income venues including Sunday carvery, quiz nights, overnight accommodation and takeaway ice-cream. The applicant has also provided detailed trading data for the last 4 years which has been redacted as it is commercially sensitive data however this outlines an overall loss over the last 4 financial years.
- 10.12 In line with paragraph 17.17 of the Kirklees Local Plan, the applicant has 'softly' marketed the property for 10 weeks with Savills Estate Agents. The sale was included on a leisure property national database and was sent directly to email contacts of known businesses seeking to acquire further licensed premises. This was recommended by Savills as the best form of marketing to reach genuine buyers and the applicant was informed that other local public houses have been successfully sold using these channels. The property was also advertised on Savills website and received 80 page views, however there were no requests to view, and no bids or expressions of interest were received.
- 10.13 Officers therefore consider on balance that the applicant has submitted sufficient evidence to demonstrate that the current use as a public house is not viable thus complying with LP48 b). Officers are also aware of the Council's inability to demonstrate a five-year supply of housing land weighs in favour of housing development. The principle of the loss of a community facility is therefore considered acceptable, in this instance.

Green Belt

- 10.14 The application site is within the Green Belt as located on the Kirklees Local Plan. Paragraph 142 of the NPPF states: “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”
- 10.15 Sub-paragraph h) of 154 of the NPPF outlines that some forms of development are not inappropriate in the Green Belt “provided they preserve its openness and do not conflict with the purposes of including land within it”. This includes criterion iv – the re-use of buildings provided that the buildings are of permanent and substantial construction. This is supported by criterion (a) of Local Plan policy LP60 (the re-use and conversion of buildings), which states proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where the building to be re-used or converted is of a permanent and substantial construction. In this case, the Woolpack Inn is of permanent and substantial construction, therefore the principle of converting the building to allow for re-use is acceptable.
- 10.16 Criterion b of LP60 states that proposals concerning the conversion or re-use of buildings should not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings. It is important to note that in this case, the application site is not in the open countryside, it is within the Whitley Lower settlement – and the curtilage of the Woolpack Inn currently comprises the pub, a car park and a small section of amenity space. The plans illustrate that a section of the existing structure to the rear is to be demolished as part of this scheme, to allow for a greater provision of green space and car-parking. Timber panel fencing, of a ‘domestic’ nature, will also be introduced to the rear of the structure, to separate the plot boundaries of the residential units. Due to the position of the Woolpack being within a settlement and not open countryside, development of this type would not constitute urban encroachment, therefore does not conflict with the purpose of including land within the Green Belt. There will also be no material difference in the level of openness of the Green Belt through implementing the proposed scheme, as the proposed arrangement and operation of the site will not differ too greatly to how it appears and functions at present.
- 10.17 In terms of criterion (c) of LP60, whilst the scheme proposes minimal external works, officers would want to ensure that the proposed boundary treatment was in keeping with the wider setting. This would be secured by condition.
- 10.18 It is therefore considered that the principle of converting the Woolpack Inn into residential accommodation is acceptable and the scheme shall now be assessed against all other material planning considerations below.

Impact on visual amenity

- 10.19 The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”.

- 10.20 Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

- 10.21 Policy LP24 states that proposals should promote good design by ensuring “a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

- 10.22 Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, which aims to ensure future housing development is of high-quality design.

- 10.23 The proposed development would include the demolition of the existing extension and the annex to the rear of the building. The extension is a more recent addition to the property which is finished in render with a conservatory which is dated. It is considered that the removal of this element would restore the original character of the building and would therefore not cause harm to visual amenity. The annex to the rear appears cramped within the plot and therefore the demolition of this, along with the rear extension would open the site and would be visual more appealing, particularly given the Green Belt setting.

- 10.24 The external works to the main structure of the building would be minimal and would be limited to enlarging an existing opening in the north-eastern elevation, reducing the size of an existing opening and introducing a new opening in the south-western elevation and introducing openings to the north-western elevation where the current extension is. It is noted that the proposed openings to the rear elevation would be larger and more contemporary than the existing openings however these would not be in a prominent location and would still be in keeping in terms of size and design. The rest of the proposed changes to openings would remain in keeping with the existing and as such are considered to not cause any significant harm to visual amenity. In the interest of visual amenity, it would be conditioned that the proposed works are finished in stone to match the existing building.

- 10.25 The proposed scheme would introduce domestic paraphernalia and boundary treatment to the rear of the property. No details have been provided but this can be secured by condition. It is noted that there is a variety of boundary treatment in the area although it is predominantly stone walling.
- 10.26 Having taken the above into account, the proposed development is considered to keeping with the local character of the area and would therefore cause significant harm to visual amenity, failing to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, Principle 2 of the Housebuilders Design Guide SPD and the aims of chapter 12 of the National Planning Policy Framework.

Residential Amenity

- 10.27 Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

- 10.28 Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

- 10.29 Principle 6 of the Kirklees Housebuilders Design Guide SPD states that:

“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”

- 10.30 The application site is for the conversion of an existing public house to residential use and there would be minimal external alterations. The proposed demolition would remove some of the overbearing impact of the annex on the adjacent property. It is considered that no additional overbearing, overshadowing or overlooking harm to neighbouring properties would occur as a result of the proposed development, over and above the existing arrangements on site.

- 10.31 Principle 16 of the Housebuilders Design Guide SPD states that:

“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”

Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that:

“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”

- 10.32 Officers initially raised concerns regarding the size of the proposed dwellings and the scheme was reduced from five dwellings to four. The revised proposed dwellings all exceed the minimum recommendations as set out within the NDSS. Officers recommended that there was an internal reconfiguration, and an enlarged window installed at plot 4 to allow for adequate outlook and natural light for future occupiers. There would be amenity space provided for each dwelling which is considered to be of a sufficient size.
- 10.33 Taking the above into consideration. It is considered that the proposed dwelling, would not cause any significant harm to visual amenity of the neighbouring or future occupants. The proposal would therefore comply with LP24(b) of the Kirklees Local Plan, Principle 6 of the Housebuilders Design Guide SPD and the aims of Chapter 12 of the NPPF.

Highway issues

- 10.34 Local Plan Policy LP21 states that '*All proposals shall:*
- a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network...
 - e. Take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;'
- 10.35 This is supported by Chapters 9 and 12 of the NPPF and guidance within the Highways Design Guide SPDs. KC Highways Development Management (KC HDM) have also been consulted as part of this application.
- 10.36 The scheme proposes one three-bedroom dwelling and three, two-bedroom dwellings. KC HDM require two parking spaces for dwellings with two/three bedrooms. Eight parking space are proposed in this instance, all located to the rear of the site and access off Scopsley Lane. The number of off-street parking spaces is considered sufficient. The proposed access would not be dissimilar from the existing arrangements and as such are not considered to cause any additional harm to highway safety.
- 10.37 Given that the proposed residential use can be expected to generate less traffic than a public house and that sufficient off-street parking is shown to be provided KC HDM have no objection to these proposals. They recommend conditions requiring the visibility splay to be kept free from planting or development, the parking areas to be surfaced and drained and provision of bin storage and collection. These conditions would be recommended should approval be granted. KC HDM were informally re-consulted following receipt of amended plans and they made no changes to their initial comments.
- 10.38 Representation raises concerns regarding the use of Scopsley Lane by horses. The safety of this access for all highway users has been carefully assessed against planning policy.
- 10.39 The scheme is therefore considered acceptable from a highway safety perspective and would not cause significant harm over and above the existing arrangements. The proposal therefore complies with LP21 and LP22 of the Kirklees Local Plan.

Other Matters

Land Contamination

- 10.40 KC Environmental Health (EH) have been consulted on the proposal. According to councils' records, the site is within 250m of an historic quarry and a depot servicing a former mine. The proposed development would utilise an existing building with the demolition of an existing detached structure. KC EH have no significant concerns however as the proposed development involves ground works it will be necessary to recommend a condition relating to unexpected ground contamination.

Ecology

- 10.41 The application site is within a bat alert layer and would include the demolition of a building. Officer therefore requested a preliminary bat roost assessment which was provided. The report concludes that the building is assessed as having low potential for roosting bats. No signs of roosting bats, or bats themselves, were found either externally, or internally. The report does however recommend a condition requiring a pre-demolition dusk emergence survey as a precautionary measure. The proposal is therefore considered to comply with LP30 of the Kirklees Local Plan and Chapter 15 of the NPPF.

Representations

- 10.42 In total, over the course of the application 75 representations have been received, 69 in objection, 1 in support and 5 general comments.
- 10.43 The application was initially advertised and received 46 representations, 42 in objection, 4 general comments and none in support. They raised the following comments which officers have responded to below:

Objections

Community/business use

- Keep public house as community asset
- No other community facilities in the village
- The pub has been deliberately run down
- Could thrive as a business in the right hands
- Food and drink quality in the pub prior to closure was poor
- Limited social media presence
- With refurbishment and new ownership/management would be a successful business
- Could make a good contribution to hospitality/tourism
- Pubs are a valuable place for the community
- Not advertised on social media
- Other pubs in rural locations have been successful
- Serves a community of 486 people
- Other pubs in the immediate vicinity that are successful

Officer response: The loss of a community facility has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.7-10.13 (principle of development) of this report.

Highways

- Insufficient parking
- Existing problems with access onto Scopsley Lane
- Highway safety concerns
- Lack of parking would result in obstructive parking elsewhere in the village
- Public have asked for traffic calming measures
- Bus services in area are bad
- Impact and hinder access of emergency vehicle and agricultural vehicles to Scopsley Lane

Officer response: The impact on highway safety has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.35-10.40 (highways) of this report.

Residential amenity

- Impact on neighbouring properties parking
- Noise and disturbance would impact neighbouring properties

Officer response: The impact on residential amenity has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.27-10.34 (residential amenity) of this report.

Other matters

- Could be split part public house part residential
Officer response: The application is for the conversion of the public house to residential dwellings and has been considered and assessed as such.
- Property has not been marketed
Officer response: Officers considered the representation regarding the lack of marketing of this property and requested the agent further marketed the site. The property has now been marketed and an assessment has been made on this basis, as clearly outlined in section 10.7-10.13 (principle of development) of this report.
- Village has already lost Charlotte's Ice Cream Parlour
Officer response: Officers are aware of the site context, and this has been taken into consideration when assessing the application.
- Applicant owns a different pub
- Owner has put money and effort into another pub
Officer response: The applicant's property portfolio is not a material planning consideration and therefore no further comment will be made.
- Covenant on the property
Officer response: Private ownership and legal covenants are not material planning considerations and therefore no further comment will be made.

General Comment:

- Covenant on building preventing it being any use other than a public house
Officer response: Private ownership and legal covenants are not material planning considerations and therefore no further comment will be made.
- Sad to see the loss of public house
Officer response: The loss of a community facility has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.7-10.13 (principle of development) of this report.
- Could have been turned into a smaller pub with 2/3 small homes
Officer response: The application is for the conversion of the public house to residential dwellings and has been considered and assessed as such.
- Boarded up looks like an eye sore
officer response: The impact on residential and visual amenity has been carefully considered and assessed against relevant planning policy and outlined in the Residential Amenity and Visual Amenity sections of this report.

10.44 Following receipt of amended plans, the application was re-advertised and final publicity expired on 16th August 2024. A further 27 representations were received, 25 in objections, 1 in support and 1 general comment. They raised the following comments which officers have responded to below:

Objection:

Community/business use

- Should have reached out to community for ideas for the pub
- Community centre is not open daily and does not serve hot food
- Wasn't promoted on social media
- Food and drink were not nice, poor quality
- Difference experience to the community centre
- Not aware of 7 pubs in 1 mile radius
- Visitors will have to travel to other pubs by car which will encourage drunk driving
- Limited bus services with restricted times
- Pub never advertised or let residential rooms
- Village is not responsible for rooms not being used
- Owners never advertised pub, they didn't do enough to encourage business
- If it was run efficiently there would be employment opportunities for locals
- When pub was bought it was supported by people traveling to the pub not just locals
- Village needs the pub
- Quiz was a success and the pub was busy

Officer response: The loss of a community facility has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.7-10.13 (principle of development) of this report.

Highways

- Turning within car park is limited, limited visibility
- No updated highways comments based on amendments
- Horse riders use Scopsley Lane
- Development would intensify vehicle use
- Sometimes cars parked outside Causeway
- Parking is an issue
- Insufficient parking proposed

Officer response: The impact on highway safety has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.35-10.40 (highways) of this report.

Residential amenity

- New dwellings have openings straight onto the pavement

Officer response: The impact on residential amenity has been carefully considered and assessed against relevant planning policy, as clearly outlined in section 10.27-10.34 (residential amenity) of this report.

Other matters

- Do not need more housing in the area

Officer response: The council housing land supply position has been taken into consideration during the assessment of this application.

- Query land ownership
- Covenant on building

Officer response: The applicant has signed Certificate of Ownership A. Private ownership and legal covenants are not material planning considerations and therefore no further comment will be made. The granting of planning permission does not override any private rights of ownership.

- Application not re-advertised

Officer response: Following receipt of amended plans this application was re-advertised via neighbour notification letters and on the website.

- No public consultation was carried out

Officer response: Public consultation of this application was carried out in accordance with the Development Management Charter. It is the applicant's choice if they want to engage in public consultation outside of the planning application.

- Comments regarding the applicant and their professional status

Officer response: The applicant's personal circumstances are not a material planning consideration and therefore no further comment will be made.

- No attempt to market the woolpack
Officer response: Officers took on board representation regarding the lack of marketing of this property and requested the agent marketed the site. The property has now been marketed and an assessment has been made on this basis.

Support

- Supports new residential homes in the community
Officer response: The council housing land supply position has been taking into consideration during the assessment of this application
- Asks developer to include small public house
Officer response: The application is for the conversion of the public house to residential dwellings and has been considered and assessed as such.

10.45 Following additional information regarding the marketing of the public house, officers received a further 2 objections. They raised the following comments which officers have responded to below:

- No real effort to market the pub - tick box exercise
- Advertising did not include car park
- 'Soft' advertising only, no board outside
- Advert is poor and photographs do not show building in a positive light
Officer response: The marketing of the property has been carefully considered by officers and discussed in section 10.7-10.13 (principle of development) of this report.

11.0 CONCLUSION

- 11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.2 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

12.0 Conditions

- Standard condition regarding timescale for commencement of development
- Development to be completed in full accordance with plans
- Facing and Roofing Materials – stone walls in keeping with existing
- Reporting of any unexpected land contamination
- Boundary treatment
- Nothing to be planted / erected within 2m of access
- Parking surfacing and drainage
- Storage provision/collection
- Pre-demolition dusk emergence bat survey

Background Papers:

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022%2f93731>

Certificate of Ownership – Certificate A signed.

