

**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:	2023/62/90349/E
Site Address:	adj, 11, Park View, Cleckheaton, BD19 3AN
Description:	Erection of detached dwelling
Recommending Officer:	Nina Sayers

DECISION - REFUSED

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

Julia Steadman

AUTHORISED OFFICER

Date: 15/8/2023

Decision Authorisation – Committee Decision

Committee: Planning Sub-Committee (Heavy Woollen)

Date of Committee: 10th August

Application Number: 2023/90349

Officer Recommendation: Refusal

Committee Decision: Refused

Reasons for Refusal

1. The constraints arising from the size and shape of the plot are insufficient to suitably accommodate a new dwelling. A dwelling on this site would result in a cramped form of development that would fail to sympathetically integrate with existing development in the locality, which would be detrimental to the visual amenity of the wider street scene. The proposal therefore fails to comply with LP24 (a) of the Kirklees Local Plan, Principles 2, and 4 of the Housebuilders Design Guide Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework
1. The use of obscure glazing on the principal elevation would fail to address the street positively, appearing incongruous in design and detrimental to visual amenity of the wider street scene. The proposal therefore fails to comply with LP24 (a) of the Kirklees Local Plan, Principle 14 of the Housebuilders Design Guide Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.
2. The siting and scale of the proposed development would have an overbearing and overshadowing impact on the occupants of nos.13 and 15 Park View and the limited amenity space which they have to the rear of their properties, to the detriment of residential amenity. The proposal therefore fails to comply with Policy LP24 (b) of the Kirklees Local Plan, Principle 6 of the Housebuilders Design Guide Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Location Plan, Block Plan and	101		22/02/2023

Sections			
Proposed Block Plan and Sections	210		22/02/2023
Grouped plans and elevations	211	As amended	23/05/2023
Coal Mining Risk Assessment	2302 BD19 3AB	V1	22/02/2023
Coal Mining Report	GS-9347827		22/02/2023
Design and Access Statement	1356		22/02/2023

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 2015 and otherwise actively engaged with the applicant in dealing with the application.

Officers raised concerns with the applicant's agent regarding the proposal, in relation to the harm of the proposal upon character and appearance of the locality, and the harm to residential amenity of future and neighbouring occupiers. Amended plans and a justification were provided however these did not address the concerns.

Report Dated:

11/08/2023