KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	**2023/44/91898/E**
Site Address:	404, Oxford Road, Gomersal, Cleckheaton, BD19 4JZ
Description:	Discharge conditions 1 (turning/parking), 2 (cycle storage) on previous permission 2022/90357 for prior notification for change of use of ground floor and garage/store to 5 flats (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

DECISION – APPROVE DISCHARGE OF CONDITIONS

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 21-Aug-2023

Officer Report

Reference No. 2023/44/91898/E

Site Address: 404, Oxford Road, Gomersal, Cleckheaton, BD19 4JZ

Proposal: Discharge conditions 1 (turning/parking), 2 (cycle storage) on previous permission 2022/90357 for prior notification for change of use of ground floor and garage/store to 5 flats (within a Conservation Area)

Assessment

Condition 1 – Turning/Parking Areas

Notwithstanding the details shown on the approved plan, no development shall take place until a scheme detailing arrangements and specification for layout of the turning and parking areas have been submitted to and approved in writing by the Local Planning Authority. Before any dwelling is occupied the turning and parking areas shall be completed in accordance with the details shown on the approved scheme and retained thereafter. ***Reasons:*** *In the interests of highway safety and to ensure adequate space within the site for vehicle movements and parking, in accordance with the aims of Policies LP21 and LP22 of the Kirklees Local Plan, the Council's Highways Design Guide SPD, and the aims of the National Planning Policy Framework.*

Assessment of Condition 1

The applicant has submitted a site plan dated June 2023 (drawing no. 21-108-21). KC Highways Development Management have commented on this information in relation to Condition 1.

The information contained within the supplied drawing shows five parking spaces with some turning space for units 1,2,4,5 and 6. A swept path analysis is shown for one of the parking spaces (No 5), it is noted that this is not one of the more difficult spaces to access and space No1 would be more difficult to access/egress than the swept path analysis shows. Although the space may take more manoeuvring to turn within the site, this is achievable and therefore, the parking spaces and turning is deemed acceptable. It is noted that the site now contains 7 residential units (although the units to the first floor are not included in this application), which would require 1 visitor parking space. This is omitted from the parking plan. There may be some visitor spaces available on-street, however there are 'No Waiting at Any Time' TRO restrictions along most of Moor Lane and the site fronts on to an oblique junction between Moor Lane and A651 Oxford Road and parking immediately to the front of the building may cause obstruction at the junction. Parking for unit 3 and 7 are located adjacent to the previous garage (now unit 7) and show sufficient turning to allow vehicles to enter/exit the site in forward gear. Although a full swept path has not been included, given the information provided, Highways have confirmed that access to and from the adopted highway can be achieved safely.

KC Highways did express concerns regarding the lack of visitor parking, however as this may be able to be absorbed into the on-street parking surrounding the site, it is considered that, on balance, Condition 1 can be discharged.

Condition 2 – Cycle Storage

2. No development shall take place until details of cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. Before any building is occupied the cycle storage facilities shall be completed in accordance with the details shown on the approved scheme and retained thereafter. ***Reason:*** *To comply with the Council's sustainability objectives set out in Policies LP20 and LP21, the Council's Highways Design Guide SPD, and the aims of the National Planning Policy Framework.*

Assessment of Condition 2

The applicant has submitted a site plan dated June 2023 (drawing no. 21-108-21) which identifies the location of the bike stores. KC Highways Development Management have commented on this information in relation to Condition 2.

The submitted drawing shows two cycle lockers within the car park for units 1 and 2 and these are acceptable. The remaining cycle storage for units 3 to 6 are located within the building. However, the internal storage is up two steps which may be an issue for cyclists. Although Officers did recommend that a cycle gully could be installed to make manoeuvring cycles up/down the steps easier, this issue is not sufficient for officers to have a concern with the cycle storage. Furthermore, cycle storage for unit 7 is shown adjacent to the dwelling and is acceptable. Whilst the storage may be obstructed by the car parked in space 7 if they position themselves too close to the building, this issue is not sufficient for officers to have a concern with the cycle storage. Therefore, KC Highways are satisfied that the information submitted is acceptable for the purposes of discharging Condition 2.

Decision Notice Text

Condition 1 - Turning/Parking Areas

The following has been submitted:

- Site plan – Parking and Bikes as Proposed (21-108-21, dated June 2023)

The submitted details are considered acceptable for the purposes of the Condition 1 and therefore the condition can be discharged.

Condition 2 – Cycle Storage

The following has been submitted:

- Site plan - Parking and Bikes as Proposed (21-108-21, dated June 2023)

In conclusion, the submitted details are considered acceptable for the purposes of the Condition 2 and therefore the condition can be discharged.

Dated: 17/08/2023