

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE HEAVY WOOLLEN AREA

17 OCTOBER 2019

Planning Application 2019/91529

Item 11 – Page 15

Outline application for erection of one detached dwelling

99, Knowl Road, Mirfield, WF14 9RQ

7.0 PUBLIC / LOCAL RESPONSE:

Cllr Lees-Hamilton has advised that she is unable to attend the committee meeting and has asked members to consider the following:

Mr Chairman, members of the committee, please accept my apologies for not being able to attend the meeting in person.

I ask you to refuse this planning application, the site is steeply sloping, and I am certain this will cause difficulties not only for vehicles accessing the site but also for owners parking at the new dwelling. I shudder to think about the problems associated with the construction vehicles when accessing the site.

I am surprised to see that Kirklees Highways Development Management have no objections and appear to deem this access safe.

99 Knowl Road is situated at a very busy albeit slightly staggered crossroad. The visibility splay from both junctions that join with Knowl Road in this location is appalling, and there is currently and has been for some time now a serious problem with speeding drivers along this section of Knowl Road. There have been several accidents in this location to date.

There is also a serious problem with parking in this location, all the businesses along The Knowl which is the road just above the proposed development are quite well used with many shoppers parking inconsiderately along Knowl Road and on the junction of The Knowl.

It was necessary to place yellow line markings and keep clear signs to prevent shoppers blocking the access and egress to York Place.

It is not just shoppers that park in this location, it is also the people who work in the local businesses in this area.

If this proposal is granted it will have a detrimental effect on the neighbouring properties at York Grove, the officer's report states that the proposal will have a detrimental effect to number 1 York Grove. The proposal will also affect the properties of Littlemoor Road which are behind and below the proposed development it will cause overshadowing and will be overlooking number 25 Littlemoor Road. The officer's report highlights this fact. This is unacceptable to existing residents.

To remove and lower a section of the wall to the front of this proposed development will be detrimental to street scene. The wall runs down from The Knowl for some distance and lower it will impact negatively on the local street scene.

The main issues are highway safety.

Impact on visual and residential amenity due the size and scale of this proposed development.

A negative impact to the local street scene.

Officer response: The concerns raised in the further representation are considered, by officers, to have been addressed in the main agenda.

Planning Application 2019/90155

Item 12 – Page 31

Change of Use and alterations to convert trade counter retail unit to function room

Former Harrisons Electrical Warehouse, Huddersfield Road, Dewsbury, WF13 2RU

7.0 PUBLIC/LOCAL RESPONSE

The following has been received from Councillor Lukic on 12th October 2019, and was also sent to the Heavy Woollen Planning Sub-Committee members.

“Having requested the above application for your consideration, I am just writing to advise that I agree with the recommendation to refuse the application for the reasons stated by the Head of Development and Master Planning. I will be at work on Thursday and unable to attend your meeting. If you have any related queries then just email me or find me at Full Council”.

10.0 APPRAISAL

On 15th October 2019, two reports were submitted by Roger Lee Planning on behalf of the applicant in response to the published Heavy Woollen Planning Sub-Committee report.

Town Centre Impact Assessment

An Impact Assessment which refers to two other similar businesses within the Town Centre with which the proposed business is likely to compete; these are the Courts Banqueting and Conference Suite and the Kabana Banqueting Suite. As the Kabana Banqueting Suite is outside of the defined Town Centre boundary, it is not afforded any protection in policy terms.

The Council's Town Centre Policy Team have been consulted on this additional information and has commented as follows:

The applicant refers to the fact both of the businesses are significantly larger than the application site so there is no impact on these venues. National Planning Practice Guidance on Town centres and retail sets out how the impact test should be used in decision-making and provides a checklist (paragraph's 017 & 018). Whilst practice guidance focuses on convenience and comparison goods, the principles apply to leisure proposals. It also states that the impact test will need to be undertaken in a proportionate and locally appropriate way. However, the applicant makes no reference to the existing health of Dewsbury Town Centre, examine the no development scenario, assess the proposal's turnover and trade draw, consider a range of scenario's in assessing the impact on Dewsbury Town Centre and its facilities and set out the likely impact of the proposal including quantitative and qualitative issues as per the checklist in practice guidance.

Without the information set out above, there is still concern with regards to the potential impact on The Courts Banqueting and Conference Suite which is located within the Dewsbury Town Centre boundary.

Highway Safety and Parking

1. The applicant has submitted a statement in response to specific issues raised in the officer's report.

The statement refers to the previous Highway consultant's report which suggested that the current use would generate 120 movements on weekdays and 270 on a Saturday. The proposed use would only operate on Fridays and Weekends predominantly between April and September with one major event every two weeks. The statement contends that this would be less than the current traffic movements.

Highways DM Response:

The issue with this type of development is that when in use for an event it creates a significant level of traffic and parking demand which the site cannot accommodate. For HDM to reconsider the proposals they will require proper qualitative survey information from similar venues or as suggested, TRICS. An assumption that visitors will also use taxis and mini-buses to attend events being held without evidence is not acceptable.

2. The provision of signs and carriageway markings including “no right turn” signs can be conditioned.

Highways DM Response:

Agree however this does not address the main issues of traffic generation and parking demand.

3. The proposals should not be described as being for a restaurant.

Highways DM Response:

Accept it is not a restaurant but in terms of parking demand it is considered to be of a similar nature to a restaurant. If the applicant disagrees with this they should counter this with proper survey information.

4. Technical note 2 provided information regarding a Parking Management Plan in the form of the “Events Management Plan”. The applicant further proposes that there would be parking permits, potential remedial action and coach parking provided.

- The first 34 vehicles could have parking permits with other guests being told to park in the Council car parks.
- The applicant would be willing to fund traffic management restrictions in the surrounding streets.
- Coach parking would be provided in a nearby business which has been agreed with the owner. The guests would decant to mini-buses to be transported to the venue.

Highways DM response:

Highways DM are generally supportive of the first two proposals however the coach parking is doubtful. The site is approximately 1.2 km from the venue and the use of the site would need to be agreed in perpetuity through a legally binding agreement.

5. The applicant would accept a condition setting a maximum capacity of 300 guests on a weekday and 400 guests at weekends.

Highways DM response:

Irrelevant, until Highways DM are satisfied what impact 300/400 guests would have they cannot consider an appropriate condition. Furthermore, with a scheme of this nature, a condition on occupancy would be potentially difficult to control and enforce (if at all)?

6. The Highways consultant's surveys show that there is spare capacity in the two closest public car parks on a Friday and Saturday sufficient to accommodate the overspill from the site.

The frequency of usage of other venues is unknown however there were no observed clashes with other events during the time the surveys took place. The chances of events taking place on the same day are low and infrequent.

Highways DM Response:

Officers would question how convenient the walking route is and if this really is a realistic option. Furthermore, if the public car parks are being used by this venue, this would be potentially harmful to the town centre by removing/limiting the parking provision available for visitors to the town centre itself for shopping/leisure activities.

Summary

Both the submitted Impact Assessment and additional Transport Statement have failed to fully address the issues raised in the Officer's Report contained within the main agenda and therefore the suggested reasons for refusal set on page 32 of the agenda remain.

Planning Application 2019/91346

Item 14 – Page 51

Erection of detached dwelling with integral garage

adj, The Hall, Liversedge Hall Lane, Liversedge, WF15 7DP

10.0 APPRAISAL

Other matters

Policy LP38 (minerals and safeguarding) of the Kirklees Local Plan applies because the site area is over 1000 square metres.

In this instance, the site is surrounded by residential development and a TPO'd woodland and therefore would have limited value as a minerals resource. However, should Members be minded to approve the application it is recommended that the application is delegated back to officers to seek an impact report from the agent.

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