

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

#### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

#### PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

7 NOVEMBER 2019

---

**Planning Application 2019/92164**

**Item 12 – Page 25**

#### **Erection of 27 dwellings**

**Land off Parkwood Road, Golcar, Huddersfield, HD3 4TT**

#### Flood risk and drainage

Further to paragraph 10.52 of the committee report, the Lead Local Flood Authority have commented on the applicant's further information, requesting a revised Flood Risk Assessment that collated the applicant's earlier information. Further investigation relating to flow and overflow routing, an existing watercourse, and other matters requested. The LLFA have advised that a suitable drainage strategy has been demonstrated, and that the site can be developed, however the LLFA's objection will be maintained until the revised Flood Risk Assessment is provided.

On 05/11/2019 the applicant provided a revised Flood Risk Assessment, and the LLFA's further comments are awaited.

#### Highways

Further to paragraph 10.46 of the committee report, comments have been received from Highways Development Management officers, confirming that the proposals are now acceptable except in respect of the refuse vehicle swept paths which still appear tight. It is recommended that this outstanding matter be addressed at conditions stage.

#### Site area

The applicant has confirmed that, with the red line boundary now corrected (as noted at paragraph 5.4 of the committee report), the application site's area is now 1.16 hectares.

#### Unit sizes

In response to paragraph 10.29 of the committee report (which noted the substandard size of the two proposed one-bedroom units), amended drawings for the type A units have been submitted.

#### Other matters

No further information has been received from the applicant regarding rock falls, climate change or dementia-friendly design.

**Change of use of land to pub garden and play area**

**The Sun, 137, Highgate Lane, Lepton, Huddersfield, HD8 0HJ**

One additional representation has been received for the application from a local resident which has also been submitted with a record sheet of instances of noise disturbances from June to October 2019. In summary the additional representation raise the following points along with a response to the points raised:

- The submitted record sheets have detailed 25 instances of noise disturbance caused by Pub and the garden at varying different times of day. The instances include descriptions of activities in the garden outside of the approved temporary hours of use.
- At no time have they stopped using the play area/garden, it has been open every evening and all day over the weekends, which has resulted in loud music, us having to listen to adults in loud conversations, swearing and children screaming and shouting.
- The noise levels from the development are constant throughout the weekend during the day/evenings and during the school holidays most week days. These are causing disruption and stress to the quality of life at adjacent properties and their associated garden.

**Response:** These points are noted and as set out in the published committee report there is concern that the continued use of the garden would be detrimental to the amenity of local residents.

- The development has blocked access to maintain the boundary fence of an adjacent property and trees have been cut back without permission which has made the trees unstable and could be unsafe. Furthermore a willow fence fastened to the boundary of an adjacent property without permission.

**Response:** The works described above and access for maintenance are private legal matters between the differing interested parties.

- There has been no formal response from the Planning department to the issues raised in previous representations or when planning sub-committee is taking place.

**Response:** Previous representations have been considered and responded to in the published committee report which is standard practice when considering representations. Information on the website clarifies that we do not inform “interested parties, objectors or supporters of applications, in writing or by site notice, of the relevant planning committee date”.

- A noise level box was placed in a neighbours garden to monitor noise levels, however the Pub was informed of this and for this reason no noise disturbances occurred on that day.

**Response:** Point noted, however use of a noise monitor is not fundamental to the recommendation and as set out in the published committee report there is concern that the continued use of the garden would be detrimental to the amenity of local residents and no suitable mitigation scheme has been implemented to overcome this concern.

**Erection of two storey rear extension**

**Toss O Coin, Penistone Road, New Mill, Holmfirth, HD9 7JL**

Further to paragraph no. 10.25 of the committee report, Environmental Health have confirmed whilst it would be reasonable to restrict the hours of use to those recommended by Officers, they would not object to the business being opened from 8am in the morning.

Should Members be minded to approve the application and in light of Environmental Health Officers advice, it is requested that the hours of use be restricted to 08:00 – 23:00 Monday to Saturday and 08:00 to 22:30 on Sundays, to provide flexibility for the business whilst being mindful of the presence of residential properties at Syke Bottom

This would allow a degree of flexibility for the business operators which in return could support the long term viability and continuation of this existing rural business and comply with Kirklees Local Plan Policy LP48. This Policy states proposals will be supported for development that protects, retains or enhances provision of existing community facilities that meets the needs of all members of the community.

This is also reiterated in Chapter 8 (paragraph 92 (c & d) of the NPPF, which set outs that decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs and ensure the facilities are able to develop and modernise for the benefit of the community.

**Demolition of existing bungalow and erection of one pair of semi-detached dwellings**

**Mayfield, 125, Huddersfield Road, Meltham, Holmfirth, HD9 4AJ**

**For accuracy:**

Revisions to the scheme did not result in lowering of the roof/pitch line of one of the dwellings as set out in paragraph 5.1 of the committee report. This was proposed from the outset on the initial drawings and remains as such.

Officers are of the opinion the proposed dwellings with the stepped effect would reflect the character of the area and be seen to follow the natural rise and topography of land along this road without detracting from the visual amenity of the area or street scene.

**Additional representations:**

One further representation was received earlier this week, which includes a drawing showing the outlook from the adjacent property onto the application site. The objector states this drawing has been circulated to Members of the committee and the objector will draw reference to it when speaking at committee.

This page is intentionally left blank