

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

10 FEBRUARY 2022

Planning Application 2021/92946

Item 8 – Page 73

Demolition of Holmfirth Market Hall, extension and redevelopment of existing Huddersfield Road Car Park to include improvements to the existing vehicular entrance point on the A6024, the creation of a new vehicular access point onto the A6024, the creation of a new widened pedestrian bridge over the River Holme and associated landscaping, lighting and drainage works (within a Conservation Area)

Huddersfield Road Car Park and Holmfirth Market Hall, Huddersfield Road, Holmfirth, HD9 3JH

7.0 PUBLIC/LOCAL RESPONSE:

The Committee Report outlines that 45 representations were received prior to its publication. Seven (7) of those representations were in support, as printed at paragraph 7.2 on page 78 of the main agenda. However, there is an inaccuracy in how many of these representations consisted of general comments and objections. The report should note that 27 of these representations were objections to the application, and 11 of these representations were general comments.

Since the publication of the Committee Report, two further representations have been received, which provide general comments on the scheme. These comments are available to view in full on the Council's Planning Website, but are summarised below:

- a) River Holme Connections (RHC) are broadly in support, but consider that design enhancements can be made to better include the value of the River Holme. RHC believe better access to River Holme should be provided for the public and others managing the river. RHC note that the proposed development should be closer to the riverside (by means of a ramp), without moving the curtilage of the existing proposal.
- b) Holmfirth Forward note that the long-term plan is likely for the market to be located on the Huddersfield Road Car Park, and that alternative sites were to be on a temporary basis, and that they did not realise planning permission will be required for the market at Huddersfield Road again in the future.

- c) Holmfirth Forward raise concerns in relation to Paragraph 10.19 of the committee report in relation to the loss of the market.
- d) Holmfirth Forward raise questions about the process of applying for planning permission for a market.

Officer responses to comments raised:

- a) Officers have been informed that there have been discussions between RHC and the applicant regarding access to the River Holme from the site. The applicant has informed Officers that the comments of RHC are acknowledged, but this could affect the viability of the scheme.

Whilst understanding the comments of RHC, the proposal would still provide pedestrian areas adjacent to the River Holme over the bridge and to the north of this waterway, and Officers consider this improves access for pedestrians so that they enjoy this river. A gated access to a ladder is proposed to the north of the river for RHC to access the river, and it is considered that this would not make access for RHC any more difficult than existing. It is also considered that the arrangement does not stymie future potential access to the river with a gate and non-structural walls to the north of the river. Overall, Officers consider that the concerns raised by RHC do not constitute robust grounds for refusal.

In addition, the alterations which RHC desire for the scheme would potentially require a revision to the Flood Risk Assessment and consideration how such a change could affect disabled users' access between the lower and higher parts of the site.

- b) Officers have seen a written response from the applicant to Holmfirth Forward dated 7th September 2021 which sets out if the intention is for the proposed Huddersfield Road car park to be used as a market (for over 28 days as allowed under Part 4, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)), then planning permission will be required.
- c) Paragraph 10.19 of the Committee Report relates to the loss of the market use in respect of its potential impact on the vitality and viability of the town centre. Of note, Paragraph 10.32 of the Committee Report discusses that an alternative market of equivalent or better would be sited within the locality and this constitutes a significant reason why Officers consider the loss of the market hall at the site acceptable in this case.
- d) Officers have responded over to Holmfirth Forward about the planning application process for such an application.

Erection of two-storey and single storey rear extensions, basement extension and front and rear dormers

8-10 Moorbottom Road, Thornton Lodge, Huddersfield, HD1 3JT

Amendments received:

08-Feb-2022 – Amended plans submitted showing width of original house accurately compared to extension and adding a site plan. These were not re-advertised as they were for clarification purposes only and do not change the scale or design of the extensions as shown on the previous plans.

7.0 PUBLIC/LOCAL RESPONSE:

One further representation received. Summary of comments made:

- (i) In listing the measurements of the rear dormer, the officer's report relies on the superseded plans. It is actually 2.6m in height not 2.2m.
- (ii) This has implications for assessment of material considerations including residential amenity.
- (iii) The volume of the rear dormer based on the latest plans would be 27.85 cubic metres, when the other roof extensions are added this is 46.85 cubic metres or approximately 7 cubic metres over the limit.

Officer responses:

- (i) This is noted; the actual height is 2.6m.
- (ii) The case officer has already assessed (at paragraph 10.18 on page 120 of the main agenda) the potential for residential amenity impacts arising from the rear dormer and concluded that these would be negligible.
- (iii) Based on the figure of 27.8 cubic metres, this does not invalidate the argument that had the dormer been built independently, subject to a 200mm setback and different materials, it could have constituted as permitted development. The case officer's report does not claim that the overall volume of roof extensions would fall within the permitted development allowance, and in fact states clearly that the two-storey part of the extension would not have benefited from permitted development rights.

Formation of decked area, erection of balustrades to boundaries to provide outdoor seating area (within a Conservation Area)

Hooley House, 1, Concord Street, Honley, Holmfirth, HD9 6AE

7.0 PUBLIC/LOCAL RESPONSE:

One further representation received, from Ward Councillor Charles Greaves, objecting to the proposal. Summary of concerns raised:

(a) Noise nuisance - I remain concerned that depending upon how the venue and this space is managed that there could be substantial noise and behaviour issues. A detailed management plan is not on file, and it would be helpful to know exactly what the mitigation will be and to consider how effective it is likely to be.

(b) Hours of outside use - please set the hours of use to those suggested by Environmental Health.

(c) The loss of 2 parking spaces rules out off-road deliveries from smaller vans. All deliveries will need to be made from the street which will block a very busy throughfare, access to the public car park over the road, and the HGV yard next door.

(d) The loss of 2 parking spaces puts additional pressure on very limited public parking in the village centre. There is a small car park opposite which is mostly full on an evening and little on-street parking.

(e) The design of the patio area does not fit with the conservation area status, nor the requirements of the Neighbourhood Plan, and the canopy and glass should be entirely removed.

I ask that the application is refused.

Officer responses:

(a) Based on this being an enhancement to the use of a bar / restaurant that already has planning permission, and on Environmental Health advice, it is considered that it would be disproportionate to require the applicant to submit full details of a noise mitigation scheme in advance of determination, and that the matter can be addressed satisfactorily by a pre-commencement condition.

(b) The recommended hours of use to be conditioned are those recommended by Environmental Health – see recommended condition 4 on page 139 of the main agenda.

(c) As set out in paragraphs 10.19-10.23 (pages 136-137 of the main agenda), the development does not imply a “loss of parking spaces” since the originally approved plans did not indicate any formal parking

provision nor formally designated servicing space. Even without the decking there would be space to park, at most, 2 vehicles within the site, and as proposed there would be still space to park one. Furthermore, the Highway Officer has noted that on-street unloading may occur and that this would not be a significant concern. It would therefore be difficult to substantiate a refusal on this basis.

- (d) Whilst it is noted that there is a shortage of safe on-street and off-street parking capacity in and around the centre of Honley, it is considered, for the above reasons, that there would be no significant additional pressure on parking capacity as a result of this development.
- (e) The structure now proposed does not contain a canopy or glazing, and the Conservation Officer has confirmed it is acceptable as it would cause no harm to the character of the Conservation Area.

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