

## KIRKLEES METROPOLITAN COUNCIL

### PLANNING SERVICE

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

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

20 OCTOBER 2022

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Planning Application 2020/93800

Item 15 – Page 59

Outline application for one detached dwelling

adj, 100, Birchencliffe Hill Road, Lindley, Huddersfield, HD3 3NH

#### 8.0 CONSULTATION RESPONSES:

##### 8.2 Non-statutory:

KC Ecology – No ecological information has been submitted with the application, therefore my assessment is based on the limited information available to me. The site is located within the bat alert layer and directly adjacent to the Kirklees Wildlife Habitat Network.

Given that there could be the potential for impacts to the wildlife habitat network and in the absence of any ecological information, it is not clear what impacts may arise as part of the proposed development.

In addition to the above, the proposals have not demonstrated a biodiversity net gain in accordance with [Policy] LP30 (ii) [of the Kirklees Local Plan] which requires development to “*minimise impact on biodiversity and provide net biodiversity gains through good design*”.

It is recommended that the applicant appoint a suitably qualified to undertake a Preliminary Ecological Assessment at the site, in line with current guidance.

The applicant should also demonstrate how negative impacts to the Kirklees Wildlife Habitat Network are to be avoided and a how a biodiversity net gain is to be achieved post development.

This is fundamental in order to determine if the proposals can be brought forward in line within Local Plan Policy LP30.

The application should not be determined until the necessary assessments have been received and a Biodiversity Net Gain demonstrated.

##### Officer note

Officers concur with the advice provided by the Council’s Ecologist and consider that in the absence of such information, the application fails to demonstrate whether the development could be undertaken without causing unacceptable harm to protected species or that it would safeguard the function and connectivity of the Kirklees Wildlife Habitat Network. For this reason, Officers consider that this should form an additional reason for refusal.

## **RECOMMENDATION**

### Reason for Refusal 3

The application fails to demonstrate whether the development could be undertaken without causing unacceptable harm to protected species or that it would safeguard the function and connectivity of the Kirklees Wildlife Habitat Network. It would therefore conflict with Policy LP30 of the Kirklees Local Plan, Chapter 15 of the National Planning Policy Framework and Principle 9 of the Council's adopted Housebuilders Design Guide Supplementary Planning Document.

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**Planning Application 2022/91154**

**Item 16 – Page 77**

### **Demolition of existing dwelling and erection of detached dwelling including new landscaping and tennis court**

#### **Old Biggin Farm, Cold Hill Lane, New Mill, Holmfirth, HD9 7DN**

Further discussions have been undertaken with the applicant's agent regarding the calculations provided at paragraph 10.17 within the Committee Report. The applicant's agent outlines that they believe the figures provided are incorrect and that the correct figures are provided within the submitted Design & Access Statement and Planning Statement. The applicant's agent has requested that the committee report be updated ahead of the meeting as they deem the errors to be significant and they do not wish for members to be provided with any incorrect information.

Officers have highlighted to the applicant's agent that the measurements have been taken from the submitted plans which are drawn to scale. Officers have provided their calculations within the committee report (paragraphs 10.17-10.18). It was also noted that these calculations include the basement which does form the footprint and adds to the overall volume of the proposed dwelling, and whilst this area of the dwelling is partially subterranean, Officers hold the view that this does not make it exempt from the calculations.

Again, as outlined within the committee report, Officers consider that an assessment as to whether a replacement building is 'materially larger' than the building it is to replace should not solely be an arithmetic exercise, but it is also a visual assessment. Not only have Officers concluded that the dwelling would be materially larger than the existing dwelling volumetrically, but also from a visual perspective. Of note, and as stated within paragraph 10.20 of the committee report, whilst the footprint of the proposed dwelling may not be substantially larger, a large amount of the existing dwelling is only single storey in height, whilst the majority of the proposed replacement dwelling would be two to three storeys and would include bulky gable projections.

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