

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

19 OCTOBER 2023

Planning Application 2022/92799

Item 11 – Page 9

Erection of extensions, conversion of existing attached barn to living accommodation and associated works (within a Conservation Area)

17, Town Gate, Upperthong, Holmfirth, HD9 3UX

Since the publication of the Committee report, the applicant has highlighted that this application is a joint application, but only one name is listed as the applicant. This is noted and the Council's records have been updated to ensure that any decision will refer to both applicants.

One further objection with annotated plan has been received, since the publication of the Committee report, which raises the following summarised concerns:

- Concerns the swept path analysis does not accurately reflect how the access would operate
- Only one vehicle would be able to enter, turn and exit.
- Wooden fence constructed within the site, in conjunction with recent planting on the boundary, is considered unsightly and to have a negative impact upon the Conservation Area.

KC Highways DM have been made aware of the additional objection and confirm it does not alter the response they have previously provided. They reiterate the fact that the principle of an access is established as exists already, and that it is considered the proposal will improve the existing situation allowing vehicles to access / ingress in forward gear.

The fence at the site does not form part of this application, the planning agent for this application has stated this has been erected by utilising permitted development rights whereby an application for planning permission is not required to be submitted to the LPA. The planting of soft landscaping falls outside of the definition of development which, again, means there is no requirement for an application for planning permission to be submitted to the LPA for such works.

Variation of condition 2 (plans and specifications) and 5 (soft landscaping scheme) on previous permission 2016/93243 for erection of 17 dwellings (within a Conservation Area)

Thirstin Mills, Thirstin Road, Honley, Holmfirth, HD9 6JG

Additional representations

Following submission of the additional statement by the applicant, two further representations have been received, which dispute the content of this statement, with particular reference to:

- Developer not carrying out landscape works on the embankment
- The offer of a voluntary contribution by the developer should not be used as a bargaining chip
- No explanation as to why the initial plans under this application have been superseded.
- Not clear what the final proposals are as plan has no key
- Negative effect on conservation area
- No technical information on current condition of embankment given the size of some vegetation.

Officers Response: the above points are addressed in the committee report.

- Mention of two other conditions (4 & 18) not complied with
- Clarity is sought on who enforcement liability falls with to carry out the works

Officers Response: With reference to the breach of two other conditions, this has been forwarded to the compliance team to consider. With respect to enforcement liability, this is normally the landowners, in this case the developer would need consent from all 17 residents to implement the approved or revised landscape proposals.

- No correspondence between developer & property owners regarding being informed of “incompatibility of two separate designs”

Officers Response: this is a civil matter between the developer and property owners.

Further comments from Landscape Officers:

Confirmation is received from the Landscape team, advising that currently there are no tree planting sites within Holme Valley North however there are sites in Holme Valley South and Crosland Moor ward which are in the pipeline for the coming years. Alternatively, consideration could be given to Highway verges that may be available for planting.

Response: Landscape team is advised that the S106 money should not be used to pay for works already in the pipeline or carried out previously and should be used for additional planting to increase or provide habitat creation on Council owned land. Officer's preference would be additional tree planting on the two sites referred to in paragraph 10.25 of the committee report.

With reference to paragraph 10.24 of the committee report, whilst the applicant's agent has agreed to an extension of time on issuing the permission until after the submission and completion (signing) of the deed of variation to the original Section 106, formal confirmation is still awaited from the applicant agreeing to paying in full the recognised BNG shortfall.

Planning Application 2023/91462

Item 14 – Page 61

Erection of single storey side extension and enlarged porch with associated external alterations

17, Maplin Avenue, Salendine Nook, Huddersfield, HD3 3GP

History of Negotiations

Paragraph 5.2 of the committee report highlights that officers requested justification from the agent as to how the submitted scheme would meet the needs of the applicant, when there appears to be alternatives available.

To confirm, no additional information/justification has been received from the agent.

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