

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

12 MAY 2016

ITEM 13 – APPLICATION NO 2015/93052, FENAY LODGE, THORPE LANE, ALMONDBURY, HUDDERSFIELD

The Council has recently received notification that an appeal against the non-determination of the planning application has been lodged with the Planning Inspectorate.

Subject to the appeal being accepted, the Planning Inspectorate will now determine the application.

The Sub-Committee's resolution to refuse the application will form the basis of the Local Planning Authority's Statement to the Planning Inspectorate.

It remains the case that Officers require clarification from the Sub-Committee on the reasons for refusal based on those issues cited at the previous meeting - namely matters of design, highway safety and the impact on no.21 Dartmouth Avenue.

As part of the appeal process this Authority will inform the Planning Inspectorate as to what decision would have made if the determination of the application had remained within its remit.

The Officer recommendation to Members is therefore amended as follows:

That the Secretary of State be informed that this Authority would have been minded to refuse planning permission on the grounds that:

1. The proposed dwelling, by virtue of its siting, scale and design, would harm the setting of the listed building (Fenay Lodge) by substantially reducing the curtilage of the building and introducing a form of development to the site that fails to sustain the significance of the designated heritage asset. The development is therefore contrary to Policy BE1 criteria i of the Unitary Development Plan (UDP) and to chapter 12 of the National Planning Policy Framework.

2. The proposed dwelling, by virtue of its proximity and scale, would harm the amenity of 21 Dartmouth Avenue by having an overbearing and dominant impact on the main private garden space belonging to this neighbouring property and by introducing a form of development that would detrimentally affect the outlook at the rear of number 21. The proposal is therefore contrary to Policy D2 criteria v of the Kirklees Unitary Development Plan and guidance in the National Planning Policy Framework.

ERECTION (750 SQUARE METRES) OF PORTABLE MODULAR BUILDINGS**MOOR END ACADEMY, DRYCLOUGH ROAD, CROSLAND MOOR, HUDDERSFIELD, HD4 5JA****Corrections:**

In the interest of accuracy, on page 13 reference should be made to conditions nos. 7 and 10 in the response to concerns raised in relation to the impact on the children's play area not nos. 6 and 9

Condition no. 8 should read:

8. The modular buildings shall not be brought to site until the access road from Wellfield Bank and the turning area as shown on approved drawing no. A04 Rev A has been made operational.

ERECTION OF AGRICULTURAL BUILDING**LAND OFF, LUMB LANE, ALMONDBURY, HUDDERSFIELD, HD4 6SZ****Representations:**

1. Road chippings that have been used to level the site release hydrocarbons into the ground, this causes the local vegetation to die.

Response: Planning permission would not have been required for the importation of road planings to level or raise the site (see officer's response to point 1), but it would have probably have required either a permit or an exemption. The Environment Agency have been notified of this during the course of this application, and have not been able to find any record of either being obtained. It is considered however that this is not material to the current application.
