

Name of meeting: STRATEGIC PLANNING COMMITTEE

Date: 2 NOVEMBER 2017

Title of report: LOCAL PLANNING AUTHORITY APPEALS

The purpose of the report is to inform Members of planning appeal decisions received in the Heavy Woollen/Huddersfield area since the last Strategic Committee meeting.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	No
The Decision - Is it eligible for "call in" by Scrutiny?	No
Date signed off by Service Director - Economy, Regeneration & Culture	Paul Kemp 24 October 2017
Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?	No financial implications
Is it also signed off by the Assistant Director - Legal Governance and Monitoring?	No legal implications
Cabinet member portfolio	Economy (Strategic Planning, Regeneration & Transport) (Councillor P McBride)

Electoral wards affected: Almondbury;

Ward councillors consulted: No

Public or private report: Public

1. Summary

This report is for information only. It summarises the decisions of the Planning Inspectorate, in respect of appeals submitted against the decision of the Local Planning Authority. Appended to this Item are the Inspector's decision letters. These set out detailed reasoning to justify the decisions taken.

2. Information to note: The appeal decision received are as follows:-

- 2.1 2016/60/93230/W - Outline application for demolition of existing buildings and erection of residential developments at Fenay Bridge Nursery, Fenay Lane, Fenay Bridge, Huddersfield, HD8 0AR. (Strategic Committee decision in accordance with Officer recommendation) (Appeal dismissed)

- 2.2 2016/62/93428/W - Part demolition of existing mills and erection of 45 dwellings and 16 apartments. Re-use of existing mill building and alterations to form workshop, car storage, restaurant, function suite and ancillary office space and formation of car park. Conversion of mills to hotel and offices (Listed Building) at Washpit Mills, Choppards Lane, Cartworth Moor, Holmfirth, HD9 2RD. (Strategic Committee) (Appeal against non-determination dismissed)

Inspector's Findings:

Main Issues were defined as:

- the effect of the proposal on the safe and efficient operation of the highway
- the availability of alternative modes of transport
- whether the proposal would preserve a Grade 2 listed building, Was Pit Mill (ref:1134754), and any of the features of special architectural or historic interest that it possesses

The inspector found that insufficient information had been provided to enable a realistic evaluation of how the proposal would effect the wider road network and whether a sever , cumulative impact would result. Also that the applicant had failed to demonstrate that the proposal would not cause significant harm to the safe and efficient operation of the highway network. He accepted that the B2 (General Industrial)Use of the site was lawfully available but the fallback position only carried limited weight. Actual and perceived risk of conflict between pedestrians and vehicles along Washpit New Road would pose a significant disincentive to regular pedestrian use. He also concluded that the proposal would fail to preserve the special historic interest of the Grade 2 listed building. The inspector concluded the decision by stating- *"I am satisfied that the resultant boost in the supply of housing would not significantly and demonstrably outweigh the adverse effects when the scheme is considered against the Framework as a whole, bearing in mind the limited access to alternative modes of transport that would be present as well as the potential impact on the wider road network."*

Officers Position

- Inspectors decision represents a key planning material consideration in any forthcoming application
- Additional survey work and information is required to assess the impact of any development upon the local highway network reflecting the intensification of the use of the site above the fall back position
- Ward Councillors will be invited to discuss the scope of the Transport Assessment before the applicant undertakes the work
- Adequate level of highway mitigation measures to address pedestrian connectivity and is required

Resubmission

The applicants are considering a planning resubmission with several changes that involves the removal of the hotel and office accommodation from the previous scheme. This will result in a mixed use scheme that would be residential led but still including the change of use to facilitate the oil can café within the Carding Shed operation that is relocating under the established General Industrial and Storage and Distribution uses that were granted under the certificate of Lawfulness (ref 2017/CL/92061). An initial meeting was held between officers and the applicants and the applicants have been advised to submit a pre-application submission that will take into account the inspectors findings on the appeal. Ward Members would be invited to partake in the pre-application process and would conclude with a developer presentation to the strategic Planning Committee. This is considered to be the best way forward before a planning application is submitted to the council.

- 2.3 2016/65/93429/W - Listed Building Consent for extensions and alterations to form hotel and restaurant at Washpit Mills, Choppards Lane, Cartworth Moor, Holmfirth, HD9 2RD. (Officer decision) (Appeal against non-determination dismissed).

3. Implications for the Council

3.1 There will be no impact on the four main priority areas listed below

- Early Intervention and Prevention (EIP)
- Economic Resilience (ER)
- Improving outcomes for Children
- Reducing demand of services

4. Consultees and their opinions

Not applicable, the report is for information only.

5. Next steps

Not applicable, the report is for information only.

6. Officer recommendations and reasons

That the report be noted.

7. Cabinet portfolio holder recommendation

Not applicable.

8. Contact officer

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9. Background Papers and History of Decisions

Not applicable

10. Service Director responsible

Paul Kemp