
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 09-Aug-2018

Subject: Planning Application 2018/90413 Change of use from dwellinghouse to mixed use dwellinghouse and training centre (within a Conservation Area) Thorpe Grange Manor, Thorpe Lane, Almondbury, Huddersfield, HD5 8TA

APPLICANT

A and J Dyson

DATE VALID

28-Feb-2018

TARGET DATE

25-Apr-2018

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Almondbury

No

Ward Members consulted

RECOMMENDATION

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION

- 1.1 The application seeks a change of use from dwellinghouse to mixed use dwellinghouse and training centre.
- 1.2 The application was deferred at the previous meeting of the sub-committee (21st June, 2018) to allow officers to gain further clarification/information on;
- The time of classes in relation to the surrounding transport network (specifically school start and finish times)
 - Nature and control of delivery vehicles (including numbers, size, restricting hours and on-site management)
 - For the provision of a Traffic Management Plan
 - The relationship between the site and no.20 Thorpe Lane
- 1.3 The applicant has provided a Traffic Management Plan which contains details and response to the above concerns raised by members, along with reducing the number of students from 13 to 12 and changes to the hours and days of operation.
- 1.4 The application was previously brought to committee at the request of Local Ward Councillor Judith Hughes. Cllr Hughes has expressed concerns over the proposal's impact on the local highway network.

2.0 SITE AND SURROUNDINGS

- 2.1 Thorpe Grange Manor is a detached two storey dwelling faced in stone with natural slate roof tiles. The dwelling has a large garden to the front, hosting several protected trees. The site is accessed to the rear, along a driveway from Thorpe Lane via Thorpe Grange Manor Gardens. To the rear of the dwelling is a detached outbuilding and a separate dwellinghouse, assumed to previously be associated to the main house. The outbuilding is that part of the dwelling proposed for the training centre.

2.2 Thorpe Grange Manor previously had larger associated grounds. Some of these now form the residential scheme, Thorpe Grange Gardens. Prior to its current residential use, Thorpe Grange Manor has had various uses approved, including a care home, training centre and restaurant.

2.3 The site is within the Almondbury Conservation Area. The surrounding area is principally residential, although Thorpe Lane connects to the village centre of Almondbury.

3.0 PROPOSAL

3.1 The detached outbuilding is to be converted into a workshop, to operate as a training centre (D1 Non-residential institution). External physical works are limited to changing the two garage doors into a wall with windows. The main dwellinghouse, Thorpe Grange Manor, is to remain in a residential use.

3.2 The training centre is to be targeted at mature students and is to teach various vocational skills. These include upholstery, sewing, blind and curtain making. A maximum of 12 students are sought for day classes, and 10 for evening classes.

3.3 Following member comments at last committee, the proposed hours of classes have been amended to take into account local school opening/closing times. The revised hours of use sought are;

Monday / Tuesday: 0930 – 1200, 1330 – 1600, 1800 – 2030

Wednesday / Thursday: 0930 – 1200, 1330 – 1600

Saturday: 1000 – 1200, 1330 – 1600

Friday / Sunday: Not in use

3.4 Car Parking is to be provided for 17 vehicles. 6 of these are to be within existing surfaced areas of the site. The remaining 11 are to be formed within the front lawn area of the dwellinghouse. The new lawn parking spaces are to be 'tech-turfed', forming a solid base which vehicles can park on that also allows grass to grow through.

3.5 The physical works to the garage and change of use has been implemented, being in operation since 19.09.2017. The business is in operation with the stated hours of use less than that proposed above, with the following being operated;

Tuesday: 0930 – 2100

Wednesday / Thursday: 0930 – 1500

Monday / Friday / Saturday / Sunday: Not currently in use

4.0 Relevant Planning History (Including Enforcement History)

4.1 Application Site

86/04121: Change of use of existing residential aged persons home to a central training unit – Granted Conditionally

94/90035: Change of use of training centre to residential (one dwelling) – Granted under Reg.4 General Regulations

94/90036: Change of use of training centre to residential institution (class c2) (alternative proposal) – Granted under Reg.4 General Regulations

94/90048: Change of use of training centre to offices (class b1) – Granted under Reg.4 General Regulations

94/91008: Change of use from aged persons home to training centre – Granted under Reg.4 General Regulations

95/92079: Change of use from training centre to restaurant – Conditional Full Permission

2004/93898: Erection of 12 no. Houses and 4 no. Apartments and change of use of restaurant to 1 dwelling (within a conservation area) – Conditional Full Permission

Enforcement

COMP/17/0320: Alleged unauthorised change of use to training centre and retail – Ongoing

Note: This application has been invited to regularise the above breach.

4.2 Surrounding Area

The surrounding area has no relevant planning history.

5.0 **HISTORY OF NEGOTIATIONS (including revisions to the scheme)**

5.1 The parking layout plan was not to an acceptable standard. Officers requested that a technical version be provided. This has been done and now includes details such as swept paths.

5.2 Following the resolution of the previous sub-committee, officers have worked with the applicant to seek to address members' concerns.

5.3 Regarding a parking space for no.20 Thorpe Lane, the applicant has provided the following statement;

We state for the record that No 20 Thorpe Lane is a separate building with its own deeds registered at Land Registry. Similar to many older properties in Almondbury e.g. properties on Watercroft; it has no off street parking. Number 20 Thorpe Lane does not form any part of this application.

We would be very supportive of the suggestion to implement traffic management measures such as yellow lines on Thorpe Lane, as long as this could be managed effectively.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

6.2 On the UDP Proposals Map the site is Unallocated.

6.3 The site is Unallocated on the PDLP Proposals Map.

6.4 The site is within the Almondbury Conservation Area.

6.5 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

- **D2** – Unallocated land
- **NE9** – Development and mature trees
- **BE1** – Design principles
- **BE5** – Conservation areas
- **EP4** – Noise (sensitive locations)
- **T10** – highways and accessibility considerations in new development
- **H4** – Conversion of residential property to other uses

6.6 Kirklees Publication Draft Local Plan:

- **PLP1** – Presumption in favour of sustainable development
- **PLP2** – Place shaping
- **PLP3** – Location of new development
- **PLP11** – Housing mix and affordable housing
- **PLP21** – Highway safety and access
- **PLP24** – Design
- **PLP33** – Trees
- **PLP35** – Historic environment
- **PLP51** – Protection and improvement of local air quality
- **PLP52** – Protection and improvement of environmental quality

6.7 National Planning Policy Framework:

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 6** – Building a strong, competitive economy
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 12** – Achieving well-designed places
- **Chapter 16** – Conserving and enhancing the historic environment

7.0 **PUBLIC/LOCAL RESPONSE**

7.1 The application has been advertised via site notice, press notice and through neighbour letters to addresses bordering the site. This is in line with the Council's adopted Statement of Community Involvement.

7.2 The end date for the initial period of publicity was the 3rd of April, 2018. Following the previous committee, where the application was deferred, a Traffic Management Plan has been received. The application has been re-advertised, with the 2nd publicity period due to end on the 7th of August, 2018. As such the period of publicity will not expire until after the report for sub-committee has been published. Representations received prior to publishing are detailed below. Any further representations received will be reported to members in the update.

7.3 Eight representations were received during the initial representation period in objection to the proposal. At the time of publishing a further seven objections have been received to the 2nd representation period, for a combined total of fifteen. The following is a summary of the concerns raised;

- There is not enough parking on the site for the use proposed. Vehicles parking close to the junction between Thorpe Lane and Thorpe Grange Gardens would create even more difficulty.
- The proposal would increase traffic on both Thorpe Lane and Thorpe Grange Gardens. There is already an issue of parking on Thorpe Lane, which the proposal would exacerbate.
- Thorpe Lane is narrow and does not have a footpath; visibility is limited in places.
- Thorpe Lane is used as a 'rat run' to avoid Southgate and by Taxis / Private Hire Cars.
- The training centre will increase noise pollution in the area.
- 17 parking spaces seems 'ambitious' and would make it difficult for emergency vehicles or council Lorries to access the site.
- Thorpe Grange Manor is a lovely house and should remain so.
- The applicant has planted trees along the boundary which have caused overshadowing over neighbouring dwellings.
- The site has been in use for several months, and cars have parked on Thorpe Lane causing the road to be narrowed and impact on safety.
- The area is residential, not business. Operating hours and work should reflect this.
- Object to an industrial/commercial use within a Conservation Area.
- The revised proposal fails to address previous concerns.

- The parking restrictions in Thorpe Lane cannot be enforced, and double yellows should be placed near the junction of Thorpe Lane and Thorpe Grange Gardens along with speed humps.
- What security is there that the applicant will operate in accordance with the permission, if granted?
- Thorpe Grange Gardens' junction has limited sight lines in the direction of no.20 and worse facing towards Almondbury centre.
- No thought has been given to the parking of delivery vehicles
- Near misses on Thorpe Lane are not uncommon
- The car parking shown within the application has not been provided. The car park would harm the amenity of residents near it through noise, such as slamming doors.
- The applicant has not provided parking for no.20 Thorpe Lane, who are required to park on a blind bend close to the junction. Highways DM, in their consultation response, advised that no.20's parking be accommodated on site.
- When Thorpe Grange Manor was used as an office it has a much larger car park, and therefore the situation is different. When it was last commercially used, the car park covered the estate of Thorpe Grange Gardens.
- A petition has been signed by local residents to request double yellow lines on the bend between the blind corner and Thorpe Grange Garden's junction, to stop no.20's residents parking there. Photos have been provided apparently showing a large vehicle struggling to navigate the corner with a car parked on this stretch of road.
- Vans accessing the site currently reverse down the drive, to the locked gates. A photo, showing a PDP van, presumed to demonstrate this manoeuvre, has been provided.
- Historic planning permissions required Thorpe Grange Manor to be converted to residential. The applicant has had permission refused to convert Thorpe Grange Manor into flats and to open another access onto Thorpe Lane.
- Many pedestrians who use Thorpe Lane are either senior or children.

Local Member Interest

- 7.4 Local Ward Member Councillor Judith Hughes initially expressed concerns with the proposal and requested that the application be determined by committee. Cllr Hughes' concerns principally revolve around highways, due to the restrictive nature of Thorpe Lane. Of particular concern to Cllr Hughes was the use of Thorpe Lane by school children and the potential conflict with drivers. Cllr Hughes has confirmed the Traffic Management Plan does not overcome her concerns.
- 7.5 Local Ward Member Councillor Alison Munro has provided the following comment, based on the amendment made following the previous planning committee;

I just want to confirm that I am fully supportive of the planning application 2018/90413 to be granted permission.

7.6 Local Ward Member Councillor Bernard McGuin has provided the following statement in support, post previous committee;

I wish to add my support to the above application. Unfortunately I cannot attend the meeting but would be happy to have my comments form part of the notes.

The applicants have co-operated fully on this application with the planning department.

Although Thorpe Grange is not in an ideal situation, the grounds have sufficient space in order to accept up to 12 students. They have agreed to limit the hours of operation in order that any traffic generated by student comings and goings will not conflict with local school activity.

There is very little in the way of deliveries to this establishment but, nevertheless the applicants have agreed to limiting deliveries to times that are acceptable to the local community.

In reaching any decision on a planning application members have to be mindful that they should support economic activity. The applicants are giving benefit to the local community by their work, they have co-operated fully with the planning officer, they have answered the queries coming from the last meeting's deferred decision and I would hope the committee would be mindful to support this application.

8.0 CONSULTATION RESPONSES

8.1 Statutory

None required.

8.2 Non-statutory

K.C. Highways: Provided feedback, comments and advise through process. No objection subject to condition.

K.C. Environmental Health: No objection subject to condition.

K.C. Trees: No objection, subject to condition.

9.0 MAIN ISSUES

- Principle of development
- Urban Design issues, including the Almondbury Conservation Area
- Residential Amenity
- Highway issues
- Other Matters
- Representations

10.0 APPRAISAL

Principle of development

Sustainable development

- 10.1 NPPF Chapter 2 and PLP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation. The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Land allocation

- 10.2 The site is without notation on the UDP Proposals Map and Policy D2 (development of land without notation) of the UDP states;

'Planning permission for the development ... of land and buildings without specific notation on the proposals map, and not subject to specific policies in the plan, will be granted provided that the proposals do not prejudice [a specific set of considerations]'

All these considerations are addressed later in this assessment.

- 10.3 Consideration must also be given to the emerging local plan. The site is without notation on the PDLP Policies Map. PLP2 states that;

All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...

The site is within the Huddersfield sub-area. The listed qualities will be considered where relevant later in this assessment.

Change of use

- 10.4 Policy H4 establishes a principle against the conversion of residential units, due to the loss of housing stock. However the proposal is to convert a residential outbuilding, with the principal dwelling being retained. Therefore the proposal is not considered to be in breach of H4.
- 10.5 Chapter 6 of the NPPF, B1 of the UDP and PLP1 of the PDLP establish a general principle in favour of economic development and for flexible business practises. Chapter 8 of the NPPF states that *'the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities'*. The proposal is deemed to include a social and educational element, providing training and education facilities for adults.

- 10.6 Weighing the above, the principle of development is considered acceptable. Consideration must be given to the local impact, outlined below.

Urban Design issues, including the Almondbury Conservation Area

- 10.7 Physical works are limited to changing the front elevation of the garage, previously garage doors, to a wall with windows. This could be achieved via 'permitted development rights', and has limited impact on the visual amenity of the area. No works are proposed to the host building.
- 10.8 Car parking includes using existing tarmacked areas around the site. Additional parking is to be located on the lawn to the front of the dwelling. It is to be formed using surfacing that allows grass to grow through, limiting its visual impact. The main visual impact would be the parking of vehicles to the front of the property whilst the training centre is in use. Given, the temporary nature of the parking and the fact that this is not particularly visible from public viewpoints this is not considered harmful.
- 10.9 Officers are satisfied that the proposal would not harm visual amenity or the heritage significance of the Conservation Area. This is giving weight to Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990. The proposal is deemed to comply with Policies D2, BE1 and BE5 of the UDP, PLP24 and PLP35 of the PDLP and Chapters 12 and 16 of the NPPF.

Residential Amenity

- 10.10 The physical alterations to the garage, replacing a pair of garage doors to windows, will not result in harm to neighbouring residents. The windows face the rear elevation of Thorpe Manor, not 3rd party land. No physical works within the proposal raise no concerns of overbearing, overshadowing or overlooking upon neighbours.
- 10.11 A training facility is not, typically, considered a noise pollutant. However the site is to be used to teach vocational skills and will include machinery (e.g. sewing machines). Thus there is the potential for noise pollution.
- 10.12 Only a single 3rd party dwelling is within close proximity of the site. This is no.20 Thorpe Lane. The site has been in use for over six months, and K.C. Environmental Health have received no noise complaints. Furthermore no objections have been raised from the occupier of no.20. Conversely the proposal seeks greater hours of use to that currently operating. To protect the amenity of no.20 Thorpe Lane's residents, if minded to approve, it is considered reasonable to condition the need for noise mitigation details to be provided and implemented. As the site is in use, it is considered reasonable to require these details to be submitted within 1 month of any approval.
- 10.13 The next closest dwelling, no.3a, is approx. 20.0m from the building, with Thorpe Lane in between. The distance of the site from no.3a, and other neighbouring dwellings, is considered sufficient to negate concerns of noise pollution.

- 10.14 Concerns have been raised by local residents over the proposed car park and its proximity to neighbouring dwellings, particularly evening use. The closest neighbouring property to the car park is no.3 Thorpe Grange Gardens. There is a separation distance of 13.0m from the rear wall of the dwelling and the closest parking space, with the intervening boundary walls and vegetation. Only two evening classes, between 1800 and 2030, are sought. This is an amended time, with the applicant initially seeking 1830 – 2100. The change was to seek to minimise any impact upon nearby residents. Evening classes are limited to a maximum of 10 students, which is to be secured via conditions. Officers are satisfied that the infrequent coming and goings of users and associated vehicular movements would not cause undue harm to the amenity of neighbouring residents.
- 10.15 Consideration must also be given to the amenity of residents of Thorpe Grange Manor. The proposal would introduce students on site, have a business close to the dwelling and replace a garden space very close to the dwelling's front elevation with a car park. A large area of garden would be retained however. Currently the occupier is to operate the business, and in this scenario officers are satisfied that the business would not harm the amenity of the resident. However should the business, or house, be sold on separately to the other, resulting in having an occupier of the dwelling un-associated with the business, this would result in an unacceptable standard of amenity. As such officers proposed a condition tying the business use to the occupation of Thorpe Grange Manor.
- 10.16 Weighing the above, subject to the conditions, officers are satisfied that the proposal would not harm the amenity of neighbouring residents. Therefore, the proposal complies with Policies D2 and EP4 of the UDP, PLP24 and PLP52 of the PDLP and Chapter 12 of the NPPF.

Highway issues

- 10.17 At the committee meeting on the 21 June, 2018, members resolved to defer the application to allow officers to further consider the following highway related considerations;
- The time of classes in relation to the surrounding transport network (specifically school start and finish times)
 - Nature and control of delivery vehicles (including numbers, size, restricting hours and on-site management)
 - For the provision of a Traffic Management Plan
 - The relationship between the site and no.20 Thorpe Lane

A Traffic Management Plan (TMP) has been provided.

- 10.18 The proposal would not alter access arrangements, which are to remain via Thorpe Grange Gardens. No physical development would be situated close to the highway to impact upon driver sightlines or cause distraction to passing drivers. Thorpe Grange Manor has a gate, which is to be left open half an hour before and after class, to ensure access for students. This is to be secured via condition.

- 10.19 17 parking spaces are to be laid out within the site. This is to accommodate 12 spaces for students, 3 for residents of Thorpe Grange Manor and 2 additional spaces. It is proposed to limit the number of students to a maximum of 12 through the day and 10 for evening classes, via condition. One parking space per student is considered reasonable, despite the site being a close distance to Almondbury local centre (with public transport links) due to concerns of parking on Thorpe Lane. Subject to 17 parking spaces being provided and a maximum number of 12 students being imposed via condition, officers are satisfied that the site can accommodate all parking and the development will not result in any requirement to park on Thorpe Lane.
- 10.20 The TMP details how the parking will be managed. The TMP includes an abstract from the webpage citing the requirement for students to park within the site and not on Thorpe Lane. Students failing to do so will be prevented from attending future classes. Students will be allocated a dedicated parking space. Further to this the applicant will be on site to manage parking and traffic flow within the grounds. Officers consider these provisions, securable by condition, will ensure the appropriate management of the car park and prevent parking upon Thorpe Lane.
- 10.21 In terms of layout, the parking spaces are appropriately spaced with swept path analysis demonstrating the practicability of use. Parking spaces within the grassed area are to be formed used 'tech-turf', therefore maintain the greenery while providing acceptable surfacing.
- 10.22 Considering the hours of used, the TMP lists the timetables of local schools. This has resulted in amendments to the hours of use, to the following;
- 0930 – 1200, 1330 – 1600, 1800 – 2030 (evening session on Monday/Tuesday)
- Officers are satisfied that these hours of use will not result in conflict with the operation of nearby schools or the coming and goings of children. This notably includes the afternoon session, finishing between 40 and 60 minutes after the end of local school days.
- 10.23 Turning to delivery vehicles, deliveries of upholstery supplies for students are necessary. However these are stated to be infrequent, typically once or twice per term. Deliveries are made via a panel van. Within the Traffic Management Plan (TMP) the applicant commits to liaising with the supplier to arrange appropriate access and deliveries will be supervised by the applicant (to act as banksman, if required). To enable flexibility of the business, such as smaller deliveries and to not be overly restrictive, the applicant has requested deliveries be limited to Wednesday, between 1000 and 1600. Officers consider this, in addition to a condition limiting the maximum size of the vehicle, to address concerns regarding deliveries to the training centre.
- 10.24 Objections have claimed that numerous deliveries have taken place to the site in recent months. The applicant does not dispute this, however attributes these to the dwellinghouse, which has been going through renovation works. Other such deliveries include supermarket deliveries and online shopping (e.g. DPD, Amazon), which are typical personal residential functions. Evidence of these deliveries relating to the dwelling, as opposed to the training centre, has been provided in the form of invoices. Officers are unable to control the delivery of goods to the dwellinghouse, as such a condition would fail the six tests for conditions outlined within the NPPF.

- 10.25 The final concern raised by members was the parking of no.20 Thorpe Lane. No.20 is owned by the applicant, however is a separate dwelling (separate deed) and does not form part of this application. No.20 has no parking, and its residents often park on Thorpe Lane, including close to a corner with poor sightlines. Members queried whether the parking spaces for this dwelling can be accommodated within Thorpe Manor's land. The applicant is unwilling to do this, stating as a separate dwelling it should not have access to his land. This includes concerns over privacy and security.
- 10.26 Occupiers of no. 20 park upon an area of highway which is without traffic regulation order. Regardless of this current application, no.20's parking arrangement is established and would continue. For the reasons detailed above, officers do not anticipate the proposal to would have an unacceptable impact on highway safety. Given this, and as no. 20 does not form part of this application, officers are unable to impose further control via amendment to the scheme or condition.
- 10.27 While the proposal would represent an intensification of use, given the limited number of students and the proposed hours of class sessions being outside of peak travel times, on balance officers are satisfied that the development would not cause harm to the safe and efficient operation of the Highway. Therefore, the proposal is deemed to comply with Policies T10 and PLP21.
- 10.28 Notwithstanding the above, this assessment is based on the specific development as proposed. If minded to approve a condition is to be imposed preventing the change of use of the site to another D1 use (e.g. nursery, place of worship) as other D1 uses would have different highway impacts that would require consideration.

Other Matters

Impact on adjacent protected trees

- 10.29 The site is within a Conservation Area. Therefore mature trees are afforded protection. Further to this there are specific TPOs within the site. Most notably for the proposal, this includes a mature Holly tree within the dwelling's front garden. The proposed parking area is to be close to this tree. No trees are to be lost via the proposal, however consideration must be given to development's impact upon closely spaced trees.
- 10.30 Parking spaces are primarily outside the crown spread of the tree with minimal encroachment. Furthermore the parking spaces are to be formed using 'tech-turf', a grass overlay that is intended to form a usable parking space with no impact upon the tree's roots.
- 10.31 K.C. Trees do not object to the proposal, or the use of 'tech-turf', however they request that an Arboricultural Method Statement be secured via condition. This is to allow for more details on 'tech-turf', and other methods to protect the Holly tree and others potentially impacted upon via the development, to be provided. Subject to this condition the officers are satisfied that the development will comply with the objectives of Policies NE9 and PLP33.

Representations

10.32 *Object*

Highways

- There is not enough parking on the site for the use proposed. Vehicles parking close to the junction between Thorpe Lane and Thorpe Grange Gardens would create even more difficulty.
- Thorpe Lane is narrow and does not have a footpath; visibility is limited in places.
- Thorpe Grange Gardens' junction has limited sight lines in the direction of no.20 and worse facing towards Almondbury centre.
- The proposal would increase traffic on both Thorpe Lane and Thorpe Grange Gardens. There is already an issue of parking on Thorpe Lane, which the proposal would exacerbate.
- The site has been in use for several months, and cars have parked on Thorpe Lane causing the road to be narrowed and impact on safety.
- Many pedestrians who use Thorpe Lane are either senior or children.
- Thorpe Lane is used as a 'rat run' to avoid Southgate and by Taxis / Private Hire Cars.
- Near misses on Thorpe Lane are not uncommon

Response: Parking provision deemed sufficient for the demands of the use is to be provided through the application and secured via condition to be implemented within 2 months of approval.

Parking provision is to be improved in site, to be secured via condition to be brought into use within 2 months. Concerns regarding the use of Thorpe Lane are considered in detail within paragraphs 10.17 to 10.28. While officers acknowledge the proposal would increase traffic movements, given the specifics of the proposal on balance officers conclude the development would not harm the safe and efficient use of the highway.

- 17 parking spaces seems 'ambitious' and would make it difficult for emergency vehicles or council Lorries to access the site.

Response: Officers shared concerns over the initial layout, which was not done to a technical standard. The subsequent technical layout shows that 17 vehicles can be accommodated.

- The parking restrictions in Thorpe Lane cannot be enforced, and double yellows should be placed near the junction of Thorpe Lane and Thorpe Grange Gardens along with speed humps.

Response: The site is to have an overprovision for parking and the traffic management plan outlines the applicant's commitment to ensuring students park on site. This includes dedicated parking spaces per student and expulsion for those parking on the street.

Given the above, it is not considered justifiable to seek the applicant to contribute to the provision of double yellows.

- The car parking shown within the application has not been provided.

Response: This is noted, but understandable given that the application has not been resolved. Its implementation is to be secured via condition, to be in place two months following grant of permission, if minded to approve.

- When Thorpe Grange Manor was used as an office it has a much larger car park, and therefore the situation is different. When it was last commercially used, the car park covered the estate of Thorpe Grange Gardens.

Response: This is noted. Nonetheless, for the reasons detailed above, the parking provision and arrangement as proposed is deemed acceptable.

- The applicant has not provided parking for no.20 Thorpe Lane, who are required to park on a blind bend close to the junction. Highways DM, in their consultation response, advised that no.20's parking be accommodated on site.
- A petition has been signed by local residents to request double yellow lines on the bend between the blind corner and Thorpe Grange Garden's junction, to stop no.20's residents parking there. Photos have been provided apparently showing a large vehicle struggling to navigate the corner with a car parked on this stretch of road.

Response: Addressed within paragraph 10.26, no.20 does not form part of this application. Regardless of this current application, no.20's parking arrangement is established and would continue.

Residents' desire for double yellows is noted. However, it is not deemed reasonable to impose a requirement for the applicant to contribute towards a Traffic Regulation order as the assessment above concludes that this would not be required to support the development on the grounds of highway safety.

- Vans accessing the site currently reverse down the drive, to the locked gates. A photo, showing a PDP van, presumed to demonstrate this manoeuvre, has been provided.
- No thought has been given to the parking of delivery vehicles

Response: A condition is proposed to limit the time and days of deliveries, along with the size of vehicles. The photo submitted shows a PDP van, and there is no evidence to demonstrate it is linked to the proposed development, as opposed to the standard residential use of the site.

Amenity

- The area is residential, not business. Operating hours and work should reflect this.
- The training centre will increase noise pollution in the area.
- The car park would harm the amenity of residents near it through noise, such as slamming doors.

Response: Hours of use are principally within core working hours. Two days, Monday and Tuesday, seek an 1800 – 2030 session. It is noted that the education centre is to target adults, and therefore some flexibility outside of core working hours is considered reasonable. Subject to appropriate noise mitigation, to be secured via condition, officers consider two evening sessions reasonable.

- Thorpe Grange Manor is a lovely house and should remain so.
- Object to an industrial/commercial use within a Conservation Area.

Response: Thorpe Grange Manor itself will not be impacted upon via the development and will remain as a dwelling.

Being within a Conservation Area does not preclude industrial/commercial development.

Other

- What security is there that the applicant will operate in accordance with the permission, if granted?

Response: Any breach of planning control reported would be investigated by Planning Enforcement.

- The applicant has planted trees along the boundary which have caused overshadowing over neighbouring dwellings.

Response: This does not form a material planning consideration.

- Historic planning permissions required Thorpe Grange Manor to be converted to residential. The applicant has had permission refused to convert Thorpe Grange Manor into flats and to open another access onto Thorpe Lane.

Response: The current application has been assessed on its own merits..

- The revised proposal fails to address previous concerns.

Response: This comment is noted. Nonetheless, officers are of the opinion that the details provided have satisfactorily addressed the concerns of members addressed at the previous committee.

10.33 *Councillor Comments*

- Local Ward Member Councillor Judith Hughes expressed concerns with the proposal and ultimately requested that the application be brought to committee. Cllr Hughes' concerns principally revolve around Highways, due to the restrictive nature of Thorpe Lane. Of particular concern to Cllr Hughes was the use of Thorpe Lane by school children and the potential conflict with drivers.

Response: These points have been addressed in the appraisal above. It is noted that Cllr Hughes does not consider the additional information overcomes her concerns.

- Cllr Munro and Cllr McGuin are in support of the proposal, which is noted.

11.0 CONCLUSION

- 11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.2 The proposal would provide training facilities for adults, and is anticipated to contribute to a healthy and inclusive community. While making use of a domestic outbuilding, the proposal would not result in the loss of a residential unit. Considering the local impact, officers are satisfied that the development would not harm the character of Almondbury Conservation Area, including protected trees. Subject to appropriate conditions, there are also no concerns relating to the proposal's Highway's impact and impact upon adjacent residents.
- 11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions, including any amendments/additions, to be delegated to the Head of Strategic Investment)

1. 3 Year Time Limit
2. In accordance with plans
3. Development to operate in accordance with Traffic Management Plan
4. Hours of use and class times
5. Maximum numbers of students, day/evening
6. Training centre (D1 use) to be only used as described in the application and no other use within Class D1.
7. Parking spaces to be provided and retained (within 2 months, or use to stop)
8. Tied use to occupier/owner of Thorpe Grange Manor and only whilst occupying Thorpe Grange Manor
9. Gate to be open allowing access to car parking spaces during hours of business/open for the arrival and exit of students.
10. Restrictions on deliveries
11. Noise mitigation measures (within 1 month)
12. Arboricultural Method Statement (prior to parking spaces being provided)

Background Papers

Application and history files can be accessed at:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f90413>

Certificate of Ownership: Certificate B signed

Notice served on 'the occupier' of nos. 1 – 16 Thorpe Grange Gardens