

**Name of meeting: PLANNING SUB-COMMITTEE (*Huddersfield*)**

**Date: 10<sup>th</sup> March 2021**

**Title of report: A Review of Planning Appeal Decisions  
(*January 2020 – December 2020*)**

**The purpose of the report is to inform Members of planning appeal decisions received in the Huddersfield area in 2020.**

**Electoral wards affected: All**

**Ward councillors consulted: No**

**Public or private: Public**

**Has GDPR been considered?** Yes. There no GDPR implications.

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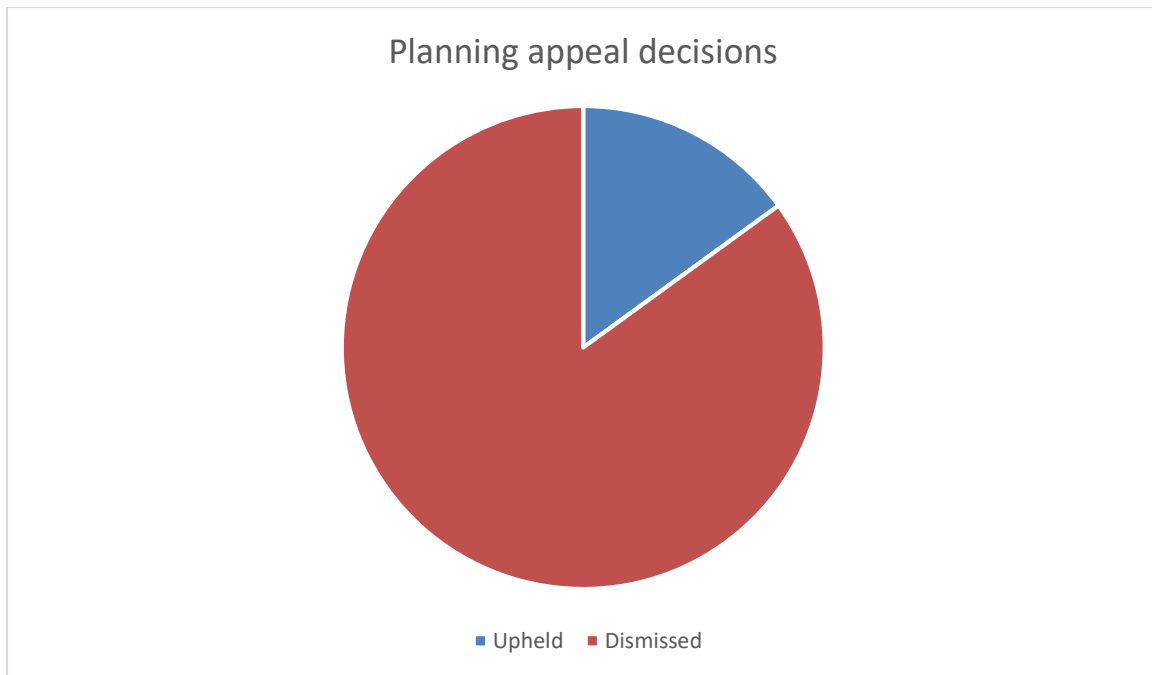
## **1. Purpose of report**

1.1 For information purposes

## **2. Key Points**

### **Planning Appeals**

- 2.1 Between January and December 2020, the council have received 53 planning appeal decisions in the electoral wards within the Huddersfield Sub-Committee area of the district. Of these, 85% were dismissed. Appendix 1 provides a list of relevant appeals and the level of the decision.
- 2.2. Figure 1 below shows a breakdown of planning application appeals (including tree works, certificate of lawfulness and prior notification applications) whether dismissed or upheld.



### **Tree appeals**

- 2.3 Of the 53 planning appeals, there were 4 tree works appeals, all of which were dismissed.

### **Application for award for costs**

- 2.4 5 applications for an award of costs were lodged against the council. Of these, 1 has been awarded (2018/93508).

### **Delegated and Committee Decisions**

- 2.5 Of the 53 appeals, 45 were determined under delegated powers. Of these, 40 were dismissed (89%). 8 applications were determined by Huddersfield Planning Committee, whereby 5 were dismissed (63%).

Appendix 1 provides a list of relevant appeals.

### **Council's appeal performance in relation to Central Government Standards: Criteria for designation (revised 2020)**

- 2.6 The Government measures the performance of local authorities in deciding applications for planning permission, pursuant to section 62B of the Town and Country Planning Act 1990. This includes assessing local planning authorities' performance on the 'quality' of their decisions on applications for major and non-major development. This is measured by the proportion of decisions on applications that are subsequently overturned at appeal. If an authority is

'designated' as underperforming, applicants have the option of submitting their applications directly to the Planning Inspectorate (who act on behalf of the Secretary of State) for determination.

- 2.7 The criteria for designation, as revised in December 2020, sets out the threshold for designation on applications for both major and non-major development above which the local planning authority is eligible for designation. This is 10% of an authority's total number of decisions on applications made during [a specific 2-year period] being overturned at appeal.
- 2.8 To note, the latest published performance tables from the MHCLG (March 2019) provides Experimental Statistics to enable local authorities to validate the information held. Using these tables, for the 24 months to the end of March 2019, a total of 2.1% of decisions on Major applications were overturned at appeal (nationally). Within Kirklees for the same period, 6 decisions on Major applications were overturned on appeal, out of a total of 191 applications. This equates to 3.1% of all decisions at appeal. Of note, this period was almost exclusively before the Local Plan was adopted in February 2019.
- 2.9 The corresponding information for non-major applications was a total of 1.1% of decisions overturned at appeal (nationally). Within Kirklees for the same period, 25 decisions on non-major applications were overturned on appeal, out of a total of 4,331 applications. This equates to 0.6% of all decisions at appeal.

## **Compliance**

- 3.0 Between January 2020 and December 2020, Planning Compliance have also served 142 notices throughout the district. A breakdown of each type of notice can be found in table 1 below. Of these, 8 enforcement notice appeals were received in the West Area, all of which were dismissed and the enforcement notices upheld in the favour of the council (100%).

<b>Type of Notice</b>	<b>No. served</b>
Enforcement Notice	34
Breach of Condition Notice	21
Planning Contravention Notice	80
Temporary Stop Notice	7
Stop Notice	0
Other	0
<b>Total</b>	<b>142</b>

3. **Implications for the Council**  
Not applicable
4. **Consultees and their opinions**  
Not applicable
5. **Next steps**  
Not applicable

**6. Officer recommendations and reasons**

To note

**7. Cabinet portfolio holder recommendation**

Not applicable

**8. Contact officer and relevant papers**

Julia Steadman – Group Leader for Development Management

**9. Director responsible**

David Shepherd – Strategic Director for Growth and Regeneration

Appendix 1 – List of planning application appeals including tree works decided between January and December 2020 (Huddersfield Area)

1. 2017/93847 land off, Upper Quarry Road and Bradley Road, Bradley, Huddersfield, HD2 1XD - Outline application for erection of 36 dwellings – Committee Decision – Appeal Dismissed (Costs application refused)
2. 2018/92589 Land at, Lancaster Lane, Brockholes, Holmfirth - Reserved matters application in pursuant of outline application 2016/90138 for residential development – Committee Decision – Appeal Upheld
3. 2018/92870 10, Bradfield Close, Bradley, Huddersfield, HD2 1PL - Erection of two storey side extension – Officer Decision – Appeal Dismissed
4. 2018/93112 land at, Thick Hollins Road, Meltham, Holmfirth - Change of use of land for siting of 4 log cabins for holiday let – Officer Decision – Appeal Dismissed
5. 2018/93148 adj, 102, Dunford Road, Holmfirth, HD9 2DT - Outline application for erection of residential development and on site parking – Officer Decision – Appeal Dismissed
6. 2018/93326 Corby, Birkby Road, Birkby, Huddersfield, HD2 2DR - Demolition of existing dwelling and erection of 5 detached dwellings with garages – Committee Decision – Appeal Dismissed
7. 2018/93508 Adj, 1, Spring Lane, Holmfirth, HD9 2LN - Reserved matters application pursuant to outline permission 2016/91502 for erection of one detached dwelling – Committee Decision – Appeal Upheld (Costs application allowed)
8. 2018/93768 land opp, 12, Clough Head Farm, Slaithwaite Gate, Bolster Moor, Huddersfield, HD7 4NW - Alterations and extension to agricultural building to form dwelling – Officer Decision – Appeal Dismissed
9. 2019/90102 16, Dean Street, Oakes, Huddersfield, HD3 3EU - Certificate of lawfulness for proposed erection of garage and formation of access – Officer Decision – Appeal Dismissed
10. 2019/90206 land off, South View, Paddock, Huddersfield, HD1 4UE - Erection of detached dwelling – Officer Decision – Appeal Upheld
11. 2019/90375 73, Prospect Road, Longwood, Huddersfield, HD3 4UY - Erection of attached dwelling – Officer Decision – Appeal Dismissed
12. 2019/90468 Daisy Lea Farm, New Hey Road, Scammonden, Huddersfield, HD3 3FW - Removal of condition 4 (holiday accommodation) on previous permission 2017/93436 for alterations to convert stables to holiday let cottage – Officer Decision – Appeal Dismissed

- 13.2019/90664 4, Jim Hill, Chain Road, Slaithwaite, Huddersfield, HD7 5TY - Erection of two storey side extension (Listed Building) – Officer Decision – Appeal Dismissed
- 14.2019/90665 4, Jim Hill, Chain Road, Slaithwaite, Huddersfield, HD7 5TY - Listed Building Consent for erection of two storey side extension – Officer Decision – Appeal Dismissed
- 15.2019/90931 Upper Edge Farm, Sledgate Lane, Slaithwaite, Huddersfield, HD7 5TZ - Erection of first floor side and single storey rear extension – Officer Decision – Appeal Dismissed
- 16.2019/91350 adj, 7, East Street, Jackson Bridge, Holmfirth, HD9 1HY - Erection of detached dwelling – Officer Decision – Appeal Dismissed
- 17.2019/91494 9, Weymouth Avenue, Oakes, Huddersfield, HD3 4YJ - Erection of detached dwelling forming annex accommodation associated with 9, Weymouth Avenue, Oakes, Huddersfield, HD3 4YJ – Officer Decision – Appeal Dismissed
- 18.2019/91568 65, Colders Lane, Meltham, Holmfirth, HD9 5JL - Demolition of existing bungalow and erection of 3 detached dwellings with integral garages – Officer Decision – Appeal Dismissed
- 19.2019/91617 Store adj, 5, Fernside Avenue, Almondbury, Huddersfield, HD5 8NR – Demolition of existing builders store/depot and erection of 5 dwellings, formation of new access road and parking area - Officer Decision – Appeal Dismissed
20. 2019/91613 27, King Street, Huddersfield, HD1 2PZ - Telecommunications notification for installation of communications hub – Officer Decision – Appeal Dismissed
- 21.2019/91619 45-47, New Street, Huddersfield, HD1 2BQ - Telecommunications notification for installation of communications hub (within a Conservation Area) – Officer Decision – Appeal Dismissed
- 22.2019/91646 Land adj, 93, Holmfirth Road, Meltham, Huddersfield, HD9 4DD - Work to tree TPO 27/18 – Officer Decision – Appeal Dismissed
- 23.2019/91748 Roselyne, 124, Greenhill Bank Road, Totties, Holmfirth, HD9 1UN - Erection of first floor extension to form two storey dwelling – Officer Decision – Appeal Dismissed
- 24.2019/92016 adj, 7, Manor Houses, Mill Bank Road, Meltham, Holmfirth, HD9 4AU - Erection of detached dwelling – Officer Decision – Appeal Dismissed
- 25.2019/92102 20, Seymour Walk, Meltham, Holmfirth, HD9 4BP - Work to TPO(s) 50/95 – Officer Decision – Appeal Dismissed

26. 2019/92240 The Sun, 137, Highgate Lane, Lepton, Huddersfield, HD8 0HJ - Change of use of land to pub garden and play area – Committee Decision – Appeal Dismissed
27. 2019/92251 Mount Pleasant, Burnt Platts Lane, Slaithwaite, Huddersfield, HD7 5UZ Erection of detached garage and outbuildings – Officer Decision – Appeal Dismissed (Costs application refused)
28. 2019/92714 46 , Golcar Brow Road, Meltham, Holmfirth, HD9 5LD - Erection of single storey extension – Officer Decision – Appeal Upheld
29. 2019/92788 The Co Operative Food, 91-95, Leymoor Road, Longwood, Huddersfield HD3 4SJ –Conversion and alterations to retail storage roof space to form 4 apartments (C3) with 4 parking spaces - Officer Decision – Appeal Dismissed
30. 2019/92845 88, Fitzwilliam Street, Huddersfield, HD1 5BB - Work to TPO(s) 23/79 within a conservation area – Officer Decision – Appeal Dismissed
31. 2019/92861 53, Cobcroft Road, Fartown, Huddersfield, HD1 6EX - Erection of two storey side extension (modified proposal) – Officer Decision – Appeal Upheld
32. 2019/92927 The Farmhouse, Bradley Hall Farm, Lower Quarry Road, Bradley, Huddersfield, HD2 1FN - Erection of detached garden room – Officer Decision – Appeal Dismissed
33. 2019/92977 5, Scar Top, Golcar, Huddersfield, HD7 4DT – Listed Building Consent for removal and re-build of part of garden wall and excavate to road level to form parking area (within a Conservation Area) - Officer Decision – Appeal Dismissed
34. 2019/93111 1A, Heaton Road, Gledholt, Huddersfield, HD1 4HX - Erection of extensions and alterations to coach house to form dwelling and alteration to highway entrance – Officer Decision – Appeal Dismissed
35. 2019/93148 Mad Nevs, 259, Wakefield Road, Moldgreen, Huddersfield, HD5 9BE – Advertisement Consent for installation of internally illuminated 48-sheet digital display - Officer Decision – Appeal Dismissed
36. 2019/93203 4, Inglewood Avenue, Birkby, Huddersfield, HD2 2DS - Extension of dormer windows to side elevations, erection of two storey side and rear extension and exterior alterations - Officer Decision – Appeal Dismissed (Costs application refused)
37. 2019/93438 land off, Birkby Hall Road, Birkby, Huddersfield, HD2 2XA - land off, Birkby Hall Road, Birkby, Huddersfield, HD2 2XA – Officer Decision – Appeal Dismissed

- 38.2019/93449 12, Chapel Street, Scapegoat Hill, Huddersfield, HD7 4NX - Erection of first floor front extension – Officer Decision – Appeal Dismissed
- 39.2019/93527 Land to rear of, 330, Leymoor Road, Golcar, Huddersfield, HD7 4QL - Erection of one detached dwelling – Officer Decision – Appeal Dismissed
- 40.2019/93596 former mill chimney site, adj, Glenlea, Sheffield Road, New Mill, Holmfirth, HD9 7EL - Erection of 3 dwellings and associated works – Officer Decision – Appeal Dismissed
- 41.2019/93688 Lidl, Riverholme Works, Huddersfield Road, Holmfirth, HD9 3TN - Advertisement Consent for erection of one flagpole sign – Officer Decision – Appeal Upheld
- 42.2019/94149 22, Ottiwells Terrace, Marsden, Huddersfield, HD7 6HB - Reinstating of garden wall and erection of mesh fencing to form cat cage (within a Conservation Area) – Committee Decision – Appeal Dismissed
- 43.2020/90026 Holmfirth Vineyard Ltd, Woodhouse Farm, Woodhouse Lane, Holmbridge, Holmfirth, HD9 2QR - Variation of conditions 5 (opening hours) and 6 (noise management plan) on previous application 2016/94001 for erection of extension to and rebuilding of fire damaged winery building – Committee Decision – Appeal Dismissed
- 44.2020/90167 60, High Street, Scapegoat Hill, Huddersfield, HD7 4NJ - Erection of single storey rear extension and first floor extension with balcony – Officer Decision – Appeal Dismissed
- 45.2020/90243 61 , Celandine Avenue, Salendine Nook, Huddersfield, HD3 3US - Erection of 2 storey side and rear extensions and internal and external alterations – Officer Decision – Appeal Dismissed
- 46.2020/90410 land at, 268, Leeds Road, Huddersfield, HD1 6PD - Erection of illuminated 48 sheet digital advertisement display panel – Officer Decision – Appeal Dismissed
- 47.2020/90481 Land adj 468b, Manchester Road, Crosland Moor, Huddersfield, HD4 5BW - Advertisement consent for erection of 48-sheet digital advertising display – Officer Decision – Appeal Dismissed
- 48.2020/90595 20, Arnold Street, Birkby, Huddersfield, HD2 2TB - Erection of front and rear dormer windows (within a Conservation Area) - Officer Decision – Appeal Dismissed
- 49.2020/90992 53, Parkwood Road, Longwood, Huddersfield, HD3 4TT - Erection of single and two storey side extension with first floor rear balcony– Officer Decision – Appeal Dismissed



- 50.2020/91452 23, Skipton Avenue, Fartown, Huddersfield, HD2 2QG - Prior notification for single storey rear extension – Officer Decision – Appeal Dismissed
- 51.2019/92457 20, Wellhouse Lane, Kirkheaton, Huddersfield, HD5 0RB - 20, Wellhouse Lane, Kirkheaton, Huddersfield, HD5 0RB – Erection of agricultural building (modified proposal) and cladding of existing building - Committee Decision – Appeal Upheld (Costs application refused)
- 52.2020/90422 47, Underbank Old Road, Holmfirth, HD9 1AS - Work to tree TPO 07/80 within a conservation area – Officer Decision – Appeal Dismissed
- 53.2020/91444 Salter House, 10, Old Turnpike, Honley, Holmfirth, HD9 6PD - Certificate of lawfulness for existing raised decked area – Officer Decision – Appeal Upheld

Invalid appeals

- 54.2019/92674 53 Parkwood Road, Longwood, Huddersfield, HD3 4TT - Erection of single and two storey side extension – Officer Decision – Appeal Invalid