

# KIRKLEES METROPOLITAN COUNCIL

## PLANNING SERVICE

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

4 JANUARY 2018

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**Application for a definitive map modification  
order to add a public bridleway to the definitive  
map and statement**

**Item 13 – Page 43**

**Bridge Lane to Sands, Holmfirth.**

Please note two submissions on this PROW agenda item.

- The council has received a written submission from a member of the public.

“Thank you for keeping me up to date with this matter. I've looked back at previous emails, including the consultation document sent out in October and note - rather late in the day - that the application is for a bridleway but none of the questions on the consultation referred to the status of the potential right of way. I fully support the establishment of a pedestrian right of way on this line but have concerns about its use by cyclists and equestrians with regard to safety in the vicinity of the foundry and of damage to the football pitch beyond the cricket club. Pedestrian use is well established and unhindered and causes no problems apart from occasional low level vandalism (tagging etc.).

Could these views be presented to the committee without my having to attend in person?”

**Officers note** that this does not introduce further evidence and would refer members to the content of the reports and appendices, including the relevant criteria to be satisfied. The way off Bridge Lane is used in motor vehicles for access to the foundry, cricket club and bowling club. It is unclear from the comment whose safety is subject to the concern. Any damage to the football pitch would not be a material consideration in this decision process. Anyone may formally object to any relevant order made by the council, which may force a referral for determination by the Secretary of State at DEFRA. The officer recommendation remains.

- The council has received four photographs from Mr Dunlop, who is representing the Cricket Club and the Foundry (affected landowners).

**Officers would also note** a correction: the photo of the Cricket Club pavilion appended to the report (within App C) and identified as “1977”, is from the Kirklees Image Archive and was not submitted by the applicant. The other photos appended at App C were taken by officers and were not those submitted by the applicant. The applicant's photos and Mr Dunlop's will be made available to view at the meeting.

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**Alterations to convert lower ground floor to two flats (Listed Building within a Conservation Area)**

**33-35, Queensgate, Huddersfield, HD1 2RD**

Correction to paragraph 10.27. The PDLP policies referred to should state: PLP24, PLP51 and PLP52.

Applicant and Walkers Associates (on behalf of the applicant) request the application be deferred for a committee cycle

In emails dated 2<sup>nd</sup> January the applicant and his representative request the application be deferred from this committee agenda for the following reason:

“Our Client would like you to request the Subcommittee to consider deferment of the decision until the next meeting in February due to the unavailability/illness of Adrian Rose on the 4th January who would like to speak at the decision meeting in support of an approval”.

In addition the applicant, the owner of the property, made the following comments regarding the unauthorised works to the listed building:

“Please also be aware that current works on the building are not being carried by myself but by a tenant within a contract that stipulates all works to be approved by Kirklees Council”.

**Erection of single storey rear extension and rear dormer windows**

**152, Ravensknowle Road, Dalton, Huddersfield, HD5 8DL**

Correction.

In paragraph 10.9 the projection of the rear extension is stated as 1.6 metres. It is 1.7 metres, as set out in paragraph 3.2.

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**Erection of first floor extension with balcony****Tara, Scholes Moor Road, Scholes, Holmfirth, HD9 1SJ**

Clarification: Paragraph 10.9 states that the site is 150.0m from Windmill View, a street which features timber as a facing material. Officers would like to add that the site is 80.0m from Paris Mews, another street which features timber facing materials. Paris Mews features timber less prominently than Windmill View, and the dwellings on the street are also not visible alongside Tara.

The applicant has reviewed the committee report and has provided responses to several paragraphs. These are below, along with officer rebuttal/comment.

*Paragraph 10.5 - what is a “true bungalow”? A bungalow is a single storey dwelling. Why does this matter?*

**Response:** Within the context of the committee report ‘true bungalow’ is used to define the appearance of Tara, as opposed to Tara being a dormer bungalow, chalet bungalow, split level bungalow etc. This is considered relevant as different types of bungalows have differing designs, including height, mass and overall appearance.

*Paragraph 10.5 - whilst Tara and Sherwood may be “read as a pair”, why is this significant? With the greatest of respect to the owners of Sherwood, the buildings have little architectural or intrinsic value in terms of their appearance and are simply typical examples of buildings built in the 1970’s (using random coursed stone, mock Georgian windows and doors etc). There must be hundreds of these types of houses within the district that have been extended without any such issues being raised.*

*Paragraph 10.6 - why would the proposed development be to the detriment of the area’s established character? There doesn’t appear to be any justification for this comment and, indeed, in the next paragraph, you admit that the character of the area is mixed. I have attached photos showing the variety of houses in the immediate area. I don’t believe that views along Scholes Moor Road will be adversely affected and I have also provided photos of the proposed development showing a well-designed and sympathetic extension to a detached building which is not out of scale or out of proportion.*

*Paragraph 10.7 - you acknowledge that there is a wide variety of building types, styles, and ages in the wider area and therefore, I would suggest, you place far too much emphasis and weight on the similarities between Tara and Sherwood - taken to its extreme, such a position would mean that no extensions or otherwise could be added to any semi-detached properties, for example.*

**Response:** Each application must be assessed on its own merits, with policy requiring new development to be in keeping with surrounding development and maintaining / enhancing local character. Given their cohesive designs and separation from other neighboring dwellings, the visual relationship between Tara and Sherwood is considered to form an integral aspect of their character.

Furthermore the pair forms a prominent feature within the streetscene, particularly when viewed on approach into Scholes from Hade Edge.

While officers acknowledge there to be variety of designs within the area, because of the specific arrangements and particulars of the application, the development is considered to be contrary to established design policies. Officers are not opposed to an extension in principle, however would look to ensure any extension would not prejudice the visual balance and characteristics of Tara and Sherwood.

*Paragraph 10.8 - I do not believe that the proposed extension leads to an overdevelopment of the site. The footprint of the building within the site remains unaltered. The proximity of the building to the boundary is not as an issue as the land beyond is open (and is likely to remain so with it being green belt) and therefore the site cannot really be considered to be overdeveloped or cramped.*

**Response:** That the proposal is not to increase the building's footprint is acknowledged by officers. However the development would add a first floor to a bungalow within a small curtilage. Furthermore Tara has only limited separation from its rear elevation to the open land beyond, 3.5m. Within the committee report officer's stated;

*The proposed scale and height of the dwelling, in such close proximity to the open land and within this confined plot would serve to emphasise its large size relative to the small plot. Two storey dwellings in the area that border the Green Belt boundary are within significantly larger plots. This would result in the proposed mass and scale of development being out of keeping with the mass and scale of other development in the area. Thus officers conclude that the development would be an overdevelopment of the site.*

The applicant's comments do not overcome the above, with officers maintaining the above concerns.

*Paragraph 10.9 - the use of timber cladding is not incongruous to the area - how can it be so when properties on Windmill View and Paris Mews have timber cladding? The proposed development is an extension - albeit a first floor extension - but it still remains an extension. Therefore, as there are precedents for the use of similar cladding in the area, then how can the material be considered to be incongruous (definition - 1. out of keeping or place; inappropriate; unbecoming: 2. not harmonious in character; inconsonant; lacking harmony of parts: 3. inconsistent)?*

**Response:** The dwellings on Paris Mews and Windmill View are respectively circa 80.0m and 150.0m away from the application site, with there being no view of Tara alongside these dwellings. Furthermore on the two named streets timber is used at ground floor only, being a subservient secondary material. The proposal seeks timber at first floor which would appear predominant on the dwelling.

This use of timber, considered in the context of the streetscene in which Tara can readily be seen, would appear visually out of keeping.

*Finally, there have been no objections to the scheme by local people (including the owners of Sherwood) and the Parish Council similarly does not object to the scheme.*

*Therefore, I would suggest that you have put far too much weight and emphasis on the visual and architectural relationship between Tara and Sherwood; you have misinterpreted the character of the area; you have misinterpreted the use of timber cladding within the wider Scholes village area; and you have erred in your consideration of the alleged overdevelopment of the site.*

**Response:** The comments regarding public representation are noted. Nonetheless officers are required to undertake their own assessment and the lack of objection does not outweigh the concerns detailed within the committee report.

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**Planning Application 2016/90524**

**Item 19 – Page 117**

**Outline application for erection of three dwellings (Within the curtilage of a Listed Building)**

**Middle Burn Farm, Burn Road, Birchencliffe, Huddersfield, HD2 2EG**

When the amended plans were publicised in December a query was raised by a member of the public regarding land ownership. This queried whether formal notice had been served on all land owners, with specific reference to the private drive to the east of the site. Discussions have taken place with the Agent and it is now acknowledged that the section of private road required to access plot 3 is not within the ownership of the applicant; the land is unregistered and the owner is not known.

Given this the application is presently invalid as the certificate of ownership accompanying the application states that the applicant is the owner of all the land. The Agent intends to rectify this matter at which time the application will be revalidated.

The application cannot therefore be considered by the sub-committee today and has been withdrawn from the agenda until a later date.

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