

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

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

9 AUGUST 2018

Planning Application 2018/90413

Item 12 – Page 41

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

Ward Cllr Hughes requests deferral of the application.

Ward Cllr Judith Hughes has requested that members defer the application from consideration at this meeting as she and many residents are unable to attend the committee meeting.

Further representations

For information, the application was previously deferred by committee for reasons set out in the main report. Since then further information has been provided seeking to address member concerns. Upon receipt of this information, the application was re-publicised giving further opportunity to make representations. This expired on the 7th of August, post the publishing of the committee report. The public representations received at the time of writing the committee report are set out in section 7 of the report.

Since the committee report was published a further 29 representations have been received. This includes 26 in support of the proposal. The following is a summary of the concerns made.

Support

- The training centre caters for people of all abilities and is helping to keep the traditional art of upholstery alive. Students have commented it has helped them in their careers, or to start new business.
- The business is 'grass roots' and is response to an identified need (the lack of adult training). It enhancing the local economic and social landscapes.
- The facility teaches valuable skills while allowing students to socialise and integrate with people they would otherwise not meet. This includes retired students who attend the classes.

- The training centre has replaced a course previously run by Kirklees that ended. The 'adult education' class in Holmfirth and Hade Edge are given as an example. The facilities and teaching are excellent, and to lose them would be 'devastating and detrimental to all involved'. There is now no equivalent training facilities in the area.
- 'Better in Kirklees' is an initiative of the council, where the council works with partners to '*connect people to groups and activities close to where they live based on their interests*'. The council is not demonstrating these tenants, through closing the adult education classes around the district. The council should support the development to help support the health and wellbeing of residents.
- Being close to Almondbury allows students to shop in the centre, such as those who attend for the day walking up for lunch.

Response: Officers' acknowledge the various economic and social benefits of the proposal. Weight is afforded to this in the committee report, directly referenced in paragraph 10.5.

- Acknowledge that Thorpe Lane would benefit from more traffic management measures, but because the site has sufficient parking the development will not cause harm. Improvements to Thorpe Lane should be included within the Kirklees Transport Vision 2025. General parking issues on Thorpe Lane should not be considered as part of this application, and Highways enforcement and improvements are arranged district wide, with Thorpe Lane having 'no greater priority' than other streets.
- Much of Thorpe Lane's issues are down to the age of the road, being 'built in another era'. The limited sightlines of Thorpe Grange Gardens will not change because of this proposal.
- Much of the recent disruption on Thorpe Lane has been caused by un-associated construction works.
- The course is never overprescribed and there is sufficient parking for all attendees.
- There is no evidence of conflict between students attending the site, local road users or residents.
- Large vehicles getting stuck on Thorpe Lane are not associated with the proposed development. Any petition raised referencing this incident should not be a consideration of this application, but made available for the council for other purposes.
- Site access is easy and the gates area always open. There is sufficient parking within the site for all students, and the organiser assists with parking.
- The organisers are strict on parking, actively requiring all students to park on site and not on Thorpe Lane. They make students aware of the parking situation before they first attend. Parking on Thorpe Lane is not associated with the business.
- Not all students travel by car, with bicycle being given as an example.
- The class times result in no conflict with pedestrian children from local schools.
- Various students have commented they have had no 'near misses' or vehicle based conflict.
- Traffic leaving tends to be staggered, as students leave when they are finished.

- The hours of use have been reduced and amended to respect the local school times.

Response: These comments relating to highways and in support of the application are noted. The impact of the development on highway safety matters is assessed within paragraphs 10.17 to 10.28 of the committee report.

- Car doors being slammed has never been raised by residents until now, since the site has been in use. Modern cars are quieter when closing doors.
- The classes are quiet and do not cause annoyance. All machinery are of domestic quality. None is 'industrial' equipment.
- The adjacent bowling club, which hosts more people, includes social drinking and music, is open until 2130. Surely this is a greater noise pollutant/nuisance.

Response: Subject to a noise mitigation plan, officers are satisfied that the training centre will not cause undue noise harm. Turning to the car park, officers do not consider it would cause significant adverse impacts on health or quality of life.

- Questions over supplies has been addressed. This site is not retail, and deliveries are minimal. Deliveries to the house, of a domestic purpose, are not relevant.

Response: This is assessed in the officer's report

- The proposal has done a 'wonderful job' in appropriately renovating an underused building in the Conservation Area.

Response: Officers do not raise objections to the design.

- The class has been active in supporting local charities, including donating coffee money to the Methodist Mission.

Response: This is noted.

- The main house is to remain in residential use.

Response: This is noted.

- The site was previously a restaurant and event venue; the proposed use is less intense and has a lesser impact on noise.

Response: as there have been various developments in the area since the property was a restaurant, principally Thorpe Grange Gardens, no weight is given to the past uses of the site.

- There is an error in the committee report, with the enforcement complaint stating 'and retail'.

Response: The enforcement complaint is based on description of the initial complaint.

- The objector comments are bias, non-evidence based on speculation. Responses to the objections are provided, which are included throughout this section.
- Claims of the applicant partaking in anti-social behaviour are 'without basis in fact'. Derogatory comments made against the applicant should be disregarded as inappropriate.

Response: The only matters which can be taken into account are material planning considerations.

Object

- The Traffic Management Plan (TMP) does not address concerns of local residents, such as worries over the level of traffic movement, parking and evening sessions.

Response: For the reasons detailed in the committee report, officers consider the TMP to address the concerns expressed by members.

- Concerns that the local councillors who support the proposal have not given any consideration for the comments and concerns from local residents.

Response: Councillor comments are available in paragraphs 7.4, 7.5 and 7.6 of the committee report.

- The tenants of no.20 still continue to park on the street. It is the applicant's property. K.C. Highways' consultation response stated they should park within the site. The applicant's refusal to do so is putting people at risk, and double yellows should be laid out.

Response: The applicant has provided a statement in regards to no.20, please see 5.3, 10.25 and 10.26 in the committee report.

- The proposal should not reference 'training centre'. This only applies if qualifications are studied for.

Response: From a planning perspective, officers are satisfied with the development's description as training centre' as Class D1 use.

- Since the site was a restaurant/previously a training centre, Thorpe Grange Gardens has been built. Therefore they cannot be compared. This permission included that the Manor should remain a dwelling.

Response: No weight has been given to the previous use when considering the highway impact.

- The area is residential and should remain so.

Response: Officers are satisfied that the proposed commercial use would not harm the character of the area.

Neutral

- One representation states the following was incorrectly stated at the previous meeting by public representatives;
 - The owner of Thorpe Grange Manor converted an outbuilding to residential status (no.20). This is not correct; no.20 has been a dwelling since pre-2005.
 - That the applicant, previously attempted to convert the manor to flats. This is incorrect. The application (ref.2004/90220) was by Millerbrook Properties and not the current applicant
 - That the applicant tried to open a road beneath the cottage. This is not correct, the application was 'demolition of fence to create new access' by the applicant of no.20 (ref.2014/93337).

Response: To officer knowledge, no.20 has been a dwelling since pre-2005. Application 2004/90220 was submitted by Millerbrook Properties. 2014/93337 was submitted by the current applicant, however was refused due to very poor sightlines. As a different location, this is not considered to have bearing on the current application.

Planning Application 2017/93544

Item 13 – Page 59

Erection of 5 detached dwellings and garage ancillary to 33, Woodside Lane

33, Woodside Lane, Fixby, Huddersfield, HD2 2HA

Since the report was published a further four representations have been received objecting to the application as amended. The issues raised focus on highway safety, design, the effect on ecology, impact on trees and the setting of the existing dwelling which it is suggested has heritage value. The reduction of the scheme from 6 dwellings to 5 does not overcome previous objections to the application. One representation requests that all previous objections to the scheme are taken into account. These are set out on pages 62-64 of the main report. Another representation comments that they “do not consider that in arriving at its judgement on the application (as amended) the Local Authority has carried out a balancing exercise and that the decision making process has lacked sufficient transparency”.

The representations have been considered but not alter officers' assessment of the application as set out in the report. For clarity, officers do not agree that the existing dwelling should be considered as a non-designated heritage asset but in any event the development is considered to harmonise with the existing dwelling.

Additional Planning Condition

The scheme has been assessed taking into account a turning head to be created within the application site. This is referred to in para 3.5.1 of the accompanying Highway Statement thus: “a turning facility within the site is to be provided capable of accommodating a fire appliance and a refuse vehicle which can only be a benefit to highway safety”.

To ensure this turning head is retained for the benefit of residents of Woodside Lane, and not just the development subject of this application, an additional planning condition is recommended. This is to prevent gates being erected on the access which would inhibit the use of the turning head by vehicles using the lane (including refuse vehicles).

Planning Application 2017/93333

Item 14 – Page 71

Outline application for the erection of up to 12 dwellings (revised description)

Land off, Grove Street, Longwood, Huddersfield

Page 75:

The following policies should be included within the list of policies:

Kirklees Publication Draft Local Plan Policies:

PLP33 - Trees

Page 85:

Reference is made to Unitary Development Plan Policy NE5. This should read Unitary Development Plan Policy NE4.

Page 87 – paragraph 11.2:

For clarity:- the proposed development is considered contrary to Policies NE5, NE9 and BE2(iv) of the Kirklees Unitary Development Plan and emerging Policies PLP30, PLP33 and PLP24(h) of the Kirklees Publication Draft Local Plan and the National Planning Policy Framework (2018).

Applicant Supporting Statement

The applicant has submitted an additional statement which makes the following points to make in support of their application:

- The site has been used continuously for fly tipping to the extent where all the roads and original walkways in the gardens were blocked with rubble and old furniture.
- The large retaining wall on Sunny Bank which goes from 2m to over 11m high is in need of maintenance and will become dangerous if not looked after. The development of the retaining wall is included within the application.

- Gangs of young adults on site there taking drugs.
 - The site can be a fire hazard with all the dry weather and trees and coppices need to be thinned out as they need to breathe.
 - Rats near open culvert at Longwood Beck.
 - The trees need continuous maintenance as they cause problems for traffic and pedestrians.
 - The site is dangerous and needs to be open and light and a place where people can be safe.
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- We did start work on the site in the 1980's but were stopped by reasons out of our control. As far as we understand this is now residential land.
 - According to the Council's website the site has a capacity for 12 houses.
 - The planners indicated in their letter that we change our application from 54 flats to 12 houses.
 - According to the Kirklees Council website this area misses Longwood Edge Conservation Site. Surely the area is large enough for conservation needs. We have also left the actual woodland area on the site intact.
 - There is a housing shortage in the Kirklees area. The WYG housing supply study says Kirklees has a housing supply for 2.6 years.

Officers have considered the statement above and are of the opinion that it does not alter the recommendation, nor does it alter the weight applied in favour of the scheme.

Additional Consultation Response

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on nationally or internationally designated sites or landscapes. Natural England's advice on other natural environment issues is set out below.

The national habitat inventories data we hold indicates that this development coincides with an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (paragraph 118) states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Outline application for residential development

Springfields, Mill Moor Road, Meltham, Holmfirth, HD9 5JYY

(i) Members should note that the Council has received a letter from the Ministry of Housing, Communities and Local Government indicating that a request has been received for the Secretary of State to consider calling-in this application. The decision regarding this request is pending.

(ii) Since the publication of this committee report Cllr C Greaves has submitted the following further comments regarding this proposal:

“I am very much concerned that the road network in this part of Meltham will be overwhelmed but that it will be too late to stop developments by the time we can prove it. It seems as if every single field on this road is being built on in the space of a few years and that the impact of this cumulative effect will not be clear until the houses are occupied by which time it will be too late to do anything - I simply don't believe that it is right and would ask the committee to consider whether there is scope to defer this application until forward projected road data can be presented showing what the total future highways impact of existing and approved housing is and what additional impact further development will have”.

Outline application for erection of residential development

Land to the rear of 11 Holme Avenue, Dalton, Huddersfield, HD5 8DP

The amended drawing referred to at paragraph 10.14 (page 145) of the committee report has now been submitted. This drawing (13-D54-02 rev G) shows an appropriate 1:25 gradient at the site entrance.
