

Minutes of the 35th Planning Committee, held on Tuesday 12th July at Holywell Green United Reformed Church, 6.30pm.

Present: Cllrs Fieldhouse (LF), Bottomley (JB), Lyness-Brown and Mullany (MM) (Chair and minutes)

2022P35.1 Apologies and reasons for absence and lateness

Cllr Knights (on holiday).

2022P35.2 Public participation session

Mr R Swire of Stainland attended the meeting. Mr Swire explained the key points of an objection he was about to lodge in relation to planning application Ref. No: 22/00444/FUL for which he sought the Council's support. Mr Swire responded to various points of clarification from Committee members. (see resolution at 2022P35.7b below)

2022P35.3 To receive parish councillors' Declarations of Interest

None.

2022P35.4 To accept the minutes of the 34th Planning Committee held in June 2022

These were accepted as a true record.

**2022P35.5 To receive update on committee initiatives in the Council's Business Plan
a Stainland Conservation Area Appraisal**

Resolved:

Regarding proposed letter to all residents in the Conservation Area: following further discussion of text, that further advice and budget approval be sought from Communications Committee at its next meeting.

2022P35.6 To consider a response to Calderdale Local List (2nd Consultation). (CMBC review of what information is required to be supplied by applicants in support of planning applications)

MM explained that the Committee had previously submitted comments on these proposed changes (in particular regarding biodiversity and heritage) at the first consultation.

Resolved: MM to consider any further response required.

2022P35.7 To consider response to the following planning applications:

Ref. No: 22/00659/HSE

Single storey side extension, two storey side extension and part two storey part single storey rear extension with porch to front.

Green Gables, The Hame, Stainland Road, Sowood HX4 9HT

Resolved: No Comments

Ref. No: 22/00444/FUL

Replacement of existing container with satellite office structure

299 Stainland Road, Stainland HX4 9EH

Resolved: The Parish Council supports the objection to this application presented by to the meeting Mr Swire on the following grounds:

Inappropriate Development in the Green Belt

The proposed development site is entirely within protected Green belt land and is not within the curtilage of any residential or commercial property.

Paragraph 149 of the National Planning Policy Framework (NPPF) makes clear that: “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”.

A number of exceptions are made to the above including eg for agricultural/forestry or sporting facilities but there is no exception for commercial office development which is what is proposed here.

Paragraph 149 also allows for “partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development.”

The development site is not ‘previously developed,’ defined in the NPPF as “land which is or was occupied by a permanent structure.” The existing container is not a permanent structure, it is temporary, can be removed at any time, has no services, no foundations or hardstanding area supporting it. It sits on loose, uncemented breeze blocks.

This proposal should therefore be considered inappropriate development.

Should it be determined that the development site was in fact previously developed, the application would still be inappropriate on the basis of its impact on the openness of the Green belt.

The container is under 15sqm. The proposed office is 44.1sqm, three times the container area. With decking and car park is 74.6sqm (plus unspecified driveway area before the parking) five times the container area and in total 200sqm, thirteen times the container area. The proposal has significantly greater impact on the openness of the Green belt than the temporary container.

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The applicant has not proposed any evidence of very special circumstances to justify this proposal and, indeed no such circumstances exist.

The Parish Council notes from the planning history of the site that the applicant has made previous incursions into Green belt land without approval, as detailed in CMBC officer’s report 04/01627/FUL (p4/5 Other issues). Indeed as part of the latter permission a planning condition was imposed to revert land used by the applicant as garden to Green Belt field status. We note the land in question is still designated as Green belt in the emerging Local Plan and that this condition remains unimplemented.

Given the above if planning officers were minded to approve the proposal we request that it be referred to the Planning Committee for consideration.

Harm to the Character of Stainland Conservation Area

The proposed design for a wood and glass fronted, flat roofed commercial office is incongruous and out of character with the Conservation Area which is primarily stone built with pitched roofs of

stone or slate. Although largely hidden from view from Stainland Road, the proposed property would be clearly viewed from footpaths and bridleways within the surrounding landscape in which the Conservation Area is set. The proposed development would result in harm to the Conservation Area and as detailed above, there would be no public benefit or very special circumstances to weigh against that harm.

2022P35.8 To review recently determined applications in the parish

MM reported no significant decisions since the last meeting.

2022P33.9 To receive an update on current planning enforcement issues in the parish

MM had requested an update from CMBC on outstanding two enforcement queries but no further response had been received.

Resolved: MM to chase progress on outstanding queries.

2022P33.10 Any other business

None.

2022P33.11 Date of next meeting

Tuesday 9th August 2022 6.30pm

Meeting closed: 7.50pm