

PRESENT: Councillor Porritt (Chair)

Councillors: Hutchinson, Bellenger, Clarke, Kirton, A Smith and Thornber

30 SUBSTITUTES NOMINATED FOR THIS MEETING AND APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 15:38)

31 MEMBERS' INTERESTS

Councillors Porritt, Bellenger and Thornber declared a non-pecuniary interest in relation to application number 22/00577/FUL, as they had been contacted by the applicant by email and telephone regarding the report.

Councillor Thornber declared a non-pecuniary interest in relation to Application 20/01294/FUL, as he knew the applicant and he confirmed that he had not spoken with the applicant in relation to the application.

32 MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 6TH DECEMBER 2022

RESOLVED that the Minutes of the meeting of the Planning Committee held on 6th December 2022, be approved as a correct record and signed by the Chair.

33 PLANNING APPLICATIONS LIST

The Director, Regeneration and Strategy submitted a written report detailing the following applications which had been submitted in accordance with the Town and Country Planning Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and reported orally on the following:

(A) APPLICATION NUMBER 20/01294/FUL – AGRICULTURAL WORKERS DWELLING (PART RETROSPECTIVE) AT BARN WEST OF COPPERAS ROW ROCHDALE ROAD GREETLAND ELLAND CALDERDALE. (recommended refusal by the Director, Regeneration and Strategy for the reasons set out in the list submitted).

A communication from Councillor Prashad as Ward Councillor in support of the application was read to the Committee by the Corporate Lead, Planning as she was unable to attend the meeting and address the Committee.

The applicant attended the meeting and addressed the Committee.

RESOLVED that the application be Mindful to Permit subject to S106 planning obligation and the following conditions as Members considered that very special circumstances outweighed the harm by inappropriateness and any other harm had been demonstrated due to:

- the need for an agricultural dwelling on the site because of the particular nature of the agricultural business in relation to the calving and accredited standards;
- the security of the valuable suckler cows and calves;
- the economic viability of the particular farming enterprise and supporting and encouraging sustainability;
- the minimal impact on openness and visual quality of the development is not harmful (in terms of other harm) provided the temporary caravans are removed.

Prior to issuing the decision, Members require a S106 planning obligation to secure removal of the caravans within 1 month of first occupation of the dwelling.

C1: Prior development shall be carried out in complete accordance with the approved plans, unless the variation from approved plans is required by any other condition of this permission.

R1. For the avoidance of doubt as to what benefits from planning permission and to ensure compliance with the Development Plan and National Planning Policy Framework.

C2. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

R2. The site lies in an area where permission for development unrelated to the essential needs of agriculture or forestry would be contrary to policy GNE1 of the Replacement Calderdale Unitary Development Plan and Section 13 of the National Planning Policy Framework.

C3. Prior to the first occupation of the dwelling, the proposed access and car parking area shall be laid out, constructed and surfaced using permeable surfacing materials, sympathetic to the rural character of the area, details of which shall first be submitted to and approved in writing by the Local Planning Authority. The surfacing materials shall be installed such that any surface water shall be directed to sustainable drainage outlets or porous surfaces within the curtilage of the development. These facilities shall thereafter be retained for this purpose for the occupiers of and visitors to the development.

R3. To ensure the use of appropriate materials in the interests of visual amenity and minimal visual impact on the open countryside, and to ensure compliance with policies GNE1 and BE1 of the Replacement Calderdale Unitary Development Plan.

(B) OTHER APPLICATION

Tuesday, 10th January, 2023

RESOLVED that the application shown on the list submitted be determined as follows in accordance with the recommendation of the Director, Regeneration and Strategy:

Application number 22/00577/FUL New vehicular access (Revised Scheme to planning application 20/00825/FUL) at Barnsdale House Gate Head Lane Greetland Elland Calderdale HX4 8NP. Refuse for the reasons set out in the list submitted.

The applicant attended the meeting and addressed the committee.

(Councillor Bellenger declared a personal interest in application 22/0577/FUL as he had known the applicant some years ago).