



Application for: - The Erection of 2 Dwellings

At: - Daisy Lea Lane, Lindley

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Introduction

This statement has been prepared by **AKPlanning** in support of an outline planning application for the erection of 2 dwellings on land off Daisy Lea Lane, Lindley.

It will firstly describe the site and identify relevant planning policy. It will then describe the proposals and explain how they have reacted to the identified physical and policy restrictions.

Site Location and Description

The site is a large open garden associated with and to the side of number 34 Daisy Lea Lane. The area is dominated by large detached stone built dwellings.

The aerial view below shows the site and its surroundings (red line for identification only).



As can be seen the site is bordered by mature trees.

This picture is a view along Daisy Lea Lane adjacent the site. The proposal lies behind the wall and fence to the right of the image. The existing access is also visible.

The streetscene is dominated by strong boundary walls backed by garden foliage and trees.

Beyond the site access Daisy Lea Lane is gated and private.



Relevant Planning Policy

The Local Plan for the area is the Kirklees Unitary Development Plan (UDP) which was adopted in 1999.



The site is shown as being within the Edgerton Conservation Area.

The UDP contains the following relevant policies on Conservation Areas.

BE5 PROPOSALS FOR NEW DEVELOPMENT WITHIN CONSERVATION AREAS, INCLUDING EXTENSIONS OR CHANGES OF USE TO EXISTING BUILDINGS, SHOULD RESPECT THE ARCHITECTURAL QUALITIES OF SURROUNDING BUILDINGS AND THEIR MATERIALS OF CONSTRUCTION, AND CONTRIBUTE TO THE PRESERVATION OR ENHANCEMENT OF THE CHARACTER OR APPEARANCE OF THE AREA.

BE6 DEVELOPMENT ON INFILL SITES WILL NOT NORMALLY BE PERMITTED WHEN IT WOULD ADVERSELY AFFECT THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA.

National planning policy is contained in the National Planning Policy Framework (NPPF). With regard to heritage assets (Conservation Areas) it requires applicants: -

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

In making a decision the NPPF states the LPA should: -

131. In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

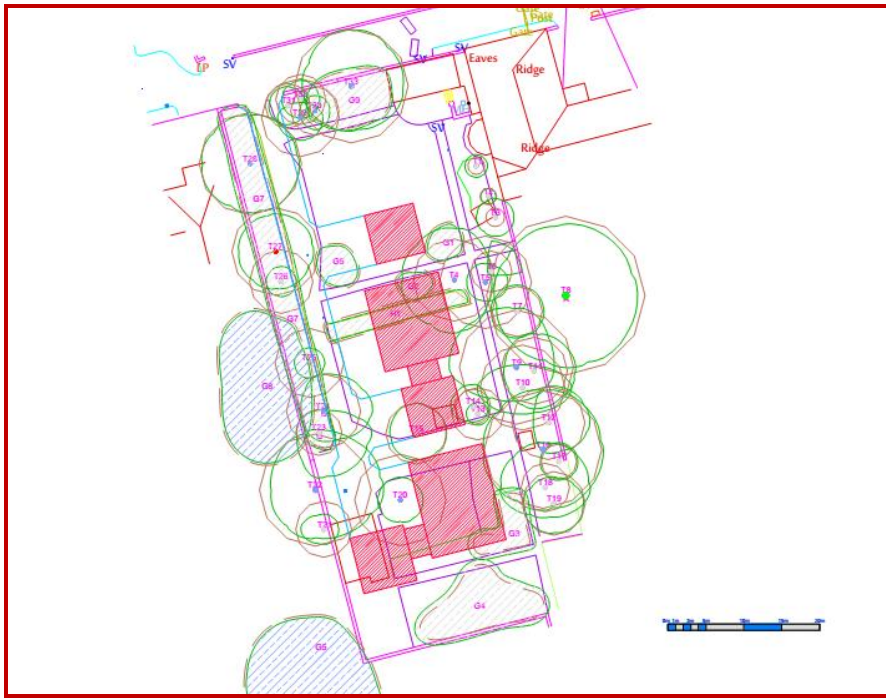
132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

There are two clear issues with developing the site. The first is the impact on the Conservation Area which, to accord with policy, should not be negative. In term of physical restrictions, the trees that surround the site are key to its setting.

The Proposal

The application is in outline only and is for the erection of two dwellings. To support the proposal an arboricultural report has been carried out and has informed the proposed layout which is shown below: -



Details of appearance are reserved but given the location it is presumed that the buildings will be traditional in design, materials and construction.

Heritage Assessment

A key issue is the effect the proposal will have on the setting of the Conservation Area. The proposals are set back from the road behind an existing wall and tree coverage.



The picture above shows, on the left hand side, the existing wall and trees that will screen the proposals from view by pedestrians on Daisy Lea Lane.

Properties situated at right angles to the road do exist within the local area.

Numbers 32b and 32c are relatively new properties (they are not shown on the 1999 UDP map) as is the property immediately to their north.

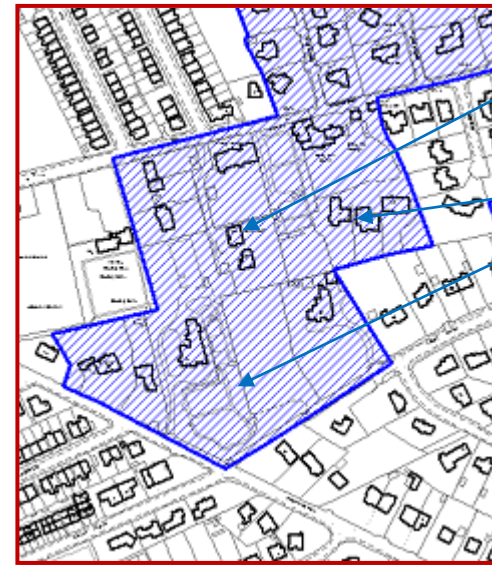


There are 3 new dwellings located adjacent to the site.

These are similar to the proposals with regard to their siting in relation to the rest of the Conservation Area.

They are also relatively modern and subject to the same policy reasoning i.e. they should not have had a negative impact on the setting of the Conservation Area.

The map below shows the Conservation Area around the site.



within the vicinity of the site there are the three new dwellings to the east and 3 to the west.

There is also a large site allocated for residential development shown brown on the UDP extract opposite.

It is therefore our conclusion that infill plots in the locality are acceptable.

Within the Conservation Area appraisal for Edgerton this locality is



is described as character area 6. It is shown on the plan adjacent and the comments on the following pages are extracts from

appraisal. They are used here to identify the character of the area.

This area primarily developed in the early twentieth century but it has a relatively loose grain similar to other parts of the designated area. The houses are set back from the highway with hedges, fences or stone walls to the front gardens. There are two cul-de-sac developments on the north side of Daisy Lea Lane and due to the smaller plot sizes along West Avenue this section has a much tighter urban grain.

The majority of buildings within the character area were constructed in the first half of the twentieth century and as a result the architectural treatment is slightly different from the rest of the Conservation Area, although the buildings have similar details, including canted bay windows, mullion windows, stone kneelers and corbels. The roof form is relatively simple with sprocketed eaves, with steeply pitched gables and tall chimney stacks.

Within the character area the prevalent building materials are similar to the rest of the designated area, with the use of natural stone for walls, slate or stone slate roofing and timber sash or casement windows. In addition to the traditional roofing materials, there are a significant number of early twentieth century buildings which have red clay roofs. Enclosure to the street is generated by hedges along East and West Avenue, in addition to stone walls found along Talbot Avenue. Daisy Lea Lane and Occupation Road are

unique in the designated area due the high dry stone walls that line the highway and the absence of a pavement. Within the character area there is little evidence of the historic floorscape, although the stone kerbs remain insitu along Talbot Avenue.

It is recognised that the proposal is infill within the Conservation Area. However given the location away from the highway and adjacent to existing infill it is not considered that the proposal has a negative impact on the Conservation Area.

By retaining the existing frontage treatments (stone wall etc.) which are typical for this part of the area the proposals respect the character and appearance of the public realm keeping impact on setting to a minimum.

With regard to trees, the more prominent mature planting and trees along the West boundary will remain with the smaller specimens and those of less amenity value along the East boundary being removed and replaced with a new planting scheme. This will ensure an immediately mature setting to the new buildings helping them blend into the locality.

Whilst details of appearance are not applied for the Conservation Area appraisal identifies a strong local vernacular which can be followed in any subsequent application for reserved matters.

The proposed layout lends itself to proposals that can be designed using bay windows, gables etc. In accordance with the appraisal.

It is therefore our conclusion that the proposals have less than significant harm on the Conservation Area. As such the NPPF advises that the proposals should be weighed against the public benefit of the development.

Kirklees MC has a significant shortfall in housing land supply and should give great weight to applications that will assist in meeting this shortfall.

Other Planning Considerations

The proposal is in terms of its location and economic impact sustainable. Space about buildings policy is complied with and the proposed access is safe and suitable for 2 additional dwellings.

Conclusions

The proposals are in a part of the Conservation Area where infill has historically been acceptable. This proposal retains the existing street appearance and provide adequate space around buildings. It has an adequate and safe access and is in a sustainable location.

It is therefore our conclusion that planning permission can be granted for the proposed two dwellings.

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