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Report of the Head of Development Management

HEAVY WOOLLEN PLANNING SUB-COMMITTEE

Date: 18-May-2017

Subject: Planning Application 2017/91074 Erection of detached dwelling (modified proposal) Plot 2, Land to rear of, 59, Far Bank, Shelley, Huddersfield, HD8 8HS

APPLICANT
G Stead

DATE VALID	TARGET DATE	EXTENSION EXPIRY DATE
03-Apr-2017	29-May-2017	

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.
http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected:

Kirkburton

No — Ward Members consulted

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

1.1 The application is brought to the Heavy Woollen Planning Committee as the application represents a departure from the Kirklees Unitary Development Plan. This is in accordance with the Council's Scheme of Delegation.

1.2 The principle of residential development has previously been established on this site through the granting of planning permission for the erection of two dwellings (under application reference 2016/90756) which was approved by the Heavy Woollen Planning Committee on 15 December 2016. In light of the recent planning history, the principle of development is still considered to be acceptable by officers.

1.3 There would be no harmful effect on highway safety or residential amenity arising from the revised house type. On balance the design of the dwelling would not have an undue detrimental impact on the visual amenities of the surrounding area.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is an open area of land to the rear of No.59 Far Bank at Shelley. The site is bounded by the garden area of No.53 Far Bank to the north, by undeveloped Green Belt land to the east, by undeveloped Provisional Open Land to the south, and by the rear garden areas of No.59 Far Bank to the west.

2.2 The site has an existing field access located between No. 59 and No.69 Far Bank. The site slopes downwards from west to east, and along the northern boundary are a number of mature trees. The site is allocated as Provisional Open Land on the Unitary Development Plan Proposals Map.

3.0 PROPOSAL:

3.1 Planning permission is sought for the erection of a detached dwelling which wold be constructed to 'passive house' standards. This is a standard for energy efficiency which results in ultra-low energy buildings that require little energy for space heating or cooling. The proposed dwelling would be two storeys in height and would have a box like structure with a flat roof. It is proposed the dwelling would be predominately constructed of timber cladding with coursed natural stone at ground floor level on the principal elevation only. The proposed dwelling would have an attached garage constructed of grey render, and habitable rooms are proposed in the southern, eastern and western elevations.

3.4 Off-street parking and a private amenity space is proposed to serve the dwelling. Access would be as per the previously approved application; via a 5 metre wide tarmac roadway culminating in a turning head.

4.0 RELEVANT PLANNING HISTORY:

4.1 2016/90756 – Erection of 2 detached dwellings – Conditional Full Permission

5.0 HISTORY OF NEGOTIATIONS:

5.1 The design of the dwelling was discussed with the applicant who wishes it to be determined on the basis of the submitted scheme.

6.0 PLANNING POLICY:

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was published for consultation on 7th November 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council considers that, as at the date of publication, its Local Plan has limited weight in planning decisions. However, as the Local Plan progresses, it may be given increased weight in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

6.2 D5 – Provisional open land
BE1 – Design principles
BE2 – Quality of design
BE12 – Space about buildings
T10 – Highway Safety
D2 – Unallocated Land
EP11 – Ecological landscaping
NE9 – Retention of mature trees

Supplementary Planning Guidance / Documents:

None

National Planning Guidance:

6.4 Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring good design
Chapter 10 - Meeting the challenge of climate change, flooding and coastal change
Chapter 11 - Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by neighbour letter, site notice and press notice. The final date for all representations is 12th May.

At the time of writing no representations have been received. Any representations received will be reported to Members in the update.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:**

Highway Services (Informal Discussion) – No objections

8.2 **Non-statutory:**

None

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Housing issues
- Highway issues
- Drainage issues

- Planning obligations
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The application site is allocated Provisional Open Land (POL) on the UDP proposals map. However, the principle of residential development, for two dwellings, has previously been established on the site under planning application 2016/90756, which was considered by the Heavy Woollen Planning Committee on 15 December 2016.

10.2 In light of the above, the principle of residential development is acceptable. It should be noted that the development does not need to achieve 'passive house' standards to be acceptable in planning terms. This is consistent with the previous planning permission granted by Committee.

Urban Design issues

10.3 Policies BE1 and BE2 of the UDP are considerations in relation to design, materials and layout. Paragraph 60 of the National Planning Policy Framework (NPPF) stipulates that planning policies and decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

10.4 NPPF para 64 notes that planning permission should be refused for development of poor design which fails to take the opportunities available for improving the character and quality of an area and the way it functions.

10.5 Within this surrounding area there is a mix of property types, with the majority having a traditional appearance and being of natural stone construction. The application site is not within a Conservation Area, nor are there any listed buildings within the vicinity of the site. Furthermore, the site itself is sited below the level of the adjacent highway and the proposal would not be viewed in the context of the street scene of properties directly fronting onto Far Bank.

10.6 The proposed dwelling would be two storeys in height and it scale would be in keeping with neighbouring properties within the surrounding area. The design of the dwelling however and its construction material would contrast to the traditional appearance of neighbouring properties. The ethos behind the design of the dwelling is for it to be constructed to 'passive house' standards for ultra-low energy buildings, and the proposed materials have been chosen to assist in achieving this standard. The proposed dwelling would have a box like structure with a flat roof, predominately constructed of timber cladding with coursed natural stone at ground floor level on the principal elevation only, and grey render for the garage.

10.7 There are no objections to a contemporary design approach; however in the previous application officers negotiated with the applicant to secure a greater proportion of stone work, particular on the principal elevations which would be seen from the access road. The previous design for the dwelling also proposed a pitched roof of aluminium construction with zinc coating in a grey colour. The applicant does not wish to make any revisions to the design of the proposed dwelling, and the impact on the character of the surrounding area has to be carefully considered.

10.8 The dwelling incorporates natural stone walling on the ground floor of the principal elevation which would be the most visible elevation, seen from the proposed access road and views from land to the south. The applicant has confirmed that the pine wood cladding (produced by manufacturer Accoya) will have a light / mud grey stain. This type and colour of cladding is the same as that approved in the previous 2016 application, although in the revised design, it is now proposed that the majority of the dwelling will be timber clad. The proposed flat roof would be constructed of bitumen felt with a surface ballast of dark grey. This would contrast with the pitch roof forms of neighbouring properties but it does have the effect of reducing the height of the dwelling and thereby limiting its visual impact. It is acknowledged that the dwelling would have a contemporary appearance, however it is considered on balance it would not have an undue detrimental impact on the visual amenities of the surrounding area which would justify refusal of the application.

Residential Amenity

10.9 UDP Policy D2 requires residential amenity matters to be considered and policy BE12 sets out the normally recommended minimum distances between habitable and non-habitable room windows. The nearest neighbouring properties to the site which would be affected by the development include No.59 Far Bank located to the north-west of the site and No.69 Far Bank located to the south-west.

10.10 The principle of residential development, for two dwellings, has previously been established on the site under planning application 2016/90756 and it is considered the revised design of Plot 2 would not have a detrimental impact on the amenity of occupiers of neighbouring properties.

Highway issues

10.11 Policy T10 of the UDP sets out the matters against which new development will be assessed in terms of highway safety. No revisions to the approved access are proposed and the proposed access arrangements remain acceptable.

Drainage issues

10.12 The proposal is to drain the surface water through soakaway which remains acceptable in accordance with the hierarchy of sustainable drainage.

Representations

10.13 No representations have been received at the time of writing. Any representations received will be reported to Members in the update.

Other Matters

10.14 In the previous application the applicant submitted details of ecological landscaping. This confirmed the site is bounded by dry stone walls, with Hawthorne along the north boundary. Grasses / plants identified within the site are Yorkshire fog, Fescue, Couch, Annual meadow, Buttercup, Dandelion, Dock, Thistle and Plantain. To mitigate against the effects of developing the site, a landscape / planting scheme was proposed to provide an enhanced environment for wildlife and includes a wild flower meadow, and a 5 metre wide dense buffer between the plots. Whilst no details have been provided on the block plan submitted with this revised house type, this mitigation remains acceptable and will be a condition of the permission.

11.0 CONCLUSION

11.1 To conclude, the principle of residential development on this site has previously been established following the granting of planning permission for the erection of two dwellings by the Heavy Woollen Planning Sub-Committee on 15 December 2016.

11.2 The proposal, subject to the inclusion of appropriate conditions, is considered, by officers, to be acceptable for the reasons set out in this assessment.

11.3 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development Management)

It is proposed that the following planning conditions would be included should planning permission be granted:

1. 3 year time limit for implementation
2. Development carried out in accordance with the plans and specifications
3. Facing and roofing materials to be inspected and approved
4. Boundary Treatment details
5. Appropriate surfacing of all areas indicated for vehicular access and turning area
6. No gates/barriers to be erected across the vehicular access from Far Bank
7. Re-locating of street lighting column
8. Landscape Scheme
9. Schedule of Landscape maintenance

Background Papers:

Planning application:

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f91074

Certificate of Ownership – Certificate A signed