

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

31 AUGUST 2017

Item 12 – Page 25

Application for extinguishment of claimed public footpaths at Clayton Fields, Edgerton Road and provision of alternative routes. Town & Country Planning Act 1990, section 257.

Officers note that Mr J Adamson, the Chair of Clayton Fields Action Group, has requested copies of 12 letters to be included in the officer report. His CFAG letter of request of 24 August is included in this update and lists the 12 letters. Details of Mr Adamson's address have been retained in this letter excepting the telephone number. The letters are correspondence between Mr Adamson and various parties (Kirklees Council PROW, the s257 joint applicants Seddon, the Planning Inspectorate rights of way team) generally concerning the DMMO applications, his DMMO direction request, the s257 application form, Seddon/CFAG discussions on the s257 proposals & the CFAG request for the council to suspend its consideration of this s257 application. Mr Adamson has provided KC PROW with copies of his correspondence with third parties. Officers note that the report before members refers to these matters and the letters are filed in the background papers available to members, with the CFAG response provided by Mr Adamson to the preliminary consultation on the s257 application in the appendices to the report. Mr Adamson was informed by letter of 18 August that his request of 15 August for a copy of the s257 application without redaction of applicant signatures has been referred to the council's Information Access Team.

Tower House
Cemetery Road
Edgerton
Huddersfield
HD1 5NF

24.08.2017



Giles Cheetham
Definitive Map Officer
Public Rights of Way
Kirklees Council
Flint Street
Fartown
Huddersfield
HD1 6LD

Dear Mr Cheetham,

Sub-committee meeting scheduled for 31st August 2017 to determine the following application.

Town & Country Planning Act 1990, Section 257.

**Application for "Closure or Diversion of Public Path" received from Seddon Homes Limited and Paddico (267)
Limited by Kirklees Council on 26.05.2017.**

Thank you for your letter dated 11 August 2017.

Following a number of telephone conversations with the Public Rights of Way (PROW) unit I would like to ensure the following letters are included in your report to the sub-committee. I have already provided copies of the letters cited below to the PROW unit. I would also like a copy of this letter to be included, which I cite at the end of the following chronological list:

Letter to Giles Cheetham, dated 30.06.2017; letter to Rob Stenhouse, and enclosures, dated 25.07.2017; reply from Rob Stenhouse to Mr J Adamson, dated 26.07.2017; letter to Rob Stenhouse, signed Jonathan Adamson, Jenny Magee and William Magee, dated 01.08.2017; letter to Giles Cheetham, dated 07.08.2017; reply from Giles Cheetham, dated 11.08.2017; letter to the Planning Inspectorate, Definitive Map and Public Right of Way Orders, dated 12.08.2017; letter to the Planning Inspectorate, Definitive Map and Public Right of Way Orders, dated 14.08.2017; letter to Giles Cheetham, dated 15.08.2017; reply from Yvonne Oddy (Mrs) The Planning Inspectorate, Rights of Way Section, dated 15.08.2017; letter to Yvonne Oddy (Mrs) The Planning Inspectorate, Rights of Way Section, with enclosure, dated 22.08.2017; this letter, to Giles Cheetham, dated 24.08.2017.

I HAVE STILL NOT RECEIVED A SIGNED (UNREDACTED) COPY OF THE ABOVE APPLICATION FORM, REQUESTED IN MY LETTER TO YOU DATED 15.08.2017. I AM SURE YOU ARE AWARE OF THE LEGAL WARNING IN THE APPLICATION FORM REGARDING SIGNATURES.

Also, in relation to **redaction**, and my last question in my letter, dated 15.08.2017, to which I have received no reply, to date, I note The Planning Inspectorate uses the reverse principal to the one Kirklees PROW unit is using:

"Please be aware that in due course a copy of the decision on your application will be placed on the GOV.UK website. **If you do not wish your address details to appear online, please let me know [my bold].**"

Erection of 39 dwellings and associated landscaping**Land at, Cross Lane, Scholes, Holmfirth**Additional Detail/Representations

Scholes Future Group requested that further information, which will be referred to in their presentation, be conveyed to Members in the update. This is in accordance with the protocol for public speaking at planning committees. This has been conveyed by Governance to Members as requested. It can also be viewed on the Council's website following the link below:

<https://democracy.kirklees.gov.uk/ecSDDisplay.aspx?NAME=SD1345&ID=1345&RPID=504510661>

Public Open Space

As detailed in paragraph 10.70 of the officer report, the applicant requested additional justification for the additional costs requested associated with the provision of play equipment and maintenance. In response the applicant has been provided with additional details in order to justify the cost and officers are of the view that UDP policy H18 requires off-site provision to be provided in the same way that on-site would be (i.e. play provision/equipment required). The applicant has agreed to provide the full POS contribution as set out in para 10.70 of the officer report. This will be secured by S106 Agreement.

Amended Plans

Following an assessment of the internal layout of the proposed development, Kirklees Highways DM raised a number of concerns regarding the number of parking spaces proposed and with regards the design of the proposed carriageway. Following this, the applicant has submitted amendments to the application. The amendments do not alter the design or position of any of the houses proposed. To summarise, the amended plans show the following:

- The number of parking spaces proposed off-street has increased to 106 due to alterations to the road surface.
- The surface through the site has been altered so it is now a shared surface carriageway without raised and defined footways.

Based on the additional provision, the application is considered to provide sufficient off-street parking throughout the development to cater in particular for the 4 and 5 bedroom units. The introduction of a shared carriageway is considered to improve the appearance and function of the layout as proposed. Kirklees Highways DM raises no objections to the amended plans.

Reserved matters pursuant to outline permission 2015/91726 for erection of 10 dwellings**Land adjacent to 38, Broad Lane, Upperthong, Holmfirth, HD9 3XE**Highways

Members will be aware that the point of access to the development was approved as part of the outline planning permission (application no. 2017/91726). Conditions imposed on the outline permission include the requirement (condition 6) to provide a scheme detailing the layout, construction and specification of highway works to form the site access, highway improvement works to Broad Lane (including the formation of the new footway) and a traffic calming scheme giving priority to westbound traffic.

Information submitted with the current submission includes plans indicating that Broad Lane is shown to be widened to 5.5 metres; 2.0 metre wide footways are shown to the site frontage, bin collection points are shown for each plot positioned such that bins can be collected without obstructing the adoptable highway and road signage would be erected giving priority to westbound traffic. This is not the formal submission for the discharge of condition but in principle provides details of a scheme that would partly meet the requirements of that condition.

Furthermore the internal site layout includes a footway provided to the eastern side of the access road and a turning head which is considered sufficient in size to accommodate a refuse vehicle.

Additional conditions

Given the scale and layout of development proposed – in terms of the size and number of dwellings proposed – and the nature of the highway network, it is considered necessary to impose a condition requiring construction access and routing details.

The layout and landscape details include the provision of in-curtilage parking spaces. In the interests of avoiding an increase in surface water run-off it is often a requirement for a condition to be imposed regarding the permeable surfacing of such parking spaces. However, there are conditions regarding the drainage arrangements for the site imposed on the outline planning permission. Furthermore a flood risk assessment and drainage strategy have been submitted setting out how flooding on and off site from surface water is to be mitigated. In summary this would be by installing an attenuation tank to store all the above ground drainage so that discharge is restricted to 3.0 litres per second. Thus no addition condition is proposed.

The submitted layout includes part of the access road to be an 'estate road'. As such it is considered necessary to impose, as part of this layout, a condition regarding the specification of this section of road.

Wording of additional conditions:

4. No development shall take place until a scheme detailing the proposed internal adoptable estate road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Before any dwelling is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

5. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Unless otherwise agreed in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Planning Application 2017/91555

Item 18 – Page 165

Formation of driveway through ground floor of 35/37, alterations to form flat above and change of use of land to form parking and turning area

35, Upper Mount Street, Lockwood, Huddersfield, HD1 3RX

Information in support of the application from the Applicant

The applicant has forwarded a number of photographs for Members attention which are likely to form part of the applicant's presentation at the meeting. This is in accordance with the protocol for public speaking at planning committees. These have been conveyed by Governance to Members as requested. They can also be viewed on the Council's website following the link below:

<https://democracy.kirklees.gov.uk/ecSDDisplay.aspx?NAME=SD1341&ID=1341&RPID=504510671>

The applicant has also requested that written information submitted in support of the application is relayed to Members in the update. This is set out below. This, together with the photographs is designed to demonstrate:

"1. Similar openings

2. Parking and traffic flow issues

3. Other steep roads with drives

There are a mix of original Victorian design, later modifications and new build, most of which are set amongst tradition Victorian terraces, similar to mine, all of which are a few streets away or within a couple of miles radius.

After enquiring with some of the property occupants, I can confirm that many of the new build and modified properties have been done within the last few years.

I have attached a number of images

- 1. Factory lane - new build approximately 10-25 years ago*
- 2. Leymoor Rd new build only a few years ago, the building is also out of character with the rest of the Rd, which consist of Victorian terrace*
- 3. Lockwood Rd. numerous openings along the rd a couple look original but others done around 30-40 years ago.*
- 4. Scotgate, Honley, done only a few years ago, in a conservation area.*
- 5. Lowergate Milnsbridge steep incline and done in the last 20 years or so.*
- 6. Knowl Rd. Golcar, fast moving traffic and road bends.*
- 7. Several openings on Bradford Road*

Milnsbridge has a number of opening done in the last 20 - 30 years

There are in fact, dozens of such openings in other areas around Lockwood and the whole of Kirklees.

I have attached a handful of local ones. see attached images

You also mentioned something around the incline; as you already know, Huddersfield in general is a hilly area with roads of even steeper inclines and faster moving traffic, many of which have properties with drives. Please see picture attached of Lockwood scar, (faster moving traffic, hazardous bent but every house has a drive), there are of course many other streets and roads like this.

Having lived at Upper Mount St. for over 40 years, I can confirm that the average traffic speed is between 10-20 mph. this allows for, good safe manoeuvrability and traffic flow.

There is a continuing problem of parking and vehicle flow, especially on roads similar to ours, which have inadequate road space for vehicles to pass, if there are parked vehicles on both sides.

In recent years this has caused parking issues and minor collision incidents.

Luckily as my properties are situated approximately half way up the street, my drive has already relieved the road of congestion and driver frustration, by allowing vehicles to pass in front of my drive, in particular some days, vehicles are parked on both sides from top to bottom and every night, but can now pass safely.

It is also used as a pick up and drop off spot for taxis, emergency services and special needs, school service bus, thus relieving driver contention and keeping the traffic flowing and I feel that my current plans will free up more space and be of benefit to the whole street and services, which use our street".
