Kirklees COUNCIL

Originator: Adam Walker

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Report of the Head of Development and Master Planning

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 18-Jul-2019

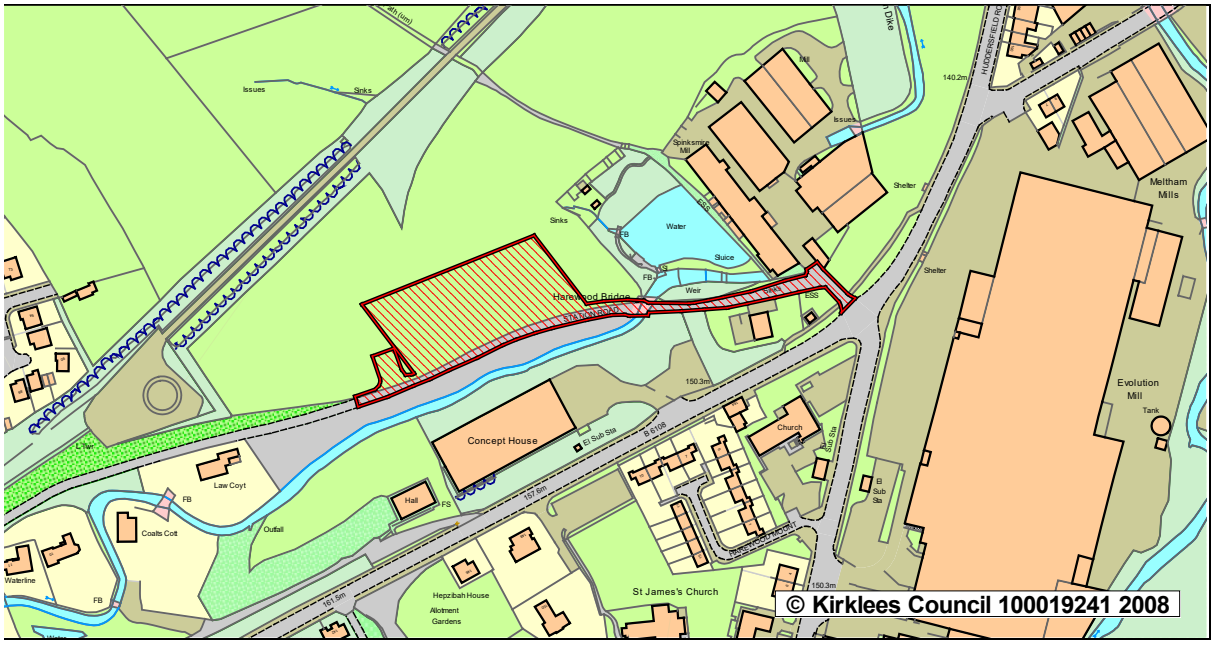
Subject: Planning Application 2019/90356 Erection of 7 dwellings Land Off, Station Road, Meltham, Holmfirth, HD9 4NL

APPLICANT
A Howarth, H3 Property Consultants Ltd

DATE VALID	TARGET DATE	EXTENSION EXPIRY DATE
05-Feb-2019	02-Apr-2019	31-Jul-2019

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: **Holme Valley North**

No

Ward Members consulted

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

1.0 INTRODUCTION:

1.1 The proposals are brought forward to the Sub Committee for determination in accordance with the Council's Scheme of Delegation because the site is over 0.5 hectares in area.

2.0 SITE AND SURROUNDINGS:

2.1 The application relates to part of an area of grazing land which is situated on the northern side of Station Road, Meltham. The south eastern part of the site is largely flat with the remainder sloping up to form a hillock which sits within the larger area of grazing land.

2.2 To the east of the site is an industrial complex and mill pond that is accessed via Station Road. To the south of the site is an area of protected trees and a watercourse with a commercial building beyond. The land to the west of the site has planning permission for the erection of 2 pairs of semi-detached dwellings.

2.3 Station Road is a long, narrow, private access road off Huddersfield Road that serves a small number of dwellings.

3.0 PROPOSAL:

3.1 Full application for the erection of 7 detached dwellings.

3.2 The dwellings all front onto Station Road. Four of the dwellings are two storey properties and three of the dwellings are split level with a three storey frontage and two storeys at the rear. Each dwelling has a patio area and garden space to the rear although the majority of the gardens are steeply sloping because of the topography of the site.

3.3 Each of the dwellings either have an integral or detached garage associated with them and parking space towards the front of each house.

3.4 Facing materials are coursed natural stone and natural slate.

3.5 Access to the development is via Station Road. The existing level of Station Road is to be raised and the road widened where it runs to the front of the application site.

4.0 RELEVANT PLANNING HISTORY:

4.1 Two large detached dwellings have previously been approved on the site. The approved development included some additional land to the north of the current application site.

2014/91714 Erection of 2 dwellings and widening, surfacing and lighting to Station Road – Approved by the Sub Committee

2016/90103 Discharge of Conditions 3, 4, 9-13 and 20 on previous planning permission 2014/91714 for erection of 2 dwellings and widening, surfacing and lighting to Station Road - Approved

4.2 Planning permission for two pairs of semi-detached dwellings has been approved on the land to the west of the application site. The application site includes a turning head that was approved as part of this neighbouring development. This site is within the ownership of the applicant and the applicant's planning agent has stated that they consider that this permission has been lawfully implemented and is therefore extant.

2015/92638 Erection of 2 pairs of semi-detached dwellings (4 no. new dwellings) - Approved by the Sub Committee

2016/92857 Discharge of conditions 3 (materials), 4 (highways), 7 (materials), 8 (soakaway), 9 (land contamination), 22 (arboricultural method statement) on previous permission no.2015/92638 for erection of 2 pairs of semi-detached dwellings (4 no. new dwellings) – Approved

4.3 The following application for 8 dwellings on the site was withdrawn last year:

2018/93354 Erection of 8 no. dwellings – Withdrawn

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 The proposal has taken into account issues raised under withdrawn application 2018/93354 for 8 dwellings in terms of the quantum of development.

5.2 Negotiations have been undertaken in relation to the proposed roofing material and the surfacing of the widened access road. Instead of artificial slate tiles it is proposed to use natural slate and instead of resurfacing the access road in bitumen the road will be retained as stone setts.

5.3 The garage for plots 1 and 2 is to be set further back to increase the driveway length for these two plots and allow for tandem parking. Some additional widening of Station Road is also to be provided where possible. These changes are to be shown on a revised drawing. The applicant has advised that a visitor parking space can be provided to the west of the site within land that the applicant controls.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

6.2 Kirklees Local Plan (2019):

LP1 - Presumption in favour of sustainable development
LP3 - Location of new development
LP7 - Efficient and effective use of land and buildings
LP21 – Highway safety and access
LP22 – Parking standards
LP24 – Design
LP27- Flood risk
LP28 – Drainage
LP30 - Biodiversity and geodiversity
LP33 – Trees
LP51 - Protection and improvement of air quality
LP52 - Protection and improvement of environmental quality
LP53 - Contaminated and unstable land

6.3 Supplementary Planning Guidance / Documents:

Draft Highway Design Guide SPD
Interim Affordable Housing Policy

6.4 National Planning Guidance:

Chapter 2 – Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 8 – Promoting healthy and safe communities
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Four representations have been received.

A summary of the comments is provided as follows:

- Concerns with the size of the development, especially when the approved development to the west for 4 no. dwellings is taken into account. 11 large family houses would disproportionately impact on the existing occupiers of Station Road.

- Lack of adequate parking on Station Road. If vehicles park on Station Road it will be difficult for emergency, refuse and service vehicles to access the houses further along Station Road.

- The amount of parking for the houses is inadequate, including for visitors.

- The proposed houses should be set back further into the site.

- The exit onto Huddersfield Road is very dangerous. The additional traffic associated with the development will increase the likelihood of an accident occurring.

- Widening of the junction with Huddersfield Road should be provided.

- Disruption from building work, including concerns that Station Road will be obstructed.

7.2 **Meltham Town Council –** Resolved "That the Council supported the application in principle but had not been provided with sufficient detailed information to make an assessment as to whether the width of the roadway and highway access was suitable. The Council would like to reiterate the importance of ensuring that the roadway in front of the houses is wide enough to accommodate parked vehicles and access by emergency vehicles. The Council are also concerned about the high speed limit of 40mph which it considers to be too fast given the number of access points along the road."

8.0 CONSULTATION RESPONSES:

8.1 **Statutory:**

KC Highways Development Management – No objection subject to conditions

8.2 **Non-statutory:**

KC Ecology Unit – No objection subject to conditions

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Ecology issues
- Trees
- Drainage issues
- Planning obligations
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The land is unallocated on the Local Plan and as such there are no specific constraints to developing the site for housing. Furthermore, planning permission for 2 large dwellings on the site was approved in 2014 which has established the principle of residential development on the land. Planning permission for 4 no. dwellings has also been approved adjacent to the site on land which forms part of the same overall area of grazing land.

10.2 The NPPF establishes a presumption in favour of sustainable development (paragraph 11). For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

10.3 The site does not include any areas or assets of particular importance as defined within the NPPF (footnote 6) and in this regard there are no specific constraints to developing the site.

10.4 Paragraph 68 of the NPPF recognises that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should…support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

10.5 In the Local Plan the council have demonstrated 5.51 years supply of deliverable housing capacity (including incorporation of the required 20% buffer). As the Local Plan was adopted within the last five years the five-year supply calculation is based on the housing requirement set out in the Local Plan (adopted 27th February 2019) and takes account of shortfalls in delivery since the Local Plan base date (1st April 2013).

10.6 Recent amendments to National Planning Practice Guidance have revised the Housing Delivery Test measurement for local planning authorities and a technical note on the process used in its calculation. Results for 2018 (published 19th February 2019) show that housing delivery in Kirklees over the period 2015-2018 was 75% of the number of homes required by the test. This means that the council must produce an Action Plan within six months of the test results being published and continue to apply a 20% buffer to the five-year housing land supply requirements. In summary the council can currently demonstrate a 5-year supply of deliverable housing sites, with appropriate buffer. Notwithstanding this, windfall sites contribute to housing delivery and there is no objection to the redevelopment of this site for housing in principle.

10.7 The site lies on the edge of the built-up part of Meltham/Meltham Mills with existing development towards the south, east and west. The site is therefore considered to be part of an existing settlement and therefore great weight should be given to the benefits of developing this windfall site.

10.8 Chapter 7 of the NPPF and LP7 of the Local Plan promote an efficient use of land. The proposal represents a much more efficient use of land than the previous permission and this weighs in favour of the development.

10.9 LP7 establishes a desired target density of thirty-five dwellings per hectare. At this measure, the site could accommodate 14 units when the access road is excluded. However, LP7 states this target should be 'where appropriate'. The topography of the land is a constraint to the development and the existing residential development along Station Road is very low density. The previous approval on the site was only 2 dwellings and so this proposal represents a much more efficient use of land than the previous permission. Taking all of these factors into account the proposed quantum of development is considered acceptable in principle. A more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against LP24 amongst other Policies, is undertaken below.

Urban Design issues

10.10 The eastern part of the site is generally flat and the western part is steeply sloping. The topography has therefore influenced the scale and design of the proposal, with the dwellings in the western part being heavily dug into the land which has resulted in a three storey frontage and two storey rear elevation (house type B). The amount of digging out required lessens towards the east which allows for two storey houses (house types A and C).

10.11 House types A and C are similar in appearance and are of a typical design for this type of property. House type B includes balconies and half dormer windows to the front and the design is comparable to the scheme for 4 dwellings that was approved on the adjacent land in 2016 i.e. 3 storey frontages and balconies.

10.12 Facing materials are natural stone and slate. The applicant has agreed to provide natural slate instead of artificial slate tiles that were initially proposed. The materials are consistent with those that have previously been approved on the site and for the permission for 4 no. dwellings on adjacent land to the west.

10.13 The dwellings are set back from Station Road and would generally be viewed against the backdrop of the hillock and trees that lie towards the rear. Views of the development from the Green Belt land further to the north would be very limited. A degree of openness is provided between the dwellings as a result of the garage in between plots 1 and 2 and where there is a marked change in levels between plots 4 and 5.

10.14 Stone walls are to be provided to the site frontage which will help to retain some of the established character of Station Road and parking to the front of the dwellings is largely broken up by parcels of soft landscaping which helps to soften the appearance of the development.

10.15 Station Road is a narrow access road paved in stone setts which contributes to the character of this area. It is proposed to widen and resurface a section of Station Road. It was initially proposed to replace the existing stone setts with a bitumen surface and stone sett rumble strips. However, following negotiations with the applicant it is now proposed to keep Station Road as stone setts. The widening works will use reclaimed and/or new natural stone setts and where any existing setts require replacing this will be done like-for-like. The proposals will therefore retain an important characteristic of the locale and are consistent with previously approved proposals to widen Station Road.

10.16 The level of Station Road is to be raised up slightly in front of the site and some additional street lighting is proposed but it is not considered that these works would significantly harm the overall character of Station Road.

10.17 The application is considered to comply with LP24 of the Local Plan and guidance in the NPPF.

Residential Amenity

10.18 The proposed development is not in close proximity to any existing dwellings. Planning permission has previously been approved for 4 no. dwellings immediately to the west of the site; the applicant owns this land and has indicated that they consider the permission to have been implemented and therefore extant. It is not considered that the proposals would prejudice the development on the land to the west.

10.19 A short distance to the east of the site is an industrial complex (Spinksmire Mill) that is an allocated employment site in the Local Plan. The existing mill/commercial buildings are separated from the application site by a mill pond and a parcel of open land. Environmental Services have not raised any objections to the proposal and there are not considered to be any potential noise issues for the future occupiers of the development or potential issues relating to the operational flexibility of this established commercial site. Furthermore, the principle of residential development on the land has previously been accepted.

10.20 The dwellings all front onto Station Road. There are trees and a watercourse on the opposite side of Station Road and a commercial property (Concept House) some distance beyond. The proposed dwellings are considered to be separated from this commercial property by an adequate distance to mitigate any potential impacts.

10.21 Given the topography of the site most of the rear garden areas are steeply sloping, even with the proposed alterations to the existing ground levels. It is only the two easternmost plots that have ‘useable’ rear gardens. Nevertheless all of the plots have reasonable sized rear patio areas and the 3 properties in the western part of the site also have front facing balconies. As such an adequate amount of amenity space is provided for each property.

10.22 The development is considered to comply with LP24 of the Local Plan and guidance in the NPPF.

Highway Safety

10.23 Station Road is a cobbled private cul-de-sac of approximately 4.5m wide with pinch points down to 3.6m to the east of the site and 3m to the west of the site. There are no pedestrian facilities or street lighting and the first 45m hosts a PROW MEL/23/60. Station Road provides access to 5 dwellings and the Spinksmire Mill complex which hosts about 7 individual occupant companies. Station Road joins B6108 Huddersfield Road at a priority junction approximately 150m to the east of the site.

10.24 The B6108 Huddersfield Road is a 40mph local distributor road of approximately 7.3m width with a right turn lane in to Meltham Mills Road, footways on both sides and street lighting present. The station Road arm of the junction is on the inside of a bend on Huddersfield Road and there is a grass verge between the highway and footway that improves visibility. The visibility splays from Station Road are slightly substandard for the 40mph posted speed on Huddersfield Road, however accident records at this junction show that the existing collisions didn't involve any vehicles entering/exiting Station Road.

10.25 There has been a previous permission for housing on the site and a permission for housing on the land to the west of the site and both of these applications involved improvements to Station Road, including localised widening of the highway, the incorporation of a footway to the front of the site, improved street lighting and a turning head for service vehicles.

10.26 The current application site includes the previously approved turning head and similar proposals for the widening and lighting of Station Road and the provision of a pedestrian footway to the site frontage. The applicant has been asked to review whether there is scope to provide some additional widening of the road to 4.8m and the applicant has stated that where possible this will be provided. A revised plan showing the additional widening is awaited and an update will be provided on this.

10.27 The applicant has sought to address comments from Highways Development Management in terms of the amount of parking provision. The garage for plots 1 and 2 is to be moved further back to increase the driveway length and allow for tandem parking for both plots in addition to the garage. An amended plan showing this change is awaited and an update will be provided on this.

10.28 The applicant has confirmed that a visitor parking space can be provided within the land to the west of the application site. The land is within the applicant's control. The visitor parking space would necessitate a minor alteration to the approved development for 4 no. dwellings under planning permission 2015/92638. Details of the visitor parking space can be secured by condition.

10.29 Highways Development Management do not consider that the development would result in any significant adverse highway safety impacts and the application is considered to comply with Policy LP21 of the Local Plan and guidance in the NPPF.

Ecology

10.30 The application is supported by an up-to-date ecology report. The council's Ecology Unit raises no objection to the application subject to conditions securing ecological enhancement, a lighting design strategy and a construction method statement. Subject to these conditions the application is considered to comply with Policy LP30 of the Local Plan and guidance in the NPPF.

Trees

10.31 There is an area of protected woodland on the opposite side of Station Road. The proposed dwellings are set back from Station Road and officers are satisfied that the development would not prejudice these trees. The application therefore satisfies Policy LP33 of the Local Plan.

Drainage issues

10.32 Kirklees Lead Local Flood Authority (LLFA) provided comments in November 2018 in respect of an application for 8 dwellings on the site that was subsequently withdrawn (2018/93354). No objections were raised at that time subject to a condition relating to detailed drainage design (for soakaways). It is considered that the LLFA's comments hold for this application for 7 dwellings and which is based on a very similar layout.

Planning obligations

10.33 The development does not meet the trigger for affordable housing and public open space contributions and is not of a sufficient scale to require an education contribution.

Other Matters

10.34 A phase II contaminated land report has been submitted with the application and is considered acceptable. A remediation strategy specific to the proposed development has not been provided and so conditions requiring a remediation strategy and validation report are considered necessary.

10.35 A condition requiring the provision of an electric vehicle charging point for each dwelling is considered necessary. This will help to mitigate the impact of the development on air quality and is in accordance with Policy LP24 of the Local Plan, guidance in the NPPF and the West Yorkshire Low Emissions Strategy.

Representations

10.36 Four representations have been received. Concerns have been raised in relation to the size of the development, the amount of parking provided, the exit onto Station Road and disruption from building work including obstructing access to the existing houses down Station Road. A response is provided below:

10.37 *Size of the development:*

Officer response: The density of development is well below the council's target density as set out in Policy LP7 although in this case a lower density is considered to be appropriate. It is recognised that there would be a total of 11 new dwellings off Station Road when the adjacent permission is taken into account but the planning impacts of the proposal, as set out in this report, are not so significant so as to be unacceptable.

10.38 *Inadequate parking:*

Officer response: Amendments have been sought to increase the amount of parking for plots 1 and 2 (3 spaces per dwelling) and a condition is recommended to secure a visitor parking space. Additional widening of Station Road has also been sought.

10.39 *The exit onto Huddersfield Road is very dangerous*:

Officer response: The application has been assessed by Highways Development Management and it is considered that the existing access is suitable to accommodate the amount of traffic that would be generated.

10.40 *Disruption from building work, including concerns that Station Road will be obstructed:*

Officer response: A condition requiring a construction management plan is recommended to mitigate the impacts of the construction of the development. This is to include measures to ensure that access for the existing properties on Station Road is maintained during the construction period.

11.0 CONCLUSION

11.1 The principle of residential development on the site has previously been established and the proposal provides a more efficient use of land that will contribute to the council's housing delivery targets.

11.2 The appearance of the development would harmonise with the character of the area and the proposals would not result in any undue highway safety impacts.

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

1. Time limit (3 years)
2. Development in accordance with the approved plans
3. Approval of samples of materials
4. Remediation Strategy for contaminated land
5. Validation report in relation to the site remediation
6. Drainage design
7. Vehicle charging points
8. Details of visitor parking space in land to west
9. Details for waste collection
10. Turning head to be provided before occupation
11. Construction management plan, including measures to ensure access to existing properties is maintained
12. Surfacing of parking spaces
13. Details of highway and footway works including street lighting and surface treatment of Station Road
14. Lighting design strategy for biodiversity
15. Ecological construction method statement
16. Ecological design strategy

Background Papers:
Application and history files.

Website link:
https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90356

Certificate of Ownership – Certificate C completed. Notice served on:
A. Pogson, Abacus Stone Sales Ltd,
Woodhead Road, Holmfirth and Quarmby and Sykes (Holdings) Ltd, c/o Spencer Wilson & Co, 55 Pellon Lane, Halifax.
Notice published in the Huddersfield Examiner and London Gazette.
Public notice displayed.