



JohnsonMowat
Planning & Development Consultants

Nick Hirst
Senior Planning Officer
Kirklees Council

Our ref.
Your ref. 2024/90058

08 October 2024

Dear Nick

**REVISED INFORMATION PACK
LAND AT PENISTONE ROAD / ROWLEY LANE, FENAY BRIDGE**

I am writing in response to your email of 5th April 2024, and our subsequent meeting of 11th April 2024 to discuss consultee concerns with the Reserved Matters submission for 67 dwellings at Penistone Road / Rowley Lane, Fenay Bridge (2024/90058). This letter provides clarification or additional information in response to those comments in order to help resolve the matters raised and assist the decision-making process. The response is provided across a series of topic specific pages appended to this letter, comments made by the Council are paraphrased for ease of reference.

As a result of this review, the following additional or revised material is hereby submitted:

- | | |
|--|---------------|
| • Planning Layout | C005-102-G |
| • Material Plan | C005-MP1-A |
| • Boundary Treatment Plan | C005-BT1-A |
| • Site Sections | 2307-SSE-01-B |
| • Street Scenes | 2307-SS-01-B |
| • 2b3p End Stone Elevations | |
| • 2b3p End Stone Plans | |
| • 2b3p Mid Stone Elevations | |
| • 2b3p Mid Stone Plans | |
| • 2b3p Semi-Detached Stone Elevations | |
| • 2b3p Terraced Stone Front Elevations | |
| • 2b3p Terraced Stone Rear Elevations | |
| • 3b4p End Stone Elevations | |
| • 3b4p End Stone Plans | |
| • 3b4p Semi-Detached Stone Plans | |
| • 3b4p Semi-Detached Stone Elevations | |

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- 4b6p / 3b4p Semi-Detached Stone Elevations
- 4b6p End Stone Elevations
- 4b6p End Stone Plans
- Avocado End Stone Elevations
- Avocado End Stone Plans
- Avocado Sem-Detached Stone Elevations
- Dandelion Detached Stone Elevations 1
- Dandelion Detached Stone Elevations 2
- Dandelion Detached Stone Plans
- Eucalyptus Detached Stone Elevations 1
- Eucalyptus Detached Stone Elevations 2
- Eucalyptus Detached Stone Plans
- Garages Single & Twin Elevations
- Garages Single & Twin Plans
- Ironbark Detached Stone Elevations 1
- Ironbark Detached Stone Elevations 2
- Ironbark Detached Stone Floorplans
- Jarrah Detached Stone Elevations 1
- Jarrah Detached Stone Elevations 2
- Jarrah Detached Stone Plans
- Linden Detached Stone Elevations 1
- Linden Detached Stone Elevations 2
- Linden Detached Stone Plans
- Macadamia Detached Stone Elevations 1
- Macadamia Detached Stone Plans
- Macadamia Semi-Detached Stone Elevations
- Macadamia and Manuka Semi-Detached Stone Elevations
- Manuka Detached Stone Elevations
- Manuka Detached Stone Plans
- Poppy Detached Stone Elevations 1
- Poppy Detached Stone Elevations 2
- Poppy Detached Stone Plans
- Primrose Detached Stone Elevations 1
- Primrose Detached Stone Elevations 2
- Primrose Detached Stone Plans
- Rosemary Detached Stone Elevations 1
- Rosemary Detached Stone Elevations 2
- Rosemary Detached Stone Plans
- Tupelo Detached Stone Elevations 1
- Tupelo Detached Stone Elevations 2
- Tupelo Detached Stone Plans

- | | |
|--|---------------------------------|
| • CGI Imagery from Penistone Road | AMA-22387-ATR005-1.2-P01 |
| • Refuge Vehicle Swept Path Analysis | AMA-22387-ATR005-2.2-P01 |
| • Refuge Vehicle Swept Path Analysis | AMA-22387-ATR006-1.2-P01 |
| • Panel Van Swept Path Analysis | AMA-22387-ATR006-2.2-P01 |
| • Panel Van Swept Path Analysis | AMA-22387-SK007-P01 |
| • Visibility Splays | E23/8060/001E |
| • Engineering Feasibility | C005-SK02.1-v1 |
| • Engineering Proposal 3m Retaining w/ Banking | XX-BWB-ZZ-XX-RP-LE-0001_CEMP(B) |
| • Construction Environment Management Plan | GL2199-01C |
| • Soft Landscape Proposals | GL2199-02C |
| • Soft Landscape Proposals | GL2199-03 |
| • Tree Pit Details | GL2199 Issue 3 |
| • Landscape Management Plan | FE305/BIA01 October 2024 |
| • Biodiversity Impact Assessment | FE205 |
| • Biodiversity Metric Calculations | FE305/EDS01 |
| • Ecological Design Strategy | |

I would be grateful to receive confirmation of your receipt of this letter and enclosed information. Should you have any queries or wish to discuss further then please contact me on the number above. Otherwise I trust that this satisfies the matters raised and that the application can be progressed towards a positive determination.

Yours sincerely

Sam Ruthven
Principal Planner

1. PROCEDURAL

Comment

- 1) *There are no Buckwheat house type plans.*
- 2) *An extension of time is required to allow re-consultation of material submitted in response to the comments made.*

Response

- 1) The Buckwheat house type is no longer provided within the proposed development, a full plans pack accompanies this planning submission which includes a comprehensive house type pack.
- 2) In line with the Planning Performance Agreement in place, it is considered that revised timescales should be agreed given the substantial period of time taken to address structural requirements of the retaining wall at the site frontage. The following revised timescales are proposed:-

PPA Timescales

Event / milestone	Date
Meeting 1 with KMC Officers to discuss all <u>key</u> responses and a strategy to move forward which may require changes.	11 th April 2024.
Meeting 2 to follow any submission by the applicants and consideration by the council of amendments (and or) requested information.	w/c 28 th October 2024.
Pre-Committee Meeting prior to presentation at planning committee.	November/December 2024. Bearing in mind officer lead-in times for report writing etc and the potential need to re-advertise materially amended plans, the parties agree to reasonable flexibility on the lead up to the final committee date.

2. URBAN DESIGN AND AMENITY

Comment

- 1) *Levels and retaining works are a cause for concern, further detail is requested in regards to the design solution, levels, materials and impact on amenity.*
- 2) *Three-storey properties along the west and southern edge of the site is not appropriate, and would be more acceptable in locations less prominent from the road frontage.*
- 3) *All properties must be Nationally Described Space Standards Compliant.*
- 4) *Separation distances between certain properties is exceptionally low and needs to be looked at.*
- 5) *Elevations fail to adhere to the indicative design standards set out within the masterplan. There is some flexibility, however, concerns primarily relate to small windows leaving large areas of blank facing, lack of bay windows, flat canopies and lack of canopies on side elevations.*
- 6) *Units fronting public realm fall within the 'edge' character area of the masterplan, and should therefore be built in natural stone with no render and slate roofs. Units within the site may be artificial stone (subject to a suitable product being agreed via condition) and art slate. Render, as a secondary material, may be used within the centre of the site. Garage Materials must also be submitted.*
- 7) *The central LAP has no sense of integrated open space, and has potential to impact on the amenity of neighbouring properties.*
- 8) *A dedicated Solar Panels Plan is welcomed for conditioning.*
- 9) *Fence upon the retaining wall is a poor quality feature which would exacerbate concerns on design and massing of the retaining structure. This should be higher quality, and a black metal estate railing is suggested.*
- 10) *Can greater connectivity be provided to the new road, to avoid desire lines being created and impacting the proposed greenspace.*
- 11) *Can paths into the open space be better located to minimise desire lines into the formal footpath? This path also needs to connect to the public highway.*

Response

- 1) A full technical pack of information is provided which gives details of the levels across the site following our meeting of 11th April. It may be that this requires a separate technical meeting to further detail the work required here.
- 2) Three-storey properties have been removed from the west and southern edge. The Macadamia and Manuka are the only three-storey house type on-site, and are located at plots 22, 23, 26, 27, 31 and 32 away from Penistone Road and Rowley Lane.
- 3) All properties now meet Nationally Described Space Standards, as demonstrated within the house type booklet.
- 4) The new layout has taken into account separation distances to which have now been improved across the scheme.
- 5) The fenestration on all proposed housetypes has been amended to artificial stone facing material on all elevations with heads and cills proposed to all windows. Render has been removed where

previously suggested. The eaves and the verges have been clipped and are now flush, creating a more traditional roof line at the junction with the masonry. All of the flat entrance door canopies have been removed and where possible have been replaced with traditional pitched variants.

- 6) A high quality artificial stone and natural slate replica roof tile is proposed which match a natural option closely. Samples to be submitted for review and a physical mock up can be constructed for review.
- 7) To address the integration issue of the LAP, provision is now a singular open space adjacent the open space landscaping around the perimeter of the development.
- 8) All properties will have solar panels, a plan showing orientation can be provided at tender stage once we have some comfort on the layout.
- 9) See boundary treatment plan for proposals.
- 10) A proposed footpath connection point is now provided at the southern boundary of the site to the wider proposed network.
- 11) To avoid desire line creation, access to the public open space and LAP are now accessible directly from the proposed adoptable highway.

The following plans and documents are now submitted which include the changes made in response to these comments:

- | | |
|--|----------------|
| • Planning Layout | C005-102-G |
| • Material Plan | C005-MP1-A |
| • Boundary Treatment Plan | C005-BT1-A |
| • Site Sections | 2307-SSE-01-B |
| • Street Scenes | 2307-SS-01-B |
| • Revised Housetype Pack | |
| • CGI Imagery from Penistone Road | |
| • Engineering Feasibility | E23/8060/001E |
| • Engineering Proposal 3m Retaining w/ Banking | C005-SK02.1-v1 |
| • Soft Landscape Proposals | GL2199-01C |
| • Soft Landscape Proposals | GL2199-02C |

3. LANDSCAPE

Comment

- 1) *Introduce bins and benches into amenity greenspace.*
- 2) *Please show drainage infrastructure on the landscaping plans, to demonstrate no conflict between trees and drainage.*
- 3) *Landscaping is a matter under consideration; therefore, we need details of tree-pits within 5m of the HW to demonstrate they will not conflict with the road.*
- 4) *Greater review / detailing of the mitigatory tree planting, given the loss of mature trees along the frontage.*
- 5) *Further work needs to be done to ensure that certain areas of the open space meet the correct typologies if an off-site commuted sum is to be avoided.*

Response

- 1) The proposed landscaping plan shows provision for bins and benches throughout the amenity greenspace on-site.
- 2) Drainage infrastructure is shown on the landscaping plans, demonstrating no conflict between the drainage and trees. The Arboricultural impact assessment has also been updated to reflect this.
- 3) Tree pit detail is provided to demonstrate no conflict with the road as requested.
- 4) The proposed landscaping has increased the number of trees planted within the site to further compensate for the loss of existing mature trees.
- 5) Enhancements have been made to meet the relevant typologies where possible, however given the constraints of the site it is accepted that mitigation will be required through a commuted sum.

The following plans and documents are now submitted which include the changes made in response to these comments:

- | | |
|-----------------------------|----------------|
| • Soft Landscape Proposals | GL2199-01C |
| • Soft Landscape Proposals | GL2199-02C |
| • Tree Pit Details | GL2199-03 |
| • Landscape Management Plan | GL2199 Issue 3 |

4. HIGHWAYS

Comment

- 1) *Amended internal layout is required to incorporate cycle facilities.*
- 2) *Various amendments to the site layout and parking provision are required, with amended plans including construction details, vertical alignment/gradient details, junction/forward visibility details and additional Swept Path Analysis (SPA) etc. Once agreed in principle, the layout must be subject to a Stage 1 Road Safety Audit (RSA Brief and Team to be agreed with HDM).*
- 3) *Fundamentally need to ensure that the development does not prevent the future delivery of phases 3 and 4, comprising the majority of houses being delivered from the wider allocations.*

Response

- 1) Cycle sheds are now shown on the site layout for properties without garages, with an annotation to demonstrate that cycle storage will be provided in garages where available.
- 2) Amended plans are provided showing construction details, vertical alignment/gradient details, junction/forward visibility details and additional Swept Path Analysis.
- 3) A full technical pack of information is provided which gives details of the levels and retaining wall work, following our meeting of 11th April. It may be that this requires a separate technical meeting to further detail the work required here.

The following plans and documents are now submitted which include the changes made in response to these comments:

• Planning Layout	C005-102-G
• Refuge Vehicle Swept Path Analysis	AMA-22387-ATR005-1.2-P01
• Refuge Vehicle Swept Path Analysis	AMA-22387-ATR005-2.2-P01
• Panel Van Swept Path Analysis	AMA-22387-ATR006-1.2-P01
• Panel Van Swept Path Analysis	AMA-22387-ATR006-2.2-P01
• Visibility Splays	AMA-22387-SK007-P01
• Engineering Feasibility	E23/8060/001E
• Engineering Proposal 3m Retaining w/ Banking	C005-SK02.1-v1

5. TREES

Comment

- 1) *Limited Street Trees are proposed within the highway. For street trees within front gardens to be acceptable, clauses are required to secure their retention and management.*
- 2) *Concerns are expressed over impacts upon the east tree belt and demonstrating no harm would be caused to the trees, as well as securing a standard of amenity for future residents. Furthermore, the retaining wall must not encroach into the RPA of trees.*

Response

- 1) Street Tree provision has been proposed in the public highway, front gardens and public open space. The Applicant is willing to agree to clauses in the Section 106 to secure their retention and management.
- 2) An updated Arboricultural Impact Assessment has been provided which demonstrates that the Root Protection Areas are protected from the proposed retaining wall, and adequate amenity is still provided to future residents.

The following plans and documents are now submitted which include the changes made in response to these comments:

- | | |
|--|---------------------------------|
| • Construction Environment Management Plan | XX-BWB-ZZ-XX-RP-LE-0001_CEMP(B) |
| • Soft Landscape Proposals | GL2199-01C |
| • Soft Landscape Proposals | GL2199-02C |
| • Tree Pit Details | GL2199-03 |
| • Landscape Management Plan | GL2199 Issue 3 |

6. CONTRIBUTIONS AND OBLIGATIONS

Comment

- 1) Preferred affordable housing mix and tenure split provide, with request for these to be spread out clusters of 3 or 4 units*
- 2) POS Contribution to be calculated once final typologies provided, 'worst case' of £156,518 will be required if none provided on-site.*
- 3) Education Contribution of £181,744*
- 4) Ecology Contribution of £56,350 off-site for 10%, with management of on-site features needed.*
- 5) Street Tree clauses where in front gardens.*

Response

Affordable housing provision is now clearly annotated on the Planning Layout for reference.

A report was provided on 28th May in relation to the Education Contribution requested, however no response has been received from Kirklees Council on this information at the time of writing.

7. OUTLINE CONDITIONS

Comment

- 1) Condition 7 – WYAAS response remains outstanding.
- 2) Condition 8 – LLFA objection as management cannot be done by the developer. There is a requirement to demonstrate how the future development can be attenuated by the proposed tank.
- 3) Condition 9 – LLFA confirmed flood routing plan acceptable.
- 4) Condition 10 – Opportunities remain for greater replacement tree planting.
- 5) Condition 12 – KC Trees have concerns over the Arb documents requesting further clarification as opposed to objection.
- 6) Condition 13 – Concerns raised over the Ecological Design Strategy as it doesn't directly state how points a – k of Condition 13 are addressed.
- 7) Condition 14 – Can be discharged, but measures need to be incorporated into the CEMP.
- 8) Condition 15 – Meeting with Reliance Precision to address noise concerns.
- 9) Conditions 17 & 18 - 2024/44/90272 – Concerns raised with the geo-environmental ground investigation.
- 10) Conditions 27, 28 & 29 – 2024/44/90750 – Discussions ongoing with S278 Team and Highways team regarding Rowley Lane and Penistone Road Improvements.

Response

- 1) Please can the updated WYAAS response be provided.
- 2) Updated Engineering Feasibility Plan is provided.
- 3) No action required.
- 4) Updated Landscape Plan is provided detailing replacement planting.
- 5) Updated Arboricultural documents are provided to align with the revised layout and respond to concerns raised.
- 6) Updated Ecological Design Strategy is provided to address points a – k of the condition.
- 7) No action required.
- 8) Awaiting response from Reliance Precision for comment.
- 9) Revised ground investigation report issued on 18th September 2024.
- 10) Updated drawings were issued on 10th September 2024 and we await the Council's comments on this. As the on-site detailed design works have not yet been progressed/agreed there are some outstanding items which are still to be addressed. The main one being the re-grading of the banking and/or retaining wall along the site boundary and how it will tie in with the S278 works.

The following plans and documents are now submitted which include the changes made in response to these comments:

- | | |
|----------------------------------|--------------------------|
| • Engineering Feasibility | E23/8060/001E |
| • Soft Landscape Proposals | GL2199-01C |
| • Soft Landscape Proposals | GL2199-02C |
| • Biodiversity Impact Assessment | FE305/BIA01 October 2024 |

- Biodiversity Metric Calculations
- Ecological Design Strategy

FE205
FE305/EDS01