

Robert Halstead

Planning & Development Surveyors

N.C. Willock MRICS MRTPI

Unit 57 Bowers Mill Barkisland Halifax HX4 0AD

Tel: 01422 379841 e mail: nick@roberthalstead.co.uk

Planning Development

Kirklees Local Plan EIP Hearing Statement

Matter 33 - Huddersfield safeguarded land

Site ref: SL2161 – land east of Upper Quarry Road, Bradley

My name is Nicholas Willock, Chartered Town Planner and Surveyor. I represent the landowner for SL2161 – Mr George R Bottomley.

The Inspector has asked three questions in relation to the above.

We are able to respond to these as follows:

- 1) Are identified access / other constraints i) capable of being resolved, and ii) unlikely to be resolved until 2031 or beyond?

Response: The Council have provisionally rejected this site for housing (ref: H118)¹, concluding:

“A suitable site access currently cannot be achieved for the level of development. Issues of road safety in the area and the access road will require making up to adoptable standard.”

Please see response to question 3 below, confirming that a suitable access, capable of being adopted, is now achievable.

- 2) Where relevant, has the impact of potential housing development on heritage assets been adequately assessed and addressed?

Response: There would be no heritage assets affected by the development of this site.

- 3) Is the site available for development, and is there evidence of an active landowner / developer who is seeking to bring forward the site?

Response: The site is available for development as confirmed in previous representations to the Council.² Evidence of the landowner bringing the site forward has been in the form of two recent planning applications:

¹ Rejected Site Options – page 246

² In response to the Draft and Publication Draft consultation stages.

- a) Outline planning application for 9 dwellings on the southern portion of the site granted on 24/1/17 – Appendix 1 – decision notice extract and site location plan. This part of the site is similar to the remainder of the site and no other planning issues were considered to act as constraints to the granting of planning permission: noise, air quality, contaminated land, trees, ecology, accessibility, design, flood risk or drainage.³

At that time, the ability of the wider site (within the same ownership) to accommodate housing was limited due to the quality of the available access to / from Bradley Road, and the ability to improve this access within the confines of the available land ownership. As a result, the 2016 application sought to establish the principle of building just nine residential properties.

- b) Outline planning application for demolition of 32 Bradley Road and erection of 36 dwellings (covering the entire site). Submitted 9th November 2017 and awaiting determination (LPA ref: 2017/93487 – see Appendix 2 for validation letter, location plan and indicative layout plan).

This recent planning application arose from two key changes:

- The applicant has purchased number 32 Bradley Road, to enable demolition of this property and allow an adoptable width access to serve the development. See Appendix 3 – land registry documents.
- With reference to the indicative layout plan approved under the 2016 application, an area of the site was not able to be developed due to it not being possible to free drain, as a result of site levels. In order to solve this issue, a legal agreement enabling a drainage easement through the domestic curtilage of no. 8 Bradley Road has been formulated, which negates the need for any pumped drainage from the development to the existing drainage network on Bradley Road. The red line boundary submitted with the recent planning application reflects this.

The applicant's highway consultant has produced a Transport Statement to accompany the application, which concludes in relation to the improved access (Appendix 4 – access plans):

- The loss of the no. 32 Bradley Road creates enough space to provide a 5.5m width carriageway and along with two 2m footways to either side.
- The access road within the site will continue as an adoptable highway with a carriageway and footways as required and laid out in accordance with Council guidance and Manual for Streets.
- Visibility splays of 2.4m x 90m can be achieved from the proposed access road.

As a result of these two key changes, the whole POL site is now suitable and available for development in what is a sustainable urban location.

I would also add that the landowner wishes to sell the site for development in the short term, subject to the current planning application being granted. This provides further evidence of the landowner being willing to bring the site forward for development.

The release of Safeguarded Land sites for development is also considered to represent a more appropriate strategy when considered against reasonable alternatives.

³ Drainage – see subsequent comments regarding the acquisition of an easement across 8 Bradley Road.

This is because the Council are proposing to release Green Belt sites for development. Our view is that if considered to be suitable and available, which we argue SL2161 is, Safeguarded Land sites should be allocated for development before Green Belt sites. Otherwise, it would be difficult to argue that the exceptional circumstances necessary for altering Green Belt boundaries (consistent with national policy contained in NPPF paragraph 83), will exist.

Proposed modification: allocate SL2161 for housing development.

Thank you, Madam Inspector.

Appendix 1

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England)
Order 2015

OUTLINE PLANNING PERMISSION

Application Number: 2016/60/91688/W

To: Nick Willock,
Robert Halstead
57, Bowers Mill Branch Road
Barkisland
Halifax
HX4 0AD

For: G R E Bottomley

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

OUTLINE APPLICATION FOR ERECTION OF 9 DWELLINGS

At: LAND OFF, UPPER QUARRY ROAD AND BRADLEY ROAD, BRADLEY,
HUDDERSFIELD, HD2 1XD

In accordance with the plan(s) and applications submitted to the Council on 25-Jul-2016, subject to the condition(s) specified hereunder:-

1. Approval of the details of the layout, appearance, scale, and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

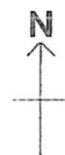
Reason: No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, appearance, scale, and landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

Reason: No details of the matter referred to having been submitted they are reserved for the subsequent approval in writing of the Local Planning Authority.



OS MasterMap 1250/2500/10000 scale
 08 April 2016, ID: BW1-00517962
www.blackwellmapping.co.uk
 1:1250 scale print at A4, Centre: 417330 E, 420556 N
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BLACKWELL'S
www.blackwellmapping.co.uk

TEL: 0113 245 2623
map_loads@blackwell.co.uk

Appendix 2

Planning

Investment and Regeneration Service
PO Box B93, Civic Centre 3,
Off Market Street, Huddersfield, HD1 2JR

Tel: 01484 221000
Email: DC.Admin@kirklees.gov.uk

Paul Kemp
Service Director
Economy, Regeneration and Culture

Date: 09-Nov-2017
Our Ref: 2017/93847

Nick Willock,
Robert Halstead
Unit 57
Bowers Mill
Branch Road
Barkisland
Halifax
HX4 0AD

**TOWN AND COUNTRY PLANNING ACT, 1990
PLANNING (LISTED BUILDINGS & CONSERVATION AREAS) ACT 1990
TOWN & COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS 2007**

Dear Sir/Madam

Thank you for your application received on 06-Nov-2017 and considered valid on 07-Nov-2017.

Your proposal is described below and you should contact us if you feel this is incorrect.

If by 06-Feb-2018 you have not been given a decision in writing and:

- you have not been told that your application is invalid because it is subsequently found not to comply with the statutory requirements; or,
- you have not been told your cheque has been dishonoured; or
- you have not agreed in writing to extend the period in which the decision may be given,

then you can appeal to the Secretary of State by notice sent within six months from that date (unless the application has already been referred by this authority to the Secretary of State) or 8 weeks in the case of advertisements.

* please see page 4 for note regarding enforcement notices. Planning Appeals can be made online at www.planningportal.gov.uk/pcs or in writing on a form that must be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website www.planning-inspectorate.gov.uk.

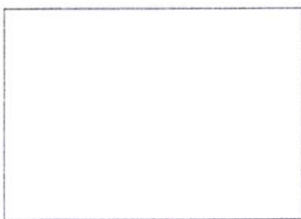
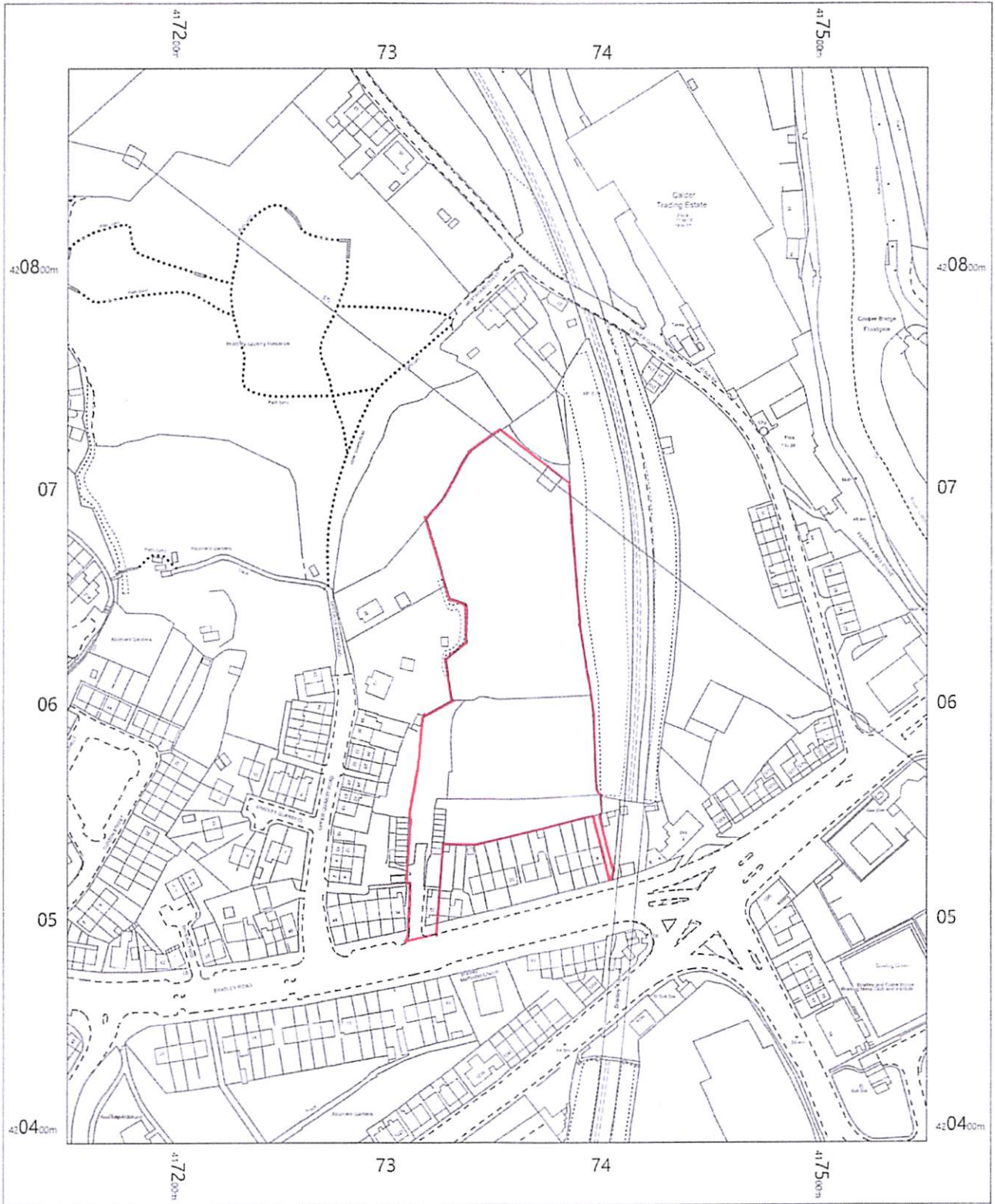
Application Number:	Date Validated:	Date Acknowledged:	Target Date:
2017/93847	07-Nov-2017	09-Nov-2017	06-Feb-2018
Name and Address of Applicant: G R E Bottomley, C/O Agent	Name and Address of Agent: Nick Willock, Robert Halstead Unit 57 Bowers Mill Branch Road Barkisland Halifax HX4 0AD		



Planning

Investment and Regeneration Service
PO Box B93, Civic Centre 3,
Off Market Street, Huddersfield, HD1 2JR

Proposal: Outline application for erection of 36 dwellings
Location of Proposal: land off, Upper Quarry Road and Bradley Road, Bradley, Huddersfield, HD2 1XD
Case Officer: See www.kirklees.gov.uk "search for planning applications" and enter 2017/93847



OS MasterMap 1250/2500/10000 scale
 Tuesday, July 18, 2017, ID: BW1-00640716
maps.blackwell.co.uk

1:2500 scale print at A4, Centre: 417352 E, 420645 N

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BLACKWELL'S
www.blackwellmapping.co.uk

TEL: 0113 245 2623
comments@maps.blackwell.co.uk

1:500 SCALE BAR



PLANT	QUANTITY	TYPE	SEEDS	NO.
1	A	3	100	1076
2	A	3	100	1076
3	A	3	100	1076
4	A	3	100	1076
5	A	3	100	1076
6	A	3	100	1076
7	A	3	100	1076
8	B	3	105	1141
9	B	3	105	1141
10	B	3	105	1141
11	B	3	105	1141
12	B	3	105	1141
13	B	3	105	1141
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15	B	3	105	1141
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24	B	3	105	1141
25	B	3	105	1141
26	B	3	105	1141
27	B	3	105	1141
28	C	4	140	1506
29	C	4	140	1506
30	C	4	140	1506
31	C	4	140	1506
32	C	4	140	1506
33	C	4	140	1506
34	C	4	140	1506
35	C	4	140	1506
36	C	4	140	1506



CLIENT
ROBERT BOTTOMLEY

PROJECT
RESIDENTIAL DEVELOPMENT, BRADLEY

DRAWING TITLE
SITE PLAN - PROPOSED

JOB NO	DRG NO	REV	SCALE @ A2	DATE
3718	03	F	1:500	10 03 14

This drawing is the property and copyright of WHP Residential Ltd, Shropshire, Huddersfield
tel. 01484 602377, fax. 01484 602723, email enquiries@wheatbushwpltd.co.uk
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Appendix 3



WILKINSON WOODWARD
DX16004
HALIFAX

Date
24 November 2017

Your Ref
LEK/BOTTOMLEY/154539-29

Our Ref
RCS/YWE64860

HM Land Registry
Nottingham Office
PO Box 75
Gloucester
GL14 9BD

DX 321601
Gloucester 33

Tel 0300 006 0008
nottingham.office@
landregistry.gov.uk

www.gov.uk/land-registry

Completion of registration

Title number	YWE64860
Property	32 Bradley Road, Huddersfield (HD2 1XD)
Registered proprietor	George Robert Edward Bottomley Penelope Ann Bottomley

Your application lodged on 24 November 2017 has been completed. An official copy of the register is enclosed. No amendment has been made to the title plan.

The official copy shows the entries in the individual register of title as at the date and time stated on it. You do not need to reply unless you think a mistake has been made in completing your application.

An owner's property is probably their most valuable asset so it's important to protect it from the risk of fraud. Please read our property fraud advice at www.gov.uk/protect-land-property-from-fraud

Important information about the address for service

If we need to write to an owner, a mortgage lender or other party who has an interest noted in the register, we will write to them at their address shown in the register. We will also use this address if we need to issue any formal notice to an owner or other party as a result of an application being made. Notices are often sent as a safeguard against fraud so it is important that this address is correct and up-to-date. If it is not, the property owner or other party may not receive our letter or notice and could suffer a loss as a result.

Up to three addresses for service can be entered in the register. At least one of these must be a postal address, but this does not have to be in the United Kingdom; the other two may be a DX address, a UK or overseas postal address or an email address.

Please let us know at once of any changes to an address for service.

For information on how a property owner can apply to change their contact details or add an address, please see www.gov.uk/government/publications/updating-registered-owners-contact-address on GOV.UK (or search for "COG1") or contact HM Land Registry Customer Support (0300 006 0411) (0300 006 0422 for Welsh speakers service) from Monday to Friday between 8am and 6pm.

If you require this correspondence in an alternative format, please let us know.

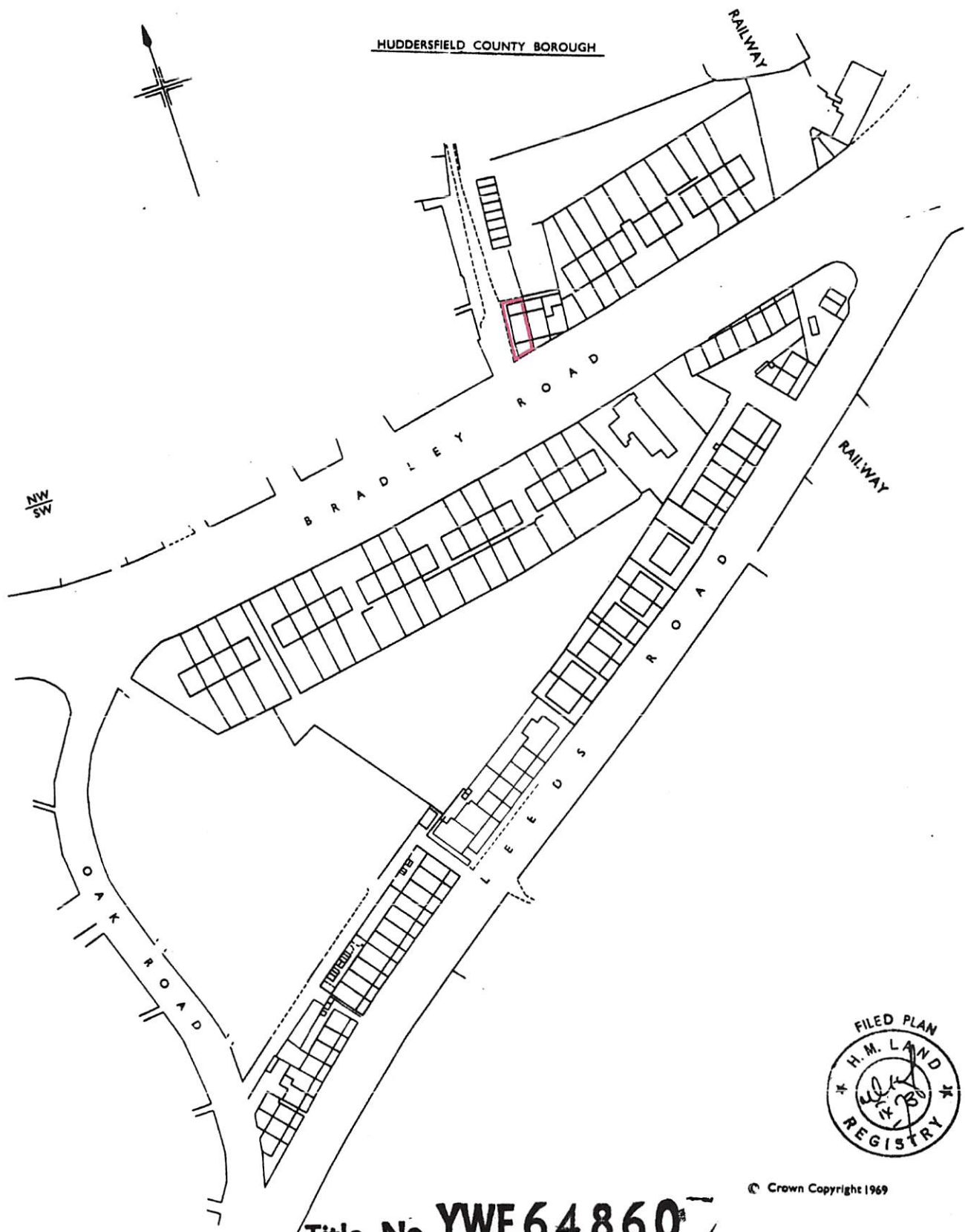
H. M. LAND REGISTRY

NATIONAL GRID PLAN
YORKSHIRE

SE 1720

SECTION C

Scale 1/1250



Title No. **YWE 64860**



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WILKINSON WOODWARD
DX16004
HALIFAX

Date
24 November 2017

Your Ref
LEK/BOTTOMLEY/154539-29

Our Ref
RCS/WYK610478

HM Land Registry
Nottingham Office
PO Box 75
Gloucester
GL14 9BD

DX 321601
Gloucester 33

Tel 0300 006 0008
nottingham.office@
landregistry.gov.uk

www.gov.uk/land-registry

Completion of registration

Title number	WYK610478
Property	Land Belonging To 32 Bradley Road, Bradley, Huddersfield (HD2 1XD)
Registered proprietor	George Robert Edward Bottomley Penelope Ann Bottomley

Your application lodged on 24 November 2017 has been completed. An official copy of the register is enclosed. No amendment has been made to the title plan.

The official copy shows the entries in the individual register of title as at the date and time stated on it. You do not need to reply unless you think a mistake has been made in completing your application.

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If you require this correspondence in an alternative format, please let us know.

HM Land Registry Official copy of title plan

Title number **WYK610478**
Ordnance Survey map reference **SE1720NW**
Scale **1:1250**
Administrative area **West Yorkshire : Kirklees**



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Appendix 4



