

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

22 AUGUST 2019

Planning Application 2019/90811

Item 12 – Page 45

Erection of 10 dwellings

Springfields, Mill Moor Road, Meltham, Holmfirth, HD9 5JY

Amended plan received:

The applicant has submitted an amended site layout plan. The changes are:

- Plot 1 has been handed in order to achieve acceptable visibility splays from the access for this plot.
- Plot 5 has been moved 400mm to the east to increase the easement to the diverted culverted watercourse within the site.
- Plot 10 has also been rotated slightly in an anti-clockwise direction in order to ease the access to its garage. This results in the rear elevation of plot 10 having a somewhat more direct relationship with 4-8 Mill Close although the separation distances are such that the relationship remains acceptable in officers' view.

Applicant response to issue of providing a ramped access between Matthew Lane and Moorland Rise:

As set out at paragraph 10.36 of the committee report, the applicant has been asked to consider whether there is scope to provide a ramped access in place of some existing steps that are between numbers 41 and 56 Matthew Lane. The steps are within the adopted highway and provide a pedestrian connection between Moorland Rise and Matthew Lane. The applicant's agent has responded as follows:

"Whilst our client would consider such works, the required gradient for the ramp, and the existing levels would mean that the work would be significant and extend back up the hill. It would be costly, it would require agreement from land owners, including party wall agreements and the work would require planning permission, so it is not something our client can agree to".

Officer response: Officers have re-visited the site to assess the practicalities of replacing the existing steps with a ramped access. Officers concur with the applicant's view that due to the difference in levels the extent of the works to provide level access would be significant and would require planning permission in its own right. In the circumstances it is not considered that it would be reasonable or lawful to seek such works as part of this planning application.

Additional representations:

Two further representations have been received objecting to the development. A summary of the comments received is provided as follows:

Principle

- Development contrary to government and local planning policy and guidance

Visual amenity/Design

- Design of the roofs is extremely high given that the land is higher than existing properties on Mill Moor Road and Matthew Lane
- Houses out of keeping with the area and out of proportion/too large
- High roofs will cause overshadowing, overlooking and restrict views as well as being reprehensible to look at
- Side garages and extensions will inhibit development and take up additional room causing overlooking between the new dwellings
- Some houses have pointed brickwork above the front windows; this is not in keeping with the area
- Too many houses. 5 or 6 houses more appropriate
- Surrounding houses have a simple design with no garages
- Not enough soft landscaping
- Loss of historic stone boundary wall
- Bungalows or smaller houses more appropriate

Highway Safety

- Less room to manoeuvre cars into drives and the access road to the site will be smaller than is required leading to congestion which could back up onto Mill Moor Road
- Highway safety concerns with the drives directly onto Mill Moor Road and Matthew Lane
- Development mean the loss of existing parking space on Mill Moor Road because of driveways
- Mill Moor Road already extremely busy
- Development should be served by a single access
- Bin collection area inappropriate and should be on Matthew Lane. Bin collection point would cause highway safety issues.

Residential Amenity

- Noise from cars on the site
- Concerns raised with crime and anti-social behaviour on Mill Moor Road
- Impact from construction phase (waggon, fumes, dirt)

Other matters

- If approved the council would be open to legal action against it
- WW1 explosives hidden below the site within an underground cave that goes to Manchester
- Impact on neighbours' view

Matters of principle, visual amenity, residential amenity and highway safety are addressed in the main report and the revised plans referred to in the update. The recommendation to Members is made in accordance with the adopted Local Plan and has taken into account other material considerations.

Planning Application 2019/90085

Item 13 – Page 59

Erection of 10 dwellings

Land at, Lancaster Lane, Brockholes, Holmfirth, HD9 7TL

Officers request the application be DEFERRED

Since the main report was published a revised Flood Risk Assessment (FRA), an amended site plan and revised house types were submitted on 19th August. This suite of information has sought to overcome the Environment Agency's objection to the development. This information was forwarded to the Environment Agency on 19th August.

The Environment Agency have confirmed in writing that they will not be able to respond to this information in advance of the Sub-Committee meeting. This means that their objection stands, despite this being based on the initial FRA and layout (see para 10.40 of the main report).

In addition, at the time of writing this update the Council's Ecologist had not provided comments on the revised scheme or assessed how this might impact on protected species (see para 10.51 of main report).

Given the above it is recommended that the application be deferred from consideration to allow the Environment Agency to consider the revised scheme and determine whether this overcomes their objection on the grounds of flood risk. Furthermore, it will allow for the Council's Ecologist to assess the impact of the amended scheme, including the impact on protected species. It will also give the applicant time to submit a Road Safety Audit and designers' response.

For Members' information officers have also taken into account the requirements of the Town and Country Planning (Consultation) (England) Direction 2009 in requesting this application be deferred. This Direction requires Local Planning Authorities to refer to the Secretary of State (S of S) any Major application which falls within flood zones 2 or 3 to which the Environment Agency object and where the authority do not propose to refuse planning permission. At this present time any recommendation to approve the application would have to be referred to the S of S in accordance with this Direction.

Further representation received:

A further representation has been received objecting to the proposed application. This is summarised as follows:

Principle

- Pigs have been removed from the field and the land has recovered, including its ecological value. It was wrong for this site to be designated as housing

Ecology

- The strip of land designated as lowland dry acidic grassland adjacent to the southern boundary is a poor and ineffectual attempt at mitigation

Flood Risk

- Development will add to flood and pollution risks
- Increased water run-off
- Run-off often freezes on the footpath making it a hazard to users

Highway Safety/Public Right of Way

- Ownership of the existing turning head where the visitor parking spaces are proposed needs to be properly established
- The turning head is already used by existing residents for parking
- New turning head is a danger to pedestrians
- The latest plan does not address the PROW officer's concerns and the proposal is contrary to NPPF para. 110.
- Plan does not provide a 2.0m wide footway in line with Highways' comments

Visual and Residential Amenity

- The developable area is only 0.31ha, as set out in the allocation. The proposal covers the entire 0.47ha site.
- Density not in keeping with River Holme View
- Height of dwellings is inappropriate and will harm vistas
- Balconies to plots 3-5 will result in overlooking
- 10 imposing large house will not complement the area and does not provide affordable housing

Other Matters

- Local primary school is oversubscribed. Residents will have to travel by car to other schools.

Matters of principle, visual amenity, residential amenity and highway safety are addressed in the main report. The revised recommendation to DEFER the application is made as matters of flood risk and biodiversity have yet to be fully addressed.

Change of use of land to domestic curtilage and erection fences to the sides (within a Conservation Area)

2, Garfield Place, Marsden, Huddersfield, HD7 6DA

Further to that set out in the published committee report, it is noted that revised information has been submitted by the applicant through the course of application which has not been re-advertised to local residents, although it has been available to view on the Council's website.

The revised information relates to the proposed boundary treatment which has been reduced in its nature and scale from an initially proposed stone boundary wall and gates to a timber fence between no.2 and adjacent property. The revised information was not re-advertised to members of the public as Planning Officers considered that the timber fence represented a lesser scale of development to that initially proposed.

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