

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE HEAVY WOOLLEN

17 FEBRUARY 2021

Planning Application 2019/91836

Item 9 – Page 45

Erection of 34 dwellings

Land adjacent to Inkerman Court, Barnsley Road, Denby Dale, Huddersfield, HD8 8XA

Revised recommendation

In light of the further comments of KC Landscape and the West Yorkshire Combined Authority, the list of recommended planning obligations is revised to include:

2) Open space – £45,194 contribution towards off-site provision, and an additional contribution payable in the event that development comes forward at the adjacent allocated site (HS136) and the cumulative impacts of the developments require mitigation.

4) Sustainable transport – Measures to encourage the use of sustainable modes of transport (including a financial contribution of £30,017) and a contribution towards Travel Plan monitoring payable in the event that development comes forward at the adjacent allocated site (HS136) such that a Travel Plan is required.

Representations

Further to paragraph 7.8 of the committee report, representations were received from the Upper Dearne Valley Environmental Trust (UDVET), who stated:

- UDVET's previous objections still stood.
- The proposed visibility splays are inadequate.
- The proposed right-turn pocket would be dangerous.
- Inadequate parking proposed.
- Support LLFA objections.
- Proposed "terracing" would result in dwellings towering over adjacent bungalows, contrary to draft Housebuilder Design Guide SPD.
- Supporting information and elevational drawings were missing from the council's website.
- Support stone wall retention along Barnsley Road, but with hedge planting to provide screening and soundproofing, and to improve biodiversity.

A further representation was also received from the owner/operator of Inkerman House/Pool. This states that the advice of KC Highways Development Management regarding the proposed right-turn pocket should not be followed. Previously-raised concerns regarding parking are reiterated. The representation further states that westbound (and downhill) drivers tend to position their vehicles towards the centre line of the road and well clear of the left hand kerb, and photographic evidence of this has been submitted. By reducing the width of the westbound lane, drivers would be forced up against the left hand kerb, making their vehicles less visible to drivers leaving Inkerman Pool. Queuing traffic in the pocket would limit visibility for those leaving Inkerman Pool. Those arriving (westbound) would be forced to drive closer to the left kerb, limiting their ability to see other vehicles leaving Inkerman Pool. Committee need to understand volume and times of traffic associated with Inkerman Pool, which would be greater than that of the proposed development. Impact of construction traffic has not been considered. Application should be rejected.

Cllr Turner commented that he would welcome a reduced speed limit along Barnsley Road, and noted that this matter had been previously discussed at the start of the application process. Cllr Simpson also expressed support for a reduced speed limit to 40mph, and added that this should be applied a good distance away from the application site to achieve the desired effect in relation to highway safety. Cllr Turner additionally commented that he would not support sustainable transport funds being spent on a bus shelter and Metro cards.

Further consultee responses

KC Highways Development Management – Concerns regarding swept paths:

- There is no clearance between the kerb edge and the vehicle track at a number of points. Outside plot 7, plot 12, and plots 1-9 as examples.
- The rearranged visitor parking now creates a pinch-point on a bend that does not allow two vehicles to pass and will be detrimental to forward visibility.
- The tracking appears to show that the road layout does not allow two large vehicles to pass outside plots 3-4 and 18-19.
- There is still a 90-degree angle outside plot 34 where the Highway Design Guide states “kerb edges should be of a sufficient curvature to allow unhindered mechanical street cleaning (squared-off carriageways and footways can result in areas of the highway being inaccessible for cleaning)”. This should be addressed.

KC Landscape – Recalculation of open space contribution in light of applicant’s most recent amendments (which now include 1,063sqm of on-site provision). £45,194 contribution required.

West Yorkshire Combined Authority – Request contributions towards a bus shelter (£13,000) and Metro cards (£17,017) in relation to the proposed development.

West Yorkshire Police Designing Out Crime Officer – Support application in principle, but recommend conditions regarding boundary treatments to rear of units 1 to 9 and 26 to 34, shared rear access to units 14, 15, 31 and 32, lighting to unadopted road, bin store design, and lock specification. Further advice provided regarding other crime prevention matters.

Highways matters

Further to paragraph 10.77 of the committee report, the council's Highway Safety engineers have confirmed that there have been no injury accidents on the relevant section of Barnsley Road (the A635) over the last ten years. The search was conducted for a distance greater than 250m in each direction from the proposed access point.

The applicant's most recent internal layout and tracking drawing (submitted on 11/02/2021) does not show adequate space around the swept paths of a 11.85m long refuse collection vehicle. Of note, the council's Highway Design Guide SPD states "All schemes must incorporate reasonable tolerances and safety margins. A good starting point is to allow 0.5m clearance to kerbing or vertical obstructions on each side of the swept path. Designs should therefore, where possible, aim to cater for vehicles larger than the above minimum standards". There are a number of points where this 0.5m clearance would not be maintained, as detailed in KC Highways Development Management's most recent comments. A further ("option 2") tracking drawing was submitted by the applicant on 12/02/2021, and this is being assessed, however it is considered that these concerns (which relate to kerb alignments and carriageway width) can be addressed at conditions stage in any case.

Regarding the request from the West Yorkshire Combined Authority (WYCA) for contributions towards a bus shelter and Metro cards, given the suitability of the site to its residents commuting by train, and having regard to the comments of ward Members (Cllr Simpson's comments reported at paragraph 7.5 of the committee report, and Cllr Turner's comment that he would not support sustainable transport funds being spent on a bus shelter and Metro cards), it is considered that any such contribution would be better put towards encouraging and facilitating train travel, as well as active travel (walking and cycling). Although the amount requested by WYCA would not fund additional trains, it could – for example – be put to effective use in improving pedestrian routes to Denby Dale station, or other measures related to train and/or active travel, all subject to consultation with ward Members. The revised recommendation is worded accordingly.

Outline application for erection of residential development

Land at, Green Acres Close, Emley, Huddersfield, HD8 9RA

Representations

A further nine representations have been received. Concerns already summarised in the committee report were raised, and the following further points were made:

- No evidence that ransom strip issue has been resolved. Land is still in fragmented ownership. Details are needed, as access is not a reserved matter. Risk that unresolved issue would result in Warburton being used for access. Ransom strip is not adopted highway. Incorrect to say it has been re-designated as adopted highway. Only constructed highway can be adopted. Section 38 application to adopt the land could only follow approval of planning permission. Council is ignoring misuse of information.
- Maintenance access rights for Emley Millennium Green have still not been addressed.
- Millennium Green is within zone of influence of application site. Impact on Millennium Green must be fully assessed. Ecological survey of Millennium Green has not been carried out.
- Traffic survey was carried out during lockdown.
- Local roads flood, or are impassable when it has snowed.
- Number of proposed dwellings should be reduced, to reduce traffic at Wentworth Drive / Beaumont Street junction. 20 dwellings would be preferable.
- Double yellow lines at Wentworth Drive / Beaumont Street junction would only move the problem elsewhere, and would not slow down traffic.
- Proposed improvements to public right of way DEN/21/20 are welcomed.
- DEN/21/20 meets Upper Lane where there is no footway. Unsafe crossing point. Council has previously rejected improvements to this public right of way.
- Occupiers of the development would be wholly reliant on private vehicles.
- Sustainable development not proposed.
- No guarantee that education contribution would be put towards local school.
- British hedgehogs are now classified as officially vulnerable to extinction by the International Union of Conservation of Nature (IUCN). Millennium Green is a hedgehog release site. Proposed development would have an effect on hedgehogs and their habitat.
- Recommendations and suggestions made by officers have not been listened to.
- Full planning application, rather than outline, is required.

Cllr Simpson stated that the concept of a Traffic Regulation Order (for the Wentworth Drive / Beaumont Street junction) had his support, and that yellow line markings were essential. He added that whoever draws up the TRO scheme should attend the site at a peak times to see how that area operates with the parked vehicles, and given the multiple junctions. Cllr Simpson stated that the details need to be right so as to not create more issues in the vicinity.

Traffic Regulation Order (TRO)

The funding of the Traffic Regulation Order (item 7 in the recommended Heads of Terms, and discussed from paragraph 10.5 onwards in the committee report) would need to be made payable prior to commencement of works.

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Change of use from agricultural land to A4 (Drinking Establishment) and erection of extensions and alterations

Dunkirk Inn, 231, Barnsley Road, Lower Denby, Huddersfield, HD8 8TX

Additional/Revised Information:

The following additional information has been received:

- Highway Statement Received 15th February
- 'Report for Submission to Committee' Received 15th February

In addition, the following revised plans have been received:

- Existing Site Plan, Plans and Elevations drawing ref EX01 Rev E
- Proposed Site Plan and Floor Plans drawing ref PR02 Rev C
- Proposed Elevations drawing Ref PR02 Rev E

The proposed revisions include:

- Omission of a kitchen garden/outdoor area to the north of the extension
- All parts of the extension will now be faced in reclaimed stone and artificial stone slate roofing tiles.
- The applicants have re-named the proposed upper floor from 'Multi-use Room' to 'Community and Function Room'.

The Highway Statement, and the 'Report for Submission to Committee' were received 15th February. This gives insufficient time to appraise the additional information received prior to the Committee meeting, taking into account the requirement to consult statutory consultees. According, officers recommend that the application is deferred to make an assessment of the Highway Statement and to consider the details submitted within the 'Report for Submission to Committee'.

In respect of the amended plans officers make the following comments:

Omission of Kitchen Garden

Officers queried why the proposed formal extension to the curtilage needed to include an additional outdoor growing space, and why the existing agricultural fields could not be used for growing purposes if this is what the business requires. The outdoor growing space has now been omitted from the proposed site plan and the red line boundary has been reduced. The removal of this outdoor space has reduced the extent of the new formal curtilage proposed, but it does not overcome officer's concerns about the proposed footprint and scale of the extension.

Design/Impact on the setting of the Grade II listed former barn at 1 Tenter House Court

All of the proposed extension will now be faced in reclaimed stone and artificial stone slate roofing tiles. The Conservation and Design team consider the amendments to the design to be acceptable, however their comments still apply in terms of weighing up the harm against public benefits.

To provide further clarity to the comments in the published committee report, Conservation and Design consider that if an assessment of the supporting information finds that an extension of this size is essential for the future viability of the public house, then they would consider this could outweigh the less than substantial harm. The applicant's economic accounts have been considered, although they not been independently reviewed on behalf of the Local Planning Authority. Conservation and Design have indicated in their view the public benefit relates to the financial viability of the business. Officers consider it appropriate that the matter of public benefits be considered in respect of the value of the existing public house to the community (should it be lost) rather than solely a financial appraisal of the business.

Description of Upper Floor

The applicant has amended the description of the existing upper floor room from 'Multi-use Room' to 'Community and Function Room'. This matter is noted. It is also noted the applicant is not proposing use of the upper floor to provide additional covers.

Revised Recommendation: Defer the application to make an assessment on the Highway Statement and to consider the details submitted within the 'Report for Submission to Committee'.
