

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

2 FEBRUARY 2023

Planning Application 2020/93954

Item 11 – Page 13

Erection of 42 dwellings and associated works

Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY

Extension of Time

An extension of time to the application's target date until the 23rd of February 2023 has been agreed with the applicant.

Plans

Updated drainage plans have been provided; these are minor amendments to bring the previous drainage plans into alignment with the site layout, following the latest updates. The changes have no material effect on the drainage arrangement nor the principles previously accepted by the LLFA.

Other plans have been updated with minor amendments or clarification, to a minor degree which does not warrant re-advertisement.

Representations

The public representation period expired on the 24th of January, the day which the committee report was finalised. Two additional public representations were received later in the day on the 24th. In addition, post the formal end of the public representation period, an additional 37 representations have been received. This brings the total representations received to 334.

The following is a summary of the additional representations which have a subject matter not addressed within the main report and its representation section:

Drainage

- The attenuation tank is sited within clay soil, with the representation stating "Soils with a clay content of more than 20% are generally unsuitable for infiltration". The tank should be sited in nearby more appropriate soil.

Response: Surface water drainage is principally not to be via infiltration. Surface water hitting hard surfaces will be collected by road gullies etc that connect to pipes which lead into the tank. The more appropriate soil referenced is at the top of the site, and would necessitate the pumping of surface water. The pumping of surface water is seen as the least preferable method of disposal due to maintenance issues.

- An overflow would be sited within plot 8's garden: if water backs up, it would flow downhill, over plot 8's lawn and into the garden of properties on Manchester Road. Residents on Manchester Road have not been notified of this and must be made aware. There is no legal basis for this.

Response: The overflow will connect to a pipe, re-routing any excess water into the site's attenuation tank. It will not discharge overland.

- Questions over how the attenuation tank will be managed and maintained, principally relating to how it will be accessed.

Response: The siting of attenuation tanks in adjacent fields is not unusual and not prohibitive to the appropriate management and maintenance of the tank. A condition is proposed for a fully detailed management and maintenance strategy, as is typical for a development of this size. A clause within the S106 will also cover management and maintenance, to ensure an appropriate body is in place (unless it is adopted by Yorkshire Water).

- Concerns that the drainage details are being left for later; the representation states that all drainage matters should be resolved prior to determination.

Response: The applicant has provided an acceptable surface water drainage strategy which has the support of the Lead Local Flood Authority. It clearly demonstrates that appropriate space has been left for water and there is no prohibitive design to prevent appropriate drainage, nor issues from the risk of flooding. Nonetheless, a condition is recommended requiring a complete drainage strategy, to allow for design amendments and/or further details as required. For the avoidance of doubt however, the submitted details are adequate to demonstrate compliance with national and local policy.

Amenity

- The access road would be unacceptably high next to the garden / conservatory of no. 45 Lingards Road. This will cause a loss of amenity through overlooking and overbearing.

Response: It is accepted that the access road would be at a higher ground level than ground level of no. 45's dwelling and garden, to the side of the property. Originally it was intended to be higher to the side and rear, but amendments were secured to lower the road to the rear to protect the amenity of no. 45's occupiers given the presence of the main habitable room windows on the rear elevation. To the side, where no. 45 has a conservatory, the road would at its highest be circa 2m higher than the property's garden level which will affect their amenity.

Careful consideration has been given to the siting and design of the access road, with that proposed being considered the most appropriate. This point is the most level area: the higher the road is sited along Lingards Road, the higher and more extensive engineering works would be required to enable it. Due to steepness standards for roads, this would have a knock-on impact on all elements of height for the development.

The 2m height is only where the new road will connect onto Lingards Road, with the level difference falling as you move into the site. Screening up to 2m along the new pavement and planting may be secured, via condition, to further reduce the proposal and road's impact on no. 45. The conservatory will retain a clear outlook to the rear. Due to the level of Lingards Road there is already a degree of overlooking into the conservatory, albeit from a further distance. Furthermore, by virtue of the road to the rear being lower, the main rear outlook for no. 45 would be preserved. Weighing these factors, on balance, the relationship between the access road and no. 45 is considered acceptable.

- There would be a bin store to the rear of no. 41 Lingards Road, due to causing vermin and light pollution, while also being closer than recommended by the police.
- Parking to the rear of nos. 37 – 41 Lingards Road will produce fumes and light pollution.

Response: The location of the bin store has been assessed against Council policy and found to be acceptable. Light pollution from vehicles will be limited, and largely mitigated by boundary treatments at higher levels than headlights. Fumes from the number of vehicles proposed would be negligible and not materially impact air quality.

- Properties have been forced to the edge of the site to enable open space within it, for new residents.

Response: The layout of the site, including the siting of the landscaped areas, is discussed within the officer's report, paragraphs 10.23 – 10.30 and 10.34 – 10.35. In summary the design has led by various considerations, including separation distances, the established urban grain, and topography of the site.

Highways

- The footpaths crossing the site go nowhere and exist only to walk around the site.

Response: The footpaths are considered effective connectors within the site. Externally, the footpaths connect to Lingards Road as well as the PROWs COL/117/10 and COL/133/10 (each of which connect to Manchester Road). Officers consider the paths to be acceptable and would promote walking.

- The location of the access is different to that approved via 2014/93946, contrary to the applicant's claims.

Response: The access shown on 2014/93946 was located slightly to the south of the current access. The current access is larger, to comply with modern standards. There is no requirement for the access to be the exact same as that on 2014/93946.

- Under the Council's Highways Design Guide the number of units on Lingards Road would classify it as a 'connector street'. Therefore, this development should make improvements to Lingards Road, such as widening, to the standards of a 'connector street'.

Response: The standards in question apply to new developments and their roads. It is not reasonable to apply the same standards to pre-existing roads. The proposal's impact on Lingards Road, which includes consideration of its width, has been undertaken by K.C. Highways as detailed within the main report.

Other

- There is little provision for mobility access, e.g., wheelchairs, pushchairs. Not all residents will have cars. The internal arrangements are not suitable for those with mobility issues.
- House type A1 includes a 14.8cm step into the front door, which will prejudice wheelchair users. Level access is required by NHBC.

Response: The road steepness has been designed to the required S38 road adoption standards, which give due regard to appropriate access. Consideration is given to the Equalities Act within the main report, however for the internal layout of units this will principally be considered at Building Regulation stage.

- Concerns over land stability on site and Lingards Road itself. The road was widened in the 1970s, using infill from where bungalows were built. Reference to a past explosion sourced from the garage at no. 84 Lingards Road, causing by gas pipes being damaged by the road moving. Recent re-surfacing has already cracked. Building units / excavating the site will further undermine the road.

Response: A condition is proposed requiring full technical review and details of the excavation / infill works adjacent to Lingards Road, to be reviewed by the Council's Highway Structures team. This is to ensure the safety and protect the adopted highway. Conversely, on the matter of stability elsewhere within the site, the NPPF states 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (paragraph 184)'.

- Concerns that the plans are inaccurate; an example is given that Lingards Road has been measured as narrower than the plans show. Question how far such inaccuracies go.

Response: No such inaccuracies have been identified by officers. The road width matter on Lingards Road has been considered at length by K.C. Highways and deemed to be acceptable.

Conditions

Note the following amendments to two of the recommended draft conditions from section 12.0 of the original report:

Draft condition 4: Landscaping strategy to be submitted and approved, to include trees along Northern boundary (adjacent properties fronting Manchester Road) and planting along north side of the access road adjacent to no. 45 Lingards Road.

Draft condition 6: Submission of boundary treatment plan, to include western boundary treatment, details of treatment along boundary with Lower Wood Farm, and screening along north side of the access road adjacent to no. 45 Lingards Road.

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Erection of 10 student residential units with associated landscaping

land at, Manor Street, Newsome, Huddersfield, HD4 6NW

KC Highway Structures (informal): Based on the information submitted, it is unlikely that the proposed development would require a structures condition.

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