
Report of the Head of Development Management

STRATEGIC PLANNING COMMITTEE

Date: 01-Dec-2016

Subject: Planning Application 2016/92181 Outline application for erection of residential development (116 dwellings) and formation of new access to Woodhead Road Land off, Woodhead Road, Honley, Holmfirth, HD9 6PR

APPLICANT

Tim Williams, Miller
Homes Ltd

DATE VALID

04-Jul-2016

TARGET DATE

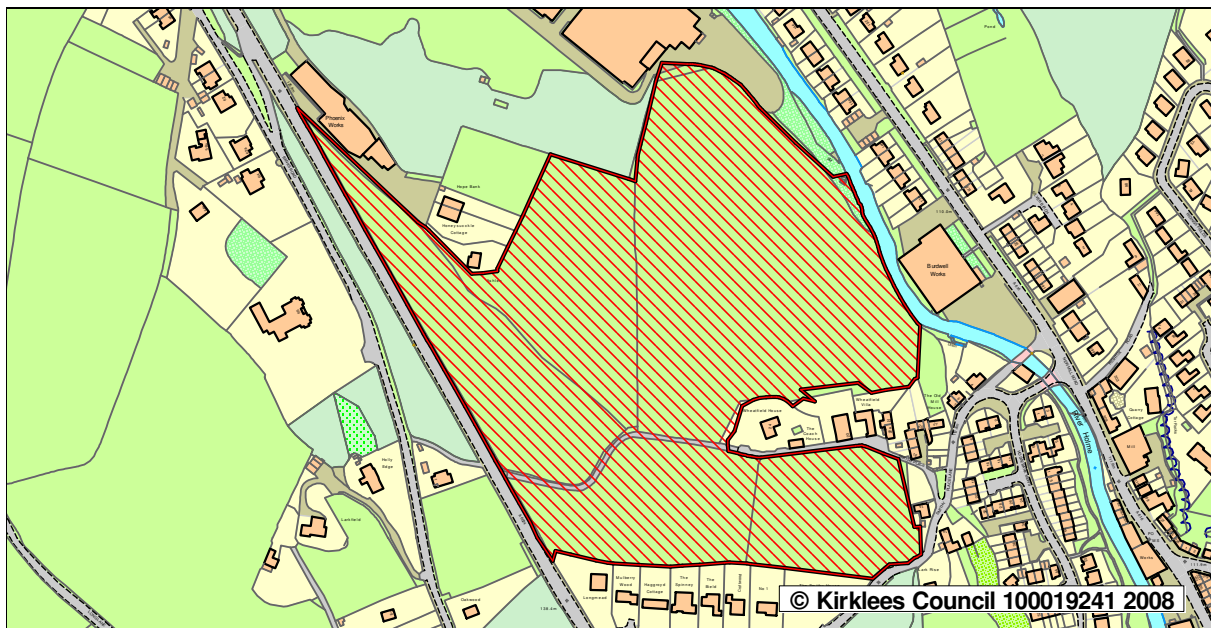
03-Oct-2016

EXTENSION EXPIRY DATE

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<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected:

Holme Valley North Ward

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION:

REFUSE ON HIGHWAY SAFETY GROUNDS

- 1. The proposed access arrangements for the development site, which is for a signalled controlled layout, would be detrimental to highway safety and efficiency in this location. The harm to highway safety is not outweighed by any other material considerations.**
- 2. In the absence of a completed Section 106 agreement the development fails to provide for Educational requirements, affordable housing provision, public open space and travel planning requirements.**

1.0 INTRODUCTION:

- 1.1 The proposals are brought forward to the Strategic Committee for determination in accordance with the Council's Scheme of Delegation, as the development represents a departure from the provisions of the Unitary Development Plan and the total number of dwellings exceeds 60 units.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site is split into 3 open grassed fields that lie to the east of Woodhead Road. The fields are bounded by lines of mature trees along field boundaries and there are also a number of individual large mature trees within the fields. Many of these trees are protected. Three public rights of way (footpaths) converge within the southern part of the site and link Smithy Place Lane and Woodhead Road.
- 2.2 Towards the north of the site are large commercial premises and to the west is the River Holme with housing and a commercial site beyond. To the south is residential development with the site also surrounding a small row of houses on Smithy Place Lane.

3.0 PROPOSAL:

- 3.1 Outline application for erection of residential development (116 dwellings) and formation of new access to Woodhead Road.

- 3.2 The application seeks approval for the access only. Layout, scale, appearance and landscaping are reserved for future approval.
- 3.3. The new access is to the southern part of the site. It was originally proposed to provide a simple "Give Way" priority junction but in response to comments made by Highways Development Management a revised proposal for the access has been submitted. This is for a signal controlled layout incorporating a right turn pocket within the highway and signal controlled crossing facilities.
- 3.4 An indicative site layout has been provided which shows the access cutting about halfway across the southernmost field and then bending northwards to traverse public footpath HOL/31/30 and branching off into a series of estate roads.
- 3.5 The housing is shown within the northern part of the site with the southern portion left undeveloped to create a mix of open space/amenity areas/community allotments. Existing groups of protected trees and individual protected trees are incorporated into the layout of the development.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 2013/93373 Outline application for residential development – Conditional outline permission (all matters reserved).
- 4.2 The site of the above application forms part of the current application site. The application indicated that there would be up to 51 dwellings served by a new access off Woodhead Road.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The proposal was subject to a formal pre-application enquiry. As part of this process, officers indicated that there was a preference for the development to be accessed via the same point of access as the approved outline consent which had been designed to accommodate traffic to the entire POL allocation. Alternatively, and subject to consideration of certain factors, it was considered that the principle of any new access was reliant on the provision of a dedicated right turn lane and two central islands along with the retention of the existing cycle lane.
- 5.2 The submitted scheme proposes a new site access. The site access arrangements as originally submitted did not include a right turn lane but these have been amended during the course of the application to include a right turn lane and two central islands, one of which incorporates signal controlled crossing facilities.
- 5.3 Community consultation was undertaken by the applicant prior to the application being submitted. A leaflet summarising the main aspects of the proposals was sent to ward members, the Parish Council, Brockholes Village Trust and households and businesses within the vicinity of the site as well as copies left within Brockholes Post Office and Honley Library. A public

exhibition was also held within the local area with 58 attendees. A total of 7 written comments were received by the applicant in response to the community consultation.

- 5.4 Ward members were also notified of the proposals by officers. A site meeting was held between officers, the applicant, a representative of the land owner, a representative of a local residents group and Cllr Charles Greaves in August this year. The principal matter discussed was the highway impacts.
- 5.5 Ward councillor Charles Greaves has submitted a written objection to the application. This is set out in full below:

“Whilst I welcome the applicant’s willingness to talk to the community and to look at amending their proposal, I believe that this site should not be developed. I urge the committee to reject this application as being an unsuitable and unsustainable site.

Would you ensure that the petition submitted some years back that relates to any development at Smithy Place is raised with the committee.

Site Visit

I request that the committee have a site visit and that they travel from the access on Woodhead Road down to Smithy Place to Brockholes. In travelling along this route I would highlight that this is the direct route to Brockholes and where the site footpath link runs to - and the lack of pavements, the very high volumes of traffic, the poor lines of sight and that it is a narrow winding road.

Access and Connectivity

The site lies outside of Brockholes and bears no real relationship to it, nor is it clear how the site can be fully integrated into the village. Development of this site will bring about a substantial addition to Brockholes and in demand on its services, but this proposal will be isolated from Brockholes. The applicant needs to demonstrate how this application physically relates to Brockholes.

The proposal shows the access to the site as very close to the woods and the sight lines towards Holmfirth are dangerous due to the bend and the woods. Vehicles travel well in excess of the speed limit and whilst we have suggested highways works to reduce the risk of an accident, I believe that the access is too close to the woods to be safe.

The proposal shows the site linking it to Brockholes. via Smithy Place Lane. This lane only has a short section of footpath, is narrow, steep and has blind turns and is subject to numerous collisions and near misses. There ought to be analysis work undertaken in respect of Smithy Place to establish its capability to take the additional foot and vehicle traffic. A vehicle and foot access, direct from the site on to New Mill Road, would greatly improve the access and really link the site into Brockholes.

The applicant needs to address how the rights of the public and home owners of Robinson Lane will be maintained along the lane, whilst preventing users of the site from being able to use the lane.

Setting and character

The application site offers an open, rural aspect that provides a visual break between the built up urban settlements of Honley and Brockholes. The site is publicly accessible from both settlements, and the Holme Valley Riverside way footpath runs through the centre of it, whilst the Holme Valley Green Corridor runs along the river at the farther end of the site.

This area is rural in nature and has never contained physical development. Its development would create an intrusive suburban landscape as the majority of development between Honley and Brockholes is ribbon development bordering the main road.

The intrinsic value of this site towards the well-being of the local and wider community has not been properly considered, and the proposed development would introduce an intrusive and visually negative feature within this tranquil setting, and the impact would not be offset by the partial retention of existing natural features.

Local Green Space

This site plays a vital role in maintaining the spatial and social distinction between Honley and Brockholes, which helps to preserve the unique character of each village and enables residents to identify with, and feel part of a well-defined community.

Development of this site would result in the loss of the last remaining strategic gap between Honley and Brockholes. As well as being viable grade 3 agricultural grazing land, the site provides a local centre for all forms of wildlife, not just to cattle but to river life, [a protected species], bats, birds, wild flowers, bees, butterflies and other insects. It also plays an important role in enabling movement and onward colonisation between wildlife areas.

The on-site Public Open Space is substantial, but provides no clear purpose nor is it clear how it will be used to maintain the openness of the site or to enhance public access.

Development of this site would cause more harm than good, and housing needs can be better met on alternative sites that can be properly integrated with existing settlements.

The whole POL site should be protected from development, and its role and contribution to the lives of all residents properly acknowledged and safeguarded. I propose that the Smithy Place POL site be designated as a NPPF paragraph 76 Local Green Space

I ask the committee to reject this application, and to support the inclusion of this site as Local Green Space.”

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007).
- 6.2 The Council's Local Plan has been published for consultation on 7th November 2016 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council considers that, as at the date of publication, its Local Plan has limited weight in planning decisions. However, as the Local Plan progresses, it may be given increased weight in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (adopted 1999) remains the statutory Development Plan for Kirklees.

6.3 Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

The site is allocated as Provisional Open Land (POL). The site comprises the vast majority of the POL allocation with an area to the north excluded. Part of the western boundary adjoins a green corridor.

Relevant policies are:

BE1 – Design principles
BE2 – Quality of design
BE12 – Space about buildings
BE23 – Crime prevention
D5 – Provisional open land
D6 – Land adjoining green corridor
EP4 – Noise sensitive development
EP10 – Energy Efficiency
EP11 – Ecological landscaping
G6 – Land contamination
H1 – Housing needs of the district
H10 – Affordable Housing
H12 – Arrangements for securing affordable housing
H18 – Provision of open space
NE9 – Retention of mature trees
T10 – Highway safety
T16 – Pedestrian routes
T19 – Parking standards
R13 – Rights of way

6.4 Supplementary Planning Guidance / Documents:

K.C. Supplementary Planning Document (SPD2) – ‘Affordable Housing’

6.5 National Planning Guidance:

National Planning Policy Framework: Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The NPPF also considers issues relating to design, highway safety, amenity considerations, flood risk, pollution and contamination.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by neighbour letter, newspaper advertisement and site notices. Representations: 24 received (N.B. multiple representations were received from a single objector and these have been counted as one).

7.2 Representations summarised as follows:

Highway matters:

- Highway safety concerns as a result of location of access & increased traffic
- Safety concerns for pedestrians accessing Brockholes village, especially along Smithy Place Lane
- Issues of speeding on Woodhead Road
- Insufficient consideration for cyclists
- Not an accessible/sustainable location
- Highway/footpath improvements needed if application approved

Amenity:

- Change the character of the area / merge Brockholes & Honley (loss of buffer)
- Visual impact of housing/design
- Cramped development
- Development out of keeping with local context
- Loss of green amenity space
- Overlooking/loss of privacy
- Concerns if POS area is built on
- Loss of trees

Ecology:

- Loss of wildlife habitats
- Impact on protected species
- A pond in the garden of an adjacent property may be a habitat for newts

Other matters:

- Impact on local infrastructure (schools, medical facilities etc)
- Increased flood risk/drainage concerns
- Not a need for housing
- Inadequate/unsuitable affordable housing offer
- No need for more affordable housing in Brockholes
- Query red line boundary
- Detrimental impact on tourism

Holme Valley Parish Council:- “Support the application, subject to Highways and a more suitable/sustainable mix of housing being provided (for sale, not social housing).”

Honley Civic Society: - Concerns with loss of open space between Brockholes and Honley which results in a merging of the villages. Proposed access is dangerous. Impact on traffic generation and highway safety. Not a sustainable location. Impact on local infrastructure including school places.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

8.1.1 K.C. Highways: - Object

8.1.2 Environment Agency: - No objection subject to condition

8.2 Non-statutory:

8.2.1 K.C. Environmental Services: - No objections subject to conditions

8.2.2 K.C. Flood Management & Drainage: – No objections subject to conditions

8.2.3 K.C. Conservation & Design: - No objection

8.2.4 K.C. Trees Section: - Further information required in order to fully consider impact of the indicative proposed layout on protected trees

8.2.5 K.C. Landscape Section: – Ample space is available for on-site POS provision. This development comes within the zone for existing equipped play facilities in Brockholes and for a development of this large scale, it is expected that an off-site lump sum for broadening these existing facilities would be provided [sum can be calculated once the on-site POS areas are designed]. That being said, the site offers opportunities for a variety of natural play provision.

Future consideration of reserved matters needs to take into account high quality landscape design.

8.2.6 K.C. Strategic Housing: – There is a need for affordable housing in this housing market area and affordable housing should be secured as part of the planning process.

8.2.7 K.C. School Organisation & Planning: – A financial contribution of £180,741.00 is required towards school funding

8.2.8 K.C. PROW team: - No objections

8.2.9 Yorkshire Water: - No comments received

8.2.10 WY Police Architectural Liaison Officer: – Advice provided on crime prevention measures

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Housing issues
- Highway issues
- Drainage issues
- Planning obligations
- Representations
- Other matters

10.0 APPRAISAL

10.1 Principle of development

10.2 The application site is allocated as Provisional Open Land (POL) which is subject to Policy D5 of the Unitary Development Plan (UDP).

10.3 Policy D5 states that “ *planning permission will not be granted other than for development required in connection with established uses, changes of use to alternative open land uses or temporary uses which would not prejudice the contribution of the site to the character of its surroundings and the possibility of development in the longer term.*”

10.4 The weight that can be attributed to policy D5 in determining applications needs to be assessed in the context of the National Planning Policy Framework (NPPF) paragraphs 215 and 49.

10.5 In the context of paragraph 215 the wording of policy D5 is consistent with NPPF paragraph 85 concerning safeguarded land. However, with regard to paragraph 49 the Council is currently unable to demonstrate a 5 year supply of deliverable housing sites. The weight that can be given to policy D5 in these circumstances was assessed in October 2010 by a planning inspector in his consideration of an appeal against the refusal of permission for housing on a POL site at Ashbourne Drive, Cleckheaton (Ref: APP/Z4718/A/13/2201353).

- 10.6 The Inspector concluded that *“The lack of a 5 year land supply, on its own, weighs in favour of the development. In combination with other paragraphs in the Framework concerning housing delivery the weight is increased. The lack of a five year supply also means that policies in the UDP concerning housing land are out of date. Policy D5 clearly relates to housing and so it too is out of date and its weight is reduced accordingly. This significantly reduces the weight that can be given to the policy requirement that there be a review of the plan before the land can be released. In these cases the Frameworks presumption in favour of sustainable development is engaged.”*
- 10.7 The presumption referred to by the Inspector is set out in NPPF paragraph 14 which states that where relevant policies are out of date, planning permission should be granted *“unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against this framework as a whole, or that specific NPPF policies indicate development should be restricted”*.
- 10.8 (Footnote 9: lists examples of restrictive policies but this does not include policies concerning safeguard land.)
- 10.9 Paragraph 14 of the NPPF indicates a presumption in favour of sustainable development, and paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development, if the Council is unable to identify a 5 year supply of deliverable housing sites.
- 10.10 The Council is currently unable to identify a 5 year supply of deliverable housing sites.
- 10.11 Assessing the policies in the NPPF as a whole in accordance with the paragraph 14 test, the benefit of providing housing on this green field site is considered to outweigh the environmental harm arising from this development. Furthermore, there is an extant outline consent for residential development on a proportion of the site which has already established the principle of development on the POL allocation. The allocation is proposed as a housing site in the Draft Local Plan.
- 10.12 The development proposed will represent a significant housing offer for the local area and it is also eligible for the consideration and provision of affordable housing.
- 10.13 The Strategic Housing Market Assessment (‘SHMA’, October 2015) provides an analysis of the objective need for housing in Kirklees as required by the Government. The SHMA concludes that 1049 new affordable homes per year are required to 2031 and it has provided an assessment of the need for general needs and specialist housing. This site has relevance to the Kirklees Rural-West housing market area.

- 10.14 The local need is for affordable 1-2 bedroom housing, as well as a need for 1-2 bedroom housing for older people specifically. Kirklees Rural- West has some of the highest priced housing in Kirklees with properties costing around £105,000 to £195,000. It is a popular location, with 15% of households planning to move home within Kirklees in the next 5 years, having it as their first choice destination.
- 10.15 Kirklees Rural-West has a large number of detached properties, compared to other areas in Kirklees and a high level of home ownership, with 75% of houses being owner-occupied. Around 15% of homes are private rented and around 10% are affordable (social) homes. Affordable bungalow and 1 bed/bedsit homes are limited in availability in the area. Kirklees Rural- West has some of the highest rents in Kirklees, starting from around £425+ per month.
- 10.16 The indicative schedule of housing includes a mixture of 3, 4 and 5 bedroom properties and a single 2 bedroom dwelling which would provide a reasonable mix of housing for the commercial market. The affordable housing offer comprises 20% of the total number of units and comprises mainly 3 bedroom properties with a small number of 2 bedroom dwellings. The affordable housing would contribute to the available offer within the Kirklees Rural-West housing market area although the type of housing as indicated would not contribute significantly towards the size of property that has been identified as being of greatest need.
- 10.17 In conclusion the principle of development on the POL is considered to be acceptable. This is however subject to the other matters as detailed in this report and particularly
- 10.18 Urban Design issues
- 10.19 Policies BE1 and BE2 of the UDP are considerations in relation to design, materials and layout. The layout of buildings should respect any traditional character the area may have. New development should also respect the scale, height and design of adjoining buildings and be in keeping with the predominant character of the area. Chapter 7 of the NPPF emphasises the importance of good design.
- 10.20 The scale, layout, appearance and landscaping of the site are all reserved matters. An indicative layout has been submitted which shows a mixture of detached, semi-detached and terraced dwellings set around a series of estate roads.
- 10.21 On issues of urban design officers are satisfied that an acceptable scheme could be brought forward that complies with relevant local and national planning policies. As part of this it would be necessary to consider mitigating the visual impact of continuous areas of parking to the front of some of the houses and the physical separation between dwellings to ensure that the built form provides a sense of openness. The inclusion of mature trees and

pockets of landscaping are a benefit to the general design of the development.

10.22 The proposal essentially forms an extension of the village of Brockholes, albeit partially separated by a river, and in broad terms officers are satisfied that a development could be provided that would sit comfortably within the local landscape. The concerns that have been raised around the loss of this open space and a reduction in physical separation between the built-up areas of Brockholes and Honley are acknowledged. However, there remains a substantial wedge of Green Belt land between the site and the Honley settlement boundary and it is considered that this prevents a sense of the two villages merging. The development would bring about a concentrated built form closer to the established ribbon development towards the west of the site but these existing properties would remain as more isolated dwellings within the Green Belt that are distinct from the built up part of Brockholes.

10.23 Residential Amenity

10.24 There a number of residential properties adjoining the site. These are to the northwest and towards the south and southeast along Haggroyd Lane and Smithy Place. There are also a couple of properties towards the west of the site but these are on the opposite side of Woodhead Road and set up and back from the highway. The properties to the east on New Mill Road are set down from the site but are well separated by trees and have the River Holme lying in between.

10.25 The group of three dwellings that abut part of the northwest boundary of the site are predominantly screened by protected trees and the indicative layout demonstrates that acceptable separation distances can be provided to these existing properties.

10.26 Officers are broadly satisfied that acceptable separation distances can be achieved to all of the adjacent properties on Smithy Place subject to detailed consideration of scale and layout. It is noted that one of the dwellings on the indicative layout is very close to the rear garden boundary of 22/22a Smithy Place which is a potential concern.

10.27 The properties on Haggroyd Lane back onto an undeveloped part of the site (POS) and are screened by protected trees. These properties are therefore unlikely to be significantly affected.

10.28 Based on the indicative layout habitable windows within the development are reasonably well spaced and officers are satisfied that acceptable internal separation distances can be achieved.

10.29 Subject to detailed consideration of the reserved matters officers consider that a development could be provided so as to secure an acceptable degree of privacy and open space for existing and future occupiers. In principle the development satisfies Policy BE12.

10.30 A noise report has been submitted with the application and reviewed by Environmental Services. Officers agree with the report's conclusions that an acoustic barrier to protect the residents nearest Woodhead Road from road traffic noise is necessary (details would be necessary by condition). A sound insulation scheme (glazing/ventilation) designed to protect the amenity of the occupiers of the new dwellings which are closest to Hope Bank Works would also be required (details by condition).

10.31 Landscape issues

10.32 The indicative site layout allows for the retention of the protected trees within the site as well as areas of trees towards the site boundaries that are not covered by TPO.

10.33 In terms of the protected trees, those surrounding much of the proposed POS, the tree belt that runs roughly through the middle of the site, the group of trees to the northeast and northwest corners of the site and individual trees within the fields are all shown as being retained. Further information showing in greater detail what impact the layout of the buildings would have on these trees is however required.

10.34 The protected trees are supplemented by the retention of other existing mature trees to the boundary with Woodhead Road and the River Holme which help to provide green buffers.

10.35 The indicative layout shows pockets of soft landscaping within the developed parts of the site, in some cases set around a protected tree. Such landscaping would help to enhance the overall appearance of the scheme.

10.36 On-site POS is provided for within the southernmost portion of site where a large area of land would be dedicated for a mixture of open space/amenity areas and community allotments. This is considered to be a positive feature of the development.

10.37 Housing issues

10.38 Housing issues are addressed at point 10.1 of this assessment.

10.39 Highway issues

10.40 Part of the application site is already subject to an outline planning consent for circa 51 residential dwellings (application 2013/93373). This outline planning consent includes for a dedicated vehicular access taken directly from A6024 Woodhead Road located approximately 100m to the north of the junction of Woodhead Road/Smithy Place Lane. This junction has specifically been designed so that it is suitable to accommodate traffic to the whole of the POL allocation and not just the approved development site. This was so that the approved scheme allowed for comprehensive development of the remainder of the POL.

- 10.41 The current application is accompanied by a Transport Assessment that is based on a greater quantum of development than is proposed (transport assessment allows for circa 150 dwellings).
- 10.42 An extensive pre-application discussion and meeting took place between the applicant and Highways Development Management. Within that discussion it was made clear to the applicant that the Highway Authority would not support a lower grade of access junction and that a grade of access similar to that of the neighbouring approved scheme would be required. Notwithstanding officers' advice, the application was submitted with a simple priority junction taken directly off Woodhead Road. This is about 40m to the south of the junction of Woodhead Road and Smithy Place Lane.
- 10.43 The submitted Transport Assessment states that due to the width of the A6024 Woodhead Road in this location, a junction design including central islands and a dedicated right turn lane could not be achieved as per the outline consented site. However the applicant considers that visibility at the proposed access is acceptable given traffic speeds on Woodhead Road and due to the presence of solid white line markings on the highway which mean that there should not be overtaking from vehicular traffic on the southbound carriageway along Woodhead Road.
- 10.44 Highways Development Management raised a significant concern with regards to the proposed vehicular visibility splays and as such the proposed junction arrangement was considered to be unacceptable because it would have a detrimental impact upon highway safety for all users. There were also significant concerns with the principle of the proposed access strategy. Vehicles waiting to turn right into the proposed development are likely to inhibit the free flowing movement of traffic for vehicles travelling southbound along Woodhead Road, to the detriment of highway safety.
- 10.45 Furthermore the proposed simple priority junction arrangement made no provision for pedestrian crossing movement towards the opposing carriageway to the existing footway running adjacent to Woodhead Road, in the form of central reserve islands. This would create a significant safety risk to pedestrian activity in this location and a barrier to accessibility.
- 10.46 In addition, the proposed simple priority junction arrangement would interfere with and results in the removal of a large length of the existing cycle way along Woodhead Road on the development side of the carriageway.
- 10.47 A further concern was that the proposed access could potentially result in two separate points of access of differing types in close proximity to one another because of the access arrangements associated with the extant outline consent on part of the application site. Although the submitted Transport Assessment states that if this proposal were to be given approval then it would supersede the outline consent, in planning terms however it is possible that separate schemes could come forward subject to their relevant approvals, particularly as the consented site is within different ownership and there is nothing to suggest that an agreement is in place that would enable the outline consent to be superseded subject to approval of this application. It

would be unsatisfactory from a highway safety point of view to have two adjacent vehicular accesses of different grades in such close proximity and serving similar, not unsubstantial, residential developments. Driver perceptibility of the highway layout would be degraded and would have a detrimental impact upon highway safety.

- 10.48 In summary a simple priority junction in this location is considered unsuitable for the grade of highway and nature of development associated with its introduction. It would cause a detrimental impact upon the safety and efficiency of the local highway network for all users.
- 10.49 In response to these concerns the applicant submitted a Transport Assessment Technical Note (WSP 3rd October 2016) to address the above issues.
- 10.50 The submitted Technical Note (as with the original Transport Assessment) continues to rely on the modelling of the proposed simple priority junction and the safety record of Woodhead Road in order to demonstrate the acceptability of a simple priority junction serving the local highway network in this location. In addition, it also relies upon associated factors such as carriageway width restraints and the presence of solid white lines in order to determine a departure from standards with regards to visibility requirements for vehicular visibility splays at the site access.
- 10.51 The submitted technical note provides an alternative access arrangement resulting in a signal controlled layout incorporating a right turn pocket and signal controlled pedestrian crossing facilities.
- 10.52 A LINSIG (LINcolnshire SIGnals) model has been undertaken in order to demonstrate the operational performance of the proposed junction and the electronic model files have been provided for validation and are generally accepted.
- 10.53 Highways Development Management accepts that the proposed signal priority junction would operate well within theoretical capacity limits. However, there are significant concerns with regards to the principle of a signalised junction serving the proposed development and in this location.
- 10.54 The minor arm flows from the proposed development are considered too low for a signalised junction to be a suitable arrangement and this would set an unacceptable precedent in terms of providing an over-engineered solution because problems exist with providing a suitable junction layout for the nature of the highway in question and the volume of additional traffic associated with the proposed development.
- 10.55 Furthermore there are a number of concerns raised with regards to the proposed signalised layout and its impact. The submitted technical note does not provide a plan demonstrating the northbound visibility to the back of the maximum predicted queue from the signals. There is a clear danger in this location that vehicles travelling northbound could collide with standing traffic.

- 10.56 Despite the 40mph speed limit, it is considered that vehicle speeds are likely to be higher in this location and a fully appraised scheme would include a speed survey in order to determine the forward visibility to the signals.
- 10.57 It is considered that a signalised junction would be largely unexpected in terms of driver perceptibility in this location on a rural road of this nature and that warning signs would not be sufficient to highlight its presence. There are also additional concerns with regards to the level of tree foliage in the vicinity which could also block visibility of the signals during the summer months.
- 10.58 Concerns also remain in terms of the addition of the proposed signalised junction in such close proximity to the point of access for approved outline consent 2013/93373. The potential exists for two residential schemes to come forward on the POL allocation with separate points of access off Woodhead Road.
- 10.59 Highways Development Management also maintains an objection with regards to visibility standards.
- 10.60 The applicant has also studied the impacts of signalising the existing zebra pedestrian crossing situated on New Mill Road adjacent to the junction with Brockholes Lane. The conclusions of the technical note with regards to the impacts of signalising the crossing would result in a number of detrimental issues to the surrounding infrastructure including the loss of effective footway width due to the required street furniture; carriageway reduction would result in a higher risk of vehicle collisions and conflict reducing safety and efficiency. Highways Development Management agrees with the findings that the best solution would be to improve to the existing crossing arrangement by relaying the existing carriageway markings and relaying the carriageway surface with high friction surfacing materials.
- 10.61 In conclusion it is considered that both of the access arrangements that have been proposed are unacceptable. The revised proposals represent an over-engineered solution that would introduce an arrangement that would harm highway efficiency and safety in this location. The application is therefore contrary to Policies T10 and BE1 of the Unitary Development Plan.
- 10.62 Drainage issues
- 10.63 Subject to detailed design Officers are satisfied that the site can be adequately drained. Kirklees Flood Management and Drainage have not raised any objections to the application subject to conditions requiring approval of a detailed surface water drainage strategy. The drainage scheme will need to restrict the rate of surface water discharge from the site to a 5 litres per second per hectare. This restricted rate of run-off is also in line with comments made by the Environment Agency, who have no objections to the principle of development.

10.64 The Flood Risk Assessment (FRA) submitted with the application states that once detailed level design is carried out it could be the case that a surface water pumping station may be required for part of the site. Officers would object to any proposal for a pumped surface water system as this will introduce a risk to the development. This will need to be taken into account in the design process.

10.65 The FRA also states that further investigation into the mill race is required. The findings of these investigations should be used to inform the site layout and should therefore be carried out prior to submission of 'layout' at reserved matters stage. The findings may impact on the number of dwellings that can be accommodated because of the need to provide acceptable flood routing. Furthermore, an assessment of potential overland flow routes must also be carried out and used to inform the layout (a condition regarding this could be imposed).

10.66 Yorkshire Water was consulted on the application but a formal consultation response was not received. In line with Yorkshire Water's standing advice in such circumstances it is assumed that Yorkshire Water has no comments to make on the planning consultation.

10.67 Representations

10.68 The main issues raised within the representations have been addressed within this report. The representations do not raise any other matters that materially alter the assessment and recommendation. A neighbour has suggested that the site encroaches onto land which they own and clarification has been sought from the agent on this particular matter. An update will be provided as necessary.

10.69 Planning obligations and community benefits:

10.70 The application is accompanied by draft heads of terms for a S106 obligation. This covers the following matters:

10.71 Affordable Housing:

10.72 The applicant has offered to provide 20% of the total number of dwellings as affordable units.

10.73 It is considered that the affordable offer is acceptable, particularly in light of the emerging interim affordable housing policy which is based on the draft emerging Local Plan. The policy is underpinned up-to-date evidence of the viability of schemes within the District can likely afford were it is proposed to seek at least 20% of total dwellings on sites for affordable housing with a split of 55-45% social rented to sub market tenure.

10.74 Education:

The number of dwellings proposed is above the threshold for an education contribution. KC School Organisation & Planning advise that a contribution of £180,741 is required towards school funding in the area.

10.75 Public Open Space:

10.76 The site is over 0.4 ha and therefore triggers the requirement for the provision of public open space.

10.77 Ample space is available for on-site POS provision. This development also comes within the zone for existing equipped play facilities in Brockholes and for a development of this large scale, it is expected that an off-site lump sum for broadening these existing facilities would be provided [sum calculated once the on-site POS areas are designed]. That being said, the site offers opportunities for a variety of natural play provision.

10.78 Off-site highway works:

10.79 The applicant has offered to provide a financial contribution to speed warning signage on the A6024 Woodhead Road in the vicinity of the site and improvements to an existing zebra crossing on New Mill Road in Brockholes (relaying the existing carriageway markings and relaying the carriageway surface with high friction surfacing materials). One of the plans also refers to the provision of a bus shelter to Woodhead Road.

10.80 Connectivity:

10.81 Existing public footpath routes within/across the site are to be retained and improved. Improvements are also proposed to public footpaths within the immediate vicinity of the application site.

10.82 A plan submitted with the application makes reference to a pedestrian link being created to a community building within the adjacent Hope Bank Works site. The same plan also suggests a potential river side walk could be created along the eastern site boundary. No detailed proposals have been put forward for these works.

10.83 Other Matters

10.84 Ecology:

10.85 To the east of the site is the River Holme which forms a green corridor as allocated in the UDP. This stretch of river adjoins a Site of Scientific Interest just to the south of the site.

10.86 The application is accompanied by an ecology report. This concludes that the site consists of four semi-improved pasture fields that provide limited ecological value. The trees within and bordering the site provide some bat

roosting and foraging habitat. Part of the site also provides a habitat for a protected species.

10.87 Officers are satisfied that a development could be brought forward that would avoid unacceptable impacts on biodiversity. As part of this it would be necessary for the preliminary ecological appraisal to influence the final layout of the site and for a Construction Environment Management Plan and a Landscape and Ecological Management Plan to be provided. A licence from Natural England would be required to deal with the issue of a specific protected species.

10.88 Contamination:

10.89 Intrusive investigations are required to fully establish contamination issues with the land. This could be dealt with by conditions.

10.90 Air quality:

10.91 NPPF Paragraph 109 states that “the planning system should contribute to and enhance the natural and local environment by..... preventing both new and existing development from contributing to or being put at unacceptable risk from, amongst other things, air pollution. On small to medium sized new developments this can be achieved by promoting green sustainable transport through the installation of vehicle charging points. This can be secured by planning condition.

11.0 CONCLUSION

11.1 The proposed access arrangements for the development site, which is for a signalled controlled layout, would result in an over-engineered solution which in this location would harm highway safety and efficiency. The harm to highway safety is not outweighed by any other material considerations, including the boost to the supply of housing as well as the affordable housing offer and the cumulative benefits that could be provided through the S106 package.

11.2 Matters of scale, layout, appearance and landscaping are reserved but officers are satisfied that on these issues an acceptable scheme could be brought forward that complies with relevant local and national planning policies.

11.3 In the absence of a signed Section 106 covering matters of education, affordable housing, greenspace and travel planning the application is recommended for refusal on these elements.

12.0 Reason for refusal:

1. The proposed access arrangements for the development site, which is for a signalled controlled layout, would harm highway safety and efficiency and as such the development is contrary to Policies T10 and BE1 of the Kirklees Unitary Development Plan. The harm to highway safety is not outweighed by any other material considerations.
2. In the absence of a completed Section 106 agreement the development fails to provide for Educational requirements, affordable housing provision, public open space and travel planning requirements.

Background Papers:

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2f92181>

Certificate of Ownership – Notice served on Mr F Eaton, 3 St Mary's Road, Honley.