
Report of the Head of Development Management**HEAVY WOOLLEN PLANNING SUB-COMMITTEE****Date: 23-Feb-2017****Subject: Planning Application 2017/90098 Erection of eight dwellings Land adj,
3, Field Head, Shepley, Huddersfield, HD8 8DR****APPLICANT**Worth Homes (Yorkshire)
Ltd**DATE VALID**

17-Jan-2017

TARGET DATE

14-Mar-2017

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<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:

Kirkburton

No

Ward Members consulted
(referred to in report)

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions including those contained within this report and the matters as set out below:

- 1. Await the expiration of the publicity period (17 February 2017)**
- 2. Resolve any outstanding drainage matters**

1.0 INTRODUCTION:

- 1.1 The application is brought to the Heavy Woollen Planning Committee as the application represents a departure from the Kirklees Unitary Development Plan. This is in accordance with the Council's Scheme of Delegation.
- 1.2 The principle of residential development has previously been established on this site through the granting of outline planning permission for the erection five dwellings (under application reference 2014/90136). The principle was further supported following the approval of a full planning application for the erection of five large detached dwellings (under application reference 2016/91777) which was approved by the Heavy Woollen Planning Committee on 15 December 2016. In light of the above recent planning history, the principle of development is still considered to be acceptable by officers.
- 1.3 Discussions have taken place during the course of the application to secure further information to demonstrate that the scheme would be acceptable to officers from a visual and residential amenity perspective. Following receipt of amended plans, the proposals are also considered acceptable from a highway safety perspective too.
- 1.4 Further information is required to be submitted in relation to drainage. An acceptable drainage scheme was approved as part of the recent planning approval (2016/91777), and therefore, officers do not anticipate that this should cause a significant issue. The recommendation reflects this.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site is a 0.24 hectare field with a frontage to Long Lane between no.3 Field Head and no.2 Field Head Farm Court at Shepley. The site is bounded by open land to the north-east, by the rear of domestic garages associated with properties off Station Road to the south-east, by the rear of residential properties off Field Head to the south-west, and by residential properties at Field Head Farm Court to the north-west. The site is accessed via an existing vehicular access adjacent to No.3 Field Head.

3.0 PROPOSAL:

- 3.1 Planning permission is sought for the erection of eight dwellings. The access would be positioned centrally within the site with three plots (1, 7, and 8) in the western portion of the site and five plots (plots 2-6) in the eastern portion.
- 3.2 The layout comprises of one detached dwelling (plot 1), two pairs of semi-detached dwellings (plots 2 & 3, and 7 & 8), and a row of three terraced dwellings (plots 4, 5, and 6)
- 3.3 The proposals also include a replacement garage for No.3 Field Head. A bin collection point is proposed adjacent to the access on the footway, along with two visitor parking spaces.

4.0 RELEVANT PLANNING HISTORY:

2016/91777 – Erection of five detached dwellings – Conditional Full Permission

2014/90136 – Outline application for erection of 5 dwellings – Conditional Outline Permission

2001/90529 – Re-use, extension and adaptation of farm buildings to form 2 no dwellings and erection of 4 no dwellings with covered parking – Withdrawn

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers have sought additional information and amended plans from the applicant to secure the following:
- There was initially concern regarding the extent of hardstanding associated with the development. The position of parking spaces to serve plots 1, 7, and 8, has now been amended so that it not one large area of hardstanding. Parking spaces to the frontage of plots 2 to 6 has also been broken up using some soft landscaping and use of alternative materials.
 - Additional information in the form of sections through the site was provided due to the slight increase in height of some of the proposed plots.

- Amendments to the depth of some of the car parking spaces.
- Further information has been requested to address drainage matters. This information is still awaited.

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). The Council's Local Plan was 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.

The site is allocated Provisional Open Land on the UDP proposals map.

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

D5 – Provisional open land
BE1 – Design principles
BE2 – Quality of design
BE12 – Space about buildings
T10 – Highway Safety
D2 – Unallocated Land
H10 - Affordable housing
H12 – Arrangements for securing affordable housing
EP11 – Ecological landscaping
H18 – Public open space

6.3 Supplementary Planning Guidance / Documents:

Interim Affordable Housing Policy

6.4 National Planning Framework:

Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring good design
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
Chapter 11 - Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by neighbour letter, site notice and press notice. As a result of this publicity one objection has been received to date.
- 7.2 The main concerns raised in the one representation are summarised as follows:
1. Object specifically to plot 1 – the plot would have significant impact on both natural light and views from their property (no.2 Field Head Farm Court)
 2. Concern about construction noise and later maintenance because of proximity to their boundary.
- 7.2 Kirkburton Parish Council – No comments received.
- 7.3 As the publicity does not end until 17 February 2017, should any further representations be received, they shall be reported to members in the update.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C Highways Development Management – Following receipt of amended plans, confirmed no objection.

8.2 Non-statutory:

K.C Flood Management – Further drainage information is required to be submitted pre-determination.

8.3 Previous consultation response(s) received in relation to planning permission 2016/91777.

Non-statutory:

K.C Environmental Services – No objection subject to a condition relating to the reporting of unexpected contamination and the provision of dedicated electric vehicle recharging point(s). A footnote relating to the hours of construction is also suggested.

9.0 MAIN ISSUES

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

10.0 APPRAISAL

Principle of development

10.1 The application site is allocated Provisional Open Land (POL) on the UDP proposals map. However, the principle of residential development, for five dwellings, has previously been established on the site under outline application reference 2014/90316, which was considered by the Heavy Woollen Planning Committee on 29 May 2014. A further full planning application was approved by the Heavy Woollen Planning Sub-Committee on 15 December 2016 for the erection of five large detached dwellings.

10.2 In light of the above, the principle of residential development is acceptable.

Urban Design issues

10.3 Policies BE1 and BE2 of the UDP are considerations in relation to design and layout. Chapter 7 of the NPPF also highlights the importance of 'requiring good design'.

10.4 In this instance, there is a mix of house types within the surrounding area, comprising of detached, semi-detached, and terraced two storey dwellings, as well as single storey brick-built bungalows.

10.5 As previously set out, the layout comprises of eight dwellings, all being two stories in height. The previously approved scheme comprised solely of large detached dwellings however, this scheme includes detached, semi-detached, and terraced house types. All of which would contribute to providing a good mix of house types within the locality. The proposed layout, scale, and overall design of the dwellings would, in the opinion of officers, be appropriate within the context of this residential area.

10.6 The levels of the site are below that of the adjacent highway, Field Head. Plot 1, due to its proposed position, would have a prominent impact within the street scene. During the course of the previously approved application, site sections were requested in order to demonstrate the relationship of the proposed dwelling within the street scene. This section indicated that plot 1 would be higher than the neighbouring property to the north-west however, it was the view of officers and members of the Heavy Woollen Sub-Committee that this relationship would not appear out of keeping when taking into account the various scale of development within the surrounding area. Furthermore, there would be a reasonable degree of separation retained between plot 1 and this neighbouring property. Plot 1 is unchanged from that which was previously approved by members on 15 December 2016.

10.7 The two storey scale of the proposed dwellings would relate satisfactorily to the terraced properties located to the south of the proposed access into the site, nos. 2 and 3 Field Head, which are dominant, traditional two storey dwellings. As well as with the large, terraced dwellings to the east, which front onto Station Road (and separated by the application site by their detached garages).

- 10.8 With regard to the design and fenestration detail, as previously set out, there are a mix of house types within the vicinity ranging from the farm conversion at Field Head Farm Court, the older persons bungalows opposite the site, traditional terraces to the south-east, and a pair of large, modern dwellings on the opposite side of Field Head. In light of this, it is the opinion of officers that the design and fenestration of the proposed dwellings is acceptable from a visual amenity perspective and would not appear out of keeping with the surrounding area.
- 10.9 To summarise, the proposals are considered, by officers, to be acceptable from a visual amenity perspective and would accord with the aims of policies BE1 and BE2 of the UDP as well as the aims of chapter 6 and 7 of the NPPF.

Residential Amenity

- 10.10 Policy BE12 of the UDP sets out the normally recommended minimum distances between habitable and non-habitable room windows of existing and proposed dwellings. In this instance, the nearest neighbouring properties which would be affected by the development are Nos.2, 3 and 4 Field Head Farm Court to the west, Nos.2 and 3 Field Head to the south, and Nos. 57-69 Station Road to the east.
- 10.11 Although there has been an increase in the number of dwellings being proposed as part of this application, as demonstrated on the submitted drawings, the proposed dwellings would be within very similar footprints to those previously approved (with plot 1 being in exactly the same position as previously approved). However, for clarification, the relationship shall be assessed below:
- 10.12 No.2 Field Head Farm Court:
The main aspect to this dwelling faces into the courtyard serving the properties at Field Head Farm Court. There are windows located in the side elevation of this property facing towards the application site. Plot 1 has been positioned so that there would be no direct relationship with these windows because it would be set further back into the site than no.2 Field Head Farm Court. It should however, be noted that plot 1 would be higher than the application site and, because it would be set further back from Field Head than no.2 Field Head Farm Court, there would be a degree of overshadowing to the main aspect of this dwelling. It is however, the view of officers that this relationship, because of the separation distance which would be retained, would be acceptable and would not be so dissimilar to existing relationships within the Courtyard. Furthermore, this relationship is unchanged from that previously approved as part of the recent application reference 2016/91777.
- 10.13 No.3 Field Head Farm Court:
The main aspect of this dwelling once again faces into the courtyard, away from the application site. There is one window in the rear elevation of this existing dwelling which faces onto the application site. However, there would be no plots directly adjacent, with plots 2 and 3 being set some 22m away (no closer than the previously approved plot 2).

10.14 No.4 Field Head Farm Court:

The main aspects to this property face either into the courtyard (south) or onto fields to the north. Whilst there are some openings in the side elevation of this property facing onto the application site, they appear to serve non-habitable rooms. Plots 7 and 8 would replace the previously approved plot 5, but would actually have a smaller footprint because the integral garage is to be removed and replaced with gardens associated with those dwellings. This proposal is therefore considered to have less of an impact on the amenity of these neighbouring occupants than that previously approved.

10.15 Nos. 2 and 3 Field Head:

A distance of just over 20m would be provided between the gable elevation of plot 2 and the rear of these properties which is considered acceptable (once again, no closer than the previously approved plot 2). The detached garage to serve no.3 Field Head would be some 12m from the rear elevation of no.2 Field Head. There is an existing window in the gable of no.3 Field Head however, this does not appear to serve a habitable room and, due to the position of plot 1 (which is unchanged from the previous approval), which is set further back into the site, there would be no direct relationship. Furthermore a distance of some 13m would be provided.

10.16 Nos. 57-59 Station Road:

There would be a distance of over 30 metres to these properties. The occupants of no.63 have previously stated that they have a home office in the garage with rear facing windows and are concerned about loss of light. The agent has asked to extend the section through the site to clearly show the relationship to these neighbouring properties. It is the view of officers that this relationship is acceptable because a distance of between approximately 9-10m would be retained between plots 3 & 4 and the existing garage. Once again, this relationship would not be significantly different from that which was previously approved.

10.17 Within the site:

The separation distance between the plots within the site is considered satisfactory and would result in a layout that would not be out of keeping with that in the surrounding area. Adequate distances would be achieved between the proposed dwellings in order to safeguard the amenity of future occupants.

10.18 Overall

It is the view of officers that the layout has taken into consideration the siting of neighbouring properties and it is considered to be acceptable, complying with the aims of policy BE12 of the UDP. As such, from a residential amenity perspective, the proposals are considered satisfactory.

Landscape issues

- 10.19 UDP Policy EP11 requires that applications for planning permission should incorporate landscaping which protects/enhances the ecology of the site.

- 10.20 An ecological appraisal was submitted with the previously approved application. This was undertaken in March 2014 as part of the previous outline application. It recommends that detailed ecological mitigation /enhancements should be incorporated into the layout and design, to include retention of hedgerows and trees within and adjacent to the site, a landscape design to retain and create features of ecological interest, production of a long term management plan to ensure the continuing ecological viability of these landscape features is maintained, and incorporation of biodiversity features within the buildings.
- 10.21 in this instance, it is considered reasonable and pragmatic by officers (and agreed by members of the Heavy Woollen Planning Sub-Committee in December 2016) to impose a landscaping condition to ensure that appropriate species are planted within the scheme in order to enhance the biodiversity of the site, in accordance with the aims of policy EP11 of the UDP and chapter 11 of the NPPF.

Highway issues

- 10.22 Policy T10 of the UDP sets out the matters against which new development will be assessed in terms of highway safety.
- 10.23 During the course of the application amended plans were sought in regard to the length of parking spaces which would serve some of the plots, along with the provision of pedestrian access between the driveways. The amended plans are considered acceptable, and adequate parking provision would be provided to serve the development. In addition, the access and turning facilities have previously been established as acceptable with the granting of the previous planning approval.
- 10.24 To summarise, the proposals are considered acceptable from a highways perspective and would not materially add to any highway safety implications. The proposals are considered to comply with the aims of Policy T10 of the UDP. Conditions are suggested to include the provision of visibility splays, turning facilities, and appropriate surfacing and drainage.

Representations

- 10.25 One representation has been received. Officers responses to the comments raised are as follows:-
1. Object specifically to plot 1 – the plot would have significant impact on both natural light and views from their property (no.2 Field Head Farm Court)
Response: Plot 1 was previously approved under application reference 2016/91777 which was considered by the Heavy Woollen Planning Sub-Committee on 15 December 2016.

2. Concern about construction noise and later maintenance because of proximity to their boundary.

Response: As set out above, plot 1 has previously been approved in this location. In terms of the construction noise, this cannot be used as a reason to refuse an application however, as with the previous approval, a footnote can be imposed which sets out suggested hours of construction. With regard to future maintenance, once again, this is not a matter to refuse a planning application on. However, it should be noted that the plot 1 would not immediately abut the shared boundary.

Other Matters

- 10.26 With regard to drainage, consultation has been carried out with the Council's Strategic Drainage officer. As with the previously approved application, further information has been requested. Taking into account the previous approval on the site, it is the view of officers that a suitable drainage scheme could be achieved on this site. The recommendation therefore reflects this in order to ensure that the proposal complies with the aims of chapter 10 of the NPPF.
- 10.27 Environmental Services have previously raised no objections, subject to the reporting of any unexpected contamination, which can be conditioned in order to ensure compliance with the aims of policy G6 of the UDP as well as chapter 11 of the NPPF. In the interests of sustainable transport, it is also advised that each dwelling with dedicated parking includes a charging point for low emission vehicles. Once again, this matter can be conditioned.
- 10.28 There are no other matters considered relevant to the determination of this application.

11.0 CONCLUSION

- 11.1 To conclude, the principle of residential development on this site has previously been established following the granting of outline planning permission and more recently, a full application for the erection of five dwelling by the Heavy Woollen Planning Sub-Committee on 15 December 2016.
- 11.2 The proposal, following receipt of amended plans and subject to the inclusion of appropriate conditions, is considered, by officers, to be acceptable for the reasons set out in this assessment. And subject to the submission of a satisfactory drainage scheme.
- 11.3 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.
- 11.4 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development Management)

It is proposed that the following planning conditions would be included should planning permission be granted:

1. Standard time limit for implementation (3 years)
2. Development to be in accordance with approved plans
3. Samples of facing and roofing materials to be inspected and approved
4. Removal of permitted development rights for extensions or outbuildings
5. Provision of electric vehicle charging points
6. Landscaping scheme
7. Full detail of boundary treatments
8. Reporting of any unexpected contamination
9. Highway works for the provision of visibility splays, turning facilities, and appropriate surfacing and drainage to be completed prior to first occupation

Background Papers:

Application and history files:-

Website Link to the application details:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f90098>

Certificate of Ownership – Certificate B signed.

Notice served on: Mr and Mrs Milner, 8 Cliff Side, Shepley.

Website link to the previously approved application details:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2016%2f91777>