
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 20-Jul-2017

Subject: Planning Application 2017/91173 Reserved matters application for erection of 19 dwellings pursuant to outline permission 2015/90507 for outline application for residential development (within a Conservation Area) Land off, Carr Top Lane, Golcar, Huddersfield, HD7 4JB

APPLICANT

Brierstone Carr Top Ltd.
C/O Agent

DATE VALID

31-Mar-2017

TARGET DATE

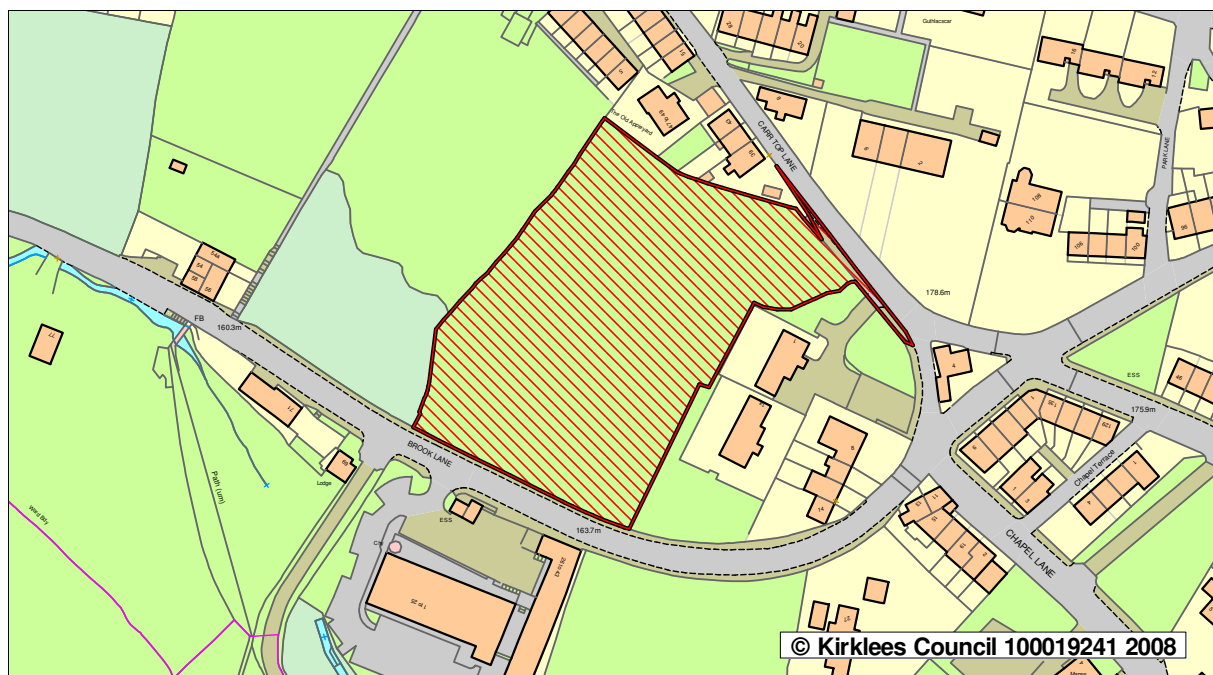
30-Jun-2017

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: Golcar

Yes

Ward Members consulted
(referred to in report)

RECOMMENDATION: Approval of Reserved Matters and issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION

- 1.1 This site has the benefit of outline planning permission for residential approval, being approved by the Huddersfield Sub Committee. At that meeting the Committee resolved that any detailed or reserved matters application to be brought back to Committee for scrutiny and decision.
- 1.2 In addition Ward Member Cllr Hilary Richardson has requested that the site be visited to enable proper consideration of the scheme in the context of its Conservation Area setting.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises an area of approx 0.72 ha, and is a roughly rectangular shaped site located between Carr Top Lane and Brook Lane, Golcar. The site is green field and slopes down considerably from Carr Top Lane to a wooded embankment adjacent to Brook Lane. In addition to the trees along Brook Lane, which are protected by Tree Preservation Order, there are a number of mature trees spread across this and the neighbouring land.
- 2.2 There are dwellings to the north and east of the site, and to the south on the opposite side of Brook Lane an apartment complex.
- 2.3 The site is located within the Golcar Conservation Area, and is also part of a larger Provisional Open Land allocation on the Kirklees Unitary Development Plan. This allocation extends to the west of the application site.

3.0 PROPOSAL

- 3.1 This site already has the benefit of outline approval for residential development, with the point of 'access' agreed at outline stage. This application seeks approval of Reserved Matters ie Appearance; Scale; Layout and Landscaping
- 3.2 The scheme indicates 19 no dwellings, a mixture of detached, semi-detached and a terrace of 3no.properties. The proposed access point is from Carr Top Lane, and this then serves a cul-de-sac terminating in a T junction in the centre of the site. This T junction facilitates turning of service vehicles, and also an option to access the balance of the Provisional Open Land site from this access is retained.
- 3.3 The proposed dwellings are a mixture of 2 storey and 2/3 storey split level properties to accommodate the steep slope of the site. Natural stone and slate are proposed as facing and roofing materials and the design and features of the houses include smooth stone window and door surrounds and chimney features.
- 3.4 The site will be developed by creating terraced land forms, with 2 retaining structures within the site. One would be to the north, just to the rear of existing terrace on Carr Top Lane, and another towards the southern end of the site, to the rear of plots 12-16, with steps down to a lower land next to the protected belt of trees which front onto Brook Lane.

4.0 BACKGROUND AND HISTORY

2015/90507 Outline approval for residential development –Approved

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The applicant has provided additional information regarding the existing protected trees on this site, including survey work. Cross sections across the site have been provided, and the arrangements for the existing access and service vehicle turning have been provided.
- 5.2. Detailed amendments to the access point have been provided to ensure the access can be delivered, and amendments to the garden areas relating to the TPO'd tree belt have been agreed.

6.0 PLANNING POLICY

- 6.1 The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).
- 6.2 The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

- 6.3 The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined 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. At this stage Officers consider considerable weight can be afforded to the Publication Draft Local Plan. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan.:

D5 – Provisional open land
BE1 – Design principles
BE2 – Quality of design
BE5 – Preservation/enhancement of conservation areas.
BE6 – Infill sites
BE12 – Space about buildings
BE23 – Crime prevention
NE9 – Retention of mature trees
T10 – highway safety
EP11 – ecological landscaping

Local Plan:

The site is allocated for housing and designated within the Golcar conservation area within the publication draft local plan as submitted for examination April 2017. The land to the west of the site is allocated as 'safeguarded land' within the draft plan.

PLP7 - Efficient and effective use of land
PLP21 – Highways safety and access
PLP 22 - Parking
PLP 24 - Design
PLP31 - Strategic Green Infrastructure Network
PLP33 - Trees
PLP35 – Historic Environment

H.3395 - Housing allocation.

National Planning Policy Framework

Part 4 Promoting sustainable transport
Part 6 Delivering a wide choice of high quality homes
Part 7 Requiring good design
Part 8 Promoting healthy communities
Part 10 Meeting the challenge of climate change, flooding and coastal change

Part 11 Conserving and enhancing the natural environment
Part 12 Conserving and enhancing the historic environment

Other Guidance

SPD2 Affordable Housing

7. CONSULTATIONS

7.1 Statutory

KC Highways - Amended plans requested and received to address detailed points within the site. The clarity regarding the exact point of the agreed access and its deliverability has been received. Recommend conditions.

KC Conservation and Design - Application is well supported by a design and access statement, and is a well-considered response bearing in mind the constraints and the topography. Suggest minor alterations to siting of some plots, use of natural slate throughout, and improved materials for road treatment.

KC Strategic Drainage - Whilst drainage is not a Reserved Matter, the layout is considered to be acceptable, and a satisfactory surface water drainage solution, and surface water flood routes, is not prejudiced by agreeing this layout. The detailed drainage conditions on the outline approval are still relevant, and will need to be discharged before any development of the site can commence.

7.2 Non-Statutory

KC Trees - Had initially expressed concerns regarding the relationship of the garden areas for plots 12-16 of the scheme on the southern part of the site. Amended plans and solution has been tabled which addresses this problem.

Police Architectural Liaison Officer - No objections to this development.

KC Strategic Housing- Affordable housing is required on this development in accordance with the Interim Affordable Housing Policy ie 20% of units. This is the subject of a condition on the outline approval, and will be secured via a Section 106, through the discharge of condition process.

KC Landscaping- Have agreed the principle of an off-site contribution in this case, and that will be secured via a Section 106 through the discharge of condition process. Indicated at outline stage the site was in an important location and the tree cover was an important landscape feature in the area, which should be retained as part of any detailed scheme.

KC Ecology- Landscape Management Plan was recommended at the outline stage, and is conditioned. The management of the landscaped areas for both visual and bio diversity purposes, will be covered in that management scheme.

8.0 REPRESENTATIONS

8.1 This application has been publicised by site notices, press notice and neighbour letters. 9 letters of objection have been received the main points of concern being:

- The surrounding roads are narrow and very busy, an additional 19 dwellings will exacerbate an already unacceptable situation, concern that the proposed access is unsafe, including to accommodate vehicles during the period of construction;(Response- *The site already has the benefit of outline permission, and access is approved. The scheme contains adequate parking within the site. A construction management plan is proposed to be conditioned*)
- There is already pressure on local facilities eg doctors and school places;(Response-*The application is for Reserved Matters, and the numbers proposed do not trigger the need for an Education contribution. The provision of GP'S and health facilities is not a planning consideration, rather that of the local health authority.*)
- A better use for this site in the Conservation area, would be a community space eg allotments;(*Response- The site is in private ownership and does not benefit from public access, also it is allocated as housing on the Local Plan*)
- Neighbouring properties in the Heritage Mills conversion will be overlooked and over shadowed;(Response- *The properties in Heritage Mills are screened from the development by the protected tree belt along Brook Lane, there will be no overlooking from any part of the site.*)
- The scheme represents overdevelopment of the site, resulting in cramped form of development, out of character with the Conservation Area.(Response-*The layout, and the impact on the Conservation Area are discussed at in the Appraisal below*).
- Scheme is not in keeping with the dwellings in the conservation area, which should be protected.(Response: *Natural stone and slate are to be used, and the house styles incorporate design features from the surrounding area. the dwellings have been designed to accommodate a steep slope, consistent with a number of surrounding properties in this part of Golcar*).
- The development would have an adverse impact on wildlife.(Response: *The elements of the site that are of greatest wildlife value are the trees, in particular the tree belt, which is retained. There is also a requirement for a Landscape Management Plan on the outline approval.*)
- Constitutes an overdevelopment of the site and loss of open space (*Response-This matter is dealt with in the Appraisal, and the site already has the benefit of a residential approval, and allocation*).
- Loss of amenity to local residents, 3-storey houses would look into the rear of existing properties and the activities associated with the occupation of the site such as car headlights and noise.(Response- *the dwellings are split level , because of the slope, and the orientation is away from the nearest dwellings on Carr Top Lane. the dwellings closest to existing dwellings on Carr Top Lane to the east, are 2 storey not 3.*

- Impact on natural water drainage.(Response-*The satisfactory drainage of the site is subject to a condition on the outline approval*).

9. ASSESSMENT

Principle of the development

Layout

Scale

Appearance

Landscaping

Other matters including representations not addressed within the report

9.1 The principle of development on this site has already been agreed, as has the access. This application seeks approval of Reserved Matters which are Layout, Scale, Appearance and Landscaping.

9.2 Layout

The scheme delivers 19 dwellings at a density of approx. 27 per ha, which is considered to be a satisfactory density on this site given site constraints and the density of development in the wider area. The surrounding area contains a number of different house types and sizes, ranging from terraced properties close to the back edge of the road, for example on Carr Top Lane, to large detached properties immediately adjacent the site. The common factor is the fact that dwellings are designed to accommodate the steeply sloping topography within the neighbouring area, which is a Conservation Area, this means that retaining structures are common, and often houses are split level.

9.3 Given the limited site frontage onto Carr Top Lane, which is the only point of access, a cul-de-sac is the logical form of development, with dwellings on a series of development platforms, running parallel to the slope on the northern and southern ends of the site, with dwellings in between stepping down the slope in the same manner as the neighbouring detached houses.

9.4 The detached dwelling adjacent the entrance faces onto Carr Top Lane providing appropriate frontage to the scheme and plots 17-19 are to be positioned close to the back edge of the access road, giving a closer more enclosed feel, characteristic of this part of Golcar

9.5 The layout is in accordance with the council's space about building standards, and there is not considered to be any adverse effect on the residential amenities of neighbouring dwellings.

9.6 The majority of the trees on the top part of the site are retained, and the substantial tree belt on the southern boundary is indicated to be retained. This belt of trees apart from being valuable in itself, is an integral feature in the Conservation Area, and its retention is welcome, and essential to any acceptable layout/landscape scheme.

9.7 **Scale and Appearance**

The dwellings are a mixture of detached and semi-detached, with one terrace of three, this is a mix which is reflected in the surrounding area. Give the site's topography a significant number of the units to the north and south ends of the site are 2/3 no story split level properties, the remainder being 2-storey. This is an appropriate scale and style of development for this site which is consistent with the character of the Conservation Area, and this part of Golcar.

- 9.8 The use of natural stone throughout is proposed, with natural slate also to be conditioned. The individual house types incorporate features from the area including smooth stone window and door surrounds, chimney features, and a vertical emphasis for the fenestration.

9.9 **Landscaping**

- 9.10. The submitted landscape scheme aside from providing new soft landscaped shrub areas within the site which break up the parking areas and additional tree planting particularly around the access point in front gardens is considered sufficient to soften the character and appearance of the interior of the development. This together with appropriate range of hardstanding materials, varying across the site in colour and texture, provide a variety and visual interest within the site.
- 9.11. The Landscape scheme also incorporates the important existing protected trees on the site, in particular the 2 large trees on the NW boundary, and the Woodland TPO belt on the southern boundary that front onto Brook Lane. The woodland TPO belt, is a very important and integral feature, not just for this site but for the whole conservation area and its retention is imperative along with the importance of its future maintenance.
- 9.12 On the Outline approval, there is a condition requiring the submission of a Landscape Management Plan for the entire site. Concern had initially been expressed at the provision of dedicated "lower garden" areas for plots 12-16 given the very close proximity to the trees, the potential for shading and damage through provision of garden sheds etc and the subsequent pressure to undertake works to these trees that would be likely to ensue
- 9.13. The applicant has agreed an amended scheme in this respect which shortens the gardens and fences off this area. Whilst this area will still be in the ownership of the new occupiers, its maintenance will be as part of a larger area including a green swathe of land on the western side of the site that includes another 2 TPO'd trees.
- 9.14. As such the Landscape details submitted are considered to be acceptable, and also capable of being maintained and safeguarded for the long term, through the Landscape Management condition on the Outline approval.

10.0 Other Issues including representations not covered within the report

- 10.1 The site already has the benefit of an outline residential permission, with approved access. There are a significant number of pre-commencement conditions on the Outline approval that will still need to be satisfactorily discharged before any development commences. Aside from technical conditions such as highways and drainage, there are also conditions covering the provision of affordable housing and off site public open space to be agreed.
- 10.2 Whilst the technical conditions (highways and drainage) have still to be discharged , the layout needs not to prejudice the satisfactory discharge if those condition as well as delivering an appropriate design, layout and landscape solution for the site. It is considered that the layout will not prejudice satisfactory drainage and highways solutions.

11.0 CONCLUSION

- 11.1. The Reserved Matters submitted are considered to be satisfactory and would deliver a development of significant quality, appropriate for the sites setting within the Conservation Area thereby preserving or enhancing the character and appearance of this part of the Conservation Area. The safeguarding of the TPO'd trees around the site is a significant contributor to the quality of the scheme.
- 11.2. As such approval of Reserved Matters with appropriate conditions is recommended.

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

1. Development carried out in accordance with approved plans
2. Samples of materials to be submitted and agreed.(to include retaining structures.)
3. Protection of trees during construction; Construction Method statement
4. Highway conditions- internal adoptable roads; gradients ; visibility; provision and future maintenance of parking
5. Construction Management Plan
6. Provision of bio diversity enhancement opportunities.

Background Papers:

Application and history files.

http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/filedownload.aspx?application_number=2017/91173&file_reference=634722

Certificate of Ownership – no certificate of ownership required for reserved matters submission.

