
Report of the Head of Strategic Investment**HUDDERSFIELD PLANNING SUB-COMMITTEE****Date: 31-Aug-2017**

Subject: Planning Application 2017/91173 Reserved matters application for erection of 16 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.

DATE VALID

31-Mar-2017

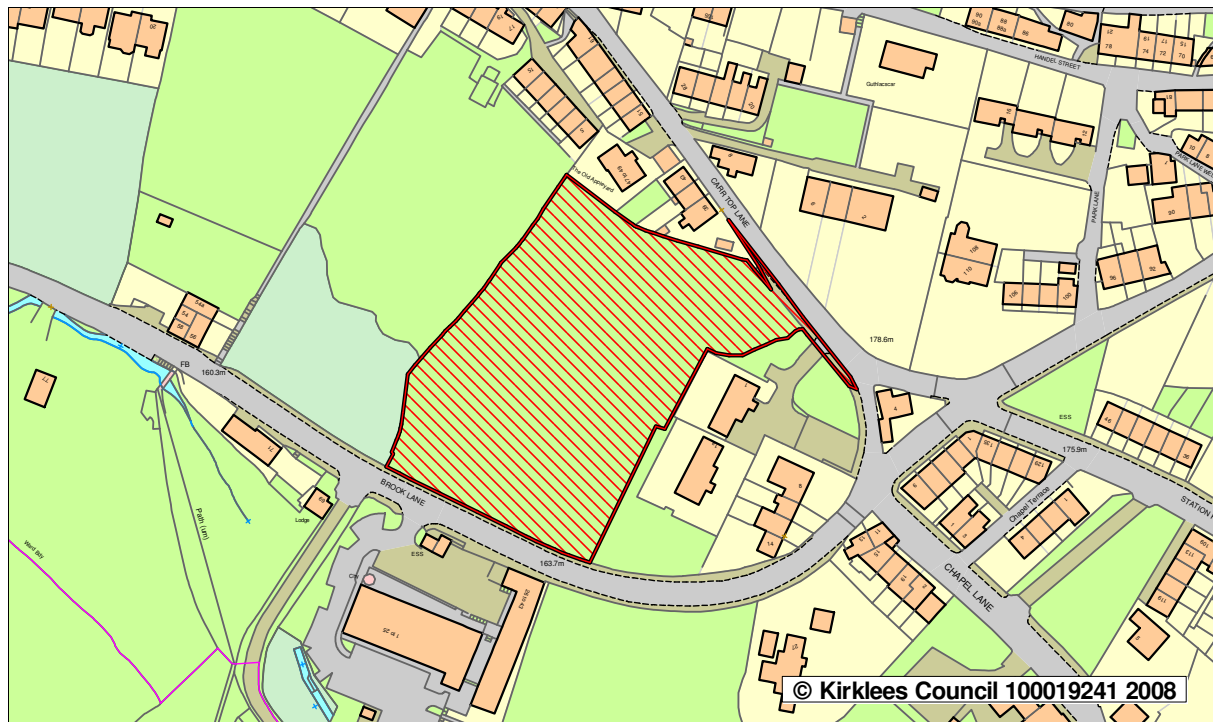
TARGET DATE

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 where the outline application was approved the sub-committee resolved that any detailed or reserved matters application be brought back to sub-committee for scrutiny and decision.
- 1.2 In addition Ward Member Cllr Hilary Richardson requested that the site be visited to enable proper consideration of the scheme in the context of its Conservation Area setting.
- 1.3 The application was reported to sub-committee on 20th July 2017 and members visited the site on the morning of the meeting. At the meeting members resolved to defer consideration of the application for officers to seek amendments to the scale and layout of the development. The original scheme sought approval for 19 dwellings; this has now been amended and the reserved matters submission seeks approval for 16 dwellings. The details of this amended scheme and the assessment of the reserved matters is set out below.

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 16 no dwellings, a mixture of detached and semi-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 3 retaining structures within the site. One would be to the north, just to the rear of existing terrace on Carr Top Lane, another adjacent to plot 15 and another towards the southern end of the site, to the rear of plots 9-13, with steps down to a lower land next to the protected belt of trees which front onto Brook Lane. These structures are described as 'criblock retaining structure' on the submitted layout plan. The amended plan denotes an area of land adjacent to plot 8 as 'public open space'.

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.
- 5.3 The applicants noted the Members concerns at the last Committee, regarding the numbers of units on the site and potential overdevelopment. There was no objection to the design or style of the dwellings proposed.

- 5.4 Consequently the amended layout removed 3 no units ie plots 8,9and 10 (a terrace of 3 dwellings) which were located towards the western edge of the site, and re-orientated the neighbouring dwelling(now plot 8). This results in a central area of open space, defined as 'public open space' on the layout plan which is overlooked by Plot 8.

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

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 – the application has been revised reducing the number of dwellings from 19 to 16. In addition some detailed amendments requested , have been received, together with clarification in the entrance point easement and gradients. The plans are considered acceptable, and standard conditions are recommended

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. There is no objection to the amended plan, the reduction in numbers and the additional space that delivers is welcomed

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 have been submitted to address this issue subject to condition.

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. 10 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*).
- Outline permission for 16 was excessively overcrowded, 19 is even more so.
Response: the layout and scale of development, as amended to 16 dwellings, are considered acceptable for the reasons set out in the report.
- Detrimental impact on habitat, and loss of wildlife;
Response: the Ecology officer raises no objections to the proposal related to impact on biodiversity, there is a landscape management plan condition on the outline application and a proposed condition regarding biodiversity enhancement opportunities in the recommendation to members in the main report.
- TPO trees on the southern boundary will be under threat in the future;
Response: the amended plans received would improving the long-term viability of protected trees by separating them from domestic curtilage.
- Highways survey for outline is now obsolete, given 3 extra dwellings;
Response: matters related to access were approved at outline stage. The number of dwellings proposed has been reduced to 16.
- Plot 16 is too close to no 1a, Carr Top Lane - loss of privacy, a full boundary/ fence plan needs submitting.
Response: details of boundary treatment are shown on the layout plan. However, further details are required for the north east boundary to delineate where all sections of the 1.8m screen walls and fences will be sited. Furthermore following the recent receipt of amended plans there are no clear details of the boundary treatment proposed to separate the garden areas of plots 9-13 from the wooded bank of protected trees. For these reasons a condition is recommended.

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 amended scheme delivers 16 dwellings at a density of approx. 22 per ha (a significant reduction from the previous 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 (plot 1) and plots 14-16 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. Central to the site is a significant area of public open space, which will be grassed and planted. The detail of the planting and its maintenance can be dealt with via planning condition (this is approximately where the 3 deleted plots were previously located). The neighbouring dwelling plot 8 faces towards the open space, as do nearly all the proposed dwellings within the site. As such the new open space benefits from excellent natural supervision, and is a benefit to each of the dwellings with easy access both visually and physically. It also results in a more spacious character within the site, which are considered to address any previous concerns regarding excessive density or over development. The arrangements for the provision and future maintenance of this area of public open space are regulated by condition 5 of the outline planning permission.

9.6 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.

9.7 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.

9.8 **Scale and Appearance**

The dwellings are a mixture of detached and semi-detached this is a mix which is reflected in the surrounding area. Given 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.

- 9.9 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.
- 9.10 **Landscaping**
- 9.11 The amended scheme for 16 dwellings delivers an improved landscape scheme across the site. Aside from providing soft landscaped shrub areas within the site which break up the parking areas and additional tree planting particularly around the access point and in front gardens, a new significant public open space area, central to the site (roughly where the 3 deleted houses were previously located) is provided. This new area of POS, is to be grassed and planted, and is within an integral location to the whole of the site, being viewed from all the dwellings, and in relation to each of the dwellings and as one moves through the site. The additional landscaped area significantly improves the sense of openness within the site. 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.
- 9.12 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.
- 9.13 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 9-13 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
- 9.14 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.
- 9.15 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 and the requirement to secure public open space under condition 5 of 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, as previously set out, 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 site's 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.
7. Arboricultural method statement
8. Details of any additional tree works during construction to be submitted and approved before being carried out.
9. Details of all boundary treatments, including that to separate site from 1 and 1A Carr Top Lane and the domestic curtilage of plots 9-13 from the wooded banking to the south of the site.

10. Details of the planting specifications along with the long term maintenance arrangements for the area of 'Public Open Space' provided on site as shown on the approved plan

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.