
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 12-Oct-2017

Subject: Planning Application 2017/92220 Reserved matters application pursuant to outline permission 2015/91640 for residential development (16 dwellings) Mill Moor Road, Meltham, Holmfirth, HD9 5LW

APPLICANT

Conroy Homes Ltd C/O
Agent

DATE VALID

28-Jun-2017

TARGET DATE

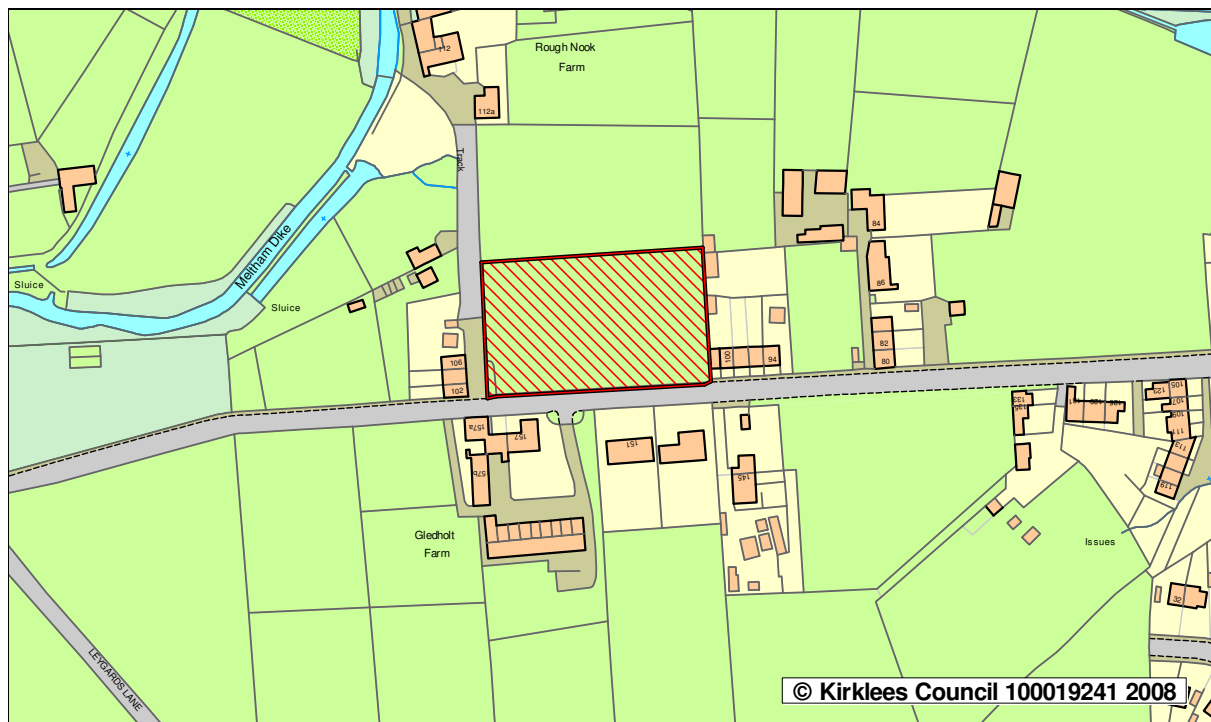
27-Sep-2017

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: Holme Valley North

No

Ward Members consulted

RECOMMENDATION:

DELEGATE approval of the reserved matters and the 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 reserved matters application is brought before the Sub Committee in accordance with the requirements of the Sub Committee when it determined the outline application on 18th February 2016.

2.0 SITE AND SURROUNDINGS:

2.1 The site comprises a rectangular shaped piece of open land that lies in between 100 and 102-106 Mill Moor Road. The site slopes gently from front to back in a northerly direction and also slopes very gradually at its eastern extent towards 100 Mill Moor Road. The land drops away towards the north. The site is bound along its Mill Moor Road frontage by a drystone wall and along its rear boundary by a post and rail fence. There are residential properties immediately opposite the site.

3.0 PROPOSAL:

3.1 The application seeks approval of the layout, scale, appearance and landscaping of the site (the reserved matters) pursuant to outline application 2015/91640 for residential development. The outline consent approved the main point of access off Mill Moor Road.

3.2 The layout provides a total of 16 dwellings with a mixture of detached (5 no.), semi-detached (4 no.) and terraced (7 no.) properties. The dwellings are two and three storeys in height, with the three storey properties having their upper floor within the roof space. Proposed facing materials are natural coursed stone and blue slate.

4.0 RELEVANT PLANNING HISTORY:

4.1 2015/91640 Outline application for residential development – Approved by Sub Committee 18/2/16

2005/90463 – Outline application for erection of residential development (5 no. dwellings) – Refused

Adjoining land to the north of the application site:

2017/93015 Erection of 19 dwellings (C3) with associated parking and vehicular access - Undetermined (to be reported to Sub Committee)

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Negotiations have been undertaken with respect to the layout, scale, appearance and landscaping of the site which have resulted in revisions to the scheme.
- 5.2 The off-street parking for plots 2-4 has been relocated to the rear of these properties which has also enabled the floor levels of plots 1-4 to be lowered.
- 5.3 The internal road layout has been amended to provide a larger refuse vehicle turning area and the position of the new footway along the frontage repositioned so that it runs through with the existing footway on Mill Moor Road.
- 5.4 The eaves and ridge height of plots 12-14 has been reduced slightly to better respect the height of 100 Mill Moor Road. Plot 6 has been handed to provide a step down to 102-106 Mill Moor Road.
- 5.5 The canopies to the front of plots 1-4 have been omitted to give a simpler appearance to these dwellings. Bay windows to the front of plots 5 and 6 have also been omitted.
- 5.4 The extent of drystone walling along the site frontage and at the entrance to the development has been significantly increased. Timber fencing to the southern boundary of plots 5 and 6 has been replaced with a beech hedge. Tree planting has been amended.

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 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. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.
- 6.2 The site is allocated as Provisional Open Land (POL) on the Unitary Development Plan Proposals Map and is allocated for housing on the Draft Publication Local Plan.

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

D5 – Provisional Open Land (POL)
BE1 – Design principles
BE2 – Design of new development
BE11 – Materials
BE12 – Space about buildings
H10 – Affordable housing provision
H12 – Arrangements for securing affordable housing
EP11 – Integral landscaping scheme to protect/enhance ecology
T10 – Highway safety considerations
T16 – provision of safe, convenient and pleasant pedestrian routes
T19 – Off-street parking standards
NE8a – Impact on Peak District National Park

6.4 Kirklees Publication Draft Local Plan

PLP1 Presumption in favour of sustainable development
PLP3 Location of new development
PLP 20 Sustainable travel
PLP21 Highway safety and access
PLP22 Parking
PLP24 Design
PLP27 Flood Risk
PLP28 Drainage
PLP30 Bio diversity and geodiversity
PLP32 Landscape
PLP51 Protection and improvement of air quality
PLP52 Protection and improvement of environmental quality

6.5 Supplementary Planning Guidance / Documents:

Interim Affordable Housing Strategy

National Planning Guidance:

- 6.6 ‘Achieving Sustainable Development’
‘Core Planning Principles’
Section 6 – Delivering a wide choice of high quality homes
Section 7 – Requiring good design
Section 8 – Promoting healthy communities
Section 10 – Meeting the challenge of climate change, flooding and coastal change
Section 11 – Conserving and enhancing the natural environment
Section 12 – Conserving and enhancing the historic environment
‘Decision taking’

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by site notice, press advert and neighbour notification letters. In response 10 representations were received which are summarised as follows:

- Impact on traffic on Mill Moor Road and adjoining highway network, including cumulative impacts with other new developments
- Mill Moor Road is often single width because of parked cars
- Highway safety concerns including at main road junctions in the vicinity such as Westgate/Station Street, lack of footways and vehicles reversing onto Mill Moor Road from private drives
- The new footway appears to narrow the width of the road; Mill Moor Road is already narrow enough
- Access will be serving the 19 houses proposed to the north
- Development opposite a stables – potential for accidents
- Impact on infrastructure – schools, doctors, dentists
- Too many houses / overdevelopment / cramped layout
- Three storey houses out of keeping with local vernacular
- Unsuitable design
- Parking is overly dominant which would fundamentally alter character of the area
- Individual points of access (private drives) off Mill Moor Road are overly suburban
- Plots 5 and 6 overbearing and dominant in relation to 102-106 Mill Moor Road
- Loss of privacy and overlooking – windows in the western and southern elevations of plots 5 and 6 overlook main habitable rooms in 102-106 Mill Moor Road. Plots 5 and 6 should be two storeys with obscure glazing to relevant windows to prevent overlooking.
- More housing would harm the country village character of Meltham
- Loss of green space
- Site adjoins Green Belt
- Disruption and nuisance from building works, adding to existing problems
- Impact on wildlife
- Lack of detail within the application
- Drainage information not provided as required. Concerns that drainage conditions cannot be complied with.
- Too much of the stone boundary wall will be lost
- Details of highways signage and street lighting not provided so impact on adjacent Green Belt cannot be properly judged

Following the submission of amended and additional plans and drainage information neighbours and interested parties were notified by letter. This publicity period expires on 10th October 2017 and a summary of any comments received will be provided to members in the Update.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways Development Management – No objections. Comment that there is no pedestrian access between the parking spaces for plots 1-4 and the main entrance to these dwellings which is not ideal.

KC Lead Local Flood Authority – Awaiting comments in response to the proposed drainage layout.

8.2 **Non-statutory:**

KC Conservation & Design – Concerns raised with landscaping details.

Yorkshire Water – Awaiting comment

9.0 **MAIN ISSUES**

- Layout
- Scale
- Appearance
- Landscaping
- Highway matters
- Drainage
- Other matters
- Representations

10.0 **APPRAISAL**

Layout:

- 10.1 The proposed layout provides 16 dwellings comprising a mixture of detached, semi-detached and terraced properties. The density of development equates to 41 dwellings per hectare. By way of context, Policy PLP7 of the emerging Local Plan states that developments should achieve a net density of at least 35 dwellings per hectare (where appropriate).
- 10.2 The outline application included an indicative layout of 18 dwellings which was considered to be overly suburban in its form and out of keeping with the character of this part of Mill Moor Road which provides a transition from the built-up part of Meltham to the east and the Green Belt and Peak District National Park towards the west.
- 10.3 Since the outline application was assessed there have been two permissions for residential development in very close proximity to the site, both of which are currently under construction. These are developments for 28 dwellings and 13 dwellings respectively on housing allocations just to the east.
- 10.4 The adjoining land to the north is also very likely to be developed because it forms part of the same housing allocation in the emerging Local Plan and is subject to an undetermined application for 19 dwellings (2017/93015). These two sites make up the vast majority of housing allocation H342 which has an indicative housing capacity of 37 dwellings. The combined number of dwellings across both of the current applications is 35. The remainder of the allocation is a relatively narrow strip of land which is likely to be able to accommodate a fairly small number of houses.
- 10.5 The proposal is a reduction on the indicative layout at outline stage and it is accepted that the welcome inclusion of terraced properties along the site frontage, which is characteristic feature of Mill Moor Road, consequently means a somewhat higher density in this particular part of the site. With this in mind and in the context of the new development currently taking place to the east (as well as the likelihood of additional development to the north), on balance the proposed density of development is considered to be acceptable.

Furthermore, the NPPF promotes the efficient use of land and requires development to optimise the potential of a site to accommodate development, which it is considered this layout achieves. Based on the proposed layout the development would also deliver 3 affordable units (20% of the units equating to 3.2 dwellings); affordable housing provision was secured via a condition on the outline consent and would need to be discharged accordingly.

- 10.6 In design terms the general layout is acceptable following an amendment which has relocated the parking for plots 2-4 to the rear of these properties in order to reduce the prominence of parking and enhance the appearance of the street scene.
- 10.7 The proposed layout meets the council's space about buildings policy (BE12) in relation to existing dwellings adjacent to the site. There is a slight (1.5m) shortfall between the kitchen-diner window in the rear of plot 5 and 157 Mill Moor Rd however the proposed landscaping along the southern boundary of this plot would screen this ground floor window and thereby mitigate any potential impact. Following an amendment to the layout plot 4 is also closer to 157 Mill Moor Road however there is not a direct relationship between the dwellings and the separation is considered to be acceptable.
- 10.8 There is a small bedroom window in the side of plot 5 that would be 16.5m from habitable windows in the front of 106 Mill Moor Road. This bedroom window is in essence a secondary opening and so this separation distance could be considered acceptable having regard to Policy BE12. Nevertheless it is considered reasonable to require this window to be obscure glazed to preserve the sense of privacy of 106 Mill Moor Road, especially given that this property does not currently have any direct window to window relationships with other dwellings. It is also considered necessary for the corresponding bedroom window in plot 6 to be obscure glazed because although it is at an oblique angle to 106 Mill Moor Road the separation distance is only around 8m and the window also has a direct outlook onto the curtilage of 106 Mill Moor Road.
- 10.9 Plot 6 has been positioned so that the aspect from 102-106 Mill Moor Road would be left open. Much of plot 5 is to the front of 106 Mill Moor Road but the separation distance is such that the outlook from no.106 Mill Moor Road would not be unduly prejudiced. Plot 4 has been moved forward so that it has a more direct relationship with 104 Mill Moor Road but it would be separated by a distance of 26.5m which is sufficient to prevent any significant impacts.
- 10.10 Plot 12 would project beyond the rear wall of 100 Mill Moor Road by 3.5m. Plot 12 is set in from the boundary with this adjacent property by around 2m and it is considered that this relationship is acceptable.
- 10.11 The site achieves acceptable separation distances between new dwelling and new dwelling within the site. In terms of the relationship with the houses proposed on the adjacent land, it is considered that adequate separation distances would be provided and there would not be any undue overlooking because of the proposed boundary treatment that would provide screening.

10.12 In summary the proposed layout achieves an acceptable density considering other new and planned development within the immediate vicinity. The proposal represents an efficient use of land and achieves acceptable separation distances to surrounding properties.

Scale:

- 10.13 The dwellings are mixture of two and three storeys, although the three storey dwellings have their upper floor within the roof space and include roof lights. A street scene drawing has been submitted showing how the site frontage properties will sit within the context of Mill Moor Road. This shows a gradual stepping up from east to west across which reflects the topography of the site. Plots 5 and 6 form the western extent of the development and these properties are set back into the site as well as being set down from Mill Moor Road which significantly reduces their perceived height within the street scene.
- 10.14 Plots 12-14 are two storeys in height and form a row of three terraced houses next to 100 Mill Moor Road. The eaves height of these dwellings has been reduced slightly to lower their overall ridge height and officers are satisfied that the height of these properties will harmonise with 100 Mill Moor Road.
- 10.15 Plots 15 and 16 (semi-detached) and plots 1-4 (terraced) are three storey properties. The height of these buildings is greater than other development along Mill Moor Road - which comprises traditional two storey houses or dormer bungalows - however these plots are set down from road level which mitigates their relative height, particularly in the case of plots 1-4. The height of these dwellings reflects the topography of Mill Moor Road and officers are satisfied that the height of these dwellings is acceptable.
- 10.16 As already identified, plots 5 and 6 are set back and down from Mill Moor Road and so the height of these properties would not be incongruous when viewed in relation to 102-106 Mill Moor Road immediately to the west. Plot 6 has also been handed so that the garage (with bedroom in the roof) provides a step down to these adjacent properties.
- 10.17 There are no concerns with the height of the remaining plots which are all set further back into the site.
- 10.18 In all other respects the scale of the development is considered to be acceptable. This includes in relation to the allocated Green Belt to the west and the Peak District National Park which is around 195 metres from the site. The proposed scale of the buildings and the separation distance ensures that the development would not significantly affect the openness of the Green Belt or be intrusive in views from within the National Park or have a harmful impact on views into the National Park.
- 10.19 In respect of 'scale' the application is considered to comply with Policies BE1 and BE2 of the UDP and guidance in the NPPF. It is also considered that the scale of the development would accord with the requirements of emerging Policy PLP24 of the PDL.

Appearance:

- 10.20 The general design approach to the dwellings is consistent with surrounding properties and other nearby developments along Mill Moor Road that are currently under construction. Canopies above the front doors on plots 1-4 have been omitted to give these dwellings a simpler appearance which is more in keeping with similar cottage type properties within the vicinity. The properties to each side of the access road (plots 1 and 16) include windows which avoids the appearance of large expanses of blank walling at the entrance to the development. All of the dwellings include a variety of architectural detailing such as a dentil course and stone heads and cills which helps them to harmonise with the character of the area.
- 10.21 The dwellings will be faced in natural stone and blue slate which is appropriate for this location.
- 10.22 Plots 5 and 6 will back onto Mill Moor Road but the design of the rear elevation is such that it would appear as a main elevation and in any event much of this elevation would be screened as a result of the site levels and boundary treatment. This wall and hedge would also screen the proposed garden sheds for these plots.
- 10.23 In respect of 'appearance' the application is considered to comply with Policies BE1 and BE2 of the UDP, Policy PLP24 of the PDLP and guidance in the NPPF.

Landscaping:

- 10.24 The proposed landscaping details are now considered to be acceptable following amendments to the boundary treatment along the site frontage and the point of access.
- 10.25 Unsympathetic timber fencing to the southern elevation of plots 5 and 6 has been replaced with a beech hedge which will sit behind a section of drystone wall. The removal of parking spaces to the front of plots 2-4 has allowed this drystone wall to continue along the front of these plots with new hedge planting behind which helps to maintain the established semi-rural character of the area. Short sections of drystone walling have also been incorporated between off-street parking spaces on plots 12-14 to break up and delineate the parking areas. The extent of drystone walling around the access has also been extended further into the site including adjacent to plots 1 and 16 (replacing timber fencing) to give a more sympathetic and open aspect to this prominent part of the site.
- 10.26 Timber fencing is proposed to the northern site boundary where it abuts application site 2017/93015. This is considered to be an acceptable boundary treatment between adjoining housing development sites. The existing drystone walls along the eastern and western boundaries are to be retained which will help to maintain the character of the area. The proposed 1.8m high timber fencing to the individual plot boundaries is deemed to be acceptable.

10.27 The number of trees within the soft landscaping scheme has been increased and the planting schedule has also been revised to take into account officer comments regarding the practicality of certain tree species close to parking areas. The would accord with Policies BE1 and BE2 of the UDP.

Highway matters:

10.28 Outline planning permission 2015/91640 approved the main point of access for the site. It is proposed to access the site directly from Mill Moor Road via a new priority junction located centrally along the site frontage. At the junction with Mill Moor Road the access road comprises of a 5.5m wide carriageway with 2.0m wide footways to either side and along the site frontage. The applicant has undertaken a Stage 1 Road Safety Audit of the proposed site access junction arrangement which was submitted with the outline application.

10.29 A cumulative impact assessment on the highway network in the site vicinity of the proposed development was provided with the Transport Assessment attached to the outline application. This assessment considered both the Westgate/Station Street and Station Street/ Greens End Road junctions.

10.30 Conditions attached to the outline permission included a requirement for the provision of a 2m wide footway along the site frontage and speed management measures on Mill Moor Road comprising:

- a. Traffic Regulation Order (TRO) to extend the 30mph speed limit to Leygards Lane; and
- b. Provision of associated signage and road markings.

10.31 Highways Development Management raised a number of issues with the proposals which the applicant has subsequently sought to address.

10.32 The proposed new footway along the road frontage has been repositioned so that it runs through with the existing footway on Mill Moor Road.

10.33 The internal road layout has been reconfigured to accommodate a turning area sufficient for a larger size of refuse vehicle.

10.34 The internal dimensions of the integral garages are substandard in relation to published standards in Manual for Streets 2. In order to compensate for this plot 5, 6, 7, 10 and 11 are provided with a shed which will allow storage for items such as bicycles.

10.35 Highways Development Management have confirmed that the amended plans have addressed the issues raised.

10.36 Highways Development Management have commented that there is no pedestrian access between the parking spaces for plots 1-4 (as amended) and the pathway serving these dwellings which is not ideal. Pedestrian access would involve walking along part of the access road which forms a shared surface. It would nevertheless be possible for these dwellings to be accessed from the rear meaning that these occupiers would not have to walk around to the front of their houses all the time. A condition is therefore recommended requiring details that will enable these properties to be accessed from their parking spaces at the back.

Drainage:

- 10.37 The principle of an acceptable drainage strategy was agreed at outline stage with detailed design to be secured by conditions. A condition on the outline consent does however require certain drainage information to be submitted with a reserved matters submission that seeks approval of 'layout'. This is so that the site layout can be considered in relation to existing and proposed drainage infrastructure, including any surface water attenuation and flood risk mitigation measures.
- 10.38 The applicant has recently submitted drainage information as part of this application and this is being considered by Kirklees Lead Local Flood Authority. Yorkshire Water has also recently requested that they be consulted on this application in the context of them separately assessing the application for 19 dwellings on the adjoining land to the north. Responses from both consultees are awaited and an update will be provided to members on this prior to the meeting.

Representations:

- 10.39 Ten representations have been received. In so far as the issues raised have not been covered in this assessment, a response on the other matters is provided as follows:
- Impact on infrastructure – schools, doctors, dentists
Officer response: The principle of residential development on the site has already been established. The development does not trigger a contribution towards education provision. The provision of medical services is a matter for those providers and is not germane to the determination of this application.
 - Loss of green space
Officer response: The principle of residential development on the site has already been established by the outline consent and the land is allocated for housing in the Draft Publication Local Plan.
 - Details of highways signage and street lighting not provided so impact on adjacent Green Belt cannot be properly judged
Officer response: Road signage associated with a TRO is required by a condition on the outline permission. Officers do not consider that any signage would significantly affect the Green Belt.
 - Disruption and nuisance from building works, adding to existing problems
Officer response: This is not a material planning consideration but nuisance issues could be addressed through Environmental Protection legislation.
 - Impact on wildlife
Officer response: The principle of the development has already been established and biodiversity mitigation is provided through the soft landscaping scheme and a condition on the outline consent requiring the provision of bat and bird boxes on the dwellings.

- Lack of detail within the application / drainage information missing

Officer response: Officers are satisfied that sufficient information has now been provided to enable a full assessment of the reserved matters, subject to assessment of the drainage information.

- Risk of accidents with the stables opposite the site

Officer response: The parking spaces immediately opposite the entrance to the stables have been removed. The main point of access has already been approved and the layout details are acceptable from a highway safety point of view.

11.0 CONCLUSION

- 11.1 The layout and density of the site is considered to be acceptable given the site's context, which has changed somewhat since the outline application was considered. The layout has been improved with the relocation of a number of parking spaces away from the site frontage. The layout provides acceptable separation to existing and new dwellings.
- 11.2 The height of the three storey dwellings is mitigated by the proposed site levels and as a result would sit relatively comfortably within this setting. The buildings respect the topography of the site which rises up from east to west.
- 11.3 The design and materials harmonise with the local vernacular and the amendments to the landscaping help to soften the appearance of the development and respect the semi-rural character of the area.
- 11.4 The amendments have made the scheme acceptable to Highways Development Management and an update on drainage matters will be provided accordingly.

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

1. Development in accordance with the approved plans
2. Obscure glazing to bedroom windows in the western elevations of plots 5 and 6
3. Drystone wall constructed of natural stone and to re-use material from existing boundary wall
4. Garden Sheds to be provided for plots with sub-standard garages prior to first occupation
5. Details to show how plots 1-4 can be accessed from the rear

Background Papers:

Application and history files.

Website link:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92220>

Certificate of Ownership – As per outline application