
Report of the Head of Strategic Investment

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 20-Sep-2018

Subject: Planning Application 2018/90912 Reserved matters application pursuant to outline permission 2015/91093 for erection of residential development (17 dwellings) (within a Conservation Area) Land Off, Hollyfield Avenue, Quarmby, Huddersfield

APPLICANT

Stephen Holman, Yelcon
Ltd

DATE VALID

19-Mar-2018

TARGET DATE

18-Jun-2018

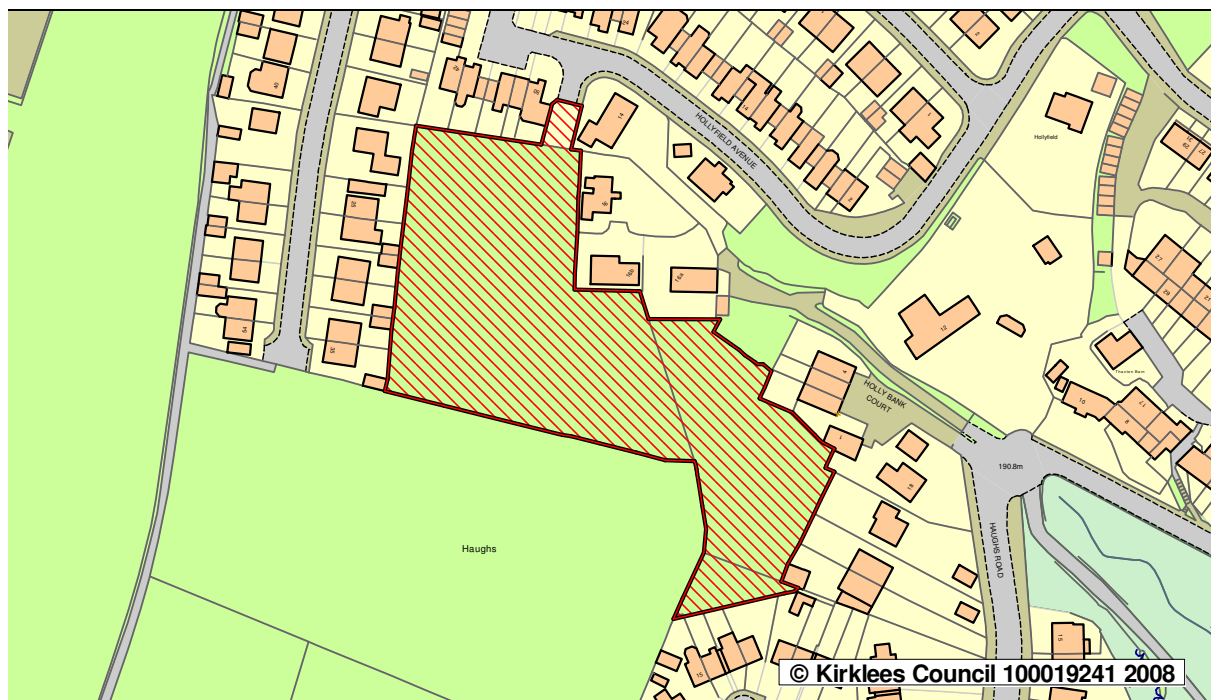
EXTENSION EXPIRY DATE

16-Aug-2018

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: Lindley

Yes

Ward Members consulted
(referred to in report)

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 in this report.

1.0 INTRODUCTION:

1.1 This application is brought to the Huddersfield Planning sub-committee for determination due to the significant volume of public opinion received.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is located approximately 3 kilometres west of Huddersfield town centre on the periphery of Quarmby. The site is approximately 0.77h in area and forms a small part of a much larger area of Provisional Open Land (POL) which lies south of the application site. The site is green field in character close to an area which is predominantly residential in character. Residential properties border the site to the north, east and west with open land to the south. The site lies within the Quarmby Fold Conservation area and a Grade II listed building now known as 2 – 4 as Holly Bank Court is located close to the eastern boundary of the site.

3.0 PROPOSAL:

3.1 This is a reserved matters submission which originally sought consent for the erection of 20 dwellings under the provisions of outline planning permission 2015/91093. However, following negotiations with the Council this was amended to the provision of 17 dwellings.

3.2 The site would be accessed via Hollyfield Avenue and the dwellings would be served by an internal estate road.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 Outline planning permission (2015/9109) for the erection of a residential development within a Conservation Area was approved in relation to this site on 08.12.2015. The application currently being considered therefore seeks approval of the matters reserved as part of that outline approval. These are: appearance, scale, layout and landscaping. In addition, conditions 8 and 20 of the outline permission require specific details of landscape and drainage to be included within the submission of reserved matters. These are considered in the appraisal below.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

5.1 During the assessment of this application the following revisions to the original scheme have been achieved:

- Amendments to the site layout to ensure adequate easements have been secured in the proximity of existing drainage infrastructure crossing the site.
- Re-siting of plot 14 to reduce impact on listed building adjacent the site
- Amendments to access arrangements
- Submission of landscaping detail and ecological enhancement
- Additional drainage details

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 Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 48 of the National Planning Policy Framework (2018). 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 (2018), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

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

D5 – Provisional Open Land

BE1 – Design principles

BE2 – Design of new development

BE12 - Space about buildings standards

BE5 – Conservation areas.

H10 - Affordable housing provision

H12 – Arrangements for securing affordable housing

H18 – Provision of open space

G6 - Development having regard to contamination

EP11 – Incorporation of integral landscaping scheme which protects or enhances ecology

T10 - Highway safety considerations

T19 - Parking standards

6.3 Kirklees Publication Draft Local Plan

- PLP1 – Presumption in favour of sustainable development
- PLP2 – Place shaping
- PLP3 – Location of new development
- PLP7 – Efficient and effective use of land and buildings
- PLP11 – Housing mix and affordable housing
- PLP20 – Sustainable travel
- PLP21 – Highway safety and access
- PLP22 – Parking
- PLP24 – Design
- PLP27 – Flood risk
- PLP28 – Drainage
- PLP30 – Biodiversity and geodiversity
- PLP32 – Landscape
- PLP35 – Historic environment
- PLP48 – Community facilities and services
- PLP49 – Educational and health care services
- PLP51 – Protection and improvement of local air quality
- PLP52 – Protection and improvement of environmental quality
- PLP63 – New open space

6.4 Supplementary Planning Guidance / Documents:

- Interim Affordable Housing Policy
- West Yorkshire Air Quality and Emissions Technical Planning Guidance
- Kirklees Landscape Character Assessment (2015)
- Kirklees Housing Topic Paper (2017)
- Kirklees Council Housing Allocations
- Accessibility Assessment (March 2015)
- National Planning Practice Guidance

6.5 National Planning Guidance:

- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 12 – Achieving well-designed places
- Chapter 8 – Promoting healthy and safe communities
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was originally advertised by site notice, neighbour notification letters, and by Press Advert. However, amended plans have been received in connection with this application involving further publicity. This has resulted in the receipt of 22 individual representations. Details of publicity periods, the issues raised as a result and associated response are summarised as follows: Original publicity expired on 26 April 2018 (21days)

Second round of publicity relating to amended site layout expired on 23 August 2018 (21 days)

Third round of publicity relating to re-siting of plot 14 expired on 10 September 2018 (10 days)

Two representations were received following the third round of publicity reiterating original concerns submitted on:

Rep. 1 15 April 2018

Rep.2 14 May 2018

Summary of issues raised:

- Plot 8 is too close to 16b Haughs Road and given the level changes it will have an overbearing effect on this existing dwelling.
- The original outline submission indicated that areas of land close to existing properties would be left undeveloped and could potentially be gifted to the occupiers of those dwellings.
- The drainage proposals included with the application cannot be implemented as they involve a breach of an existing agreement with the Council and a third party landowner.
- Due to the level changes from the site to the surrounding land the privacy of existing properties would be adversely affected.
- The development would result in noise levels in the area increasing which would have a detrimental impact on existing residents.
- The proposal would adversely affect the setting of the nearby listed building.
- Highway safety in the vicinity of the site will be compromised.
- Surface water will drain towards the eastern area of the site and discharge onto the existing properties. This will exacerbate existing problems.
- The proposal could affect the stability of existing retaining structures.
- This proposal would have an adverse impact on local wildlife.
- The value of properties in the area will be adversely affected.
- Previous applications in the area have been refused due to their adverse impact on the conservation area.
- The proposed development may act to channel wind towards existing properties
- The proposed access would adversely affect the occupants of 14 and 50 Hollyfield Avenue.
- Use of this access could undermine the foundations of the adjacent properties.
- The proposal would result in the loss of two mature trees which are at present located at the proposed site access.
- Local schools doctors and dentists do not have the capacity to cope with any further house building in the area.
- This is Green Belt land and should not therefore be developed.
- The turning head on Hollyfield Avenue is used as a parking area and will be lost if this development proceeds.
- Residents were not advised about this application and have not had sufficient time to respond
- Brownfield sites should be developed before this green field site is considered
- The loss of this open space will detrimentally affect the character of the conservation area

- An increase in the housing stock in Quarmby is not needed as 300 houses have been built recently in Lindley with further houses planned in the near future
- This proposal does not consider the affect this development would have on 12 Haughs Road which is also a Grade II listed building.

7.2 Ward Members were consulted with regard to this proposal. Cllrs C Burke and R Eastwood submitted a joint representation to this proposal which reads as follows:

“We wish to express our concerns and objection to the reserved matters planning application (2018/61/90912/W), which entails the construction of 20 houses on land off Hollyfield Avenue, in Quarmby.

As ward councillors, a number of residents have contacted us to voice their concern with the reserved matters planning application. This includes residents who live on a property on Haughs Road, adjacent to the application site boundary. We have been made aware about a letter sent to Kirklees Planning department from Storrie Planning, in connection with this property. The letter references the Design and Access Statement, which was submitted as part of the outline planning application, and which identifies properties at risk of loss of amenity as a result of the development and the need to ‘protect the residential amenity of the identified properties.’

While the Design and Access Statement identifies issues which need to be addressed as part of the reserved matters planning application, we agree with Storrie Planning that there has been a failure to do so. The boundary of the development is now closer to the aforementioned property on Haughs Road. As well as being too close to the existing property, we also agree that the adjacent plot’s higher elevation would be overbearing and could significantly reduce light levels.

Given that there is already conditional outline permission, we recognise that the principle of development has been granted. However, we believe that the existing proposal is not currently acceptable, as it will negatively affect residents living in the area, resulting in a loss of residential amenity and adversely affecting living conditions for some existing residents. In particular, we are concerned with the changes in the design as part of the reserved matters planning application, and also believe that there needs be greater consideration about the issues raised in the Design and Access Statement.

Consequently, we support local residents in requesting changes to the design of the development. We believe that the planning application needs to be amended before it can be considered acceptable.”

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C. Highways – No objection subject to the inclusion of planning conditions which require:

- Details of the junction works between the proposed estate road and Hollybank Avenue.

- A scheme detailing proposed adoptable roads.
- Details of storage and access for the collection of wastes.
- Details of contractors parking, loading and unloading arrangements.
- A scheme detailing design of retaining walls adjacent to existing/proposed adoptable highways.
- Details of proposed culverts/surface water attenuation tanks within the proposed adoptable highway.

K.C. Conservation and Design – No objection

8.2 **Non-statutory:**

K.C. Biodiversity Officer – No objection – Final comments to follow

K.C. Environmental Services – No objection subject to planning conditions which require:

- Measures to deal with any site contamination not previously identified
- The installation of electric vehicle charging points

Lead Local Flood Authority – Verbally agreed proposed surface water drainage arrangements and flood routing. Final comments to be included in committee update

K.C. Public Rights of Way – No objection

K.C. Landscape – No objection subject to a financial contribution towards the provision off-site Public Open Space

Yorkshire Water – No objection

West Yorkshire Police Crime Prevention – No objection

9.0 **MAIN ISSUES**

- **Principle of development**
- **Layout, including drainage matters within condition 20 of the outline planning permission**
- **Scale**
- **Appearance**
- **Landscaping, including matters contained within condition 8 of the outline permission**
- **Other matters including representations not addressed in the report. (Glenn you can also use this section to explain why S106 matters aren't for discussion)**

10.0 APPRAISAL

10 Principle of development –

10.1 The principle of development on this site has already been established as has the access via the previous grant of outline planning permission and this application seeks the approval of layout, scale, appearance and landscaping as reserved matters.

10.2 Given the issues above and that the site has the benefit of an extant outline planning permission for housing, it is therefore considered that this proposal is acceptable in principle subject to there being no significant conflict with relevant UDP, emerging Local Plan or national planning policy guidance. (Suggest Delete as principle dealt with)

10.3 Layout

10.4 The site is an irregular shape, has only one point of access and involves level changes which generally fall from west to east. These constraints therefore limit the layout design.

10.5 UDP Policy BE12 sets out the normally recommended minimum distances between habitable and non-habitable room windows. In this instance, separation distances would exceed the minimum distances specified in the above policy both with regard to surrounding residential properties as well as within the site. The layout of the development has been designed to balance the constraints of the site and to provide some visual interest within the street scene whilst safeguarding residential amenity.

10.6 The topography of the site sees changes in levels both across the site and in relation to the existing surrounding ground levels. In order to deal with these level changes it is proposed to cut material from the western part of the site and fill the eastern area. Retaining walls would then be constructed to the rear of plots 7,11,12,13,14,15,16 and 17 and between plots 7-10 and 11, 12 and 13.

10.7 The resultant site levels will be such that the new dwellings at the northern and eastern edges of the site will be set at a higher level than the existing dwellings off Holly Bank Court and Haughs Road. This would be more pronounced towards the area of the site close to the boundary with 1 Holly Bank Court and 2 – 4 Hollybank Court which is a Grade II listed building and which are themselves set into the surrounding land. However, it is considered that whilst the level of the new houses will be higher than the existing properties, this arrangement is not unusual in this location due to the existing local topography which sees a number of houses in the vicinity accommodated on land exhibiting significant changes in levels.

10.8 Section 66 (1) of the Listed Buildings Act states “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. In terms of conservation areas Section 72 (1) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 10.9 Paragraphs 193 and 194 of the NPPF indicate that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 10.10 The site is located within the Quarmby Fold Conservation area and a listed building immediately abuts the site. Consequently it is important to ensure that this proposal respects the setting of both these heritage assets.
- 10.11 The applicant has provided Heritage Impact Assessment (HIA) in support of this proposal which indicates that this proposal would cause less than substantial harm to the significance of the Grade II listed stables to the former farm at Holly Bank (and associated non-designated former farm buildings) and the Quarmby Fold conservation area. However, the HIA concludes that this harm is significantly limited by the nature of the Conservation Area, patterns of previous development and the shape of the land and that the benefit of providing 17 new dwellings outweighs the limited impact on the significance of the affected heritage assets.
- 10.12 Paragraph 196 of the NPPF indicates that where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.13 Whilst Officers agreed that this proposal would not have a significant impact on the setting of the Conservation Area, it was considered that the impact on the adjacent listed building required further consideration. The applicant has therefore revised the siting of plot 14 to move it further away from the boundary with the aforementioned listed building. This revision to the original proposal satisfactorily addresses Officer's concerns. Consequently it is considered that this proposal accords with UDP policy BE5, KPDL policy PLP35 and Section 16 of the NPPF with regard to its effects on local heritage assets.
- 10.14 The proposed site access would be via an existing highway which currently terminates between two properties on Hollybank Avenue (14 and 50). The adjacent elevation of no. 14 is set back from the edge of the existing highway and screened up to a height of approximately 1.8m by a wooden fence. An upstairs window on this elevation currently overlooks this area. The gable wall of no. 50 is currently a blank elevation although upstairs windows on the front and rear elevations of this property would overlook this access point. Having said this, the access would serve what would be a relatively small site which is effectively a cul-de-sac and traffic levels generated would not be excessive.
- 10.15 It is acknowledged that the outlook of the existing dwellings surrounding this site and the residential amenity of the area will be affected by this development. However, as previously stated the separation distances required under policy BE12 of the Kirklees UDP have been complied with and it is considered that the associated impact on the residential amenity of the occupiers of the surrounding dwellings resulting from this layout design will be relatively modest. Therefore a refusal of this application on these grounds is not considered justified.

- 10.16 The route of existing drainage Infrastructure crossing the site has been identified and the layout has been designed to avoid this route and to provide satisfactory easements.
- 10.17 The applicant has provided satisfactory detailed schemes relating to the management of foul/ surface water drainage and has indicated the direction of flow of surface water in the event of flood exceedance conditions. Separate systems for foul and surface water would be provided and the design of the surface water system indicates a maximum discharge rate of 3l/s.
- 10.18 In light of the above, officers therefore consider that the revised layout of this proposal would be acceptable and therefore accords with UDP policy BE12, KPDLPLP24 and Sections 12, 15 and 16, of the NPPF.

Scale and Appearance

- 10.19 UDP Policies BE1 and BE2 are considerations in relation to design, materials and layout. Paragraph 60 of the NPPF stipulates that planning decisions should not stifle innovation through unsubstantiated requirements to conform to certain development forms or styles, although it is proper to seek to promote or reinforce local distinctiveness.
- 10.20 This proposal includes a variety of house designs albeit predominantly involving detached properties. However the development would include a block of three town houses (Plots 8 to 10).
- 10.21 The proposed house designs can be summarised as follows:
- Plots 1, 12, 14 and 15 (Sandringham) – four bedroomed detached dwelling incorporating a pitched roof design and a detached single garage
- Plots 2,3,4,7 and 11 Laurel - four bedroomed detached dwelling incorporating a pitched roof design and a detached single garage
- Plots 5 and 16 Lilac - Three bedroomed detached incorporating a pitched roof design and a detached single garage
- Plots 6 and 17 Harewood – Double fronted four bedroomed detached dwelling incorporating a pitched roof design and a detached garage
- Plots 8, 9 and 10 Affordable – Two bedroomed town house incorporating a pitched roof including off street parking areas.
- Plot 13 Buckden – Four bedroomed detached dwelling incorporating a pitched roof design and an integral garage.
- 10.22 The applicant has confirmed that as this site is located within the Quarmby Fold Conservation Area, the development would be constructed using natural stone and natural roofing materials to harmonise with existing buildings. The final details of these construction materials will be approved via an appropriately worded planning condition.

10.23 With regard to density, paragraphs 122 and 123 of the NPPF highlight the importance of development making efficient use of land. This proposal involves a site area of approximately 0.77ha. which represents a development rate of approximately 22 dwellings per ha. Whilst this rate is generous, this proposal has reduced in size as a result of on site constraints and negotiations with officers regarding the site layout. Bearing in mind the site is located within a Conservation Area, Officers consider that the development rate reflects that of its immediate surroundings and is therefore acceptable in this instance.

10.24 Taking the above into account, the proposal is considered acceptable by officers with regard to its design and the associated impact on the visual amenity and is therefore in accordance with the aims of Policies BE1 and BE2 of the UDP, Policy PLP24 of the KPDLP as well as the aims of the NPPF.

10.25 Landscape

10.26 As the site exceeds 0.4 ha., it should either provide an element of Public Open Space (POS) or if this cannot be achieved then a financial contribution which can be used towards off site POS provision.

10.27 The site provides limited opportunity to provide landscaped areas or POS. The applicant has submitted a landscape maintenance and planting plan which indicates areas within the site which can be planted including street scene planting utilising front garden space. Whilst this proposal includes elements of planting and landscaped areas, it does not include any designated Public Open Space. Consequently it is proposed to require the submission of an off-site contribution via a planning obligation in accordance with condition 6 of the outline planning permission. This contribution has been calculated as being £90,101.

10.28 Ecological issues

10.29 The original outline planning application 2015/91093 was supported by an ecological survey which established that the site is of very limited ecological value. Whilst it is acknowledged that this proposal would have some limited impact on local ecology, the applicant has provided details to enhance biodiversity including the erection of bat and bird boxes, measures to encourage hedgehog connectivity and the inclusion of native hedge and tree planting. These measures are in line with the advice contained in the ecological assessment supporting the original outline planning application.

10.30 Officer's consider that subject to the provision of the above enhancements to biodiversity, this proposal would accord with KPDLP policy PLP52 and Section 15 of the NPPF.

10.31 Representations

Plot 8 is too close to 16b Haughs Road and given the level changes it will have an overbearing effect on this existing dwelling.

Response: Following negotiations with Officer's and as a result of site constraints, Plot 8 has been moved further away from the site boundary with 16b Haughs Road and a single storey garage has now been sited between the new and the existing dwelling. Whilst it acknowledged that the dwelling on plot 8 will be higher, it is considered that the separation is sufficient to mitigate the impact.

The original outline submission indicated that areas of land close to existing properties would be left undeveloped and could potentially be gifted to the occupiers of those dwellings.

Response: Whilst this was indicated within the original outline submission, full planning permission was not sought at that time and the layout proposed was indicative. The proposed layout submitted as part of this reserved matters application is considered to be acceptable albeit different from the indicative layout previously approved.

The drainage proposals included with the application cannot be implemented as they involve a breach of an existing agreement with the Council and a third party landowner.

Response: The proposed drainage arrangements indicate that a surface water and combined sewer will be provided which links to existing infra-structure outside the site via land within the control of the applicant.

Due to the level changes from the site to the surrounding land the privacy of existing properties would be adversely affected.

Response: Although some of the proposed dwellings would be sited at a higher level than existing houses on the northern and eastern boundaries of the site, the orientation of the proposed dwellings is such that direct views from these dwellings into those existing would be minimised. Views from the gardens of the proposed properties would be mitigated by the proposed boundary treatment.

The development would result in noise levels in the area increasing which would have a detrimental impact on existing residents.

Response: It is likely that increased noise levels would be generated during the construction phase of the development. However, this would be for a temporary period only and occur during normal working hours. It is anticipated that once the dwellings are fully occupied noise levels will be related to activities associated with any residential development and will not therefore add significantly to the existing noise climate.

The proposal would adversely affect the setting of the nearby listed building.

Response: See 'Layout' Section of this report

Highway safety in the vicinity of the site will be compromised.

Response: See “Layout” section of this report

Surface water will drain towards the eastern area of the site and discharge onto the existing properties. This will exacerbate existing problems.

Response: The proposed surface water drainage measures and flood routing have been reviewed by the Lead Local Flood Authority and Yorkshire Water and are considered to be satisfactory

The proposal could affect the stability of existing retaining structures.

Response: Ensuring the stability of adjacent land during development is the responsibility of the land owner/developer.

This proposal would have an adverse impact on local wildlife.

Response: See “landscape section of this report

The value of properties in the area will be adversely affected.

Response: This is not a material planning consideration and cannot therefore form part of the assessment of this application.

Previous applications in the area have been refused due to their adverse impact on the conservation area.

Response: Other than the previous outline planning permission this site has no other relevant planning history. Two planning applications were refused on small sites in the vicinity. However, planning applications are considered each on their merits. In this case it is considered that the proposal is acceptable.

The proposed development may act to channel wind towards existing properties which could adversely affect their occupants

Response: Whilst it is acknowledged that wind patterns may change, it is unlikely that they will change to the extent that it would result in significant adverse impacts particular given the scale of building being proposed.

The proposed access would adversely affect the occupants of 14 and 50 Hollyfield Avenue.

Response: See “Layout” section of this report

Use of the proposed access could undermine the foundations of the adjacent properties.

Response: Ensuring the stability of adjacent land is the responsibility of the developer who it must be assumed will take adequate measures to protect the stability of land. The Geo-environmental report supporting this application does not indicate any significant concerns regarding existing ground conditions at the site.

The proposal would result in the loss of two mature trees which are at present located at the proposed site access.

Response: The trees referred to are self-seeded semi-mature specimens which, although appear to be thriving, are not in ideal condition. Bearing in mind the site will include the planting of native trees close to these existing trees as part of the proposed landscaping scheme, it is considered their loss is acceptable.

Local schools doctors and dentists do not have the capacity to cope with any further house building in the area.

Response: There is no policy or supplementary planning guidance requiring a proposed development to contribute to local health service. However, PDLP policy PLP49 identifies Educational and Health impacts are an important consideration and that the impact on health services is a material consideration. As part of the Local Plan Evidence base, a study into infrastructure has been undertaken (Kirklees Local Plan, Infrastructure Delivery Plan 2015). It acknowledges that funding for GP provision is based on the number of patients registered at a particular practice and is also weighted based on levels of deprivation and aging population. Therefore, additional funding would be provided for health care is based on any increase in registrations at a practice. Long-term funding of health facilities is being considered as part of the Local Plan and Community Infrastructure Levy (CIL) and ultimately is a matter for the Health Authority.

With regard to local schools, this proposal is at a level where it does not trigger a contribution towards the provision of additional school places.

This is Green Belt land and should not therefore be developed.

Response: This site is identified as Provisional Open Land in the Unitary Development Plan but it does not fall within the Green Belt. Green Belt policies do not therefore apply in this case.

The turning head on Hollyfield Avenue is used as a parking area and will be lost if this development proceeds.

Response: Whilst this turning head may be used in this way, it was not designed to provide additional parking. This proposal is considered to provide adequate off-street car parking which is in accordance with the Council's policy

Residents were not advised about this application and have not had sufficient time to respond

Response: See "Public/Local response" section of this report

Brownfield sites should be developed before this green field site is considered

Response: Whilst it is acknowledged that the development of Brownfield land would be a preferable option, this cannot act as a bar to developing Greenfield sites, indeed Planning Policy does not restrict Greenfield development. The Council cannot prevent such applications and must assess the application

based upon its merits, its likely impacts on the locality and bearing in mind the district's current lack of housing provision.

The loss of this open space will detrimentally affect the character of the conservation area.

Response: The loss of this open space will have an effect on the area. However, it is considered that this will be limited and the character of the conservation area will therefore not be significantly affected bearing in mind the existing built environment in the vicinity.

An increase in the housing stock in Quarmby is not needed as 300 houses have been built recently in Lindley with further houses planned in the near future.

Response: See "Principle of development" section of this report.

This proposal does not consider the affect this development would have on 12 Haughs Road which is also a Grade II listed building.

Response: 12 Haughs Road is approximately 45m from the boundary of this site and sited within extensive grounds. The setting of this building has changed over time as a result of other development in the area. Bearing this in mind, it is considered that this development would not have an additional significant impact on this building or its setting to the extent that refusal of this application would be justified.

10.44 Planning Obligations

10.45 Prior to commencing development at this site the applicant will need to enter into a Section 106 agreement to provide the following:

- A financial contribution towards the provision of off-site POS
- The satisfactory provision of 20% on site affordable housing

However, members should note that these issues do not form part of the assessment of this reserved matters application and will be dealt with under the provisions of conditions 5 and 6 of the original outline planning permission.

11.0 CONCLUSION

11.1 The proposals put forward in this reserved matters application are considered to be acceptable and officers consider the design of this development is of sufficient quality to ensure that this proposal would not have a significant adverse impact and therefore preserves the character and setting of the Quarmby Fold Conservation Area.

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

1. Development to be carried out in accordance with approved plans
2. Samples of materials to be submitted and agreed (including retaining structures)
3. Highways conditions dealing with
 - junction works between the proposed estate road and Hollybank Avenue.
 - proposed adoptable roads
 - storage and access for the collection of wastes
 - contractors parking, loading and unloading arrangements
 - design of retaining walls adjacent to existing/proposed adoptable highways.
 - proposed culverts/surface water attenuation tanks within the proposed adoptable highway.
4. Implementation of biodiversity enhancement measures indicated on approved drawings
5. Potential drainage conditions to be included in update if required.

Background Papers:

Application and history files.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2018%2f90912>

Certificate of Ownership – N/A