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**Report of the Head of Development and Master Planning**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 22-Aug-2019**

**Subject: Planning Application 2019/90811 Erection of 10 dwellings  
Springfields, Mill Moor Road, Meltham, Holmfirth, HD9 5JY**

**APPLICANT**

Worth Homes (Holmfirth)  
Ltd

**DATE VALID**

12-Mar-2019

**TARGET DATE**

11-Jun-2019

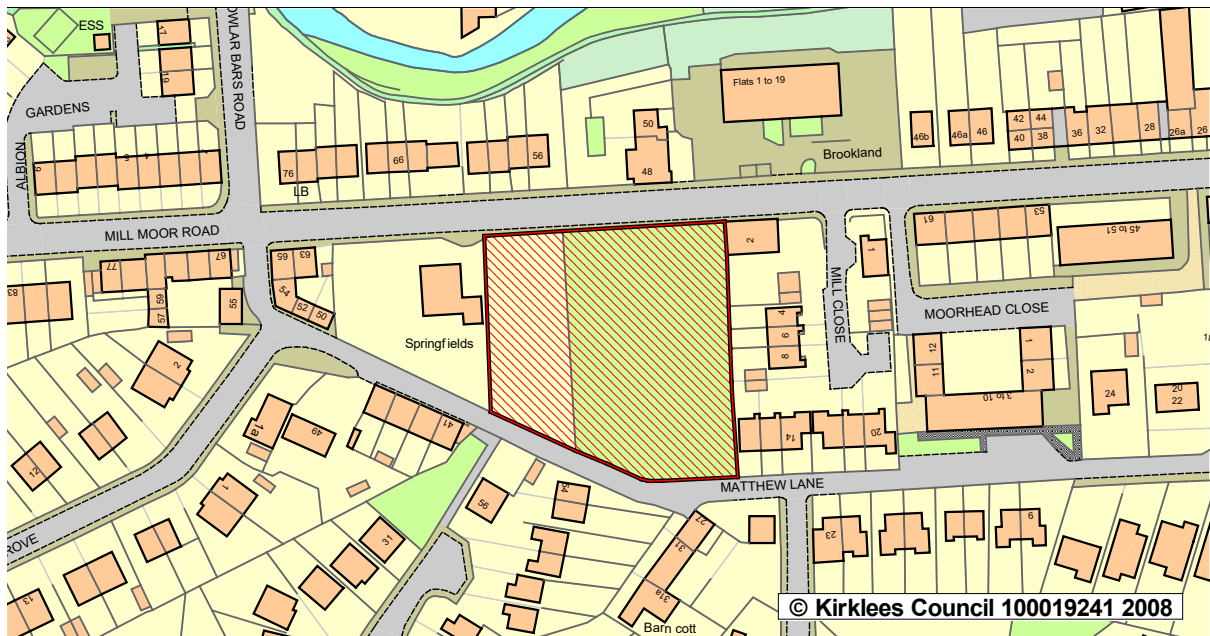
**EXTENSION EXPIRY DATE**

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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**

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**Electoral Wards Affected: Holme Valley North**

Yes

Ward Members consulted

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Development and Master Planning in order to complete the list of conditions including those contained within this report and to secure a S106 agreement to cover the following matters:

1. Open space provisions comprising of an off-site commuted sum of £18,850.
2. Sustainable travel contribution (Metro Cards) - £5,000.
3. Arrangements for the future maintenance and management of surface water drainage infrastructure.

In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Development and Master Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Head of Development and Master Planning is authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

**1.0 INTRODUCTION:**

- 1.1 The application is brought forward to the planning sub-committee for determination at the request of Councillor Charles Greaves. Councillor Greaves' reason for making the request is because of concerns with the impact of the scale and layout of the dwellings on the amenity of adjacent properties. The Chair of the committee has confirmed that Councillor Greaves' reason for making the request is valid having regard to the protocol for planning committees.

**2.0 SITE AND SURROUNDINGS:**

- 2.1 The application site is a small area of grazing land that slopes up from Mill Moor Road towards Matthew Lane to the south. The land is subdivided into two fields and is predominantly bound by stone walls.
- 2.2 The site lies within a residential area and abuts Mill Close to the east and a detached bungalow known as Springfields to the west. There are houses on the opposite side of Mill Moor Road, some of which are set down from the roadside. There are also dwellings on the opposite side of Matthew Lane including a listed terrace.

2.3 The land is unallocated in the Local Plan.

### **3.0 PROPOSAL:**

3.1 The application seeks full planning permission for the erection of 10 dwellings.

3.2 There are six dwellings located in the lower part of the site, consisting of two pairs of semi-detached houses and two detached dwellings. Four of these properties are accessed from a shared driveway off Mill Moor Road and the other two have an individual access off Mill Moor Road.

3.3 Four detached dwellings are located in the upper part of the site and each take access directly off Matthew Lane.

3.4 All of the dwellings are two storeys in height and would be faced in regular coursed natural stone with a blue slate roof.

### **4.0 RELEVANT PLANNING HISTORY:**

4.1 2018/90941 Outline application for residential development – Approved by the Sub Committee 9/8/2018.

4.2 The above application includes the current application site plus some land to the west of the current site that includes the property known as Springfields. A point of access was approved off Mill Moor Road and all other matters were reserved. There was an indicative layout showing 23 terraced and semi-detached dwellings.

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

5.1 The parking for plot 7 has been relocated to the rear of the dwelling to lessen the amount of parking on the Mill Moor Road frontage. As a consequence plot 7 has been pushed closer to the roadside. Plot 5 has also been handed which has enabled the parking for plots 5 and 6 to be broken up by an area of garden, thus helping to mitigate the visual impact of the parking for these plots within the Mill Moor Road street scene.

5.2 Additional information has been provided in relation to drainage.

5.3 Windows have been added to the side of plot 8 to break up the expanse of walling on a roadside gable end.

### **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 statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

## 6.2 Kirklees Local Plan (2019):

LP1 - Presumption in favour of sustainable development  
LP3 - Location of new development  
LP7 - Efficient and effective use of land and buildings  
LP11 – Affordable housing and housing mix  
LP21 – Highway safety and access  
LP22 – Parking standards  
LP24 – Design  
LP27 – Flood risk  
LP28 – Drainage  
LP30 - Biodiversity and geodiversity  
LP35 – Historic environment  
LP51 - Protection and improvement of air quality  
LP52 - Protection and improvement of environmental quality  
LP53 - Contaminated and unstable land

## 6.3 Supplementary Planning Guidance / Documents:

Draft Highway Design Guide SPD  
Interim Affordable Housing Policy

## 6.4 National Planning Guidance:

NPPF Chapter 2 – Achieving sustainable development  
NPPF Chapter 4 – Decision-making  
NPPF Chapter 5 – Delivering a sufficient supply of homes  
NPPF Chapter 8 – Promoting healthy and safe communities  
NPPF Chapter 11 – Making effective use of land  
NPPF Chapter 12 – Achieving well-designed places  
NPPF Chapter 15 – Conserving and enhancing the natural environment  
NPPF Chapter 16 – Conserving and enhancing the historic environment

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application was publicised by site notices, neighbour letters and press advert. 12 representations were received in response to this publicity.

7.2 A summary of the comments received is provided below:

- Too much development happening in Meltham
- Overdevelopment of the site/too many houses on the land
- Dwellings are too large
- Dwellings not in keeping with the character of the area (layout, scale, density, appearance)
- Dwellings too high and would be overbearing
- Bungalows more suitable for this site
- Number of houses needs reducing and the size of them made smaller
- Loss of green space
- No landscaping
- Land is a Conservation Area and not meant for building
- Overlooking/loss of privacy
- Ground should be levelled below Mill Moor Road to mitigate the height of the new dwellings

- Detrimental impact on residential amenity
- No structure to the site layout
- The required visibility splay for plot 1 cannot be provided without adjacent land
- Development will further restrict sightlines on Matthew Lane
- There is a watercourse running under the site and development could increase flood risk
- Increased risk of crime
- Impact on air quality
- Odours
- Light pollution
- Loss of light/overshadowing
- Impact from construction (dust, vibrations, noise, nuisance etc)
- Loss of views would affect residential amenity
- Adverse impact on visual amenity of the area
- Matthew Lane could not cope with additional traffic
- Visibility on Matthew Lane not good
- Traffic congestion and parking problems
- Increased risk of traffic accidents
- Impact on drainage infrastructure including existing sewer network
- Restricted discharge rate of 3 litres per second inadequate
- Would breach Human Rights Acts
- Archaeological benefits, such as old farming equipment, may be underground
- Mill Moor Road already unsafe
- Impact on local services – schools, doctors, dental surgeries
- Detrimental impact on tourism
- Site not suited to the type and number of houses proposed
- Houses not disability friendly
- Stone walls should be retained. There should be 1 access to preserve the walls
- Potential contamination from adjacent historic uses
- Houses will be too expensive and not meet local housing need
- Impact on ecology
- Bat survey should be repeated
- Inappropriate materials being used for construction (not environmentally friendly)
- Not enough road access to the site
- Development against local and national planning policies and guidance
- Previous proposals for developments of this size have been rejected
- No solar panels on the dwellings so not energy efficient
- There is pressure deep below the ground that will rise up when the land is disturbed and affect the foundations of the new houses and allow water ingress
- Comments made regarding publicity
- Concerns with the driveways off Mill Moor Road. Development should revert to access on previous application

7.3 Following the changes to the site layout the amended plans were advertised by neighbour notification letters. The publicity of the amended plans expires on 14<sup>th</sup> August 2019.

7.4 To date 4 representations have been received. A summary of the comments received is provided below:

- Amended plans do not address previous comments
- The drives onto Mill Moor Road will be dangerous because of the amount of traffic, vehicle speeds and parked cars
- Development should be designed as a cul-de-sac
- There should be a single access to the site from either Mill Moor Road or Matthew Lane
- Loss of drystone wall that gives the area its character
- Not enough room on Mill Moor Road for this type of development
- Driveway will be formed opposite where a neighbour parks their car. There is not enough room for cars to pull out when cars are parked.
- The driveways will reduce space for on-street parking on New Mill Road
- Additional demand for parking on New Mill Road from the new houses
- Plot 7 more likely to park on-street because of location of parking spaces at rear
- Houses too big and will not blend in
- Impact of construction
- Loss of green land
- Sightline for plot 1 still cannot be achieved without going over neighbour's land
- Increased traffic will cause highway safety problems
- No site traffic should use Matthew Lane because it is used by school children

7.3 Meltham Town Council - The Council supports the application but ask that the existing dry stone walls are preserved.

## 8.0 CONSULTATION RESPONSES:

### 8.1 Statutory:

KC Highways Development Management – No objections subject to conditions

KC Lead Local Flood Authority – No objections subject to conditions

### 8.2 Non-statutory:

KC Conservation & Design – The proposals would not harm the setting of the grade II listed terrace that is close to the site on Matthew Lane (numbers 41, 43, 45 & 47).

KC Ecology Unit – An Ecological Design Strategy should be provided.

KC Environmental Services – Recommend conditions in relation to contaminated land and provision of electric vehicle charging points.

Yorkshire Water – No objection subject to conditions

Police Architectural Liaison Officer – Would be in favour of plot 4 being re-orientated to face Matthew Lane; this would mean the rear boundary backs onto plot 5 behind, thus increasing the security of plot 5.

Plots 4, 5 and 10 have a side door leading to a utility room. It is unclear why this external door is required as it would create an additional unnecessary point of entry to the property.

None of the plots are showing restricted access from the front into the rear garden. I recommend that a 1800mm high lockable gate connected to the same height fencing is installed.

## **9.0 MAIN ISSUES**

- Principle of development
- Urban design and heritage issues
- Residential amenity
- Landscape issues
- Highway issues
- Drainage issues
- Planning obligations
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

- 10.1 The principle of residential development on the land has already been established by outline permission 2018/90941. This extant outline permission includes the current application site plus the property known as Springfields to the west.
- 10.2 The land is unallocated in the Local Plan and therefore in principle there are no specific constraints to developing the site.
- 10.3 The proposal represents a windfall site for housing. Paragraph 68 of the NPPF recognises that “small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should...support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.
- 10.4 In the Local Plan the council has demonstrated 5.51 years supply of deliverable housing capacity (including incorporation of the required 20% buffer). As the Local Plan was adopted within the last five years the five-year supply calculation is based on the housing requirement set out in the Local Plan (adopted 27th February 2019) and takes account of shortfalls in delivery since the Local Plan base date (1st April 2013).
- 10.5 Recent amendments to National Planning Practice Guidance have revised the Housing Delivery Test measurement for local planning authorities and a technical note on the process used in its calculation. Results for 2018 (published 19th February 2019) show that housing delivery in Kirklees over the period 2015-2018 was 75% of the number of homes required by the test. This

means that the council must produce an Action Plan within six months of the test results being published and continue to apply a 20% buffer to the five-year housing land supply requirements. In summary the council can currently demonstrate a 5-year supply of deliverable housing sites, with appropriate buffer. Notwithstanding this, windfall sites contribute to housing delivery and there is no objection to the principle of development of this site for housing.

- 10.6 The site lies within the built-up part of Meltham and is surrounded by existing residential development. The site lies within an existing settlement and therefore great weight should be given to the benefits of developing this windfall site.
- 10.7 Chapter 7 of the NPPF and LP7 of the Local Plan promote an efficient use of land, with LP7 establishing a desired target density of thirty-five dwellings per hectare. At this measure the site could accommodate 12 dwellings. However, LP7 states this target should be 'where appropriate'. The topography of the site does pose somewhat of a constraint although officers consider that it would be feasible to add additional dwellings to the site by changing some of the house types, for example by including some terraced housing or increasing the amount of semi-detached dwellings. Terraced properties are found within the surrounding area including on Mill Moor Road and Matthew Lane and so would be appropriate given the site's context.
- 10.8 The applicant has sought to maintain the scheme at 10 dwellings and on balance officers consider the proposed quantum of development to be acceptable. The scheme provides a reasonable mix of house types split between detached and semi-detached properties and in this regard it is similar to other development within the surrounding area, particularly to the south of the site.

#### Urban Design and heritage issues

- 10.9 The site is essentially split into two distinct parcels of land separated by a retaining wall. Plots 1-4 are located in the upper part of the site and take access from Matthew Lane. Plots 5-10 are located within the lower part of the site with access via Mill Moor Road. The land levels are to be altered to create an upper and lower development plateaux.
- 10.10 All of the dwellings are two storeys in height and this is reflective of the typical scale of properties immediately surrounding the site. Residential development in the vicinity is of mixed age, type and design and within this context the appearance of the proposals would not appear out of keeping. The new houses would be faced in regular coursed natural stone with a blue slate roof which would help the development to harmonise with the predominant building material surrounding the site, including the listed terrace that lies to the south west of the site on Matthew Lane. The council's conservation and design team have not raised any concerns with the impact of the development on the setting of this listed terrace.
- 10.11 To reduce the amount of parking on the Mill Moor Road frontage the parking spaces for plot 7 have been relocated to the rear of the dwelling. Plot 5 has also been handed which has enabled the parking for plots 5 and 6 to be broken up by an area of garden. These changes have helped to lessen the visual impact of parking within the Mill Moor Road street scene.



- 10.12 Plots 5-8 are closest to Mill Moor Road and would be set up from the level of the adjacent highway. The properties are however set back from Mill Moor Road by 2.3m in the case of plot 8 and by as much as 6m in the case of plot 5. Within the immediate surroundings there are existing two storey properties directly abutting Mill Moor Road and other properties that are set up and back from Mill Moor Road, for example 1 Mill Close. The development would not therefore be out of keeping with the scale of the street scene in this regard.
- 10.13 Plot 8 has its side elevation facing onto Mill Moor Road. To break up the expanse of walling two small non-habitable windows have been added to this gable end. The property immediately opposite plot 8 is also side-on to Mill Moor Road and so this type of relationship would not be at odds with the existing street scene.
- 10.14 Matthew Lane is characterised by a mixture of property types. There is a row of listed cottages, a traditional stone-built terrace, some relatively modern development and older semi-detached properties. A small number of these properties are side-on to Matthew Lane. Given the variety that exists within the Matthew Lane street scene it is considered that plots 1-4 would harmonise with the character of the area.
- 10.15 There is an existing drystone wall to the Mill Moor Road and Matthew Lane site frontages. It is important that this is retained as the boundary treatment for the development in order to retain some of the established character of the site. A condition to this effect is recommended.
- 10.16 The site is to be separated by a retaining wall which is shown on the plans as a rockery. There would be glimpsed views of this feature from Mill Moor Road, especially along the private drive. Further details of the rockery/retaining wall have not been provided and a condition requiring details is therefore recommended in the interests of visual amenity.
- 10.17 The application is considered to comply with LP24 of the Local Plan and guidance in the NPPF.

#### Residential Amenity

- 10.18 To the north of the site are 56-62 Mill Moor Road which are a row of terraced houses which front onto and are set down from Mill Moor Road. Plots 5 and 6 face directly onto these neighbouring properties at a distance of slightly over 22m. Plot 7 has an indirect relationship with the nearest of these neighbouring houses (56 Mill Moor Road) and is separated by just over 21m.
- 10.19 Due to the topography of the site, which slopes up from south to north, a development plateau is to be created, upon which plots 5-10 would be formed. This means that the new dwellings are set up from Mill Moor Road. The submitted sections show that plot 5 is set up from Mill Moor Road by approximately 1.3m and plot 7 by closer to 2m.

- 10.20 The difference in levels between plots 5 and 6 and 56-62 Mill Moor Road increases the impact of the development on the amenity of the existing occupiers however on balance officers consider that the separation distance is sufficient to avoid an unacceptable impact. Plot 7 is slightly closer but this small reduction in separation distance is offset by the oblique relationship.
- 10.21 48 Mill Moor Road also lies to the north of the site. This property has a side elevation immediately abutting the highway. The side of no.48 contains a number of windows; there are 2 windows at street level and a secondary window within a projecting gable at the rear of the property. The nearest proposed dwelling is plot 8 which also has a gable end facing Mill Moor Road; the gable end contains two non-habitable windows serving a ground floor WC and the staircase. The separation distance is 13.1m between the respective gable ends and officers do not have any concerns with this relationship.
- 10.22 To the rear of the site are a number of properties that lie on the opposite side of Matthew Lane. These include 54 and 56 Moorland Rise and 27 and 41 Matthew Lane. 54 Moorland Rise has a gable end facing onto the site, 56 Moorland Rise backs onto Matthew Lane and both 27 and 41 Matthew Lane have an indirect relationship with the site. Plots 1-4 are closest to these properties and are either at the same level or slightly set down from Matthew Lane. Officers are satisfied that the separation distances provided combined with the respective orientation of the existing and new dwellings means that an acceptable standard of amenity would be provided/retained.
- 10.23 To the east of the site are 2-12 Mill Close. 2 Mill Close has a gable end directly abutting the site which contains a small secondary/non-habitable window in the upper floor. The window is 11.2m from the rear elevation of plot 8 and slightly off set from it. This relationship is considered to be acceptable.
- 10.24 Numbers 4, 6 and 8 Mill Close back onto the site with number 4 having been extended at the rear bringing it closer to the site boundary. Plot 10 lies to the rear of these properties. Plot 10 is at least 18.9m from 4 Mill Close and 22m from 8 Mill Close. The orientation of plot 10 is such that there is an oblique relationship with number 4 (i.e. the closest of these neighbouring properties). The separation and orientation of plot 10 in relation to 2-8 Mill Close results in an acceptable standard of amenity in officers' view.
- 10.25 12 Mill Close has a blank gable end close up to the site boundary. The property backs onto Matthew Lane and has a conservatory at the rear. Plot 1 is adjacent to 12 Mill Close and is set in from the boundary by around 3m. Plot 1 projects beyond the front elevation of 12 Mill Close. There are no significant concerns with this relationship.
- 10.26 Plot 4 would closely overlook a parcel of undeveloped land to the rear of Springfields. The development potential of this land is already significantly constrained because of the proximity of Springfields – which is a bungalow set down from this piece of land – as well as the proximity 41-47 Matthew Lane which front onto the undeveloped land on the opposite side of Matthew Lane. In the circumstances it is considered that the proposals would not materially harm the development potential of the parcel of undeveloped land.

- 10.27 To maintain acceptable separation distances between dwellings it is considered that permitted development rights for rear extensions should be removed on plots 1, 4, 8, 9 and 10.

#### Landscape issues

- 10.28 There is no open space provided within the site although given the site's size and topography it is unrealistic to expect open space to be provided.
- 10.29 There are garden areas abutting both Mill Moor Road and Matthew Lane which are shown as including some planting and this will help to soften the visual impact of the development.
- 10.30 It is recommended that a drystone wall is retained to the Mill Moor Road and Matthew Lane frontages. Details of the internal boundary treatment (including the proposed retaining wall within the site) and the treatment of the eastern and western boundaries can be secured by condition.

#### Highway issues

- 10.31 The proposed development consists of 4no. three bed semi-detached houses and 6no. four bed detached dwellings. One of the four bed detached houses, and two of the three bed detached dwellings front Mill Moor Road to the north. The two other semi-detached houses and one detached house will be served off a shared private driveway with access onto Mill Moor Road. The remaining four detached houses will face onto Matthew Lane to the rear of the site, each with a separate driveway onto Matthew Lane.
- 10.32 The application is supported by a speed survey on Matthew Lane.
- 10.33 Highways Development Management have assessed the proposals and are satisfied with the visibility splays onto Mill Moor Road and Matthew Lane. The level of parking and driveway gradients are acceptable and adequate bin storage and collection arrangements are provided.
- 10.34 No visitor parking is provided although it is accepted that this can be accommodated on-street given the relatively small number of dwellings proposed off Mill Moor Road and Matthew Lane.
- 10.35 A footway is to be formed to the Matthew Lane site frontage. This can be secured by condition.
- 10.36 The applicant has been asked to consider whether there is scope to provide a ramped access in place of some existing steps that are between numbers 41 and 56 Matthew Lane. The steps are within the adopted highway and provide a pedestrian connection between Moorland Rise and Matthew Lane. An update will be provided to Members on this matter.
- 10.37 The application is considered to comply with PLP21 of the Local Plan subject to conditions requiring a construction management plan, surfacing of car parking areas and visibility splays.

### Drainage issues

- 10.38 There have been discussions between the applicant and Kirklees Lead Local Flood Authority (LLFA). Additional information has been provided by the applicant following these discussions.
- 10.39 It is proposed to discharge surface water to the combined public sewer in Mill Moor Road. Attenuation would be provided on-site to restrict the rate of discharge. The attenuation would be located under the shared private driveway serving plots 7-10.
- 10.40 There is an existing land drain within the site and water from this is to be collected at source within the boundary of plot 4 before being diverted around plots 4 and 5 where it will connect into an existing pipe within Mill Moor Road. An easement of over 6m has been provided for the majority of the land drain through the site although there is a pinch point between plot 5 and the existing Springfield bungalow where the easement reduces to 4m for a length of 3m.
- 10.41 The drainage proposals are accepted by Kirklees LLFA, subject to conditions for detailed drainage design and construction including the proposed land drain diversion. Yorkshire Water have not raised any objections to the connection to main sewer at a restricted rate of 3 litres per second.
- 10.42 Arrangements for the future maintenance and management of the surface water drainage infrastructure need to be secured. This can be achieved through condition or s106. The diverted land drain would fall within Riparian ownership.

### Ecology

- 10.43 The site is principally grazing land and consequently it is considered to be of low ecological value, as was also confirmed by a Preliminary Ecological Appraisal submitted under the previous outline application.
- 10.44 It is considered that some ecological enhancement can be secured through an Ecological Design Strategy that focuses on planting/soft landscaping and the provision of bat and bird boxes. This can be conditioned.

### Representations

- 10.45 The main thrust of the objections is that there are too many houses on the site and the size of them needs to be reduced.
- 10.46 The density of the development is slightly below what the council would normally be seeking on a site of this size based on Policy LP7 of the Local Plan and the quantum of development has been accepted by officers as being acceptable in this instance. The applicant has kept the scale of the dwellings to two storeys in height and given the topography of the land it has been necessary to form an upper and lower development plateaux on which to construct the houses. The scale of the dwellings has been given careful consideration and for the reasons set out in this report the scale of the houses is considered to be acceptable.

- 10.47 In response to the other main points raised, the principle of development has already been established and the residential and visual amenity impacts have been addressed within this report. The application is considered to be acceptable to Highways Development Management and there are no objections from Kirklees Lead Local Flood Authority or Yorkshire Water. Potential contamination issues are to be addressed by conditions.
- 10.48 Given the scale of development the impact on local services would not be at a level that would require any contributions.
- 10.49 Concerns with the impact of construction can be dealt with through a construction management plan and any construction site nuisances that arose, such as noise, odour and dust, can be addressed through Environmental Health legislation.

#### Planning obligations

- 10.50 The quantum of development is below the threshold for affordable housing and does not meet the trigger for an education contribution.
- 10.51 The site meets the 10 dwelling threshold for the provision of open space provision under Policy LP63 of the Local Plan. There is no realistic scope for this to be provided on-site and therefore an off-site commuted sum is sought (£18,850). Planning contributions must be directly related to a development and therefore the contribution is to be targeted within Meltham.
- 10.52 To promote sustainable travel a contribution is sought towards the provision of Metro Cards (£5,000).

#### Other Matters

- 10.53 Environmental Services have been consulted and have not raised any objections subject to conditions requiring intrusive site investigations and site remediation (as may be necessary). This is principally in relation to the potential for gas migration from backfilled quarries/mill ponds, as referred to within the submitted contamination report.
- 10.54 A condition requiring the provision of electric vehicle charging points is recommended to mitigate the impact of the development on air quality. This is in line with LP24 of the Local Plan, guidance in the NPPF and the West Yorkshire Low Emissions Strategy.
- 10.55 The Police Architectural Liaison Officer has suggested that the security of plot 5 would be improved if plot 4 was re-orientated so that it faced Matthew Lane and its rear garden backed onto plot 5. Such a change would result in close overlooking between plots 4 and 5 and so such a change is not desirable on amenity grounds.
- 10.56 The side utility door to plots 4, 5 and 10 has been raised as a concern by the Police Architectural Liaison Officer because it would create an additional unnecessary point of entry to the property. The applicant is aware of the Police Architectural Liaison Officer's comments and so they have the option to consider whether they still wish to retain the utility door.

10.57 The Police Architectural Liaison Officer has also commented that none of the plots are showing restricted access from the front into the rear garden. It has been recommended that a high lockable gate is provided to the plots connected to the boundary fencing that is to be installed. This can be conditioned.

## **11.0 CONCLUSION**

11.1 The principle of residential development on the land has already been established by the previous outline permission.

11.2 The proposed scale, layout and appearance of the development is considered to be in keeping with the character of the area, the impact of the development on existing occupiers of land and future occupiers of the dwellings has been assessed and found to be acceptable and the development is acceptable in highway safety terms.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Development and master Planning**

1. Time limit (3 years)
2. Development in accordance with the approved plans
3. Approval of samples of materials
4. Intrusive site investigations and scheme of remediation and a validation report (as may be necessary)
5. Ecological Design Strategy including planting schedule and bat and/or bird boxes
6. Detailed drainage design including restriction of surface water discharge to 3 litres per second
7. Detailed design of diverted land drain
8. Details of boundary treatment including rockery/retaining wall
9. Drystone wall to Mill Moor Road and Matthew Lane site frontages
10. Details of lockable gates to prevent unrestricted access to rear of plots
11. Remove permitted development rights for rear extensions on plots 1, 4 and 8-10.
12. Surfacing of parking areas
13. Nothing to be planted or erected within 2m of the carriageway edges to maintain acceptable sightlines
14. Construction management plan
15. Footway to Matthew Lane
16. Electric vehicle recharging points

### **Background Papers:**

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90811>

Certificate of Ownership Certificate B – Notice served on 8<sup>th</sup> March 2019