
Report of the Head of Planning and Development

HUDDERSFIELD PLANNING SUB-COMMITTEE

Date: 17-Dec-2019

Subject: Planning Application 2019/90085 Erection of 8 dwellings Land at, Lancaster Lane, Brockholes, Holmfirth, HD9 7TL

APPLICANT

Eliston Homes Ltd

DATE VALID

14-Jan-2019

TARGET DATE

15-Apr-2019

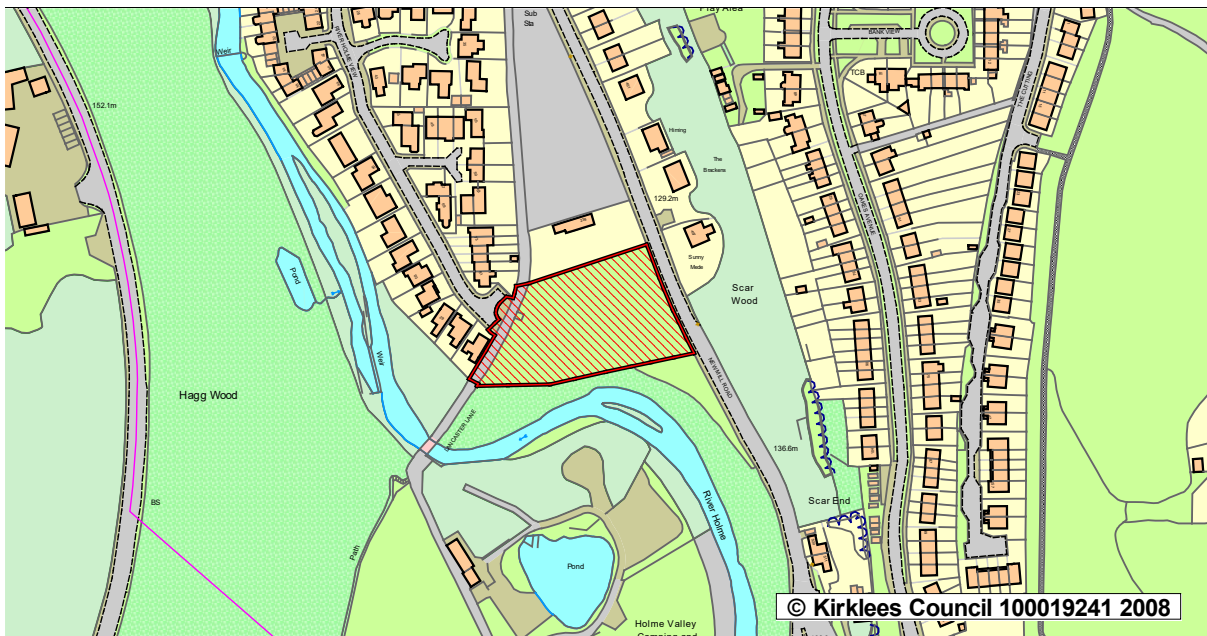
EXTENSION EXPIRY DATE

31-Jul-2019

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

Yes

Ward Members consulted

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development 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. Sustainable Travel Fund (£4,000)
2. Arrangements for the future maintenance and management of surface water drainage infrastructure within the site.

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 Planning and Development 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 Planning and Development 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 in accordance with the delegation agreement because the site area exceeds 0.5 hectares.
- 1.2 The application was deferred at the sub-committee meeting on the 22nd August 2019 because matters of flood risk and biodiversity had not been satisfactorily resolved.
- 1.3 Since the application was deferred the applicant has sought to address the flood risk issue. This has resulted in a revised site layout being submitted which has removed two plots which appeared to be located within flood zones 2 and 3 on the Environment Agency's Flood Risk Map. The proposed development is now for 8 dwellings instead of 10.
- 1.4 The removal of two plots means that more of the site can be given over to undeveloped land which provides space for biodiversity mitigation and enhancement. As a consequence the biodiversity issues have been addressed.
- 1.5 Members carried out a site visit on 22nd August 2019.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application site comprises an area of land that lies at the end of River Holme View. The land slopes up steeply towards the east where it meets New Mill Road. Immediately to the west of the site is Lancaster Lane – an unmade track which forms a public right of way.
- 2.2 The site is flanked to the north by 238 New Mill Road which forms a large detached dwelling. To the south of the site lies Holme Valley Camping and Caravan Park and the southern boundary of the application site forms a boundary with the adjacent Green Belt land.
- 2.3 In the recent past the site has been used for keeping pigs but the land is currently unused and vegetation has re-established itself on the site.
- 2.4 The site comprises housing allocation HS173.

3.0 PROPOSAL:

- 3.1 The application seeks full planning permission for the erection of 8 dwellings.
- 3.2 There are 5 detached dwellings and 3 terraced dwellings. All of the properties have 3 storey frontages and are 2 storeys at the rear. Facing materials are natural stone and artificial slate.
- 3.3 There is an access drive off Lancaster Lane serving 5 properties towards the back of the site and the remaining 3 properties at the front of the site take their access directly off Lancaster Lane.

4.0 RELEVANT PLANNING HISTORY:

- 2019/93464 Reserved matters application for erection of 10 dwellings pursuant to outline permission 2016/90146 – Undetermined
- 2016/90146 Outline application for the erection of residential development – Allowed on appeal following an appeal against non-determination
- 2014/93579 Outline application for erection of 14 dwellings – Refused on Urban Greenspace and Ecology grounds
- 2003/94593 Variation of condition 2 on previous outline planning permission for residential development, granted on appeal on 19 January 1999 (ref. 98/60/91665/W3) to allow application for approval of the reserved matters to be made to the Local Planning Authority before the expiration of six years from the date of this permission – Refused (and subsequent appeal invalid)
- 2002/93722 Erection of 2 detached dwellings with integral garages (plots 4 & 5) – Refused
- 2001/91485 Erection of 3 detached dwellings with integral garage and associated road (Plots 1 -3) – Refused

1998/91665 Outline application for residential development – Refused & Appeal Upheld

Also relevant to this application are the following applications. These relate to a separate parcel of land just to the north of the application site that would also take access off Lancaster Lane via River Holme View.

2016/90138 Outline application for the erection of residential development – Approved

2018/92589 Reserved matters application pursuant to outline application 2016/90138 for residential development – The Strategic Committee resolved to approve the application but the application is now subject to an appeal against non-determination

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

- 5.1 The scheme has been amended to remove development from the higher risk flood areas on the site. This has involved a reduction in the number of dwellings from 10 to 8.
- 5.2 The type of dwellings has also been amended to improve the mix of properties on the site. A row of 3 terraced dwellings has been incorporated instead of the scheme being entirely detached houses.
- 5.3 A landscape buffer has been provided to the southern boundary to mitigate the impact on ecology.
- 5.4 Drainage information has been provided and the scheme amended to address Highways Development Management comments.

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 27th 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
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:

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 14 – Meeting the challenge of climate change, flooding and coastal change
NPPF Chapter 15 – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Two rounds of publicity have been undertaken on this application, both in respect of a 10 dwelling scheme. The revised scheme for 8 dwellings was not re-publicised as this reduced the quantum of development. Nevertheless the representations made in respect of the application are all considered in the assessment.

7.2 The application was originally publicised by site notices, neighbour letters and press advert. 11 objections and 2 letters in support were received in response to this publicity. A summary of the comments received is provided as follows:

Objections:

- Access to the site crosses Holmfirth Footpath 32. This is not mentioned in the application. There is no information as to how public access and the integrity of the path will be maintained during construction or how the path will be accommodated and kept safe and walkable after development.
- The layout does not conform with the identified constraints of the housing allocation
- Housing density is too high
- Impact of vehicle movements on users of the public footpath
- Impact on the sewer crossing the site
- Where will visitors park? Impact of on-street parking on access
- Larger homes have a greater impact than smaller homes
- Impact on local infrastructure
- Long history of refused applications on the site
- The ecology of the land will have recovered since the pigs were removed

- Multiple accesses off Lancaster Lane (as proposed) is not the same access arrangements that was approved at outline stage
- The local school is already oversubscribed
- Plots 1-4 at risk from surface water run-off
- Development within the south-west corner of the site (Flood zone 3) likely to result in increased flood risk to 66 River Holme View
- Impact on access to adjacent caravan and camping site
- Plot 1 infringes onto Lancaster Lane
- Query ownership of Lancaster Lane
- House type (100% detached) and scale of properties not in keeping with character of the area
- Impact of scale of houses on residential and visual amenity
- Overlooking/loss of privacy
- Detrimental impact on public footpath users
- Impact on stability of Lancaster Lane
- Impact on drains
- Development will increase surface water run-off and flood risk
- Increased risk of flooding from the River Holme
- Additional traffic – impact on highway network
- The houses are not suitable for affordable housing
- Impact on adjacent woodland and ecology
- Light pollution from new street lighting and noise pollution from use of Lancaster Lane
- Impact on a protected species
- Loss of biodiversity
- Use of soakaways inappropriate and will increase flood risk
- Overshadowing from 4 storey houses
- Limited facilities within Brockholes village

- Some existing dwellings on River Holme View affected by subsidence. Additional development could make this worse.
- Loss of open green space
- Infill development – village ‘creep’

In support:

- New houses are welcomed and needed in this area
- There is a lack of housing in this area
- Objectors are adopting a NIMBY attitude
- Development will have little impact on existing houses and infrastructure
- The houses will improve the look of the site which is a lousy old field with no positive attributes

7.2 Following some changes to the site layout the amended plans were advertised by neighbour notification letters. Two objections were received. These are summarised as follows:

Principle

- Pigs have been removed from the field and the land has recovered, including its ecological value. It was wrong for this site to be designated as housing
- Latest proposal still hasn't addressed concerns with the safety of users of Lancaster Lane. There is not a 2m wide footway.
- 4 storey houses not in keeping with current housing and will be very imposing and affect privacy.
- Drainage scheme ties into existing infrastructure. Increased risk of flooding.
- The ecology of the site has recovered and is a valuable resource for ecology.
- The strip of land designated as lowland dry acidic grassland adjacent to the southern boundary is a poor and ineffectual attempt at mitigation Flood Risk
- Development will add to flood and pollution risks
- Increased water run-off
- Run-off often freezes on the footpath making it a hazard to users Highway Safety/Public Right of Way
- Ownership of the existing turning head where the visitor parking spaces are proposed needs to be properly established
- The turning head is already used by existing residents for parking

- New turning head is a danger to pedestrians
- The latest plan does not address the PROW officer's concerns and the proposal is contrary to NPPF para. 110.
- Plan does not provide a 2.0m wide footway in line with Highways' comments
- The developable area is only 0.31ha, as set out in the allocation. The proposal covers the entire 0.47ha site.
- Density not in keeping with River Holme View
- Height of dwellings is inappropriate and will harm vistas
- Balconies to plots 3-5 will result in overlooking
- 10 imposing large house will not complement the area and does not provide affordable housing
- Local primary school is oversubscribed. Residents will have to travel by car to other schools.

Ward Councillor Charles Greaves –

“Has the applicant submitted any new reports?

Has the presence of, and impact on, Protected Species been reviewed? The submitted flood report from 2016 clearly contradicts the application as building above the flood line does not address all of the identified issues (surface run off and need for river over-flow zone) - a new expert report is essential.”

Councillor Greaves has subsequently provided comments on the amended plans as follows:

“I remain concerned about how much of Plots 1 and 2 will remain in the flood zone, and how the residents will safely leave their properties in bad weather.

It is unclear but there seems to be a high risk to any vehicles parked to the front of the properties. Will Kirklees and the developer be flagging up the flood risk to potential buyers and residents so they are aware of the risk to life and property? Will they be marking off on the ground the extent of the flood risk zone?

Building right up the banking will invade the privacy of the homeowners below, and I am concerned that the sloped banking will be difficult to drive and will result in drivers parking away from their property.

This proposal will generate a lot of traffic and no effective provision has been made for vehicles meeting vehicles, horses, cyclists and pedestrians.

Where is the large vehicle turning head for the existing estate and the new houses? How will refuse and other large vehicles access the higher properties?"

Home Valley Parish Council - Object to the application on the grounds of the impact it would have on access to the campsite and concerns of overlooking on neighbouring properties. Plot 1 is the main cause for concern.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

KC Highways Development Management – No objections subject to a Stage 1 Road Safety Audit and subject to conditions.

KC Lead Local Flood Authority – No objections to the proposed drainage scheme.

Environment Agency – No objection subject to conditions.

8.2 Non-statutory:

KC Ecology Unit – No objection. The amendment from 10 dwellings to 8 dwellings provides much more space for ecological compensation and enhancement. Conditions required for detailed landscaping plan for the undeveloped south western corner of the site, a Construction Environment Management Plan, Landscape and Ecological Management Plan, lighting scheme and invasive species management protocol.

KC Environmental Services – No objection subject to a condition regarding the reporting of any unexpected contamination and the provision of electric vehicle charging points.

Yorkshire Water – No objection subject to conditions.

Police Architectural Liaison Officer – Limited natural surveillance of the frontage of plot 9 due to it being set back from plot 10 (original scheme).

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Highway issues
- Flood risk and drainage issues
- Ecology
- Planning obligations
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 The site is allocated for housing in the Local Plan (HS173) and therefore the principle of the development is accepted in accordance with the allocation.
- 10.2 Additionally, there is an extant outline consent for residential development on the site (2016/90146) which has previously established the principle of housing on the site.

Urban Design issues

- 10.3 The proposal would effectively form an extension of the River Holme View estate by infilling a wedge of land between River Holme View and New Mill Road, albeit the proposed development would be set higher up than the existing residential estate which occupies the flatter valley floor.
- 10.4 The layout of the site has been influenced by its topography, the south west corner of the site falling within a high risk flood zone and the presence of important ecological habitats.
- 10.5 The allocation comprises an area of 0.47ha but the developable area is identified as being 0.31ha as a result of the identified flood risk and ecological constraints. The amended site layout plan involves development on an area of approximately 0.31 hectares and so is consistent with the allocation in this respect.
- 10.6 The indicative capacity of the allocation is 14 dwellings which directly reflects the quantum of development as shown for indicative purposes under the extant outline permission (2016/90146). However, based on the net site area the capacity of the allocation would be 11 dwellings when applying the council's minimum target density of 35 dwellings per hectare as set out under Policy LP7 of the Local Plan.
- 10.7 The proposal is for 8 dwellings which equates to a density of 25.8 dwellings per hectare on the developable area. Officers have calculated that the existing density of River Holme View is approximately 26 dwellings per hectare and therefore the density is in keeping with the established urban grain.
- 10.8 Taking into account the site's constraints, which has resulted in development being removed from a significant area within the south west corner and taking into account the topography of the site and the character of River Holme View, it is considered that the proposed density of development is acceptable.
- 10.9 The layout provides a row of 3 terraced houses and 5 detached houses. The surrounding area has a mixture of house types including detached, semi-detached and terraced properties and in this context the proposals would be in keeping with the surrounding area.
- 10.12 The dwellings are all split level, being three storeys to the front and two at the rear, which reflects the topography of the site. Additional accommodation is provided in the roof space of each dwelling.

- 10.13 Adjacent development on River Holme View consists of traditional two storey dwellings and bungalows.
- 10.14 The new dwellings are largely set back within the site and from River Holme View where they would be viewed against the backdrop of the valley side. From New Mill Road views of the development would principally be down onto the roofs of the new dwellings. As such officers are satisfied that the scale of the proposals would not be incongruous. Furthermore, it is worth noting that late last year the Strategic Planning Committee resolved to approve a similar scale of development for 9 dwellings on a separate piece of land off Lancaster Lane that lies a short distance to the north of the application site (2018/92589).
- 10.15 The general design approach is considered to be acceptable and is comparable to the appearance of the 9 dwellings as proposed on the separate piece of land to the north. The 3 terraced houses include a front balcony above the garage and, whilst such balconies are not characteristic of the area, their presence would not result in any significant harm to the visual amenity of the area in officers' opinion.
- 10.16 Facing materials are natural stone and artificial slate. These materials are considered acceptable subject to approval of samples.
- 10.17 In summary the development is considered to comply with Policy LP24 of the Local Plan and guidance in the National Planning Policy Framework with respect to design and appearance.

Residential Amenity

- 10.18 The proposed dwellings are generally well separated from the nearest residential properties and are off-set from them. The nearest existing dwellings are 66 River Holme View, 81 River Holme View and 238 New Mill Road.
- 10.19 Plot 1 is approximately 24m from 66 River Holme View and situated at an oblique angle to the front elevation of this neighbouring dwelling.
- 10.20 The balcony to plot 5, which projects forward from the main dwelling, is approximately 26m from the conservatory at the rear of 81 River Holme View. The balcony is off-set from the rear elevation of no.81. There is a distance of 15m from the balcony to the boundary of this neighbour's main private amenity space. The relationship is considered to be acceptable.
- 10.21 The side wall of plot 6 is 21m from the front of 238 New Mill Road and is around 2.5m from the boundary of this adjacent dwelling, which has an extensive curtilage. The separation distances are considered acceptable.
- 10.22 The separation distances involved combined with the orientation of the new dwellings are such that there would not be any significant harm caused to existing occupiers and a good standard of amenity would be provided for future occupiers of the proposed houses.
- 10.23 The application is considered to comply with LP24 of the Local Plan and guidance in the NPPF.

Landscape issues

- 10.24 A large undeveloped area is provided within the south western corner of the site along with some landscaped buffers to the eastern boundary with New Mill Road and to the southern boundary behind Plots 7 and 8. The presence of these areas helps to soften the visual impact of the development and provides scope for biodiversity mitigation and enhancement.
- 10.25 Details of the internal and external boundary treatment, including the gabion wall to the east of the site, can be secured by condition.

Highway issues

- 10.26 Access to the site is via River Holme View - a residential cul-de-sac with a 5.5m carriageway and footways and street lighting to both sides. There is a turning head at its southern end which abuts Lancaster Lane which provides access to a single dwelling to the north and leads on to the A616 New Mill Road and a camping / caravan park to the south before joining the A6024 Woodhead Road to the west.
- 10.27 At its northern end River Holme View forms a priority junction with Rockmill Road. The latter is about 7m wide with footways and lighting to both sides. Rockmill Road provides the main access to a small commercial estate known as Brockholes Business Park. Rockmill Road forms a priority junction with the A616 New Mill Road.
- 10.28 The site falls steeply from New Mill Road down to Lancaster Lane and structural engineering measures will be required to ensure that the public highway above is not compromised.
- 10.29 Eight large 4/5 bedroomed houses are proposed. The plots have substantial integral garages with additional parking on private driveways to their frontage.
- 10.30 The proposals include the extension of River Holme View with the provision of a new larger turning head to replace the existing turning head.
- 10.31 Plots 1-3 have individual driveways off Lancaster Lane. Plots 4-8 have access via a steep shared private driveway with a maximum gradient of 1 in 8.
- 10.32 A bin collection point together with a dry riser inlet cabinet are shown adjacent to plot 3. Internal turning for a refuse or emergency vehicle is not therefore considered necessary for the proposed shared private driveway serving plots 4-8.
- 10.33 The applicant has shown 3 no. visitor parking spaces within the existing adopted turning head. This is considered acceptable because a replacement turning head will effectively be formed on Lancaster Lane.
- 10.34 Highways Development Management consider the revised site layout to be acceptable.
- 10.35 The PROW officer has raised concerns that pedestrian provision on the public footpath (Lancaster Lane) is secondary to the requirements of vehicles where there is to be a new turning head and various points of access for the new dwellings.

10.36 It is acknowledged that there will be an intensification of vehicular activity on the public footpath. However, on balance, the amount of vehicular activity generated by this development is unlikely to significantly prejudice the safety and amenity of footpath users. This remains the case when taking into account any development on the separate parcel of land to the north of the application site that will share the same point of access from River Holme View. It is considered that the proposals provide an acceptable shared surface arrangement and it is noted that the layout plan shows a footway to much of the site frontage that would provide some refuge for footpath users if necessary. It is also to be noted that outline permission for 14 dwellings has previously been approved on the site and so the proposal is for a less intensive quantum of development.

Flood risk and drainage issues

- 10.37 The western part of the site contains land that falls within higher risk flood areas on the Environment Agency's Flood Risk Map. The south west corner of the site is at the highest risk of flooding (Flood Zone 3) and there is an area of land surrounding this that is at a lower risk of flooding (Flood Zone 2). The remainder of the site is in Flood Zone 1.
- 10.38 The applicant has amended the scheme to remove development within the part of the site that is at the greatest risk of flooding.
- 10.39 The Environment Agency has been consulted on the amended site layout and raises no objections to the development subject to conditions regarding finished floor levels and no ground level raising within flood zone 3. The Environment Agency has also recommended a condition that stipulates that no development takes place in flood zone 3.
- 10.40 The Environment Agency has commented that their flood map for this area may change when it is published in spring 2020 and this may increase the extent of flood zone 3 within the site. This is something for the developer to be cognisant of.
- 10.41 It is proposed to discharge surface water to public combined sewer. A connection will be made to the sewer that crosses the south-west corner of the site. Attenuation is to be provided within the site to restrict the rate of discharge (to 3 litres per second). Surface water run-off from the adoptable turning head will be directed to road gullies in River Holme View.
- 10.42 Kirklees Lead Local Flood Authority has assessed the drainage proposals and consider them to be acceptable. A condition relating to detailed drainage design is recommended. It has been indicated that the new drainage infrastructure will be in private ownership and arrangements for the future maintenance and management of the system are to be secured under a s106 Agreement.
- 10.43 Yorkshire Water have not raised any objections to the application. They have commented that there are two public sewers crossing the site, these are in the south west corner. The dwellings provide acceptable stand-off distances to the sewers although the detailed soft landscaping scheme (to be required by condition) will need to take the sewers into account to ensure no trees are located over or adjacent to the sewers.

Ecology

- 10.45 The site forms part of a designated Wildlife Habitat Network.
- 10.46 Initial ecology concerns mainly related to the loss of lowland acid grassland which is a habitat of principal importance and requires mitigation to avoid significant ecological harm. The reduction in the quantum of development and the consequential provision of a substantial undeveloped area within the south western part of the site now provides adequate scope for compensation and addresses the principal concern. This undeveloped area is further supplemented by a landscape buffer behind plots 7 and 8 and a vegetated buffer adjacent to New Mill Road.
- 10.47 The layout provides acceptable separation between new development and the southern boundary, which is particularly sensitive because it is adjacent to an area of trees which will act as a foraging network and a connective feature for the movement of wildlife.
- 10.48 Conditions are recommended for detailed landscaping proposals, a lighting design strategy and a Construction Environmental Management Plan.
- 10.49 Japanese knotweed and Himalayan balsam have been recorded on site. A protocol to ensure eradication within the site and prevent the spread outside of the site can be secured through condition.
- 10.50 A condition is also recommended to ensure vegetation clearance takes place outside of the bird breeding season.
- 10.51 The impact on a protected species has been assessed and is accepted by the Ecology Unit.
- 10.52 Subject to the aforementioned conditions provision of the compensatory grassland habitat as described and the aforementioned conditions the application is considered to comply with LP30 of the Local Plan and guidance in the NPPF.

Representations

- 10.53 A response to the objections is provided below:
- Access to the site crosses Holmfirth Footpath 32. This is not mentioned in the application. There is no information as to how public access and the integrity of the path will be maintained during construction or how the path will be accommodated and kept safe and walkable after development.
 - Detrimental impact on public footpath users
Officer response: A condition regarding the construction of the access/turning head is recommended. The impact on users of the footpath has been assessed within this report.
 - The layout does not conform with the identified constraints of the housing allocation
Officer response: The scheme has been amended to remove development in Flood Zone 3 and to provide ecological mitigation. The layout is now considered to comply with the constraints identified in the allocation, subject to comments from the Environment Agency in relation to development in Flood Zone 2.

- Housing density is too high

Officer response: Housing density has been discussed earlier in this report.

- Impact of vehicle movements on users of the public footpath

Officer response: Discussed earlier in this report.

- Impact on the sewer crossing the site

Officer response: Discussed earlier in this report.

- Where will visitors park? Impact of on-street parking on access

Officer response: Discussed earlier in this report. Scheme amended to provide visitor parking within the existing turning head.

- Larger homes have a greater impact than smaller homes

Officer response: The size of the houses is considered acceptable.

- Impact on local infrastructure

- The local school is already oversubscribed

Officer response: The scale of the development does not warrant contributions towards local services.

- Long history of refused applications on the site

Officer response: There is an outline permission on the site and the land is allocated for housing.

- The ecology of the land will have recovered since the pigs were removed

Officer response: Agreed. Ecology issues discussed within this report.

- Multiple accesses off Lancaster Lane (as proposed) is not the same access arrangements that was approved at outline stage

Officer response: This is a stand-alone application for full planning permission. The access arrangements are considered acceptable to officers as discussed in this report.

- Plots 1-4 at risk from surface water run-off

- Development within the south-west corner of the site (Flood zone 3) likely to result in increased flood risk to 66 River Holme View

Officer response: The dwelling in this part of the site has been removed. Advice sought from the Environment Agency on re-grading of the land in relation to increased flood risk off-site.

- Impact on drains

- Development will increase surface water run-off and flood risk

- Increased risk of flooding from the River Holme

- **Officer response:** Discussed earlier in this report.

- Impact on access to adjacent caravan and camping site

- Plot 1 infringes onto Lancaster Lane

Officer response: Plot 1 was encroaching onto Lancaster Lane but this has been removed. The development would not obstruct access.

- Query ownership of Lancaster Lane

Officer response: There is nothing to indicate that the incorrect ownership certificates have been supplied.

- House type (100% detached) and scale of properties not in keeping with character of the area

Officer response: Scheme amended to include some terraced houses. Scale discussed within this report.

- Impact of scale of houses on residential and visual amenity
- Overlooking/loss of privacy
- Overshadowing from 4 storey houses

Officer response: Residential amenity issues discussed earlier in this report.

- Additional traffic – impact on highway network

Officer response: 14 dwellings has previously been found to be acceptable on the site and the land is now allocated for housing. The traffic impacts have therefore been assessed as acceptable.

- The houses are not suitable for affordable housing

Officer response: The development does not trigger a contribution towards affordable housing.

- Impact on stability of Lancaster Lane
- Light pollution from new street lighting and noise pollution from use of Lancaster Lane

Officer response: As the site is accessed directly from the existing turning head at River Holme View the impact on the stability of Lancaster Lane and the impact of new street lighting and vehicle movements is not considered to be significant. These impacts have previously found to be acceptable (subject to conditions) under the application for housing slightly further to the north that involves vehicles driving up Lancaster Lane behind existing houses.

- Impact on adjacent woodland and ecology
- Impact on a protected species
- Loss of biodiversity

Officer response: Ecology issues addressed within this report.

- Use of soakaways inappropriate and will increase flood risk

Officer response: Accepted that soakaways inappropriate. Drainage to connect to main sewer.

- Limited facilities within Brockholes village

Officer response: The site is considered to be a sustainable location.

- Some existing dwellings on River Holme View affected by subsidence. Additional development could make this worse.

Officer response: The dwellings are well separated from existing development and subsidence is not considered likely.

- Loss of open green space
- Infill development – village ‘creep’

Officer response: The site is allocated for housing.

Planning obligations

- 10.54 The development does not meet the trigger for affordable housing, open space or education contributions. It is noted however that the site does incorporate an area of open space within it.
- 10.55 A contribution is sought for Metro Cards to promote sustainable travel (£4,000).

Other Matters

- 10.56 The application is supported by an intrusive site investigation report that has been reviewed by Environmental Services. The report is satisfactory and no objections are raised subject to a condition regarding the reporting of unexpected contamination.
- 10.57 To mitigate the impact on air quality it is recommended that an electric vehicle recharging point is installed within the garage of each dwelling. This is to accord with LP24 of the Local Plan, guidance in the NPPF and the West Yorkshire Low Emissions Strategy.

11.0 CONCLUSION

- 11.1 The principle of development is established in accordance with the land's allocation.
- 11.2 The development is considered to be in keeping with the character of the area and the residential amenity and highway safety impacts have been assessed as being acceptable. The scheme has been amended to address flood risk and ecological matters.

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

1. Time limit (3 years)
2. Development in accordance with approved plans
3. Approval of samples of facing materials
4. Reporting of unexpected contamination
5. Detailed design of the access/turning head
6. Surfacing of parking spaces
7. Details of the internal and external boundary treatment, including the gabion wall to the east of the site
8. Detailed soft landscaping scheme (to take account ecology matters and presence of sewers within the site)
9. Detailed drainage design
10. Construction Environment Management Plan
11. Landscape and Ecological Management Plan
12. Lighting design strategy
13. Invasive species management protocol
14. Electric vehicle charging points
15. Vegetation clearance outside of bird breeding season
16. Construction management plan (for highways and amenity)
17. Finished floor levels set as per Environment Agency's advice
18. No development in flood zone 3
19. No ground level raising in flood zone 3
20. Scheme to ensure stability of New Mill Road

Background Papers:

Application and history files.

Website link:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f90085>

Certificate of Ownership – Certificate A signed.