

# KIRKLEES METROPOLITAN COUNCIL

## PLANNING SERVICE

### UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY PLANNING SUB-COMMITTEE (HUDDERSFIELD AREA)

26 NOVEMBER 2015

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APPLICATION NO: 2015/91093

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#### OUTLINE APPLICATION FOR ERECTION OF RESIDENTIAL DEVELOPMENT (WITHIN A CONSERVATION AREA)

#### LAND OFF HOLLYFIELD AVENUE, QUARMBY, HUDDERSFIELD

##### **Correction to description of site page 11.**

This should read:

The site, **except** a small triangular area in the south east, lies within the Quarmby Fold Conservation area with a small block of grade II listed buildings known as Holly Bank Court along the eastern boundary of the site.

#### **REPRESENTATIONS**

A further seven letters of objection have been received which reiterating concerns already addressed in the agenda on pages 12-16, these relate to:

- highway safety and the increase of traffic onto surrounding highway network, including junction of Hollyfield Avenue;
- loss of greenfield land and the adverse impact this would have on nature and habitat for wildlife and the Conservation Area
- demand on local amenities such as doctors, dentists and schools.

Occupier of 20 Haughs Road has specifically requested their letter of objection be made available to the Planning Committee before the meeting on Thursday, 26 November. Please see below:

“There are numerous controversial issues connected with this proposal but the facts that cannot be denied are the narrowness and unsafe layout of the site entrance. Whatever pressure the Council is under to secure housing development this cannot be achieved by compromising the safety and welfare of existing residents, particularly children, pedestrians and other road users.

I fear that that the Planning Committee will accept the endorsement of the site entrance (subject to specific conditions being met) of the Highways Committee without question. I would like to challenge the Highways Committee’s response and I would urge the Planning Committee to be very thorough in their examination of the planning proposal connected with this aspect.

In reality the access point is not adequate to accommodate the volume of traffic that will use it, particularly at busy times when children and parents are making their way to and from school both by car and on foot. The outline planning application is for over 20 new homes. This could mean 20 families with the possibility of double that number of vehicles, plus visitors, delivery vehicles and children on bikes and scooters all using a very narrow and constricted entrance to the site.

The entrance is a sharp left hand turn when approaching up Hollyfield Avenue and it is obscured by a curve in the road which skirts round an existing property. Cars parked legitimately at the side of Hollyfield Avenue on the approach to the site will further restrict space for manoeuvre to get a better view.

On turning left into the site there is barely enough space for one lane of traffic and pavements on either side, let alone an inbound and outbound lane. Leaving the site to turn right into Hollyfield Avenue, drivers would have no more than a few metres to spot any oncoming traffic as once again the curve in the road obscures the view.

I have no connection with the people who live in the houses at either side of the site entrance but on their behalf I would like to protest about the proximity of the road to their properties. There will clearly be a significant impact on them caused by traffic noise and vibration and the disturbance of vehicles stopping and starting at the junction. No 50 Hollyfield Avenue will be particularly badly affected as the full length of their gable end runs alongside the road.

In conclusion, this is only one of the many reasons why this development should not be allowed to proceed. I hope that in making its decision the Planning Committee will give due consideration to my objections and recognise the strength of opposition to this proposal”.

## **RECOMMENDATION**

### **Revised wording to suggested conditions 8 and 12 set out below.**

8. Details of landscape submitted pursuant to conditions 1 and 2 shall include details of:

- a) height, design, siting and materials to be used for the erection of walls/fences, retaining walls within the site and constructional details and facing materials of all proposed boundary treatment,
- b) enhancement measures as specified in paragraphs 45 to 47 (page 12) inclusive of the Ecological Appraisal dated March 2015 by Brooks Ecological, and
- c) a phasing plan of a) and b), above.

The development shall thereafter be carried out in complete accordance with the approved schedule and timescales, prior to the occupation of the dwellings and retained thereafter.

12. Notwithstanding the details shown on drawing no. 7470/050 Rev B, no development shall take place until details of the junction and associated highway works, between the proposed estate road and Hollyfield Avenue have been submitted to and approved in writing by the Local Planning Authority. The details shall include full sections, details of speed reducing features, construction specifications, drainage works, lighting, signage, white lining, surface finishes, treatment of sight lines together with an appropriate independent road safety audit covering all aspects of the works. The development shall not be brought into use until all the works under the approved scheme have been carried out complete in accordance with the approved scheme.

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**APPLICATION NO: 2015/90914**

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**OUTLINE APPLICATION FOR DEMOLITION OF COMMERCIAL UNIT AND ERECTION OF 4 COMMERCIAL UNITS AND 59 STUDENT FLATS**

**REAR OF BROOMFIELD HOUSE, FIRTH STREET, HUDDERSFIELD, HD1 3DA**

**Clarification of appearance of development (page 43)**

For the avoidance of doubt, it is brought to the attention of Members that both of the proposed Blocks (A & B) have flat roofs. The design of Block B (which fronts on to Kings Bridge Road) has reduced the prominence of having a flat roof somewhat by varying the materials (cladding) for the top floor. Block A (to the rear of the site) does not use this change in materials.

It remains the view of Officers' that the design of the blocks is acceptable within the context of surrounding development.

**CONSULTATION RESPONSES**

Highways:

The West Yorkshire Fire & Rescue Service has confirmed that they have dual purpose pumping/high reach appliances. The requirements for pumping appliances and high reach appliances are as follows:

Minimum width of road between kerbs (m)	3.7
Minimum width of gateway (m)	3.1
Minimum turning circle between kerbs (m)	26.0
Minimum turning circle between walls(sweep circle -m)	29.0
Minimum clearance height (m)	4.0
Minimum carrying capacity (tonnes)	24

Given the minimum turning circle between walls is 29.0m, highways do not consider that a dual purpose pumping/high reach appliance will be able to turn and access the proposed development through the existing access.

The Fire Service advice is that a dry riser with a remote inlet should be provided within 18 metres of the point of access from Firth Street to overcome the access issues.

These proposals are therefore considered acceptable subject to a condition (as set out below) requiring the provision of a dry riser with a remote inlet to be sited within 18m of the point of access from Firth Street.

For information, the applicant has stated that refuse vehicles currently enter the site from Firth Street to collect rubbish from Broomfield House.

#### Drainage:

The Council's Strategic Drainage officer has confirmed that there are no objections to the proposed development subject to the imposition of a condition relating to further details of foul, surface water and land drainage. This condition is listed below.

#### K.C. Environmental Services Pollution & Noise

have requested conditions be imposed in respect of Contaminated Land and Air Quality (AQ) Those in respect of the former are detailed below.

With regard to AQ, Pollution & Noise have requested conditions to secure a Low Emission Travel Plan and an Air Quality Impact Assessment – with regard to the Student accommodation part of the proposal. It is considered reasonable to impose a requirement for an AQ Impact Assessment (because the student accommodation introduces a receptor adjacent to a main road close to the town centre). However, it is not considered that a requirement for a Low Emission Travel Plan is reasonable because the occupants are unlikely to have private cars and the site is within an existing student area and is in close proximity to the town centre.

#### **RECOMMENDATION:**

The recommendation is revised as follows:

#### **CONDITIONAL OUTLINE APPROVAL SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS TO:**

**1. IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS WHICH MAY INCLUDE THOSE SET OUT BELOW; AND**

**2. SUBJECT TO THERE BEING NO SUBSTANTIVE CHANGE THAT WOULD ALTER THIS RECOMMENDATION, ISSUE THE DECISION NOTICE.**

1. Approval of the details of landscaping of the site (hereinafter called the 'reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

2. Plans and particulars of the reserved matters referred to in Condition 1 above, relating to landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.
3. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval of different dates, the final approval of the last such matter to be approved.
5. The buildings hereby permitted shall not be occupied until a dry riser with a remote inlet, within 18 metres of the point of access from Firth Street has been installed and is operational.
6. Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.
7. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 6 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the local planning authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
8. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 7. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.
9. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

10. No works in the course of the erection of any student accommodation comprised in the development hereby approved shall commence until an Air Quality Impact Assessment has been submitted to and agreed in writing with the Local Planning Authority. The Assessment shall calculate the pollutant emissions costs from the development and use this figure to determine measures to mitigate against this impact. The mitigation measures shall be agreed in writing by the Local Planning Authority and all works carried out in accordance with the agreed details prior to occupation of the development. Thereafter the mitigation measures shall be retained.

11. Prior to first occupation of the development, 6 swift boxes integral to and near the top of the north facing walls of the new buildings (at least 6 metres above the ground) and not located above doors or windows shall be installed. Thereafter the swift boxes shall be retained.

12. Development shall not commence until a scheme detailing foul, surface water and land drainage, (including finalised storage design with a 8.7l/s discharge restriction and accompanying calculations demonstrating the 1 in 30 and 1 in 100 year critical storm events including a 30% allowance for climate change, off site works, outfalls, existing drainage to be maintained/diverted/abandoned, and percolation tests, where appropriate) has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied/brought into use until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development to which the scheme relates and thereafter retained.

13. The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (dated 6<sup>th</sup> March 2015) and the following mitigation measures detailed within the FRA:

- a). Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
- b). Finished floor levels to be set no lower than 69.14m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

14. The residential accommodation hereby permitted shall be occupied by students only, defined as persons whose main residence is elsewhere and who are enrolled on recognised full-time courses at one of the higher educational establishments in the borough of Kirklees only and for no other purpose (including any other purpose in Class C3 and C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification).

15. Notwithstanding the details shown on the submitted plans and application form, the development shall not begin until details and/or samples of the external facing materials, which shall be of natural stone except for the contrasting material for the top floor of Block, B have been submitted to and approved in writing by the Local Planning Authority. The facings of the development shall be constructed in accordance with the details/samples so approved.

16. The buildings shall not be occupied until the proposed car park hereby approved has been laid out surfaced, marked out into bays and drained in accordance with details that have previously been approved in writing by the Local Planning Authority. Thereafter the car park shall be retained laid out surfaced, marked out into bays and drained in accordance with details so approved.

This recommendation is based on the following plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan			15/4/15
Proposed floor plans & elevations – block A	1299-01		15/4/15
Proposed street scene	1299-05		17/11/15
Proposed floor plans & elevations – block B	1299-02 Rev2		17/11/15
Proposed site layout	1299-03		15/4/15
Revised drainage information			8/9/15
Commercial demand statement			17/11/15
Updated FRA	6/3/15		17/11/15
Policy B4 Statement			17/11/15
Coal mining report	NG6814		15/4/15
Bat survey	2/3/15		14/4/15
Contaminated land report			15/4/15
Original FRA			15/4/15
Noise report – 1	26/11/14		14/4/15
Noise report – 2	6/3/15		14/4/15

**ERECTION OF ONE DWELLING****ADJ NETHERLEY COTTAGE, OLD MOUNT ROAD, MARSDEN,  
HUDDERSFIELD, HD7 6NN****RELEVANT HISTORY:**

There is a further historic planning application that relates to this site. This is:

89/06218      Outline application for erection of 1 no detached dwelling -  
Approved

The above application predates the outline application for one dwelling which is discussed in the main report (98/91873) and does not alter the assessment of the current application in any way.

**ASSESSMENT:****Highway safety:**

Following the assessment of additional plans, Highways Development Management have confirmed that the proposals would not prejudice the stability of adjacent highway structures (i.e. Old Mount Road and the public right of way to the south western site boundary).

**Impact on the openness of the Green Belt:**

As discussed on page 56 of the main report, Officers consider that the proposal would be viewed as a prominent addition within the landscape and would affect the openness of the Green Belt by adding to, and reducing the space between, existing ribbon development in this location.

The impact on the openness of the Green Belt and the dwelling's prominence is exacerbated by the overall massing and form of the building. The development would be 2.5 storeys in height when viewed from the rear and would be considerably higher than Netherley Cottage. A building of this size would noticeably alter the openness of this part of the Green Belt, especially when viewed from the opposite side of the valley and from parts of the established settlement below the site, and would thus harm the inherent character of the Green Belt. Officers therefore consider that an additional (second) reason for refusal is necessary based on the previously stated Green Belt concerns.

**RECOMMENDATION****Additional reason for refusal:**

2. The scale, massing and built form of the proposed dwelling would result in a prominent addition to the landscape which is exacerbated by the height of the building in the context of Netherley Cottage. The development would reduce the openness of this part of the Green Belt by adding to, and reducing the space between, existing ribbon development in this location and would therefore have a detrimental effect on the character of the Green Belt. The proposal is therefore contrary to chapter 9 of the National Planning Policy Framework.



**ERECTION OF 1NO. DETACHED DWELLING**

**ADJ 8, REINWOOD AVENUE, QUARMBY, HUDDERSFIELD, HD3 4DP**

Clarification on the dimensions of the proposal:

The third paragraph on page 63 of the report which describes the dimensions of the proposal is amended as follows:

The proposed dwelling would have a maximum overall height of 7.9 metres, a width of 16.5 metres and a depth of 8 metres.

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