

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY PLANNING SUB-COMMITTEE (HEAVY WOOLLEN AREA)

25 JANUARY 2018

Planning Application 2017/93319

Item 15 – Page 27

Erection of 6 apartments

rear of, 8, Crowlees Road, Mirfield, WF14 9PJ

7.0 PUBLIC/LOCAL RESPONSE

Amended Plans Publicity

The amended block plan has been re-advertised for seven days with the publicity expiring on 19th January. In addition to the two representations received and précised in the committee report eight further representations have been received.

A summary of the main concerns is included below.

Highway Safety

- 6 flats will mean at least 6 resident's vehicles (and potentially more) entering and leaving the site each day plus any peripheral traffic visiting the flats. Crowlees Road is a major thoroughfare for traffic and children walking to and from school (Castle Hall and Crowlees). The dubious access combined with the volume of traffic both by car and on foot along Crowlees Road would provide a significant risk.
- Access is poor and would be hazardous for people accessing/exiting the development.
- The 4.1m wide access road is too narrow for 2 cars to pass. It is stated in the plans that the average width of a 'medium' size car is 1.686m, believe this is erroneous, since a Skoda Octavia, (a medium sized family car) has a width of 2.018m (manufacturer's data) with wing mirrors extended. Thus, two similar cars would only have the just over 6cm between them.
- The only alteration proposed is to the exit on Crowlees Road; no amount of tinkering will fix this.
- Object to 'on road parking', the siting of the drive will be very close to a busy junction. Concern there would be an increase in traffic; 2xcars per apartment (12 cars) plus visitors on a busy road where cars speed regularly. School children walking to school would cause safety issues

Visual Amenity

- The site is unsuitable for a building of this size in a residential area.
- These apartments would not improve the appearance of Mirfield.
- The buildings immediately opposite and for a considerable distance along Crowlees Road are bungalows. The buildings next to the proposed development are two storey houses. Thus the development of six apartments in what is effectively a three storey building is totally out of sympathy with the established properties
- The erection of 6 flats is out of keeping with the immediate surroundings. Without exception, every neighbouring property around the site is a single detached or semi-detached dwelling. Flats do not reflect the surrounding area.
- Not in keeping with the surrounding properties; appearance is institutional and ugly.
- The erection of 6 flats and the parking and amenities required by residents of will erode the greenery and wildlife currently found in the location.

Residential Amenity

- No consideration has been given to the effect on neighbours.

Other Matters

- Apartments to over 60's are already available in a more central position in Mirfield. Query what would happen should they not be sold to over 60's, would they then be sold to families or left empty.
- Giving permission will allow others to build in their back gardens, applying for ugly, badly designed, for profit homes.
- The perceived need for flats in the Mirfield area should not in itself result in an application being approved. All factors must be considered, audited by reference to facts and then decided upon in light of those factual circumstances.
- The existing property has been neglected and the rear garden looks like a building site.
- The proposal would be destructive to wildlife in the area.

In addition to the above, a request has been made for one of the representations to be read in advance of the meeting by Members. Furthermore, two requests have been made for their representations (identical in content) to be read aloud at the meeting. These representations have been included in full below.

First Representation

We write to object to the above development. As established residents of Mirfield we have significant concerns as to the impact of such a development on Mirfield, in particular the impact on the roads and the amenities.

In relation to the roads this development will be on Crowlees Road which is already congested with traffic, particularly at peak times but will be further impacted by the development on the old Westfield Social Services site which will soon have 14 houses of 4 to 6 bedrooms each, therefore likely to significantly increase the traffic on this already busy stretch of road. The addition of these flats is likely to further increase the traffic to this area with up

to 12 cars, plus any carers, visitors etc, which is clearly already anticipated by the need for a 9 space car park. With the 5 bedroom house which was previously approved there would be far fewer cars, even with occasional visitors. There is nothing to say that these people will not travel at peak times, making an already very busy, and dangerous road, particularly to the school children at the local junior and infant and high schools, even worse. The impact of these extra cars will not only increase the traffic flow on Crowlees Road but also on Doctor Lane and Parker Lane, both of which are unsuitable for the already high levels of traffic, due to the parking of cars for the surrounding houses and patients and staff for the Doctors surgery.

We also note that the car park is in front of the proposed development, therefore if all of the spaces are in use, and there also may be visitors/carers are parked in addition to these spaces, we struggle to see how emergency vehicles such as ambulances and fire engines could get appropriate access in such an emergency.

Mirfield already has a substantial level of housing specifically for the over 60's including the Christian residential home at the bottom of Doctor Lane, care home on Doctor Lane and the expanding development by Darren Smith at St Paul's Lock. Further housing for over 60's within Mirfield is simply not needed. Furthermore, the population within Mirfield, particularly those in later life who often have more health problems, is already impacting on the Doctor's surgery where appointments are a luxury and involve many phone calls at 8am to have even a chance at an appointment. The addition of further housing within Mirfield, in particular for over 60's will put even more pressure on this precious resource.

The proposed development is over 3 storeys (and not dormas as previously approved) which is out of context for such leafy residential area. It is suggested that the revised plans are within the same footprint as those previously passed for a 5 bedroom dwelling, however this new development will be a significantly larger mass than previously approved and will be more akin to a commercial development on a residential plot with an extensive car park. This will detract from the nature and presentation of this street and cause an eye sore.

We are also concerned as to where the bins for such a development will go, a 5 bedroom house would only be permitted 1 grey and 1 green bin, however a 6 bedroom flat would necessitate 12 wheelie bins or large commercial bins. As the access to the development is only suitable for a medium sized car, we struggle to understand how the refuse collection would work and whether it would be anticipated that all 6 flats would store their bins around the property and be expected to move their bins to the main road for collection which would cause an obstruction on the pavement, particularly for the school children and any people with prams accessing the park opposite the development.

Overall we believe that the impact on Mirfield will be significant and the challenges this development pose are insurmountable. We would like this letter to be read in advance of any planning committee by all members to ensure our concerns are addressed.

Second and third Representation

I write in connection with the above planning application. I have examined the plans and I know the site well; as I am a neighbour. I wish to object strongly to the development of the apartment building in this location. I do not object to the erection of a single family dwelling but robustly oppose the erection of the apartment dwelling. I live on Crowlees Road next to the proposed site and the apartment building is not appropriate to the setting on Crowlees road; especially as there no other apartment buildings of this type on this road. This 6 unit apartment block is not the 2 storey family home that the committee previously approved and has an extra floor. The new application is an entirely different proposal, in every way. It will be the biggest, tallest building on our street. The apartment block & car park can not be screened and will irreversibly ruin the charm and appeal of our street. This will be the first 3 storey building on our street; its height, mass and unmistakably 'institutional' appearance will irrevocably decimate the leafy character of our street; and property values. I feel that it is oversized for the plot and will overlook my property and have a negative impact upon my family's privacy and access to light. Additionally, the apartment block and car park for 7 cars will dominate the street (with 5 cars parked on the street for 12 residents). I am concerned about the bin situation. The development will either have 12 bins or share large commercial skip/bins. Moreover, I am deeply concerned about the additional traffic that the proposed apartment block will create. The plans show nine parking spaces for six apartments (twelve residents). I feel that this additional traffic (plus visitors) will cause congestion and cause significant safety concerns to Crowlees Road. The applicant submitted a previous application which was withdrawn. The Highways Services found the proposal to be 'unacceptable' and concluded that the proposal was 'prejudicial to highway' safety. In a previous committee meeting a meeting a member of the panel said that "the development had its challenges"; I believe this to be a glaring understatement. The development is completely wrong for our street and will detrimentally and permanently affect its residents. I have spoken with numerous local residents who also share my concerns and deeply oppose the development. If this application is to be decided by councillors, we would like this letter to be read aloud to ensure our concerns are addressed.

Officer Responses

In response to the concerns raised above, the concerns raised about highway safety, and the impact on visual and residential amenity are concerns also raised by officers, as detailed in the committee report. In respect of other matters:

Apartments to over 60's are already available in a more central position in Mirfield. Query what would happen should they not be sold to over 60's, would they then be sold to families or left empty.

Officer response: Any application to remove an age restriction imposed by condition would be assessed on its own merits.

Giving permission will allow others to build in their back gardens, applying for ugly, badly designed, for profit homes.

Officer response: Each planning application is assessed on its own merits

The perceived need for flats in the Mirfield area should not in itself result in an application being approved. All factors must be considered, audited by reference to facts and then decided upon in light of those factual circumstances.

Officer response: This comment is noted

The existing property has been neglected and the rear garden looks like a building site.

Office response: This comment is noted.

The proposal would be destructive to wildlife in the area

Officer response: The site has no known biodiversity constraints.

Councillor Comments

Councillor Kendrick has made the following comments:

Dear Chair and Members

Ref: Planning Application – 93319

I came to the previous meeting on 09 November 2017 when this application was last considered, to as Portfolio holder for Adult Social Care.

The statement that I made on that occasion is as follows:

- Out of 23 Wards in Kirklees, Mirfield has the highest percentage of population aged 65+
- Mirfield has the second highest percentage of the Ward population receiving social care services and has a higher than average percentage of people receiving intensive home care
- Fourth highest Ward (higher than Kirklees average) of people with long term limiting illness
- As a Council we want people to remain independent for longer. Adult Social Care and Health not only want **but need** people to remain as independent for as long as possible

We don't have enough properties in Kirklees that provide suitable homes for people with long term limiting illnesses, for those who are frail in old age, and for those with disabilities, and we certainly don't have enough of those types of homes in Mirfield.

This application proposes to build 6 'homes for life' flats, flats with wide enough doorways for wheelchairs, turning circles and wet rooms – with a lift that should enable the residents to live in an accessible environment and continue to live as independently as possible for longer.

It may be a modest contribution to local needs but there is a significant need for this type of development, and it needs to start somewhere. It is vital that we ensure that we start to address the under supply of relevant dwellings, and I believe that this development would be a contribution towards meeting this need.

I am writing to ask that the members of the Heavy Woollen Planning Sub Committee take into account the demand and needs for this type of property when considering this application.

AGENT COMMENTS

The agent has submitted a letter which they want Members to consider (attached to this update).

They have also made the following comments and provided two photographs;

“We believe Members may have been confused about the access position for the proposed development when they first considered the matter at the November Committee. Given this we would like Members to see the attached photos that we trust are self-explanatory. The cones are set out to reflect access positions”.



Original Driveway
As viewed By Planning Committee



Proposed Width of Road, 6.6 meters wide or 21 feet wide Providing Access to the Old Peoples Homes.

The exit from the site is now situated centrally.

RECOMMENDATION:

Following the expiration of the amended plan publicity the recommendation is to: **DELEGATE refusal of the application and the issuing of the decision notice to the Head of Strategic Investment** (for the reasons set out in Pages 28 and 29 of the main agenda).



Kirklees Council
Planning Services
PO Box B93
Civic Centre III
Huddersfield
HD1 2JR

23 January 2018

Our Ref; SP70

FAO Louise Bearcroft

Dear Sirs,

Proposed development of 6no. age restricted (60+) apartments at rear of 8 Crowlees Road, Mirfield – Application 2017/93319

We write following deferral of the above planning application at the Heavy Woollen Planning Sub-Committee of the 8th November 2017. Whilst the Planning Officer was recommending refusal on a number of issues, the debate by Councillors focused on the access to the site from Crowlees Road and questioned whether the access position and sight lines could be improved. Councillor Cathy Scott moved deferral on this point and this was seconded by Councillor Pinnock.

Following the Sub-Committee, we informed the Planning Officer that we were commissioning a Highway Consultant to look at this point. The Planning Officer said that we should also look at reducing the bulk and scale of development to address these concerns. We respectfully commented that the sole reason for deferral was in respect of the access. Given this we sought an independent review of the webcast by a Solicitor and set out their comments below.

David Storrie Dip TP, MRTPI
9 Furnbrook Gardens
Kirkheaton
Huddersfield, HD5 0DY

Mob. 07770514721
e-mail storrieplanning@gmail.com



Re: Planning Application 2017/93319 - Kirklees

I refer to our recent conversations and confirm that I recently watched and listened to the recording of the planning application which was dealt with by the Planning Committee; the purpose of my doing so was simply to observe and record the basis upon which the application was deferred back to the planning officer dealing with the application.

I can confirm that the basis of the proposal by Councillor Scott to defer the matter was to enable the Officer and your planning consultant to undertake further discussions to address the single issue of "sight-lines/access" to the site. That proposal by Cllr Scott was supported by Councillor Pinnock and approved by the panel.

I can categorically confirm that the basis for the panel deferring matters was made solely on that basis and, therefore, discussions should solely be based on the issue of sightlines/access.

I hope this is helpful.

Yours sincerely


Simon Blakeley

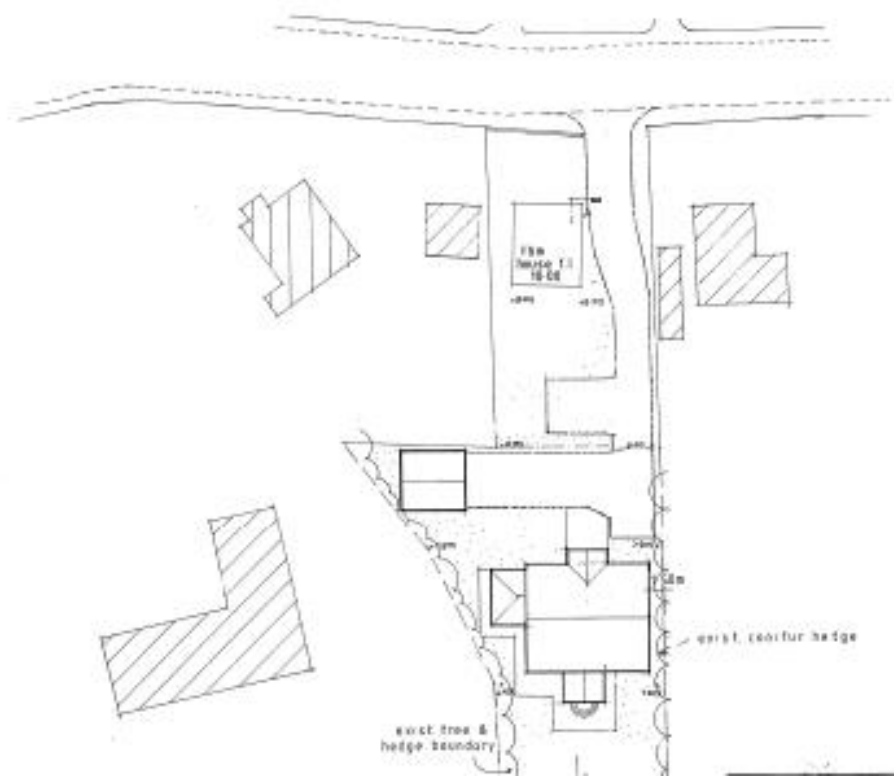
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Given the intervening Christmas period it was not possible to bring the matter back to the first available meeting. Given the gap between the November meeting and now we thought it prudent to send this aide memoire.

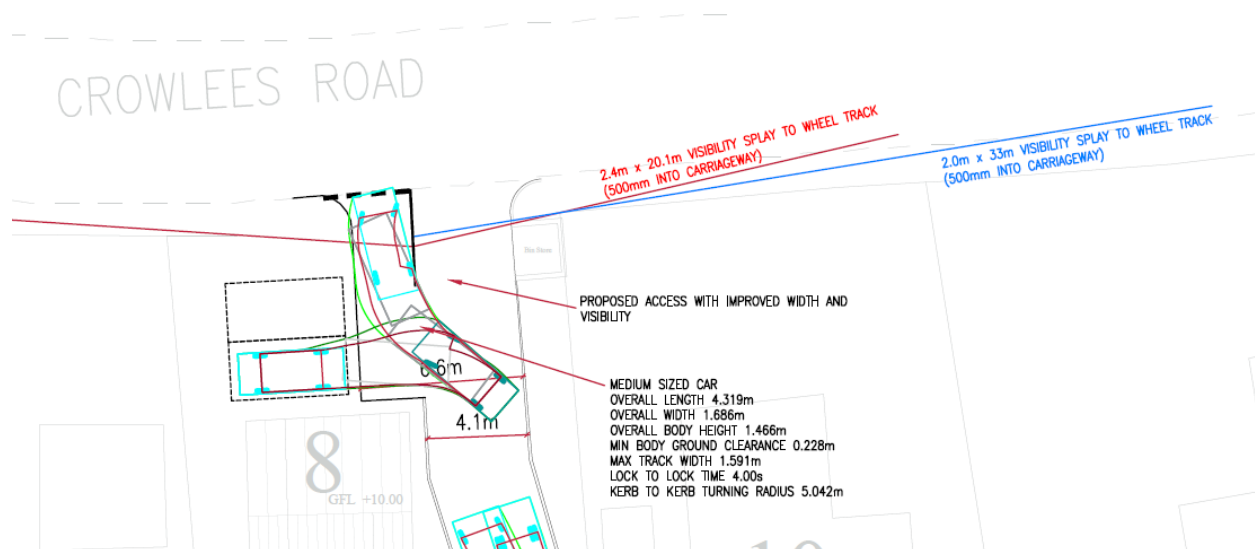
Set out below are plans of the access and sight lines approved at outline stage for the 5 -bed detached dwelling over three floors on the site. Alongside is the improved access position and sight lines for the current application. It should be noted that Highways raised no objections to the access and sight lines for the house even though they were below normal standards, it was noted that there was no record of accidents in the vicinity of the site.

The revised access position provides better sight lines than previously approved, and tracking shows that vehicles, including delivery vehicles can enter and leave the site in a forward gear.

Approved access for the 5 bed dwelling



Revised access and improved sight lines for proposed apartments



The crucial visibility splay to the right on the approved 5-bed dwelling is 2.4 x 15. The amended access position as part of the apartment application provides an improved visibility splay of 2.4 x 20.1.



As presented at the previous meeting the apartments are to be age restricted 60+ occupancy. Traffic levels associated with a 5 -bed family dwelling could quite easily generate occupancy by 6+ people who could all be car owners, and this is comparable with 6 1-bed apartments.

Given the above and amended access details, that provide an improved access to that previously approved, we consider that we have dealt with concerns expressed by Councillors when the matter was first considered in November 2017.

It should also be remembered that work started on the implementation of the detached dwelling such that this is an extant permission.

Yours faithfully,

David Storrie Dip TP, MRTPI
Chartered Town Planner

Erection of class A1/A3 coffee shop with external seating area**Land at, Northgate Retail Park, Albion Street, Heckmondwike, WF16 9RL**

Additional traffic generation issues:

Cllr Steve Hall and objectors have raised concerns about traffic on the highway and the entrance exit.

Further to the information within the body of the committee report at subsection entitled Highway issues (paragraph 10.22 to 10.26) and in the Representations (paragraph 10.29), the applicant has supplied the following information relating to total traffic generation from the proposed coffee shop, linked trips, and additional traffic generated by the proposed coffee shop.

'The TRICS database of transport surveys does not contain any data on coffee shops, but there are other A3 uses that can be used as a comparison.

Roadside Services sites are a reasonable comparison, falling in the same use class (A3). A search of Roadside Service sites in England shows that a unit of 139sq.m might typically attract a peak of about 16-17 vehicle movements in the busiest hour of the day, likely to fall around lunchtime on a weekday or Saturday. This equates to one vehicle movement every 4 minutes, so could not be perceived against peak hour flows of 544 vehicles an hour recorded at the site.

That level of traffic equates to just 3% of the traffic using the Northgate Retail Park in the Saturday Peak hour, so it is reasonable to assume that most of the A3 unit traffic would be drawn from vehicles already using the site.

Sole-purpose trips by car from home to a coffee shop are entirely discretionary and therefore highly unlikely to occur to any significant degree when the highway network is at its busiest. However, considering a worst case, if it is assumed that 25% of vehicular trips to the site during network peak hours are sole purpose, then there might be about 4-5 new vehicle trips drawn to the site over an hour, one every 12-15 minutes, which would be completely imperceptible. Even if 50% of vehicular trips were new to the site, there would be no perceptible impact at all.'

This information has been assessed by Highways Development Management officers who find the information acceptable and have no further comments.

On this basis it is officers' opinion that the proposal would not lead to significant undue highway safety implications.

7.0 PUBLIC/LOCAL RESPONSE:

The amended plan publicity ended on 23 January 2018. As a result, five letters of representation and one petition with further 43 signatures received in response to the additional site publicity. They express the following concerns:

- The proposal will cause additional highway safety issues from increased traffic levels on already busy and congested road system.

Response: The application site is within an existing retail park. The agents have confirmed that the whole of the car park serving the retail park will be available to the customers of the proposed development and within the blue line boundary. The existing access and parking arrangements are to remain unchanged and there is sufficient parking within the existing car park.

The applicant / agent has supplied additional information detailed above which concludes that there would be no perceivable additional impact from sole purpose trips to the proposed coffee shop. The additional information has been assessed, and is acceptable.
- The proposal will cause noise nuisance from additional noise at inappropriate times.

Response: As the position of the proposed coffee shop is relatively close to residential properties, officers are recommending that the hours of operation are conditioned to between 07:00 and 20:00, and restrict service deliveries to within these hours of operation and by box vans, a maximum of 2 per day.
- The proposal will cause increased littering in the area.

Response: If this were to become a problem, it could be reported to the Council's street maintenance section via the Council's Contact Centre.
- The proposal will cause an invasion of privacy due to its location within a residential area and directly looking into residential properties.

Response: the proposed coffee shop would be approximately 17m from the nearest house on opposite side of Albion Street and Jeremy Lane, with around 23m separation distance to the front elevation of houses in Greenside. In terms of overlooking, the main impact would be from windows forming the curved corner of the proposed building. As they are at ground floor level only and look directly onto the road junction with houses beyond set back further, forming a separation distance of around 27m, and indirectly to the front elevations of the nearer houses on the opposite side of Albion Street and Jeremy Lane, it is considered that invasion of privacy would be relatively restricted.
- There are plenty of empty buildings in Heckmondwike which could be converted.

Response: This is noted however, the application site is within an established retail park on the edge of Heckmondwike town centre on the UDP and is now within the town centre boundary on the Kirklees Draft Local Plan. As such planning policy in the UDP and NPPF seeks to ensure that town centres remain the focus of shopping and social activities. In this respect the principle of a coffee shop at the application site is acceptable, subject to compliance with detailed policies relating to visual and residential amenity and highway safety. In this instance officers consider that these detailed matters are also acceptable subject to conditions and so it would be unreasonable to refuse this application because there may be empty buildings in Heckmondwike that could be converted.

- The proposal will block views from their house.
Response: This is not a material planning consideration.

RECOMMENDATION

Following the expiration of the amended plan publicity, the recommendation is as follows:-

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to complete the list of conditions including those contained within this report.

Planning Application 2017/93470

Item 20 – Page 83

Demolition of existing garage erection of detached dwelling with integral garage and associated site works

adj, 93, Stocks Bank Road, Mirfield, WF14 9QB

7.0 PUBLIC/LOCAL RESPONSE:

A further representation has been received from the occupier of a neighbouring dwelling relating to the following:

- why has a condition not been recommended on the decision notice to remove permitted development rights for further development of extensions close to the rear boundary.

The customer has been advised that following the site visit and planning assessment, officers do not consider such a condition is necessary to preserve residential amenity.
