
Report of the Head of Planning and Development**STRATEGIC PLANNING COMMITTEE****Date: 27-Feb-2020****Subject: Pre-application 2019/20478 for the erection of 64 no. dwellings on the former Midlothian Garage, New Mill Road, Holmfirth****APPLICANT**

First Planning Ltd

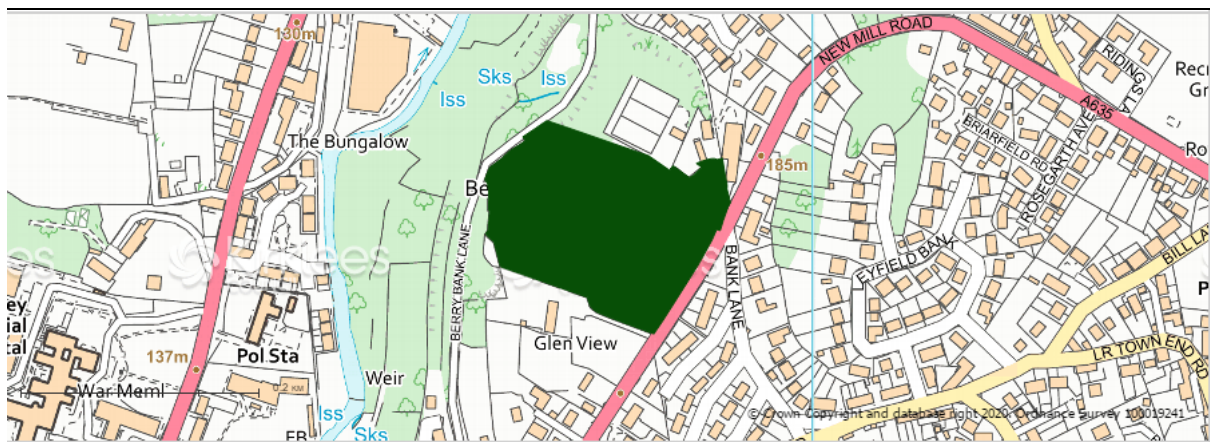
DATE VALID

05-Dec-2019

TARGET DATE

01-Jan-2020

EXTENSION EXPIRY DATE

LOCATION PLAN**Map not to scale – for identification purposes only****1.0 INTRODUCTION:**

- 1.1. Planning permission for 56 dwellings has previously been granted on this site, and the current pre-application enquiry is for a total of 64. This site has failed to come forward previously and is classed as a stalled site.

- 1.2. Whilst the principle of residential is long established, this proposal seeks to use modern methods of construction (MMC) and is therefore a different concept to conventional construction sites. Following the completion of the foundations, the dwellings (manufactured off site) would be transported in and craned onto the foundations for completion. This would be the first development of this nature in Kirklees, and its use and success could lead to further sites coming forward.
- 1.3. In addition to the time savings and speed of delivery this method affords the dwellings would be high performance structures well in excess of Building Control standards regarding thermal insulation, water consumption, and carbon reduction.

2.0 SITE AND SURROUNDINGS:

- 2.1. The application site comprises an area of 2.25 ha and is located on the western side of New Mill Road, Holmfirth. The site is now vacant having formerly accommodated the Midlothian garage.
- 2.2. On the opposite side of New Mill Road are residential properties and there is a large detached dwelling located to the south. To the north is a tennis club, and a number of small business units, these are accessed off Berry Bank which is also a public footpath. To the west of the site is the former railway line.
- 2.3. The site is split into two parts; to the New Mill Road frontage there is a hardstanding area that is in an unkempt condition. This area is used informally for parking, but is privately owned land. There is an existing point of access that serves this area and then drops down steeply into the rear part of the site which is the much larger area, formerly occupied by the garage buildings. Vehicle access to this area is restricted by barriers and earth mounding. The site comprises rough hardstanding for the most part and is overgrown and unkempt. There are a substantial number of trees within the site, including a wooded embankment central to the site and wooded areas along the western boundary, down towards the former railway line.
- 2.4. As part of the application site there is an adjacent area of open land to the north, at a significantly lower level, adjacent to a public footpath and therefore accessible to potential future occupiers as well as footpath users.
- 2.5. The site is allocated for housing in the Kirklees Local Plan (ref: HS191).

3.0 PROPOSAL:

- 3.1. The previous permission (Reserved Matters ref: 2018/91579) was for 56 dwellings with accesses taken off New Mill Road. This proposal seeks 64 dwellings using the already approved access points and road layout.

3.2. The housing mix proposed is:

- 10 x 2-bedroom (4-person);
- 20 x 3-bedroom (5-person); and
- 34 x 4-bedroom (7-person).

3.3. The dwellings will be a mixture of 2 and 2.5 storey dwellings with the 2.5 storey buildings being on the lower part of the site to the north. A total of 124 parking spaces are provided.

3.4. The disposition of open space within the scheme remains unaltered, the area of woodland to the north retained, and the central area of new planting on the slope between the top and bottom areas of the site also retained for new planting.

4.0 BACKGROUND AND HISTORY:

4.1. 2011/93163 Erection of retail food store – Refused. Subsequent appeal dismissed.

4.2. 2015/939824-Outline application for the erection of 56 dwellings and care home with associated car parking. Approved subject to a Section 106 agreement providing Affordable housing; and Public Open Space. The Section 106 agreement provides for six 2-bedroom units, a mixture of social rental and intermediate dwellings, and the provision of POS areas within and adjacent to the site, with subsequent maintenance.

4.3. 2018/91579. Reserved Matters approval for 56 no dwellings

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

5.1 A pre-application enquiry was submitted for the reserved matters (ref: 2018/20143). The meeting related to this enquiry was attended by a Ward Member. The reserved matters discussed were very similar to those the subject of the application, and detailed suggestions regarding landscape, orientation of some buildings and detailed parking matters and waste collection were made. The use of natural stone on the frontage was preferred.

5.2 Concern was raised by the Ward Member regarding the intensity of the use, and the adverse impact that would have on the highway network. The Ward Member also expressed serious concern at the site's history as a tip and the consequent risk to public health of developing on it.

5.3 Amendments have been sought to the internal road layout and turning areas, and also to locations of waste collection points.

5.4 The group of trees centrally located on the site is to be removed, and a replanting scheme in the same location was submitted.

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 27/02/2019).

Kirklees Local Plan (2019):

- 6.2 The site is allocated for residential development (ref: HS191) in the Local Plan. HS191 relates to 2.44 hectares (gross) / 2.02 hectares (net, excluding Habitats of Principal Importance from the developable area), sets out an indicative housing capacity of 56 dwellings, and identifies the following constraints:

- Public right of way on western boundary of the site
- Surface water issues
- Limited surface water drainage options
- Potentially contaminated land
- Noise source near site - road traffic noise and noise from local industry
- Site is within the Wildlife Habitat Network
- Part of this site contains a Habitat of Principal Importance
- Part of site is within a high risk coal referral area

- 6.3 Relevant Local Plan policies are:

LP1 – Presumption in favour of sustainable development
LP2 – Place shaping
LP3 – Location of new development
LP4 – Providing infrastructure
LP5 – Masterplanning sites
LP7 – Efficient and effective use of land and buildings
LP9 – Supporting skilled and flexible communities and workforce
LP11 – Housing mix and affordable housing
LP20 – Sustainable travel
LP21 – Highways and access
LP22 – Parking
LP23 – Core walking and cycling network
LP24 – Design
LP26 – Renewable and low carbon energy
LP27 – Flood risk
LP28 – Drainage
LP30 – Biodiversity and geodiversity
LP32 – Landscape
LP33 – Trees
LP34 – Conserving and enhancing the water environment
LP47 – Healthy, active and safe lifestyles
LP48 – Community facilities and services
LP49 – Educational and health care needs
LP50 – Sport and physical activity
LP51 – Protection and improvement of local air quality

LP52 – Protection and improvement of environmental quality
LP53 – Contaminated and unstable land
LP63 – New open space
LP65 – Housing allocations

Supplementary Planning Guidance / Documents:

6.4 Relevant guidance and documents:

- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Kirklees Housing Strategy (2018)
- Kirklees Strategic Housing Market Assessment (2016)
- Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
- Negotiating Financial Contributions for Transport Improvements (2007)
- Providing for Education Needs Generated by New Housing (2012)
- Highways Design Guide (2019)
- Waste Collection, Recycling and Storage Facilities Guidance – Good Practice Guide for Developers (2017)
- Green Street Principles (2017)
- Fields in Trust Guidance for Outdoor Sport and Play (2015)

National Planning Policy and Guidance:

6.5 The National Planning Policy Framework (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of the proposal. Relevant paragraphs/chapters are:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 17 – Facilitating the sustainable use of materials.

6.6 Since March 2014 Planning Practice Guidance for England has been published online.

6.7 Relevant national guidance and documents:

- National Design Guide (2019)
- Technical housing standards – nationally described space standard (2015, updated 2016)

Climate change

- 6.8 On 12/11/2019 the council adopted a target for achieving “net zero” carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

7.0 CONSULTATION RESPONSES:

- 7.1 The following is a brief summary of consultee advice (more details are contained within the assessment section of the report, where appropriate):

- **KC Highways DM** – Road layout and access are as already agreed. Parking provision satisfactory.
- **KC Environmental Health** – Recommend conditions as with previous approval for decontamination/ remediation, noise attenuation and provision of electric charging points.
- **KC Lead Local Flood Authority** – Recommend conditions for the site drainage (surface water) and the flood routing.
- **KC Strategic Housing** – Support the scheme and the principle of the type of development. The affordable housing secured under the previous permission should be retained.
- **KC Trees** – No objections. Tree issues were resolved under the previous application, and the reuse of the same road layout is acceptable. Recommend conditions including new landscape scheme.
- **KC Bio-Diversity** – No objections in principle, recommend conditions to secure biodiversity enhancement.
- **Police Architectural Liaison Officer** – No objections in principle.

- **KC Landscape and Recreation** – A contribution of £72,278, would be required in this case.
- **KC Education Services.** A contribution of £153,632 would be required in this instance.

7.2 Ward Members have been consulted on this enquiry and were invite to attend the pre-application meeting.

7.3 Cllr Nigel Patrick remains of the opinion that homes should not be built on the site, given the site's previous history including landfill and the contents of that landfill.

8.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Highways issue
- Environmental issues(contamination/remediation, noise)
- Climate change
- Drainage
- Biodiversity, trees and landscape
- Air quality

Principle of development

8.1 The site is allocated for housing in the Kirklees Local Plan (ref: HS191), and planning permission has previously been granted for housing. Whilst this permission has been granted the development has not come forward, and as such the site is classified as a stalled site. In order to meet the council's housing delivery targets challenging sites such as this will need to be brought forward.

8.2 The previous approval was for 56 dwellings, which is also the estimated capacity of the HS191 allocation. The current scheme is for 64 dwellings ie an additional eight units. Allowing for the onside woodland and landscape areas, this equates to a net density of 35 per ha, which is considered to be an efficient use of the land in accordance with the principle of policy LP7.

8.3 The previous approval provided, within the Section 106 agreement six affordable houses, and on site and off site POS contributions. These contributions will need to be revisited in light of the additional dwellings provided. This will extend to the area of education also, should an application be received prior to the formal adoption of the Community Infrastructure Levy (CIL)

Urban Design Issues

- 8.4 The redevelopment of this brown field site as residential is an appropriate reuse for the site, compatible with the surrounding area, which is primarily residential the already agreed road layout is retained, and the scale of the dwellings ie 2-storey on the front portion of the site, as visible from New Mill Road, and 2.5 at the bottom end of the site (very much lower, and only visible from within the site) is appropriate, respecting the sites topography.
- 8.5 The development as previously has an active frontage with dwellings situated quite close to the back edge of the road, a style of development that is common in this area. Internally the layout is considered satisfactory, safeguarding existing important woodland, and allowing for new landscaping within the street scene, as well as maintaining privacy for existing and future residents.
- 8.6 A range of house styles are proposed, a number of which are fairly traditional in appearance, others more contemporary. The nature of the building ie: modular structures impacts upon the use of natural stone on the frontage, and artificial stone cladding is proposed on a number of the dwellings fronting onto New Mill Road.

Highways Issues

- 8.7 The already agreed access points and road layout are retained as part of this proposal, and Highway Development Management officers have no objections. Adequate parking provision is made for the total of 64 house, and there is no interference with the public right of way located to the north of the site also accessed off New Mill Road.

Environmental Issues (Contamination/remediation and Noise)

- 8.8 Regarding decontamination/remediation, it is acknowledged that the site has a previous use for a landfill site, and that measures to decontaminate and remediate the site to make it fit to receive the new residential development. This constraint is identified on the sites allocation, and as in dealing with both the previous outline and reserved matter approvals, Environmental Health Services, have confirmed that any approval should be subject to a condition requiring decontamination, remediation and validation. These matters can be satisfactorily conditioned and no dwellings can be occupied until the agreed remediation for the whole site has been agreed, implemented and validated.
- 8.9 Regarding noise, the noise issues on this site stem from the site frontage's location adjacent to New Mill Road, ie, potential traffic noise. The noise levels along new Mill Road are not excessive, but noise mitigation for habitable windows facing onto the road, is considered to be appropriate in this location. This matter can be dealt with via the imposition of a condition as was the case with the previous approvals.

Climate change

- 8.10 On 12/11/2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.
- 8.11 The issues of climate change including a range of topics which are covered below, ie, drainage, air quality and biodiversity.
- 8.12 The modern method of construction and this product deliver a series of benefits relating to climate change, that go well beyond the current requirements of the Building Regulations, in terms of thermal insulation and consequent fuel savings, water consumption, durability, and carbon reduction. Also, the modular method of construction increases the speed at which the development can be completed, which is a benefit for neighbours in terms reduced length of inconvenience associated with a development site, and the reduced number of vehicular delivery trips.

Drainage

- 8.13 This is a challenging site regarding drainage, largely because of the levels and the severe drop at the western edge of the site. The Lead Local Flood Authority have no objections to the principle of developing the site and recommend conditions to ensure that an appropriate outfall is located and appropriate on site attenuation and regulation provided. It is considered that this can be achieved within the existing road layout. Given the previous use of the site, and the extent of the hard surfacing that still exists across the site, a reduction of at least 30% surface water run off should be deliverable.

Biodiversity, Trees and Landscape

- 8.14 The majority of the site is set at two levels and is covered in hard surfacing as a result of the previous garage use. The finest habitat on the site includes the finest protected woodland trees on the western boundary. These trees are also included as part of the surrounding Natural Habitat Network. The group of trees that are located central to the site comprise mainly self-seeded silver birch and are located on loose fill. These are of little ecological value, and their removal has already been agreed. The opportunity to replant on that site represents in itself biodiversity enhancement.

- 8.15 The proposed layout, particularly on the western edge of the site nearest the protected woodland, is set back considerably from the woodland edge, thus safeguarding the trees, and benefitting from a pleasant outlook. Sensitive lighting at this point would help to safeguard the habitat.
- 8.16 Within the proposed layout, new tree planting is indicated within the garden areas of the properties, and this is welcome. Some additional tree planting within the street scene would be beneficial and should be sought.

Air Quality

- 8.17 A scheme of this size is classified as a major development within the West Yorkshire Low Emissions Strategy, and as such the provision of electric charging points for the dwellings would be appropriate. A condition is recommended. In this instance, given the method of construction, the reduction in the numbers of heavy vehicle deliveries should be noted.

9.0 Conclusion

- 9.1 The redevelopment of this site for housing accords with Council policy, and the increase in the numbers of units from 56 to 64 represents a more efficient use of the site in accordance with Policy LP7 of the Local Plan.
- 9.2 The layout utilises the already approved access points and road layout, safeguarding the important woodland area to the west which is also part of the Wildlife Habitat Network. The opportunities for biodiversity enhancement are safeguarded, and net biodiversity gain, beyond the existing hard surfaced overgrown site should be achievable.
- 9.3 The site is capable of being satisfactorily remediated and made fit to receive the new development and surface water drainage can be the subject of condition.
- 9.4 The house types and the modern methods of construction involved, result in a range of dwelling types which are of an appropriate design and appearance for this location. Also the means of construction delivers a significant benefits towards carbon reduction, increased energy efficiency, increased water efficiency, as well as speedier construction, and less GV movements. This type of construction and development accords with the aims of the Councils Climate change aspirations, detailed in paragraph 6.8 of this report.