

**Consultation Response from KC,
Policy**
2020/93954 Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY
Erection of 42 dwellings and associated works
Date Responded:
Responding Officer: Amy Woodhead
Responding Ref:

This proposal is for the erection of 42 dwellings and associated works at – Land at, Lingards Road, Slaithwaite, Huddersfield, HD7 5HY.

The application site includes land allocated for housing (ref. HS125) in the adopted Kirklees Local Plan, and an area of land within the Green Belt.

Initially, this proposal sought permission for the erection of 57 dwellings. Policy comments were provided 15/01/21 advising that consideration be given to the development density of the proposal, in the context of criterion (c) of Policy LP7 (efficient and effective use of land and buildings) regarding the nature of the site and its surroundings. The proposed number of dwellings comprising the scheme has now reduced to 42.

The Local Plan was adopted on 27 February 2019. The Local Plan Strategy and Policies should be fully considered; however, the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

Kirklees Local Plan (LP)
Housing Allocations (LP65)

The majority of the site is allocated for housing development in the Local Plan (adopted in 2019) under Policy LP65 (housing allocations) – with an indicative capacity of 36 dwellings (ref. HS125). The remainder of the application site to the west encroaches into the Green Belt.

Residential development on the land allocated for housing is accepted in principle. As outlined in Policy LP65, planning permission will be expected to be granted provided the development accords with (i) the principles set out in the HS125 site allocation box in the Local Plan Allocations and Designations document, and (ii) relevant development plan policies. In this case, the allocation site box identifies various constraints:

- ***The provision of a pedestrian footway is required across the site frontage.***
- ***Additional mitigation on wider highway network may be required.***
- ***Site is close to listed buildings.***
- ***Part of this site lies within a UK BAP priority habitat.***

It also states that the applicant is required to submit several reports:

- ***Low emission travel plan.***
- ***Contamination Report (Phase 1).***
- ***Flood Risk Assessment.***
- ***Health Impact Assessment.***
- ***Heritage Impact Assessment.***
- ***Ecological Survey.***
- ***Assessment required for presence of habitats that are important for off-site foraging by South Pennine Moors SPA qualifying bird species (i.e., functionally connected land). Avoidance and mitigation measures may be required to address any identified impacts in line with para 13.10 and Policy LP30.***
- ***Transport Statement.***

Housing Mix and Affordable Housing (LP11)

Local Plan Policy LP11 (housing mix and affordable housing) and the Kirklees Interim Affordable Housing Policy (2020) requires that residential development proposals aim to provide a mix (size and tenure) of housing suitable for different household types, which takes into account the latest evidence for different types of housing. In this case, the proposed scheme is predominantly 3- and 4-bedroom dwellings with a lesser number of 1-, 2- and 5-bedroom dwellings. The scheme proposes a mix of flats, detached and semi-detached homes.

The latest evidence set out in the Kirklees Strategic Housing Market Assessment (2016) shows that for Kirklees Rural West, where this site is located, there is a need for smaller 1/2-bedroom affordable homes. Stated in the Design & Access Statement for this proposal, the affordable housing provision is 8 units – consisting of:

- Four 1-bed flats.
- Four 2-bed flats.

Policy LP11 states that the proportion of affordable homes should be 20% of the total units on market housing sites, this scheme is providing approximately 19%. The policy also states that affordable provision should be indistinguishable from market housing in terms of achieving the same high quality of design.

The Strategic Housing Market Assessment suggests a tenure split of 55% affordable rent and 45% intermediate affordable housing products. Housing Growth should be consulted to advise on whether this forms appropriate affordable housing provision.

The provision of affordable housing should also include the delivery of First Homes, to help meet the housing needs of first-time buyers by offering properties to buy at a price below their open market value. First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. First homes should be discounted by a minimum of 30% against the market value and sold to individuals who meet the First Homes eligibility criteria. After the discount has been applied, the first sale must be at a price no higher than £250,000.

Efficient and Effective Use of Land and Buildings (LP7)

The residential scheme comprises 42 dwellings, and is at a development density of approximately 18 dwellings per hectare which falls short of the recommended 35 dwellings per hectare specified in Policy LP7 – to ensure efficient use of land. However, as the previous policy comments provided in January 2021 highlighted, the density of the scheme should be considered in the context of criterion (c) of part 2 of Policy LP7, given the nature of the site and its surroundings. It must also be noted that the indicative capacity of the housing allocation HS125 is 36 dwellings.

Design (LP24)

As stated in Policy LP24, good design should be at the core of all proposals in the district and should be considered at the outset of the development process. Proposals should promote good design by ensuring high levels of sustainability, to a degree proportionate to the proposal, through: (ii) design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive. The footpath along the western boundary of the application site is a PROW, meaning careful consideration must be given to ensure the PROW is able to seamlessly connect into the residential development – ensuring occupants of the new dwellings are provided with means able to encourage and facilitate sustainable travel. It is noted that there is proposed drainage apparatus to be situated to the north-west of the application site. You should be satisfied that works will not hinder accessibility to the PROW.

The form, scale, layout and details of all development should respect and enhance the local character and townscape, and proposals should provide a high standard of amenity for all future and neighbouring occupiers. The application site is within a residential area of the Colne Valley Ward, and the existing development within the wider vicinity is predominantly 2-storey detached/semi-detached dwellings. The scheme proposes a mix of detached/semi-detached units that appear to be in keeping with the overall scale and character of the area. However, it is apparent from the layout plan that many of the units appear to have parking provision situated to the front of the property – which may bring detriment to local amenity. Policy LP22 (parking) states that provision of parking shall be based on the following principles: (f) new developments will incorporate flexibly designed minimum parking spaces for private cars, considering a range of solutions, to provide the most efficient arrangement of safe, secure, convenient and visually unobtrusive car parking. The Highways Team should be consulted for their views.

Green Belt

Part of the application site extends further west than the housing allocation boundary and encroaches into Green Belt land. It appears no housing development is proposed within the area of Green Belt – however the plans illustrate it is intended for there to be an underground attenuation tank, construction of a headwall and drainage works. Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Relevant to this proposal is criterion (b) of paragraph 150 – engineering operations. Consideration should be given to assess if the degree of development involved to drain the site is such that it constitutes an engineering operation. If it should be determined that the proposed development in the Green Belt does constitute an engineering operation, there is currently insufficient information to be able to accurately assess the proposal against paragraph 150(b), as due to the limited information, it remains unclear the extent to which the openness of the land will be impacted, or whether development will conflict with the purposes of including land within the Green Belt.

While the plans indicate a requirement for drainage works within the Green Belt, there is currently no information regarding the effect this work will have on the character of the existing field – in terms of resultant retaining walls relating to the headwall, or other engineered slopes or levelled platforms. If, as a result of the work, there is no material change – then this element may be compatible with NPPF paragraph 150(b), as there would be no impact on openness or conflict with the purposes of including land within the Green Belt.

If there would be a material impact such that the works would be deemed inappropriate in terms of paragraph 150(b), then alternative methods of draining the site may need to be explored. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering the application, substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Should an alternative method of drainage not be feasible, then the harm caused to the Green Belt would need to be weighed against the benefit of bringing forward the housing allocation.

Biodiversity & Geodiversity (LP30)

In accordance with Policy LP30, development proposals are required to: (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist, and (iv) establish ecological links to the Kirklees Wildlife Habitat Network where opportunities exist. To the north/north-east of the application site above Manchester Road there is Shaw Carr Wood, which is an area of woodland forming part of Kirklees Wildlife Habitat Network, and is

classified as a priority habitat by DEFRA (deciduous woodland). Consideration should therefore be given to establish if ecological links can be fed into the residential scheme to allow for a level of connectivity with the Wildlife Habitat Network, and opportunities should be sought to incorporate biodiversity enhancements within the development to secure net biodiversity gain.

Additionally, the Environment Act (2021) requires mandatory Biodiversity Net Gain (BNG) of at least 10%, to be secured for 30 years via planning obligations or conservation covenants. The BNG can be delivered onsite, offsite or via a financial contribution. Further comments should be sought from the Biodiversity Officer in relation to this.

Open Space Provision (LP63)

Since this development proposes 42 dwellings, new open space provision is required in accordance Local Plan Policy LP63 New Open Space and the Open Space SPD to meet the needs of the development. This is based on an assessment of the quantity, quality and accessibility of the existing open space within the area taking into account any deficiencies. This analysis will help determine the need for new on-site or off-site open space, enhancement of existing provision and/or a financial contribution and considers the need to provide for different types of open space. As such, the assessment in Appendix 1 indicates the open space requirement for a development of 42 dwellings in the Colne Valley ward. Further detailed information should be sought from the Council's Landscape team.

Summary

Whilst residential development on land allocated for housing in the Local Plan (ref. HS125) is accepted in principle, consideration should be given to the housing mix (size, type and tenure), development density, design – (connection to the PROW and visual impacts of parking), biodiversity, and open space provision.

In addition to the above points, the development that is proposed to extend into the Green Belt must be explored in greater detail, to determine whether the degree of development involved to drain the site is such that it constitutes an engineering operation. Should it be determined that the works do constitute an engineering operation, you should be satisfied that they will present no material change to the character of the existing field. If the drainage works were to present a material impact that would result in development to be deemed inappropriate in terms of paragraph 150(b), then alternative methods of draining the site may need to be explored. However, as mentioned, if an alternative method of drainage is not feasible, then the harm caused to the Green Belt would need to be weighed against the benefit of bringing forward the housing allocation.

Appendix 1: Open Space requirements

Open Space Types	Quantity Standard (Colne Valley)	Quality Standard	Accessibility Standard	Outcome	Amount (sq m) required per dwelling	Total amount (sq m) required for 42 dwellings
Parks & Recreation Grounds	Not Met. The local standard is 0.8ha per 1,000 population. Current provision in the ward is 0.31ha per 1,000 population.	Not Applicable. No parks & Recreation Grounds within 15 minutes of the site.	Not Met. No parks & Recreation Grounds within 15 minutes of the site.	Explore opportunities to provide new recreation provision on-site or off-site within a 15-minute walk. A financial contribution towards new or enhanced provision within the vicinity may be appropriate.	19.44 sq m.	816.48 sq m Minimum amount required.
Natural/Semi-natural Greenspace	Not Met. The local standard is 2ha per 1,000 population. Current provision within the ward is 1.42ha per 1,000 population.	Not Applicable. No identified natural/semi-natural greenspaces within the built-up area beyond the application site within a 15-minute walk.	Not Met. No identified natural/semi-natural greenspaces within the built-up area beyond the application site within a 15-minute walk.	Explore opportunities to provide new natural/semi-natural greenspace on-site, such as natural areas, landscaping treatments and tree planting. New off-site provision can be provided within a 15-minute walk. Developments of 10-199 dwellings may be required to provide a financial contribution towards the provision of natural/semi-natural greenspace nearby.	48.6 sq m.	2,041.2 sq m Minimum amount required.

Allotments	New allotment provision not required as the development is below 50 dwellings.					
Amenity Greenspace	Not Met. The local standard is 0.3ha per 1000 population. Current provision within the ward is 0.24ha per 1,000 population.	Met. Springfield Recreation Ground rated high value in the Council's Open Space Study 2016.	Met. Springfield Recreation Ground.	Provide amenity greenspace on-site.	14.58 sq m.	612.36 sq m Minimum amount required.
Children & young People	Not applicable - No quantity standard set to determine deficiencies.	Detailed quality of Springfield Recreation Ground not assessed through the Council's Open Space Study in 2016. Contact Landscape Team for comments.	Equipped Play Area and Teen Provision present at Springfield Recreation Ground. No Major Skate Parks or MUGAs within 2km.	Developments of 10-50 dwellings trigger the requirement for a Local Area of Play (LAP). Please contact the Landscape Team for further comments.	Equipped children's provision 6.1 sq m. Teen provision 7.3 sq m.	562.8 sq m Minimum amount required.
Sport Provision	The Playing Pitch Strategy 2016 identifies the following shortfalls in the Kirklees Rural West area: Shortfalls (2016): <u>Football</u> (grass pitches): Shortfall of 11.5 adult, 2 youth 11v11 and 2 9v9 match equivalent sessions. <u>Football</u> (3G AGPs): Shortfall of 2 3G pitches based on FA model. <u>Cricket</u>: Shortfall of 84 matches per season. <u>Rugby Union</u>: No current demand for pitches.	See Playing Pitch Strategy 2016 for quality of sites within the Kirklees Rural West area.	N/A Not applicable.	Financial contribution towards new and/or improved pitch provision as set out in the Open Space SPD.	Not applicable.	(42 X £355 per dwelling) £14,910 financial contribution.

	<u>Rugby League</u>: Shortfall of 20.5 senior and 3 junior match equivalent sessions. <u>Hockey</u>: No current demand for pitches. Future Shortfalls (2037): <u>Football</u> (grass pitches): Shortfall of 13 adult, 3.5 youth 11v11 and 3 9v9 match equivalent sessions. <u>Football</u> (3G AGPs): Pitches will require resurface. <u>Cricket</u>: Shortfall of 84.5 matches per season. <u>Rugby Union</u>: No demand expected. <u>Rugby League</u>: Shortfall of 21 senior and 2 primary match equivalent sessions. <u>Hockey</u>: No demand expected.					
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