

PLANNING STATEMENT

SITE HS129

PROPOSED RESIDENTIAL DEVELOPMENT

AT

LAND SOUTH OF THE LODGE

LINTHWAITE

HUDDERSFIELD

APRIL 2021

1. Introduction

1.1 This Planning Statement has been produced to support an application for residential development on land to the south of The Lodge, Linthwaite, Huddersfield (also known as Broad Oak Farm). The land is allocated for residential development within the Kirklees Local Plan 2019 (Site HS129).

1.2 The proposed development is for a residential development of 125 new affordable family homes on the site, of which 33 would be rent to buy, 51 would be shared ownership, and 41 would be affordable rent.

1.3 This Planning Statement should be read in conjunction with the following documents that have been submitted to support the application -

- Site plans and sections (prepared by TADW)
- Floor plans, elevations and sections (prepared by TADW)
- Design and Access Statement (prepared by TADW)
- Design Evolution Report (prepared by TADW)
- Affordable Housing Statement (prepared by Yorkshire Housing)
- Landscape and Visual Impact Assessment (prepared by Urban Green)
- Transport Assessment [and Stage 1 Road Safety Audit] (prepared by Paragon Highways)
- Travel Plan (prepared by Paragon Highways)
- Flood Risk Assessment (prepared by AJP and JNP)
- Phase I and Phase II contamination reports (prepared by GRM)
- Statement of Community Involvement (prepared by Grayling Consultancy)
- Ecological Impact Assessment (prepared by Middleton Bell)
- Biodiversity Metric (prepared by Middleton Bell)
- Air Quality Impact Assessment (prepared by Ensafé)
- Noise Assessment (prepared by ENS)
- Health Impact Assessment (prepared by Hodkinson Consultancy)
- Ball strike survey (prepared by Labosport)

2. Site and surroundings

2.1 Site HS129 is located approximately 4.5km to the south-west of Huddersfield. The site lies within the settlement of Linthwaite and is predominantly residential in nature. The site is bounded by residential properties on Church Lane to the south; Broad Oak Farm, Broad Oak Cricket Club, and residential properties to the west; residential properties on Cowlersley Lane, The Lodge, Kinder Avenue, Ladybower Avenue and Broad Oak Bowling Club to the north; and open land to the east.

2.2 Public Rights of Way (PRoWs) are located on the eastern boundary of the site (public footpath HUD/235/10) and just beyond the western boundary (public footpath COL 66/40). An access serving Broad Oak Farm from Church Lane forms the western boundary of the site. Land to the south across Church Lane and land to the east across the PRoW is allocated as green belt in the development plan.

2.2 In addition to the Cricket Club and Bowling Club, community facilities in close proximity to the site include Linthwaite Ardron JI+N School, Colne Valley High School, Christ Church Linthwaite, and The Alma PH. There is also a small play area nearby on Broad Oak.

2.3 The site covers approximately 5.9 ha. The site is relatively flat at the northern end to the rear of properties on Broad Oak and The Lodge, rising up to Church Lane on the eastern edge of the site. The site is immediately adjacent to the existing urban area and forms a logical extension to the well-established Linthwaite / Broad Oak / Cowlersley residential areas.

2.4 The land is currently used for grazing horses but for many years it was used as grazing land for dairy cattle in association with Broad Oak Farm.

3. Pre-application history

- Pre-application advice letter - 11 October 2017
- Meeting with Council officers from Planning and Highways - 25 June 2019
- Meeting with ward Members (Cllr Warner, Cllr Bellamy and Cllr Walker) - 16 July 2020
- Meeting with Council officer officers - 22 August 2020
- Advice emails - 27 June 2019, 18 November 2019, 7 April 2020, 22 June 2020, 14 August 2020, 2 March 2021, and 10 March 2021

3.1 Formal pre-application advice was received from the LPA on 14 August 2020 (ref 2017/20171). This was based on a previous scheme containing a proposed 157 dwellings. The planning response was broadly supportive of the proposals, however it also highlighted a number of areas for further review. These are outlined below together with initial response comments -

3.1.1 Quanta of development – this is addressed in the Design Evolution Report and the Design and Access Statement.

3.1.2 Ratio of apartments to houses – the site is in a semi-rural location with predominantly two storey development in the surrounding area. Therefore, it has always been felt that large scale apartment blocks would be an inappropriate form of development in this instance. Instead, a number of one bed cottage style apartments are proposed in order to create an appropriately balanced property mix. Overall, the mix reflects the housing demand current in the local area.

3.1.3 Impact on existing views – this is addressed in detail in the accompanying Landscape Visual Impact Assessment. The overall findings are that the proposals will not have a negative impact on existing landscape character or views, particularly as regards views from across the valley.

3.1.4 Additional tree planting – the existing site is devoid of trees, however extensive new tree planting is proposed. Details can be found in the accompanying landscape design proposals.

3.1.5 Variation to building frontages – this is addressed in the Design and Access Statement.

3.1.6 Pedestrian links through and around the site – this is addressed further in the Design and Access Statement.

3.1.7 Extent of cul-de-sacs – a variety of different layout options have been investigated during the design development period, however topographical constraints mean that many options are not financially or physically viable. Further details are provided in the Design Evolution Report.

3.1.8 Perimeter block arrangement – the design proposals have been modified as a result of comments made at the pre-application stage. As a result, concerns raised by the LPA in relation to exposed boundaries have now been addressed.

3.1.9 Elevational treatments – these are provided as part of the design drawing package and further details are contained in the Design Evolution Report and the Design and Access Statement.

3.1.10 Surveillance of adjacent routes – windows have been incorporated into gables to provide surveillance of adjacent pedestrian routes. Specific details can be found in the design drawing package and the Design and Access Statement.

3.1.11 Boundary treatments – these are provided as part of the design drawing package, and are discussed further in the Design and Access Statement.

3.1.12 Landscaping details – these are provided as part of the design drawing package and further details are contained within the Design and Access Statement.

3.1.13 Space standards and overlooking issues – these are addressed further in the Design and Access Statement.

3.1.14 Proposed highway amendments – where still current, the highway amendments requested as part of the pre-application response have been addressed in the revised design.

3.1.15 Site drainage – extensive negotiations have been held with Yorkshire Water and Kirklees Highways in order to design a drainage solution which meets all necessary regulations and requirements. This has proved to be a key design driver in generating the current proposals. Further details can be found in the detailed drainage design drawings, the Design and Access Statement, the Design Evolution Report, and the Flood Risk Assessment.

3.1.16 Ecological enhancements – proposed details can be found in the separate Biodiversity Metric and in the Design and Access Statement.

3.1.17 Planning obligations and viability issues – a draft Heads of Terms in relation to the requirements of a Section 106 planning obligation will be submitted with this application.

3.2.1 The Design Team submitted ongoing design development proposals to the LPA in February 2021, and as a result further feedback was provided in a letter of 10 March 2021 (ref 2017/20171). The points raised in this letter are noted below -

3.2.2 Waste management – the team were directed to the Local Authority's waste management guidelines. This has been reviewed and full comments can be found in the Design and Access Statement.

3.2.3 General Design Quality – the team were directed to the House-builder Design Guide SPD and National Model Design Code. Both documents have been reviewed and full comments can be found in the Design and Access Statement.

3.2.4 Development quanta - the response indicated disappointment that the proposed number of units has been reduced from previous iterations of the design. There is an extensive explanation provided in the planning submission as to why this has occurred. Specifically, reference should be made to the design evolution and drainage design information provided. These indicate that the reduction in units is a direct result of the topography of the site coupled with drainage constraints placed on the scheme following discussions with the Local Authority's highways department.

3.2.5 Sterilisation of remaining land – the proposed design has been adjusted to ensure that future access is available to undeveloped areas of the site.

3.2.6 Church Lane footway – the submitted plan did not show the proposed footway running through the site parallel to Church Lane. This has now been added in.

3.2.7 Access from The Lodge – concerns were raised regarding the appearance of the pedestrian link to The Lodge. It is considered that this area has been carefully designed to provide a pleasant and secure route. Images have been prepared to demonstrate this and are included in the Design and Access Statement.

3.2.8 Variability of street scenes – concerns had previously been raised regarding the appearance of unbroken elevations of houses, particularly when seen from across the valley. This has been fully considered as part of the design process, and details can be found in the Design and Access Statement.

3.2.9 NDSS compliance – the vast majority of the proposed homes fully meet NDSS requirements. Full details can be found in the Design and Access Statement.

4. Planning policy

4.1 The Kirklees Local Plan (LP) allocates the site for residential development (site allocation ref: HS129, previously H1776). The site allocation should carry full weight, and sets out an indicative housing capacity of 170 dwellings.

4.2 The LP also identifies the following constraints relevant to the site -

- The provision of a pedestrian footway is required across the site frontage.
- Noise source near site – noise from sports facilities.

4.3 Other site-specific considerations are identified in the site allocation as follows -

- Development on this site should have regard to the topography and the southeast area of the site should remain open to form a continuation of the open steep hill from the east of the site.
- Links to the Wildlife Habitat Network.

4.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2019, and the Planning Practice Guidance Suite (PPGS), together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- 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 16 – Conserving and enhancing the historic environment

4.5 Other relevant national guidance and documents include -

- MHCLG: National Design Guide (2021)
- DCLG: Technical housing standards – nationally described space standard (2015)

4.6 Relevant Local Plan policies are held to include -

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP7 – Efficient and effective use of land and buildings
- LP11 – Housing mix and affordable housing
- LP20 – Sustainable travel
- LP21 – Highway safety and access
- LP22 – Parking
- LP24 – Design
- LP27 – Flood risk
- LP28 – Drainage
- LP30 – Biodiversity and geodiversity
- LP32 – Landscape
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land
- LP63 – New open space

4.7 The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council -

- Kirklees Local Plan Supplementary Planning Document – Highways Design Guide (2019)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)

4.8 A draft Housebuilder Design Guide SPD, Open Space SPD and Biodiversity Net Gain (BNG) Technical Advice Note were published by the Council in 2020. These have undergone public consultation but have not been adopted as yet. However, their contents have been considered in the preparation of this application.

5. Statement of Community Involvement

5.1 A summary of the consultations responses received to a community engagement exercise undertaken in March / April 2021 is set out below.

5.2 The public consultation was conducted virtually to ensure COVID-19 restrictions were followed closely and so that engagement could still be at its highest with hard to reach groups. Through a satellite tracked leaflet delivery service, 1,100 physical leaflets were posted through every door in the surrounding area of the site. These leaflets contained detailed information, breaking down the types of affordable homes being made available, the partners involved in the proposal, flood alleviation methods, and a site map of the plans including access points. Local residents were invited to submit their views to a dedicated email address or via a telephone number.

5.3 Over a 19-day consultation period, a combined total of 59 responses were received, representing a 5.4% proportion of the local residents engaged with. Responses reflected a diverse range of opinions, with some residents expressing support for the proposal.

5.4 The number of negative correspondences towards the proposal equated to only 3.8% of the total number of residents who were engaged with through the leaflet. General concerns included potential drainage and highways issues, as well as the lack of school places in the area.

5.5 In addition, an on-line meeting was held on 15 March 2021 between the applicant and the local ward members - Councillors Walker, Bellamy and Warner. To summarise, members were also concerned about existing drainage problems, highways issues, and the lack of school places, and these matters have been covered in the information submitted to support the application. Members did note that a reduction in the number of proposed units from 170 to 125 was to be welcomed.

6. Appraisal

6.1 Principle of development

6.1.1 Paragraph 47 of the NPPF, which is a material consideration in planning decisions, confirms that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. This approach is confirmed within Policy LP1 of the LP, which states that when considering development proposals, the Council would take a positive approach that reflects the presumption in favour of sustainable development contained within the Framework. Policy LP1 also clarifies that proposals that accord with the policies in the Kirklees Local Plan would be approved without delay, unless material considerations indicate otherwise.

6.1.2 The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. As set out in the Authority Monitoring Report (AMR), the assessment of the required housing (taking account of under-delivery since the Local Plan base date and the required 5% buffer) compared with the deliverable housing capacity, windfall allowance, lapse rate, and demolitions allowance shows that the current land supply position in Kirklees is 5.88 years supply. The 5% buffer is required following the publication of the 2020 Housing Delivery Test results for Kirklees (published 19 January 2021). As the Local Plan was adopted within the last five years, the five-year supply calculation is based on the housing requirement set out in the Local Plan (which was adopted in February 2019). Chapter 5 of the NPPF clearly identifies that Local Authorities should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

6.1.3 The site falls within a housing allocation, reference HS129, within the Kirklees Local Plan Allocations and Designations document (2019) to which full weight can be given.

6.1.4 Policy LP7 requires development to achieve a net density of at least 35 dwellings per ha, where appropriate. Local Plan allocations have indicative capacity figures based on this net density figure but this indicative capacity figure is also based on any identified constraints on the site.

6.1.5 Whilst the site is expected to deliver 170 dwellings, there are three significant constraints to this level of delivery -

6.1.5.1 A major constraint on site development comes from the gradient of the land in the south east portion of the development area. This is further complicated by shallow rock strata across the site which make significant re-grading financially unviable.

6.1.5.2 Retained open space - in relation to this site, in her report of 30/01/2019, the Local Plan Inspector stated:

The site is well contained, with built development to the north, west and south. Church Lane and field boundaries would provide defensible Green Belt boundaries. However, the south-east part of the site is steeply sloping and prominent, and I consider that the indicative capacity of 209 dwellings could not be accommodated without harming long distant views and character. Nevertheless, mitigation is capable of being provided through provision of an open buffer and a reduction in site capacity to 170 dwellings. Subject to modifications SD2-MM205 and SD2-MM206, and taking account of identified housing needs, I conclude that exceptional circumstances exist to justify the release of the site from the Green Belt. The proposed wording in SD2-MM205 is suitably flexible to allow the exact position of the buffer and open areas to be determined through the planning application process.

6.1.5.3 To date, through the pre-application process, the extent and exact position of this buffer has not been determined. However, due to its size, location and slope, and due to the surrounding topography, the site is highly visible in long views across the Colne Valley (including from

Sunny Bank Road, Copley Bank Road and Scar Lane), and in views from Felks Stile Road to the east, Heath Road to the south and public footpaths COL/66/40 and HUD/235/10. A Landscape and Visual Impact Assessment (LVIA) has been provided to support the application and this concludes that, given the elevation and aspect of the view from the opposite side of the valley, views into the most northern areas of the proposed development are limited by existing built form. Views of the most southern extents of the development will be visible but the linearity of the scheme generally reflects the surrounding housing layout context. As such, it is considered that the linearity and layout would not be unfamiliar or 'jarring' from any longer distance views across the valley.

6.1.5.4 Due to the site's size and visibility, the proposed development has the potential to cause significant wider landscape impacts. It is accepted that some landscape impacts are inevitable – the site is allocated for housing and the provision of dwellings on a greenfield site results in significant change. It is, however, important to note that the proposed scheme includes the retention of undeveloped space, careful design (including the use of appropriate materials), and good landscaping to ensure potential harmful impacts are minimised.

6.1.5.5 The proposed scheme leaves much of the south-east part of the site undeveloped – this aspect of the scheme responds to the reference (in site allocation HS129) to that part of the site being kept open to provide a continuation of the open, steep hillside. Noting the existing wooded areas elsewhere on this side of the valley, the undeveloped part of the site has accommodated a considerable element of tree planting. Due to both the shallow rock strata and to the requirement to leave an open buffer on the steeply sloping hillside, this has necessitated an open area alongside Church Lane of some 2ha, which is considered to meet the requirements for retained open space.

6.1.5.6 The sloping aspect of the site results in the highest levels in the southern section being most visible (and therefore of higher sensitivity) from the rising slopes on the opposite side of the valley, in the vicinity of Golcar. This, along with the existing adjacent line of development (along

Kinder Avenue for example) being limited to the lower slopes adjacent to the site, has resulted in the careful iterative design mitigation in the form of restricting any proposed built development within the site to the lower slopes and ensuring that the upper southern slopes remain undeveloped. Retaining the upper southern slopes as undeveloped will help to protect views from across the valley.

6.1.6 Access to part of the retained open area has been provided to allow for future potential development and to avoid any “sterilisation” of the site should an acceptable means of drainage capacity be found and the issue of retained open space be considered differently at a future date (see below).

6.1.7 Drainage - full details of the proposed drainage strategy can be found in the the Design and Access Statement and the Flood Risk Assessment that support this application. In summary, the need to provide drainage to any proposed development introduces constraints, particularly in light of the risk of overloading the existing sewer network. Extensive discussions have been held between the applicant and both Yorkshire Water and Kirklees Highways in order to define the full extent of this issue. As a result, the proposed development incorporates a 0.5ha balancing pond on the lowest part of the site. The location and extent of this is dictated both by the level of the land and the existing highway accesses from Kinder Avenue and the Lodge. This effectively places a limit on development numbers, because even if more of the site could be developed, it would not be possible to increase the size of the drainage area.

6.1.7.1 Kirklees Highways also have specific requirements for adoptable below-ground drainage and for highway gradients. Taken in conjunction with the topography of the land, these severely restrict the options available for highway layouts. Working back from the existing fixed access points at Kinder Avenue and The Lodge results in a single viable access point on Church Lane. The required drainage design then constrains the layout of other highways within the site.

6.1.8 In order to provide a counterbalance to the proposed reduction in housing numbers on the site possibly contrary to policy LP7, it is held that the 100% affordable housing contribution makes a significant contribution to the Council's targets for the provision of affordable housing across the district. It is contended that even if a scheme could have been developed that provided for 170 units (notwithstanding retained open space and drainage as set out above), then, at 20%, only 34 units of affordable housing would have been required by policy. The proposed scheme provides for three times that amount and this should carry a significant weight in favour of the application, especially given the on-site physical constraints detailed above. Full details of the benefits of this level of affordable housing are contained in the Affordable Housing Statement submitted with the application.

6.1.9 In terms of delivery, the proposed scheme will be delivered in its entirety and at pace as opposed to a sales-led scheme where the overall build out rate is likely to be longer. Assuming a start date in late Autumn 2021, the whole schema will be delivered within 2-3 years. The housing trajectory for this site in the Local Plan (Appendix 3) assumes the 170 units being delivered over a 7 year period, assuming a delivery of 15 units 2020/21, 30 units per annum thereafter and then 5 units in 2026/27. The proposed scheme will support a quicker delivery of the allocation and will support the Council's housing completion figures going forward. This is a significant benefit which should be also be weighed against the reduction in the overall numbers being delivered.

6.2 Sustainability and climate change

6.2.1 All new homes in the development will be designed to meet Part L of the current Building Regulations. This will primarily be achieved by providing a highly insulated building fabric. This will mean that the properties will have a low carbon footprint, are comfortable to live in, and are cost effective to run.

6.3 Urban design

6.3.1 The Design and Access Statement considers in detail issues of Design Guides, context, identity, built form, movement, and public spaces.

6.4 Residential amenity / Space about buildings / Dwelling standards

6.4.1 Issues in respect of the living conditions of future occupiers are considered in detail within the Design and Access Statement. The use of the site for a residential development, homes and buildings, resources, and lifespan of buildings are all considered in depth.

6.5 Noise

6.5.1 A noise impact assessment has been undertaken and the noise environment at the application site was characterised by road traffic on Church Lane and distant road traffic on the surrounding road network, with no other significant noise sources noted during the survey. A scheme of sound insulation works has been developed to protect the proposed residential development from the ambient noise climate.

6.6 Air quality

6.6.1 The Air Quality Assessment report concluded that the dispersion modelling results indicated that annual mean pollutant concentrations across the application site were below the relevant air quality objectives across the site. The site is therefore considered suitable for proposed end use without the implementation of protective mitigation techniques.

6.6.2 Additionally, the assessment concluded that impacts on pollutant levels as a result of operational phase pollutant emissions were predicted to be not significant at all sensitive locations in the vicinity of the site, as a result of negligible impacts at the 24 sensitive receptor locations and slight impacts at 2 sensitive receptor locations. The use of robust

assumptions, where necessary, was considered to provide sufficient results confidence for an assessment of this nature.

6.7 Ball strike

6.7.1 Due to the proximity of Broad Oak Cricket Club, a ball strike assessment was required. This assessment concludes that mitigation in the form of fence would be required to address the potential risk associated with cricket shots entering into the garden areas of the nearest properties proposed as part of the scheme layout. The report suggests that this fence could be located on the boundary of the proposed development and would be at a distance of around 53m-57m away from the main cricket wickets at the ground. The report recommends that a new fence measuring between 13m and 20m at its highest point would help to mitigate nearly all shots being directed towards the proposed development.

6.7.2 Notwithstanding the report's conclusions, it is held that the proposed level of mitigation is excessive when compared to the anticipated level of risk and other material planning considerations that need to be weighed in the balance, such as the visual impact of the proposed fencing.

6.7.3 It is therefore proposed to install a ball stop fence of a consistent height measuring up to 15m. The applicant has also put forward two potential options for its location, one which is within the grounds of the cricket club itself and would be in the control of the club and an alternative location which is located on the boundary of the proposed development site.

6.7.4 Whilst it is recognised that the proposals are lower than those recommended in the report, it is considered that the following are material considerations which support the approach taken -

6.7.4.1 The report itself confirms that the trajectory model is an indicative tool which is used to assess potential risk. The applicant is not aware of

consistent issues with ball strikes affecting the development site to the east which suggests that the reality of the situation is less of a risk than the report/tool predicts. It therefore follows that a proportionate approach to mitigating risk needs to be taken.

6.7.4.2 The report's recommendations for the fence height are based on the assumption that the club operates at a first class/international level and the report has sought to introduce mitigation on this basis. However, it is argued that this is overly conservative and should be assessed in the main at a more recreational level. This would reduce the trajectory assessment to consider shots at a maximum of 40m/s and up to a 40 degree angle. This is consistent with the approach taken by Labosport in advising on the Jones Homes scheme at Swallow Lane, Golcar where similar issues were being considered.

6.7.5 On this basis, the maximum projected height of shots from the higher standard wickets to the proposed development would be 13.4m. The proposed mitigation being put forward would adequately protect the proposed houses on this basis.

6.7.6 Notwithstanding the above, the 15m height fence proposed would help to mitigate 40 of the 49 shot scenarios modelled in the report. This equates to over 80% of the modelled shots and would mean that all but the hardest/highest shots would potentially still pose a risk.

6.7.7 The club currently has 14 wickets available for use on the existing square. This should view give the club sufficient flexibility to limit the outer/closer wickets to a more junior level without impacting on their ability to operate in the league structure. This would again help to further mitigate the potential for ball strikes in the direction of the proposed dwellings.

6.7.8 A 20m height fence is unlikely to be acceptable from a landscape and visual impact perspective and would be inappropriate in this particular location.

6.7.9 The proposed scheme therefore provides a proportionate response to dealing with the potential risk, whilst ensuring that its visual impact and potential harm is reduced. We would ask however that should Sport England be consulted on the application, they are directed to the justification put forward in this Planning Statement as opposed to just reviewing the assessment undertaken by Labosport in isolation.

6.7.10 The final location of the proposed fencing will be confirmed as part of the application once discussions with the cricket club have been concluded.

6.8 Health Impact Assessment

6.8.1 The HIA report concludes that the proposed development will benefit from features in the design, and its location, that will benefit the health of the future occupants, as well as the local residents. It is also not considered to have any significant adverse impact on the provision of healthcare or educational facilities within the local or wider area.

6.8.2 Furthermore, the proposed development includes design features which will have a positive impact on the health of future residents throughout its lifespan.

6.9 Open Space

6.9.1 In overall terms in relation to landscape effects, the development of the site would give rise to a Slight landscape effect in respect of landscape character and a Slight effect in terms of landscape designations, features, and vegetation.

6.9.2 Whilst there would be, to varying degrees, elements of change to each of these receptors, the nature and extent of that change would be generally confined to the immediate area and would not change the fundamental character of the landscape setting and in no way would change the overall character of the wider area. Therefore, the development would not entail any unacceptable adverse landscape effects.

6.10 Highways

6.10.1 The Transport Assessment considers the planning application for the proposals to provide around 170 new dwellings on land off Church Lane and Kinder Avenue, Linthwaite.

6.10.2 The report has considered the proposed access arrangements, site sustainability, presenting the proposals in relation to current guidance and data. The impact of the development has been considered at several offsite junctions and analyses have found that the predicted increase will not have a material, significant nor severe impact on any of them, the latter criteria being the test within the current NPPF.

6.10.3 Assessment of the proposed traffic impact of the scheme shows that the level of traffic and associated trips on the local highway network will therefore have no material impact on the safe operation of the local highway and nearby junctions, and will not severely add to any congestion at the peak times on the local network.

6.10.4 It is therefore concluded that the development is considered acceptable, and that there are no highway safety, capacity or efficiency reasons why planning consent for the proposed development should not be granted.

6.10.5 The Travel Plan concludes this site is in compliance with local and national transport policies due to the sustainable location of the site with good facilities for travel from modes other than the single occupancy private car trips.

6.11 Contamination

6.11.1 Assuming compliance with all the recommendations contained within the contamination report (for an abridged version see 'Summary of Recommendations' table at the beginning of the report), the site is suitable for the proposed development.

6.11.2 Based on the evidence currently available, the site is assessed as being of moderate risk for geotechnical hazards and a low risk for contamination hazards.

6.12 Crime prevention

6.12.1 The development has been designed in general accordance with best Design for Security considerations. Thus the layout provides good surveillance and minimises the extent of exposed boundaries. Boundaries themselves will be robust and secure and doors and windows will meet the PAS24 standard.

6.13 Ecology and biodiversity

6.13.1 In light of the agreed mitigation, ecological impacts are minimised through a compensation scheme that maximises opportunities to enhance the development area by providing some new areas of higher quality semi natural habitat than currently exist. The scheme is therefore unlikely to result in an impact at greater than the site level to any habitat or species group.

6.13.2 The scheme will result in a net gain of 1.85 Habitat Units, a 13.8% increase in Habitat Units present on site.

6.14 Planning obligations

6.14.1 A draft Heads of Terms will be submitted at a later date in the application determination process but will likely include matters concerning the delivery of affordable housing, open space, and education provision.

7. Conclusion

7.1 For the reasons set out above, and supplemented by other detailed information contained in supporting reports such as the Design and Access Statement and the Design Evolution Report, it is considered that the proposed development generally accords with the relevant development plan policies and national planning policy guidance.

7.2 Whilst the proposed scheme includes fewer units than indicatively allocated in the Local Plan, evidence has been provided in this and other reports to justify this reduction in units due to site constraints including drainage provision, site topography, and the Local Plan requirement to maintain an open area to form a continuation of the open steep hill from the east of the site. It should also be noted that the developable area within the proposed scheme achieves a density of over 35 units per hectare.

7.3 It is held that the proposed lower level of dwelling provision than anticipated in the Local Plan is sufficiently offset by the proposed 100% affordable housing provision on the site, which makes a significant contribution to the Council's under-provision of affordable housing across the district over recent years.

7.4 Therefore, given the above, it is held that the mitigating factors outlined above in the context of policy LP7 of the Local Plan represent the necessary "material conditions" as set out in paragraph 47 of the NPPF and are of a sufficient weight to allow for the proposed scheme to be approved subject to necessary and reasonable conditions.