

LAND AT CHALLENGE WAY, HANGING HEATON – STATEMENT OF COMMUNITY INVOLVEMENT

Kester Horn

SPACE PARTNERSHIPS LTD

24th MAY 2021

VERSION 2



1. Introduction

- 1.1. Space Partnerships are commissioned by Vistry Partnerships to prepare a statement of community involvement as part of their planning application for residential development at Challenge Way, Hanging Heaton.
- 1.2. Vistry Partnerships are seeking planning consent to deliver a scheme of 55 dwellings, 20% (11 dwellings) of which are affordable housing as defined by the National Planning Policy Framework.
- 1.3. This statement outlines the process of involvement and engagement undertaken by the applicant throughout the preparation of the planning application.
- 1.4. Consultation on this planning application has taken place with Officers of Kirklees Council and local residents through:
 - Pre-application discussions with Officers of the Council.
 - Due to Covid 19, a public consultation drop in event was not able to proceed, as a result, letters were sent to local residents containing a questionnaire to enable feedback on the scheme, which provided the public with opportunities to respond to the planning application.

2. Policy Basis for Community Involvement

- 2.1. Sustainable development depends on decision making in which all members of society can be heard and contribute to the future of their communities.
- 2.2. Paragraph 16 of the National Planning Policy Framework 2019 (NPPF) states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. The NPPF at paragraph 124 goes further to encourage effective engagement between applicants, communities, local planning authorities and other interests throughout the planning and development process.
- 2.3. The Planning and Compulsory Purchase Act 2004 made major changes to the structure of local development planning and required Local Authorities to make community involvement an integral part of the planning process, with emphasis on pre-application discussions.
- 2.4. The 2004 act requires the 'Statement of Community Involvement' (SCI) to contain a statement of the Local Authority's policy on involvement throughout the planning system. Kirklees Cabinet SCI was adopted in 2019 and states that it seeks to promote involvement in planning policy at an early stage in order to work towards a consensus and thereby reduce the scope for delay at later stages.
- 2.5. As part of a submission of a major planning application, applicants are requested to submit, as part of their supporting information, a statement detailing the extent of their community involvement, any outcomes and how proposals have been amended to reflect outcomes from the consultations.

- 2.6. Consequently, the application has complied with these guidelines and consulted with the local community. We believe the pre-application consultation has enriched local understanding of the development proposal and has provided beneficial feedback for the proposed scheme.
- 2.7. The intent of this statement is to present the methodology and outcomes for the community involvement and engagement process throughout the preparation of the planning application. It is submitted in support of the planning application.

3. Methodology and Programme

3.1 Stakeholders

- 3.2 The local stakeholder consulted throughout the community involvement and engagement process include:

- Council Officers
- Ward Members
- The local community

3.3 Methods for Engagement

- 3.4 The methodology used to engage the local community was to carry out a focused consultation with local residents, by sending details of the development proposals and providing the opportunity to provide their feedback.
- 3.5 Due to Covid 19 a public consultation drop in event was not able to be held, as a result letters were sent to local residents containing details of the site and a questionnaire to enable feedback on the scheme as well as press articles which provided the public with opportunities to respond to the planning application.

4. Meetings and Pre-Application Dialogue

- 4.1. An initial pre-application enquiry was submitted to Kirklees Council in November 2020. Formal pre-application advice was given on the 23rd of November 2020. A copy is included as **Appendix A**.

5. Public Consultation

- 5.1. A flyer, which gave details of the development were sent to local residents on the 28th of April inviting them to respond to the planning application and giving the opportunity to give feedback by post. A copy of the flyer/ questionnaire is included as **Appendix B**.

- 5.2. The consultation flyers were sent to 48 local addresses of residents living in close proximity to the site.

6. Ward Members

- 6.1. The local Ward Members were consulted as part of the pre-application enquiry and their comments were received as part of the pre-application feedback from KMDC.
- 6.2. Ward Members were also approached before the application was made, advising that consultation flyers were circulated and confirming that the applicant was happy to provide further information, as required.

7. CONSULTATION RESULTS

- 7.1. The main contributor to finding out the views of the local community on the proposed development was through the questionnaire given to local residents by post.
- 7.2. Of the 48 questionnaires sent out, 3 people filled out and returned the questionnaire after reviewing the information the information provided in the letter.
- 7.3. This sections looks at each question and summarises the findings.

Question 1: Our proposals seek to deliver a range of new homes consisting of 1, 2, 3 and 4 bedrooms. Do you feel it is important to offer a range of different homes to meet a range of different needs?

The responses to this question were as follows:

I think we need to build on brownfield sites not on the fields

I'm sure the range of houses will be constructed to maximise profit

Yes

7.4. Question 2: Do you like the layout design proposed?

One person responded with: No, I do not like the layout proposed.

Two people responded with: I'm not sure/ don't know

7.5 Question 3: What do you think about the proposals to create a new vehicle and pedestrian access to the site from Challenge Way?

Clearly this is the only option as any access from High Street would cause major problems

The traffic is already horrendous. This will make it much worse.

7.6 Question 4: Our proposal includes 20% affordable homes. Do you feel it is important for young families to have access to affordable homes?

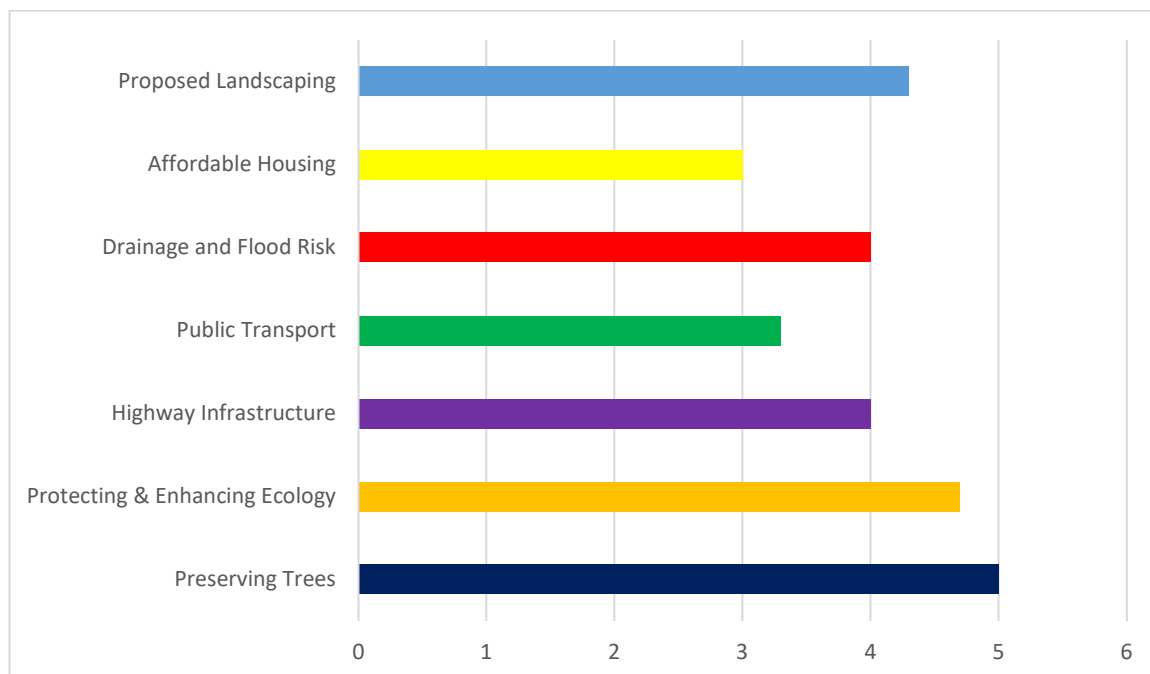
The responses to this question were as follows:

Yes

Maybe if we did not sell off council houses we would have affordable homes.

Yes

7.7 Question 5: What aspects do you consider to be the most important of any development at this site? (please rank your answer 1= least important: 5= most important)



7.8 Question 6: General Comments (please add any general comments, issues or queries here that you would like the design team to consider).

The responses to this question were as follows:

Include a children's play area, community green area.

It looks like you are making a pedestrian access into high street via the public footpath that exists already. I presume therefore that you will be ensuring that the public right of way will be kept clear and maintained in good order. A line of trees along the public footpath would be of great importance.

Why are we building on every green field. What about the wildlife? If I wanted to live in a concrete jungle I would move to India! I enjoy the sense of space and nice places to walk. No to houses.

8. CONCLUSIONS OF RESPONSES

8.1 The main issues raised as a result of the consultation period are; the principle of housing on green fields, the increase of traffic flow on nearby roads and a lack of green space for local wildlife.

8.2 Principle of the Development

One local residents objected to building on fields, the site is an allocated housing site and is therefore following planning policy.

8.3 Access and Transport Issues

One consultation responder was concerned with the increase in traffic flow. The site allocation confirms the location is suitable for development and the highway officers at Kirklees Council confirmed this is also the case.

8.4 Public Open Space

One consultee was concerned with the loss of open space and the resulting effect on local wildlife habitats. The Applicant will look to enhance the ecology of the area which will be identified in the landscape plan and reduce impact to nearby properties. One consultee requested a play area to be included within the development. The site sits between 2 play areas, one on Oaklands Drive to the north, the other off Leeds road to the south both of which are within a 10 minute walk.

9. CONCLUSION

9.1 In conclusion, the consultation process with the public and officers of the Council has resulted in changes to the plans which have been incorporated into the final submission.

9.2 Changes have included updates to the layout, including a revised access location, as requested by Ward members.

9.3 The accommodation mix has reduced the 3 bed homes and the inclusion of smaller homes, as requested by case officers.

9.4 Ecological enhancements are proposed to address community comments. These will be confirmed in subsequent biodiversity and landscaping conditions.

Enquiries to: Nick Hirst

Kirklees Direct
Tel: 01484 414746
Email: nick.hirst@kirklees.gov.uk

Date: 23-Nov-2020
Our Ref: 2020/20431

Dear Sir/Madam

RE: Pre application for erection of 53no. dwellings at Land to the rear of, High Street, Hanging Heaton, Batley

I acknowledge receipt of your recent application for pre-application advice submitted on for the above location.

1. Summary of proposal

The enquiry seeks feedback from the Local Planning Authority for residential development at Land to the east of High Street, Batley.

The proposal is supported by an indicative block plan and pre-application proposal pack.

2. The Site

The site is a roughly triangular area of agricultural grazing land. Land levels slope steadily downwards from south to north. A thick tree belt borders the east boundary, separating the site from Challenge Way. The tree belt is within the designated Green Belt. The north boundary has a less substantial tree belt, with sporadic trees and hedges elsewhere around the site. Further north is open agricultural land (Green Belt) where the land continues to slope. PROW BAT/45/20 runs along the north-west boundary, with the remainder of the west boundary abutting residential properties and a working men's club.

3. Relevant Planning History

Application Site

There are permissions relating to infrastructure overlapping the site dating back to the 90s. None are considered relevant to the current enquiry, but may be required on request.

Surrounding Area

2020/90450: Erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works – Ongoing

Land at Owl Lane, Chidswell

2019/92787: Erection of 280 dwellings with open space, landscaping and associated infrastructure – Ongoing

4. Land allocation and relevant planning policy

Kirklees Local Plan (KLP)

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 27th February 2019).

The site is a Housing Allocation on the LP Policies Map (HS51).

- **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
- **LP19** – Strategic transport infrastructure
- **LP20** – Sustainable travel
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP23** – Core walking and cycling network
- **LP24** – Design
- **LP27** – Flood risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP32** – Landscape
- **LP33** – Trees
- **LP38** – Minerals safeguarding
- **LP47** – Healthy, active and safe styles
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental quality
- **LP53** – Contaminated and unstable land
- **LP61** – Urban green space
- **LP63** – New open space

Local Plan submission documents can be views on the following website:

<http://www.kirklees.gov.uk/beta/planning-policy/local-plan.aspx>

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), published 19th February 2019, and the Planning Practice Guidance Suite (PPGS), first launched 6th March 2014, 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

The National Planning Policy Framework (NPPF) can be viewed at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Other

- DCLG: Technical Housing Standards – Nationally Described Space Standard
- Kirklees Local Plan Supplementary Planning Document – Highways Design Guide
- Kirklees Council '*Waste Management Design Guide for New Developments*'

5. Consultations undertaken

Internal consultees

The below lists the internal groups consulted as part of this pre-application enquiry. Their feedback is contained within the following commentary and/or may be found attached.

- K.C. Crime Prevention
- K.C. Ecology
- K.C. Education
- K.C. Environmental Health
- K.C. Highways
- K.C. Landscape
- K.C. Lead Local Flood Authority
- K.C. Strategic Housing

- K.C. Trees
- K.C. Waste

External consultees

Kirklees LPA are unable to consult external groups as part of the pre-application service. Based on the details held at this time, the following bodies would be consulted at full application stage:

- The Coal Authority
- The Environment Agency

Ward members

Local ward members were notified of the pre-application. The site falls within Dewsbury East ward, where the members are:

- Cllr Eric Firth
- Cllr Aleks Lukic
- Cllr Kathy Scott

Cllrs Eric Firth and Cllrs Aleks Lukic responded with queries and commentary.

Cllr Firth queried the size of the units and room sizes, raising concerns of new houses being too small. He also identified the steep topography of the site as a constraint that would have to be carefully managed. Finally, he expressed a desire for 'green street' principles (tree lined) to be sought.

Cllr Lukic expressed concerns over a primary vehicular access from High Street, considering Challenge Way to be preferable. He considers Hanging Heaton to be lacking in decent public open space and play equipment. He therefore requests that the POS be moved adjacent to High Street to be more accessible for the wider community. He notes this is where the majority of easements are sited, so would aid in achieving a higher density: he expressed a strong preference for the indicative capacity of 61 being achieved and that the affordable housing is spread through the site.

Cllr Lukic continues that he does not consider the current layout to support sustainable travel. Further to the recommended access onto Challenge Way, he's requests pedestrian access through the south of the tree belt, to encourage walking. This would need to be supported by a pedestrian crossing on the street to further enhance its attractiveness. He notes that plots 31 – 36 appear to be served from a private drive. The maximum number of dwellings served by a private drive should be 5. Finally, he questions whether the road layout is effective and whether it would make refuse collection difficult.

Principle of Development

Sustainable development

At application stage you would need to submit supporting information to demonstrate that the proposed development would achieve net gains in respect of all three sustainable development objectives (economic, social and environmental).

Subject to details, and to highways, infrastructure, design, residential amenity, drainage and other matters (addressed below) being appropriately addressed, residential development at this site can be considered to be sustainable development, given the site's location adjacent to an accessible, already-developed area, its proximity to public transport and other facilities, and the opportunities for economic, social and environmental net gains (and for addressing climate change) that the site provides.

Chapters 2, 9, 14 and 15 of the NPPF are particularly relevant to your proposals in relation to climate change, as are Local Plan policies LP1, LP20, LP21, LP24, LP26, LP27 and LP28, and the vision and strategic objectives set out in chapter 4 of the Local Plan. The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and you may also be aware of the West Yorkshire Combined Authority's pledge for the Leeds City Region to reach net zero carbon emissions by 2038. Your forthcoming submissions must respond positively to these policies and initiatives.

Measures would be necessary to encourage the use of sustainable modes of transport. A development which was entirely reliant on residents travelling by private car is unlikely to be considered sustainable. At application stage, adequate provision for pedestrians and cyclists should be demonstrated. Cycle storage, electric vehicle charging points, and other measures would be required. Drainage and flood risk minimisation measures would need to account for climate change. These points would be elaborated on where relevant within this assessment.

Residential development

The site is a housing allocation within the local plan, ref. HS51, where residential development is welcomed in principle. However, both the Local Plan and National Planning Policy Framework set out expectations to ensure proposals represent the effective and efficient development of land

To this effect, LP7 requires development to achieve a net density of at least 35 dwellings per ha, where appropriate and Local Plan allocations, including HS51, have indicative capacity figures. HS51 is expected to deliver a minimum of 61 dwellings. Exceptions to this may be considered where it can be demonstrated that a lower density is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs (if satisfactorily evidenced).

The Council are currently consulting on a Housebuilder's Design Guide SPD. This sets out considerations for applicants to identify design parameters and establish a development framework to understand the net developable area of the site. The Local Plan site allocation box includes a number of constraints that may have an impact on the net area including a combined sewer across the site and proximity of listed buildings. An opportunities and constraints plan accompanying the proposal also notes overhead power

cables, and landscaping / hedgerows as well as considering the site's topography, which can be understood in the layout of the site

While these constraints are noted, there remains concerns with the development density and design of the site. You are referred to the draft Design and Access Statement prompts in the draft Housebuilders Design Guide SPD, particularly in the section 6.1 'Establishing a Development Framework'. There are areas of land that have been left undeveloped because of sewer / mains water easements but it is not clear what purpose they would serve as open space / amenity space. I would also draw attention to section 7.2 regarding the orientation of dwellings and 7.8 and 7.9 regarding the proportion of land that is identified for car parking and highways infrastructure. Note that Kirklees LPA do not exclude Public Open Space and highways when calculating development density.

In summary, there is not considered sufficient evidence that the proposed layout is the most effective and efficient use of the land. While the constraints are noted, without further evidence to the contrary it is envisioned that these could be more effectually addressed within the layout. Whilst the SPD is a consultation draft document, these are concerns that are identified in Local Plan Policies LP20, LP21, LP22 and LP24. The consultation document may be accessed at:

https://kirklees-consult.objective.co.uk/portal/pp/spds/housebuilderdesign/housebuild_guide?pointId=5627816

As well as density, LP11 of the Local Plan requires consideration of housing mixture. The housing mix should reflect the proportions of households that require housing, achieving a mix of house size (2, 3, 4+ bed) and form (detached, semi, terrace). The starting point for considering the mixture of housing types needed across the district is the Kirklees Strategic Housing Market Assessment (SHMA). If the housing mixture does not comply with the SHMA or evidenced local need, justification should be given for consideration.

As an example, the proposal currently has over 50% of its dwellings be 3-bed. This is considered excessive by the SHMA, which would seek between 35 - 40%. Increasing 2 or 4+ bed units would be welcomed. Officers would also query whether any apartments (which would aid in density targets) and/or bungalows could be accommodated within the site. A written explanation of the proposed housing mix should be provided with any subsequent application.

Impact on visual amenity

The enquiry is supported by an indicative layout plans, but no design and access statement or elevations. Therefore, officer comments and feedback on design would be limited and officers must reserve the right to comment fully on design. Notwithstanding the above, the block plans do allow for a level of assessment, along with general comments being made.

Levels would play an important role on this site. The 2D block plan gives no clarification on this matter. Therefore, officers cannot provide substantive comments on this key matter.

Site sections, streetscene and 3D visuals should be provided at application stage to demonstrate how the topography has been responded to within the application.

There are 7 house types proposed, with roof forms varying between hipped and gabled. The number of different base house types is welcomed, although as noted above there is a large reliance of 3-bed dwellings. Having a better mix of house types would aid in preventing repetitive street design. The following is general advice and recommendations for the development of this site:

- The site is prominent in its setting, with open land to the north. The architectural form and detail of the proposed properties should reflect and respect that evident upon nearby dwellings, to harmonise into the setting. Neighbouring properties are noted to be simple in design. While innovation and modern features are not opposed in principle, if looking to incorporate them they must respect the established character of the area so as not to appear incongruous.
- The primary facing material for the proposed dwellings is expected to be locally sourced natural stone, to harmonise with the prevailing material of the area. Brick is also noted to be prominent and its inclusion, as either the primary material on some of the dwellings or a secondary material through the scheme is not opposed. Roofing materials in the area are more varied; that proposed should likewise conform to that prevalent in the area.
- Dwellings should be a maximum of two storeys in height. Larger, taller units would not respect the surrounding open character and scale of other properties in the area. A limited number of dwellings hosting modest dormers, to enable habitable roof spaces, may be acceptable but should be spread through the site.
- Existing trees should be retained wherever possible, the design and layout worked around them. This is elaborated upon further within this report. A landscaping strategy would be required with any subsequent application. While the initial preference is for no trees to be removed, the landscape strategy should include replacement planting for any trees identified as having to be removed.
- A full boundary treatment schedule should be provided at application stage. Ideally this would include typical elevation details and a block plan clearly denoting extent of boundary treatment siting.
- Tree planting is shown through the streets. While this is welcomed, there are considered more opportunities for additional planting which is sought.

Impact upon the historic environment

The allocation HS51 requires that a Heritage Impact Assessment is provided. National Planning Practice Guidance advises that proposals avoid or minimise harm to the significance of a heritage assets as follows:

Understanding the significance of a heritage asset and its setting from an early stage in the design process can help to inform the development of proposals which

avoid or minimise harm. Analysis of relevant information can generate a clear understanding of the affected asset, the heritage interests represented in it, and their relative importance.

Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such appraisals or investigations can identify alternative development options, for example more sensitive designs or different orientations, that would both conserve the heritage assets and deliver public benefits in a more sustainable and appropriate way.

In this instance the relevant heritage assets are:

St Paul's Church, listed grade II, List Entry Number 1134649 and its associated Vicarage to the east and the former National School (Hanging Heaton CE VC Junior and Infant School) to the north which are curtilage listed buildings.

Boundary Stone Opposite St Paul's Vicarage, listed grade II, List Entry Number 1135378. The stone marks the boundary between Batley and Dewsbury, which ran through the development site along the line of the dilapidated stone wall and vegetation marked on the Site Plan as Existing. This boundary should be considered part of the setting the boundary, irrespective of any visual connections it may or may not have.

In further developing their proposals, the required heritage impact assessment should consider the impact of the proposed development on views to and from the St Paul's Church, the Vicarage and School including from the Public Right of Way BAT/45/30 towards these buildings. The Heritage Impact Assessment should also assess the impact on the setting of the listed boundary stone.

The applicant is strongly encouraged to consider revising the layout to retain and restore the field boundary associated with the listed boundary stone, this would be considered a heritage benefit when weighing any harm from the proposals under paragraph 196 of the NPPF. With regards to the setting of the Church and its curtilage listed buildings, particular attention needs to be given to the landscaping and boundaries at the entrance to the proposed development and views through the site to and from the heritage assets. Dense layouts of detached and semi-detached properties with limited space between dwellings can lead to developments with a lack of visual permeability.

The listed boundary stone should be marked on all relevant plans submitted for planning and on any construction issue drawings. A method statement will be required setting out measures to protect it during the construction phase of the development, particularly during works to the boundaries of the development on High Street.

Public Open Space

New residential developments are required to provide public open space on site and/or a financial contribution to the enhancement of nearby public open space. Based on the

submitted plans and current calculation values, the following is expected from the proposal(s):

53 dwellings: 5354sqm of on site Public Open Space, which would equate to a full offsite contribution of £105,219.

Note that the 5354sqm is split between 5 typologies:

- Amenity Green Space: 772.74sqm
- Children and Young People: 710.2sqm
- Parks and Recreation: 1030.32sqm
- Natural and Semi-natural green space: 2575.80sqm
- Allotment / community growing: 265sqm.

Officers welcome the inclusion of some Public Open Space on-site, but would not recommend seeking to provide the full 5354sqm.

An area of approximately 1300sqm (to be confirmed on plan at application stage) of Public Open Space is shown on the indicative plan. It is unknown which of the five typologies this POS would be designed for, therefore a definitive offsite contribution cannot currently be calculated. As an example, based on an assumption that the 1300sqm would be designed to provide 772.74sqm of Amenity Green Space and 527.26sqm of Natural and Semi-natural green space, it would reduce the contribution to £78,880. See the attached commentary from K.C. Landscape for details.

The LPA is currently consulting on its 'Open Space Supplementary Planning Documents, which details how the LPA assess Public Open Space. While at consultation, it details how we've considered the enquiry to date. The consultation may be found at:

http://consult.kirklees.gov.uk/portal/pp/spds/openspace/open_space_spd

Notwithstanding the above, officers have concerns over the location of the Public Open Space. Located in the north-east corner, it is not considered to be well integrated into either the application site or wider area. As suggested by Cllr Lukic, officers would recommend that it be moved to the west boundary, adjacent to High Street. The POS would then serve the wider community and be more central within the site. If re-locating the main vehicle access to Challenge Way, it would also allow a pedestrian link to High Street. This would also cover a large area of easements, freeing up other land for development.

Impact on residential amenity

Neighbouring residential properties are present to the west of the site, some of which would share boundaries with the proposed development. The separation distances shown are welcomed and it is noted that the majority of new dwellings would be on a lower land level. However, to fully assess the relationship between new and existing dwellings, officers require cross-section plans be provided demonstrating the distance and height differences to establish the proposed relationship.

Detailed boundary plans, to include typical elevations and clear delineation on a block plan, should be provided with any application.

Consideration must also be given to the amenity of future occupiers.

Internal floor sizes should comply with the minimums detailed within the national Technical Housing Standards. It is noted that several of the house types do not comply with these standards, which is a cause for concern. The document also includes standards of bedroom sizes: these too should be applied. Note, this was an issue identified by Cllr Lukic.

In addition to space standards, all habitable rooms should be served by suitably sized windows that provide a reasonable outlook and level of natural light. Garden sizes should be commensurate in scale to the host buildings. Internal separation distances between facing habitable room windows should ideally not fall below 21m.

There are concerns over the close proximity of dwellings to the east tree belt. These trees may cause overshadowing and tree nuisance (leaf drop, branch strike etc.) which would detract from the amenity of future occupiers and put pressure on the LPA to fell trees in the future. An appropriate separation distance should be identified via an arboricultural survey and impact assessment (detailed further below) to identify a reasonable standoff. The impact assessment should include tree-shadow patterns.

As noted previously there is a disconnect between many dwellings and their parking and/or garages. This would harm their residential amenity and a closer relationship between dwelling and parking is advised.

The proposed development borders Challenge Way, a busy highway, Hanging Heaton Working Mens Club, and a Shell Filling station. These are all potential sources of noise pollution. A Noise Impact Assessment would be needed to support any subsequent application, prior to determination. The assessment should determine the existing noise climate and detail how this would affect the proposed development and detail any noise mitigation measures that would be required so that satisfactory sound levels would be achieved both indoors and at any outdoor amenity areas at the development. If windows need to be kept closed to achieve satisfactory indoor sound levels, then the mitigation measures would also need to include specific details of the alternative ventilation that would be provided as a substitute to opening windows. This needs to be more than just background ventilation from trickle vent and needs to be capable of providing sufficient ventilation to give adequate cooling during hot weather to minimise the risks of overheating.

Impact on highway safety

All highway works should comply with the Kirklees Highways Design Guide SPD. In addition to full plans, the following documents would be required for Highways Development Management (HDM) to fully assess the proposal:

- Transport Assessment, prepared in accordance with guidance in the Planning Practice Guidance Suite. The scope of the Transport Statement should be agreed

with HDM, and could include details of proposed traffic generation, access to site by various travel modes, accident analysis, and site access design and service arrangements.

- Travel Plan, the scope of which may be discussed with Highways Development Management.
- Stage 1 Road Safety Audit (audit covering all aspects of the design including the proposed access and internal road layout)
- A PICADY assessment at the High Street/Leeds Road junction.

To discuss the scoping of these documents please contact either Nicholas Hirst or Mark Berry of HDM at Mark.berry@kirklees.gov.uk

Based on the current scheme, HDM have provided the following technical commentary:

- Swept paths should be provided which demonstrate that an 11.85m refuse vehicle can enter and exit the site from High Street in a forward gear and turn within the site. All schemes must incorporate reasonable tolerances and safety margins. A good starting point is to allow 0.5m clearance to kerbing or vertical obstructions on each side of the swept path. Designs should therefore, where possible, aim to cater for vehicles larger than the above minimum standards.
- Roads generating no more than 100 BPH, and dependent upon gradients, could be designed and shared surface street (see Highways Design Guide). This would negate the need for 2m wide footways on each side, giving more flexibility to land use.
- The longer shared driveways serving plots 3 to 7 and 21 to 18 need turning heads for a private car.
- Visibility splays at the site access onto High Street are not shown. Visibility at the junction of the cul-de-sac serving plots 11 to 26 and the main spine road is not shown.
- No level information is provided. The desirable maximum carriageway longitudinal section gradient on all adoptable shared surface carriageways is 1 in 20 (5%). If this is not achievable then traditional estate roads can be considered as shown. A gradient no steeper than 1 in 10 (10%) is preferred.
- The gradient of a non-priority route on the approach to a junction should be a gradient of 1 in 40 (2.5%) for the initial 10 metre length with an absolute maximum of 1 in 25 (4%).
- Kirklees Highways Design Guide SPD establishes the following residential parking expectations:
 - 2 to 3 bed dwellinghouse: 2 parking spaces
 - 4+ bed dwellinghouse: 3 parking spaces
 - 1 to 2 bed apartments: 1 parking space
 - 3+ bed apartment: 2 parking spaces
 - 1 visitor parking space per 4 dwellings.

- One cycle parking space per residential unit.
- Many of the spaces around the site are disconnected from their host dwelling, making a provision count difficult to undertake. Having parking spaces so disconnected from their host dwellings is not advised and should be closer associated. No dedicated visitor parking is shown, which is a cause for concern.
- With evidenced justification, based on local evidence, these parking expectations may be reduced. As noted previously, introducing parking to the side of dwellings would be welcomed to reduce the current plan's parking dominated plan.

For further advice and requirements relating to the Highway, including road specification details, please see the attached detailed feedback from K.C. Highways and the Kirklees Highways Design Guide SPD.

Note: An access onto Challenge Way is considered cumulatively below.

Waste collection

To meet the operational requirements of the Waste Collection Authority, due consideration must be paid to the following issues. This would also enable the proposal to better meet the policy requirements of LP24 part d (vi), LP43 and the Kirklees Highway Design Guide SPD in respect of refuse collection. K.C. Waste Strategy have reviewed the proposal and offered the following critique.

- Looped road design is strongly preferred to help ensure the safe operation of Refuse Collection Vehicles (reducing the need to reverse). Where this cannot be accommodated, the need to minimise reversing manoeuvres for service vehicles must be taken into account. Swept path analysis would be needed to confirm that a full size RCV can negotiate the access to/from High Street, around all parts of the site including all turning manoeuvres into/out of side roads for the purposes of waste collection. All schemes must incorporate reasonable tolerances and safety margins. A good starting point is to allow 0.5m clearance to kerbing or vertical obstructions on each side of the swept path. Designs should therefore, where possible, aim to cater for vehicles larger than the above minimum standards. This must be undertaken in accordance with the requirements set out in the Kirklees Highway Design Guide SPD. It must show that an RCV can pass other vehicles – particularly any cars parked on street.
- Waste storage and collection points must be shown on submitted plans for approval – space for 3 x 240ltr wheeled bins for each property should be demonstrated. Storage and presentation points must not obstruct driveways or the highway. Gated access to the rear of all properties must be sufficiently wide to allow bins to pass through.
- Terraced properties need to be carefully considered in terms of waste storage, most likely requiring suitable storage to the front. This must be screened to help reduce the visual impact of bins, to contain any overspill waste from spreading into the street and to help prevent unauthorised use/theft/damage to bins. Rear storage is

preferable but must be easily accessible for residents and not reached via convoluted pathways routed across the back of multiple other properties as this discourages residents from returning bins to the rear, resulting in bin blight in the streetscene. This principle also applies to the grouped affordable units and the intensive area of associated parking proposed to the south of the site, where space would be at a premium and easily affected by poor bin storage solutions.

- The sketch layout shows a number of share private drives. These are not adoptable highways and therefore the Authority would not take an RCV into these. In these cases, communal bin presentation points would be required close to the adoptable highway, with hard surfaces and located to avoid obstruction to the highway/footway. Properties located on shared private drives must not exceed 5 in number and the maximum drag distance for residents to take bins to a communal presentation point should not exceed 25m.
- Consideration must be given to the process of waste collection for properties that are occupied before the whole site is complete. Temporary measures may be required to allow waste to be stored/presented at an accessible location adjacent to the nearest adopted highway. The Authority would not enter construction sites for the purpose of domestic waste collection. A pre-commencement condition would be required to address this and any other outstanding waste collection details.
- On large sites such as this, waste storage and collection can require careful consideration and the identification of space within the site layout is critical. As such, the details of these arrangements must not be left to Planning conditions.

Further advice and guidance on waste collection may be found within the Council's 'Waste Management Design Guide for New Developments', accessible at:

<https://www.kirklees.gov.uk/beta/planning-applications/pdf/waste-management-design-guide-new-developments.pdf>

Sustainable travel

LP21 of the KLP requires that applications 'demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network'. LP20 relates to sustainable travel. It states that:

Proposals for new development shall be designed to encourage sustainable modes of travel and demonstrate how links have been utilised to encourage connectivity. Proposals would be required to facilitate the needs of the following user hierarchy:

- a. pedestrians*
- b. cyclists*
- c. public transport*
- d. private vehicles*

The Transport Assessment would form the basis of 'adequate information' and should suggest mitigation measures, if identified to be necessary, as well as methods to support the above-mentioned hierarchy. This may include financial contributions to enhance the local highway network to address issues raised by the development. For example, Leeds Road to the south of the site is noted within the Local Plan as both a 'transport scheme' route and an 'indicative core walking/cycle route', while the Leeds Road and Challenge Way junction is identified for improvement. This would be independently reviewed by K.C. Highway Development Management as part of any subsequent application.

As part of a planning application consultation would be undertaken with WYCAS Metro. On major residential schemes, they typically seek a planning contribution to enhance local methods of sustainable travel, such as the provision of bus shelters or metro-cards for residents. Because officers are unable to consult WYCAS as part of a pre-application, the value of their desired contribution is currently unknown. This would be considered alongside the aforementioned assessment by K.C. Highways Development Management on network enhancements.

Other Matters

Air Quality

In accordance with government guidance on air quality mitigation, outlined within the NPPG and Chapter 15 of the NPPF, and local policy contained within LP24 and LP51 and the West Yorkshire Low Emission Strategy Planning Guidance seeks to mitigate Air Quality harm. Given the scale and nature of the development officers seek the provision of electric vehicle charging points, one per dwelling, on new development that includes car parking. The purpose of this is to promote modes of transport with low impact on air quality.

Climate change

The council has declared a climate emergency and the Local Plan seeks for new development to contribute to the climate change agenda. Therefore, officers request that all application include a statement on how climate change, its causes and impacts, have been considered within your proposal.

Contamination and Coal Risk

The site is recorded as being potentially contaminated within Council records. In accordance with LP53 any subsequent application would require ground contamination investigation. A Phase I Desk Study would be required. Depending on the outcome of the Phase I study it may be necessary for a Phase II Report, including a full Remediation Strategy and Validation Report.

This could be secured via a pre-commencement condition, or submitted as part of an application to avoid a pre-commencement condition.

Be aware that the north-east edge of the site falls within a 250m buffer zone of a historic landfill site. This should be considered within any subsequent contaminated land report.

The Environment Agency would be a statutory consultee for development on the site because of this.

Notwithstanding the above, the site falls partly within the identified Coal Authority's Coal Referral Area. Therefore, a Coal Mining Risk Assessment would be needed – at validation – to support any subsequent application.

Crime Prevention

K.C. Crime Prevention's recommendations, along with standing advice, can be found in the attached document. Please note that their advice focuses chiefly on mitigation and preventing crime, and should be considered in the context of the wider pre-application response.

Drainage and Flood Risk

The site is within Flood Zone 1, however as the site has an area over 1 hectare a site-specific Flood Risk Assessment is required.

A drainage strategy would be required to support any subsequent application. Kirklees LPA and Lead Local Flood Authority (LLFA) promote the drainage hierarchy. The LLFA have identified that the site may be a suitable candidate for soakaways. A nearby water source has also been identified. These drainage options should be discounted before progressing to other, less sequentially preferable methods. A pumping station is noted on the indicative plans. It is unsure whether this is for foul water or surface water. The pumping of surface water is the least sequentially preferable method of disposal and is a cause for concern.

Early consideration should be given to ensuring appropriate siting for attenuation features, including their future management and maintenance. Any subsequent application is likely to require a S106 agreement to secure the management and maintenance arrangements of the site's attenuation features.

For elaborations on the points raised and further technical details on drainage and flood risk, please see the attached comments from the LLFA.

Ecology and Trees

There are numerous mature trees along the boundaries and within the site. There are also several hedgerows. These should be retained and incorporated into the design wherever possible, as there is a presumption against the removal of existing green infrastructure.

Any subsequent application should be supported by an arboricultural survey, impact assessment and methodology. The indicative layout plan raises concerns over the proximity to the tree belt to the site's east (separating the site from Challenge Way). The tree survey should be undertaken to identify the extent of the trees' crown spread, root spread and shade pattern, with the trees positioned appropriately.

If the removal of trees is accepted, based on your justification, those removed need to be mitigated through replanting (minimum 1 to 1), to be detailed in a landscaping strategy.

For further advice on the necessary arboricultural reports, and the necessary standards, please see the following link:

<https://www.kirklees.gov.uk/beta/planning-applications/planning-application-guidance-trees.aspx>

Turning to Ecology, no ecological surveys or assessments have been provided to support the pre-application enquiry. An Ecological Impact Assessment (EclA) would be required to support an application on the site. Please note a Preliminary Ecological Appraisal alone is highly unlikely to be sufficient.

The application is expected, within the EclA, to demonstrate a 10% ecological net gain on site using the DEFRA Biodiversity Metric 2.0. If 10% net gain cannot be demonstrated on site a financial contribution would be sought to offset the loss, to be spent on enhancing local ecology.

For detailed further advice on ecological considerations please see the attached response from K.C. Ecology.

Note: An access onto Challenge Way is considered cumulatively below.

Health Impact Assessment

The application must be supported by a Health Impact Assessment. This is due to the scale of the development and the ward, Dewsbury East, failing several public health indicators.

Please see the attached HIA Guidance Note for further details.

Pre-application Public Engagement

You are encouraged to carry out public consultation and engagement prior to submitting your planning application, in accordance with paragraph 40 of the NPPF. To discuss the proportionality of this, please contact Nicholas Hirst.

The results of your pre-application consultation would need to be included in a Statement of Community Involvement to be submitted with your forthcoming planning application.

Planning Contributions / Heads of terms

Affordable Housing

LP11 seeks for 20% of dwellings on site of schemes of 11 or more units to be provided as affordable housing. Notwithstanding the comments above regarding density, based on a scheme of 53 units, 11 affordable housing units would be sought.

On scale, there is a significant need for affordable 3 and 3+ bedroom homes in Dewsbury and Mirfield. However, whilst the site lies in the Dewsbury and Mirfield Market Area, it

borders the Batley and Spen Market Area, which has a need for 2 bed homes. On this basis, the proposed affordable provision of 5 x 2 bed dwellings and 6 x 3 bed dwellings is acceptable.

Affordable homes should be distributed evenly throughout the development and not in one cluster, as they are currently situated. They must also be indistinguishable from market housing in terms of both quality and design. The indicative layout currently clusters the affordable houses, which is not welcomed.

In terms of affordable tenure split, across the district Kirklees works on a split of 55% social or affordable rent to 45% intermediate housing. 6 social or affordable rented dwellings and 5 intermediate dwellings would be suitable for the development.

To discuss arrangements and requirements of affordable housing please contact Nicholas Hirst or K.C. Strategic Housing (Ellie Selby) at:

Ellie.Selby@kirklees.gov.uk

Education

The LPA's threshold for seeking education contributions is 25+ dwellings. Notwithstanding previous comments regarding density, based on current calculations the proposal would attract an education contribution of £168,366.

Please note that the method of calculating education contributions is amended every new academic school year (September) to reflect the situation of nearby schools.

Public Open Space

5354sqm of onsite Public Open Space (split between the five open space typologies), a full offsite contribution of £105,219 or a mixture of the two.

Highways enhancements and sustainable travel

As detailed previously, depending on the required Transport Assessment's findings and feedback from WYCAS METRO, highway enhancements and/or sustainable travel funding may be required. Without these details at this time however, this cannot be confirmed.

Management and maintenance

In addition to the aforementioned contributions a S106 would be required to secure management and maintenance arrangements, for Public Open Space (notwithstanding previous comments, if secured on site) and/or drainage attenuation features.

Direct highway access onto Challenge Way

Local Ward members have requested that vehicular access onto Challenge Way be considered. This would prevent the proposal putting traffic movements on High Street, an unclassified residential road. It would also allow the POS to be re-located to a more ideal

location on the west boundary. Planning and HDM officers consider it reasonable that Challenge Way be considered as a potential main point of access.

Officers accept that having the main vehicular access onto Challenge Way is not without challenge. However, before proposing High Street as the access, officers would expect Challenge Way to be assessed and discounted, with the justification provided at application stage if not progressed¹. A highways engineer should undertake the necessary work to identify the extent of works required to form an acceptable access. You should then consider the extent of the required access works against the constraints of the tree belt.

Constraints include the tree belt being within the Green Belt. Therefore, the extent of work's impact upon the Green Belt would need to be accessed. The trees are also of amenity value: the loss of trees is typically not welcomed. The trees would need to be surveyed and the impact of the access considered within the Arboricultural Impact Assessment. If the loss is accepted, suitable replacement planting should be proposed. The tree belt also forms an ecological habitat network. The ecological impact of the highway access would need to be considered within the Ecological Impact Assessment. Topography may also cause complications.

Officers welcome a meeting to discuss the access onto Challenge Way when the abovementioned considerations have been investigated before the submission of an application.

If vehicle access onto Challenge Way is ultimately demonstrated as not being acceptable, officers would then ask if a pedestrian and cycle access is feasible. Such an access would support sustainable travel and public health in and around the site. All previously mentioned constraints would need to be re-considered against the presumed lower impact of a pedestrian path.

7. Plans and Validation checklist

A full set of detailed plans and elevations, to include site sections, existing and proposed land levels, and streetscene would be required to support any subsequent application. Furthermore, it is requested that you include the footprint of neighbouring committed development, specifically the north commercial warehouses, upon your site and block plans.

Based on the details held at this time the following necessary supporting documents have been identified.

- Design and Access Statement
- Heritage Impact Assessment
 - To include method statement to protect heritage assets
- Planning statement, to include:
 - Statement of Community Involvement

¹ Could an access onto Challenge Way be located atop the Waste Mains Easement? This could be an effective use of the land, saving non-constrained land for residential development.

- Justification of density and housing mixture
- Climate change statement
- Heads of terms
- Noise Impact Assessment
- Landscaping Strategy
- Health Impact Assessment.
- Transport Assessment.
- Stage 1 Road Safety Audit
- Travel Plan
- Contaminated land reports (to avoid pre-commencement condition(s))
- Coal Mining Risk Assessment
- Site-specific flood risk assessment
- Drainage Strategy
- Arboricultural Survey, Impact Assessment and Methodology
- Ecological Impact Assessment (to include 10% net gain using DEFRA Metric 2.0)

8. K.C. LPA Delegation Agreement

Be aware that, in accordance with the Kirklees LPA Delegation Agreement, an application for residential development on this site would require a Sub Committee (Heavy Woollen Area) determination. This is because the proposal seeks less than 61 dwellings, but had a site area exceeding 0.5ha. Should 61 or more units be proposed, the application would be considered by the Kirklees Strategic Planning Committee.

9. Conclusion

I trust this information is of use to you in formulating a scheme for the site.

In summary, while the site is a housing allocation where residential development would be supported, any subsequent application would have to demonstrate that it is an efficient and effective use of the allocation. Currently the development density is below the desired 61 dwellings, and the housing mixture is not considered representative of the districts needs. The shortfall in housing and housing mixture would need to be amended to be policy compliance, unless that proposed is satisfactorily justified.

Detailed feedback has also been offered for visual amenity and highways, with concerns raised regarding residential amenity that would need to be addressed. Commentary has been given on other material planning considerations, with recommendations to overcome the given concerns, where able. The necessary reports to support the application have been detailed within the assessment and surmised within the Validation Checklist.

I have to advise you that any views or opinions expressed are in good faith, without prejudice to the formal consideration of any planning application, which would be subject to public consultation and ultimately be decided by the Council.

It should be noted that subsequent alterations to legislation or local, regional and national policies might affect the advice given.

Caution should be exercised in respect of pre-application advice which is not submitted within a short time of the Council's advice letter.

The information you need to provide with your application is detailed on the Validation checklist which can be viewed under the heading 'Guidance and advice notes' on the Kirklees Planning and development website: -

<http://www.kirklees.gov.uk/beta/planning-anddevelopment.aspx>

Yours faithfully,

David Wordsworth,
Major and Minerals Team Leader

NEIGHBOUR
CONSULTATION

Challenge Way,
Hanging Heaton

April 2021



CONSULTATION QUESTIONNAIRE

1. Our proposals seek to deliver a range of new homes consisting of 1, 2, 3 and 4 bedrooms. Do you feel it is important to offer a range of different homes to meet a range of different needs?

2. Do you like the layout design proposed?

- ☐ No I do not like the layout proposed
- ☐ Yes I do like the layout proposed
- ☐ I'm not sure/don't know

3. What do you think about the proposals to create a new vehicle and pedestrian access to the site from Challenge Way?

4. Our proposal includes 20% affordable homes. Do you feel it is important for young families to have access to affordable homes ?

5. What aspects do you consider to be the most important of any development at this site? (please rank your answer by ticking a box 1 = least important: 5 = most important)

	1	2	3	4	5	N/A
Preserving Trees						
Protecting & Enhancing Ecology						
Highway Infrastructure						
Public Transport						
Drainage and Flood Risk						
Affordable Housing						
Proposed Landscaping						

6. General comments (please add any general comments, issues or queries here that you would like the design team to consider).

Under the Data Protection Act 1998 we will ensure that the data you supply is processed with skill and care in accordance with the legislation and codes. Your details will not be passed to any third party. We take our responsibilities in respect of your Personal Data extremely seriously. We will not contact you for promotional purposes, unless you specifically agree to be contacted for such purposes at the time you submit your information.

Please return your completed questionnaire to:

LID Team, Vistry Partnerships Yorkshire, Blue Ridge Park, Thunderhead Ridge,
Glasshoughton, Castleford, WF10 4UA