

**Consultation Response from Emma Mills
 KC Landscape**

Application No:	2021/93567
Proposed Development:	Erection of 194 dwellings with associated works
Location:	Land off, Westgate, Cleckheaton, BD19 5DR
Applicant/Agent:	Johnson Mowat Planning Ltd
Planning Officer	Nick Hirst
Date Responded:	15.11.21
Responding Officer:	E Mills
Responding Ref:	KK120

NOTES/COMMENTS: These comments are Without Prejudice
Landscape Context and Concept, Landscape Design

Policy LP24 of the Kirklees Local Plan advises that good design should be at the core of all proposals in the district. This reflects guidance within the National Design Guide and also the National Planning Policy Framework, at Paragraph 126, which confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy LP32 requires development proposals to consider and seek to enhance the landscape character of the area.

Setting – this layout for 194 dwellings sits adjacent to designated urban greenspace and therefore the proposed landscape should provide a landscape buffer and enhance links and habitats. The proposed POS area to the southern part of the site close to the beck should be enhanced in landscape terms as this is designated UGS.

The opportunities for strengthening the landscape edge could be improved. Landscape Buffer to the UGS is highly recommended, particularly given the habitat enhancement possibilities and mitigation of potential adverse visual impact from the UGS, attractive, well thought out and appropriate native landscape mitigation would be welcome.

The curtilage and the adjacent Public Open Spaces should be defined to ensure that there is a clear definition of residential amenity and an appropriate emphasis to curtilage and private dwellings/gable ends/gardens but sufficient natural surveillance – some examples highlighted yellow below.



The tokenistic street tree planting and additional trees at the entrance areas are inadequate. Please be reminded of the council’s advice regarding Green Streets principles, as well as paragraph 131 of the recently-amended NPPF, which requires new streets to be tree-lined.

Landscape planting and street trees should be used to avoid dominance of hard surfaces/car parking to frontages for example – highlighted yellow below...



Tree planting and other screening planting could additionally help the proposed development comply with policies and guidance regarding design, biodiversity, health and wellbeing and other relevant planning considerations.

The proposed landscape Masterplan drawing no. R/2487/1D is largely sympathetic to the existing landscape and setting, including native species however, further clarification on proposed species mixes for elements such as hedgerows and trees are requested. In addition, the use of the area and enhancement of the UGS as “mixed scrub” is unclear, and this should be highlighted within the proposed soft landscape plans, how accessible,

and wildlife and habitat improvement as a minimum preferably native species, proven beneficial to pollinators, wherever possible.

The indicative shrub planting list includes some potentially invasive species, which should not be planted in this setting given the greenbelt locality and should be substituted with more appropriate less invasive species as they are on the Plantlife list of species to avoid.

[Plantlife :: Here today, here tomorrow? / plantlife.org.uk/application](http://plantlife.org.uk/application)
[Here today here tomorrow 2010 summary.pdf](#)

We will need to see a management plan for the landscaping scheme to ensure the scheme successfully establishes. Although, this could be dealt with via pre commencement condition.

Meeting LP63 for open space typologies, on site and/or off site provision

The Developer should refer to the adopted Open Spaces SPD ([Open Space SPD \(kirklees.gov.uk\)](http://kirklees.gov.uk) published June 2021) which sets out the requirements for open space, sport and recreation provision to serve new housing developments and other SPD's for design etc: [Adopted Supplementary Planning Documents \(SPDs\) | Kirklees Council](#)

Number and type of dwellings triggers greenspace in LP63. All required.

Ward deficiencies

Select Ward	Current Open Space Provision Compared to Quantity Standards			
	Amenity Greenspace (ha per 1000 pop)	Recreation Grounds (ha per 1000 pop)	Natural & Semi_Natural Greenspace (ha per 1000 pop)	Allotments (ha/p 1000 households)
Cleckheaton	0.08	0.65	2.86	0.12
	Req'd for Acceptability		low quality	

Dwelling triggers for Children & Young Peoples Provision: 194 dwellings does trigger CYPP, a LEAP contribution

Scale of Development	Local Area for Play (LAP)	Locally Equipped Area for Play (LEAP)	Neighbourhood Equipped Area for Play (NEAP)	Multi-Use Games Area (MUGA)
1-10 dwellings	x	x	x	x
11-50 dwellings	✓	x	x	x
51-200 dwellings	x	✓	x	x
201-500 dwellings	✓	✓	x	Contribution
501+ dwellings	✓	✓	✓	✓

Refer to Fields In Trust
[Guidance-for-Outdoor-Sport-and-Play-England](#)

On site or off site & Existing facilities in the vicinity:

There are existing facilities in the vicinity, within the recommended 720m for accessibility of the site, which would require enhancement in lieu of on-site provision, potentially, but not limited to West End park, however there is a LEAP indicated in the POS area, this will need to be a fully equipped playable space, befitting the contribution for 194 dwellings, of sufficient space and off set separation zones to reduce the POS contribution for CHYPS (min **3600 sq m provision**).

Negotiation of a commuted sum with the LPA to facilitate improvements in an offsite location for those typologies not provided on site or a shortfall in on site provision. A well designed and accessible community growing area could be considered in lieu of an allotment for example.

Consultation with the local community and local councillors post planning permission is undertaken (when Section 106 planning obligations become ‘live’) is undertaken to help shape and inform the schemes when the money is paid to the Council.

Date: 11.11.21
Development: 2021.93567 KK120 Land off Westgate Cleckheaton

NOS Dwelling Count for Calcs (Table 1 Draft Pol 63 New Open Space)	Input Number of Houses	Amenity Greenspace	Amenity Greenspace (sq.m space per dwelling)	Parks & Recreation Grounds	Parks & Recreation Grounds (sq.m space per dwelling)	Natural & Semi-natural Greenspace	Natural & Semi-natural Greenspace (sq.m space per dwelling)	Allotments/Community Growing	Allotments/Community Growing (sq.m space per dwelling)	Children & Young People	Children & Young People (sq.m space per dwelling)	Outdoor Sports	Outdoor Sports (sq.m space per dwelling)
													In accordance with LP63, SPD June 2021
Market/Affordable Housing (100%)	194	Yes	2828.52	Yes	3771.36	Yes	9428.4	Yes	970	Yes	2599.6	Yes	4074
Market/Affordable Housing 2-bed Flats (75%)	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0
Market/Affordable Housing 1-bed Flats (50%)	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0
Housing for Older People	0	Yes	0	Yes	0	Yes	0	Yes	0	No		No	
Student Housing	0	Yes	0	Yes	0	Yes	0	No		No		No	
Totals	194		2828.52		3771.36		9428.4		970		2599.6		4074
Qualifying POS meterage for this development?			Yes		Yes		Yes		Yes		Yes		Yes
Total meterage for this development			2828.52		3771.36		9428.4		970		2599.6		4074

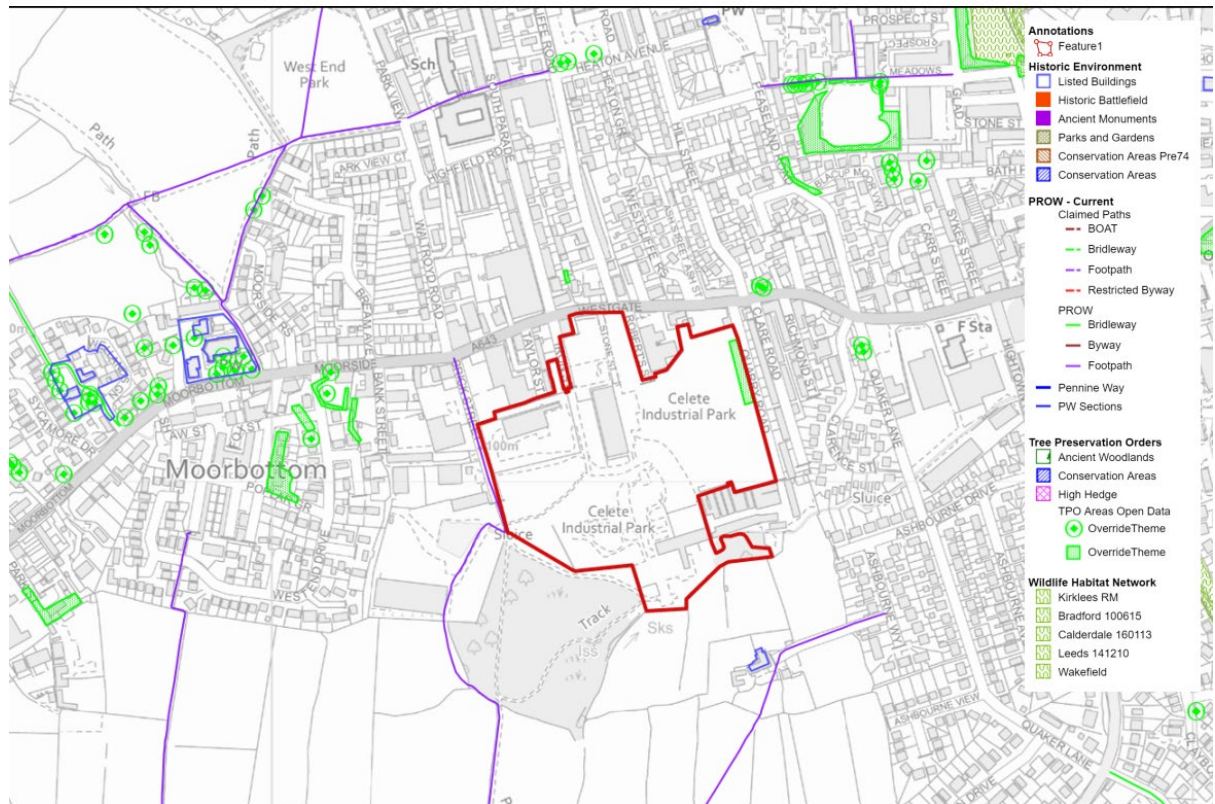
We will require the measured areas for the on site pos provision in order to be able to calculate the off site contributions in lieu of sufficient pos being provided on site in the respective typologies. The table above demonstrates the typologies triggered and requirements in sq.m. or off site £ contribution. If for example a LEAP of 3600 sqm is provided on site in the region of an £85k investment, this would be deducted from the calculations.

B. Complete ONLY if POS supplied by Developer							
Input POS area to be provided(sq.m)		Remaining sq m					
0		0.00					
Development: 2021.93567 KK120 Land off Westgate Cleckheaton			Date: 11.11.21				
INPUT % OR sq. m							
POS REQUIREMENTS SUMMARY		Cost (see below) excl admin	Sq Meters Req (based on no of dwellings)	Allocate Developer POS %	Developer POS Sq m Allocated	Value of developer POS	Outstanding Developer POS
Amenity Green Space		£67,431.92	2828.52		0	£0.00	£67,431.92
Parks & Recreation		£93,688.78	3771.36		0	£0.00	£93,688.78
Natural & Semi-Natural Green Space		£80,141.40	9428.40		0	£0.00	£80,141.40
Allotments/Community Growing		£8,429.30	970.00		0	£0.00	£8,429.30
Outdoor Sports		£59,977.87	4074.00		0	£0.00	£59,977.87
Children & Young People		£84,417.61	2599.60	100% provided?	Min sq.m		
CHYPS provided by developer		LAP	No		0	£0.00	
		LEAP	No		0	£0.00	
		NEAP	No		0	£0.00	
		MUGA	No		0	£0.00	
						£0.00	£84,417.61
TOTAL Cost (excl admin)		£394,086.88	23671.88		0	£0.00	£394,086.88
Outstanding POS Requirement from developer:		£394,086.88					
Admin at 15%		£59,113.03					
Inspection Fee (see Manco Fees Guidance tab)		£750.00					
Shortfall/POS Requirement from developer (rounded):		£453,950					

Wildlife and habitat networks, TPO's, PROW : links & connectivity: the paths to the POS on site should link to the PROW to the western boundary. This pos path should be adopted as Highway link.



KK120-TPO-PROW-WLF-HISTENV



How is the new estate road layout connecting with the surrounding community? A linking surfaced footpath network should be considered creating healthy active travel routes between the POS areas (those which are ACCESSIBLE), and improvements that promote and facilitate greater use of the spaces and a strong integration with the surrounding new and existing communities, refer to the Highways Design guide: [Highway Design Guide Supplementary Planning Document \(SPD\) \(kirklees.gov.uk\)](#)

Walking and cycling routes are safeguarded under Policy LP23 of the Local Plan. A number of potential walking and cycling routes dissect the site and the integration of pedestrian and cycleway linkages should provide the framework for movement through a truly sustainable community in association with the greenspaces.

Advice to planning officer:

To be satisfied with the proposals we will need to see early submission of detailed landscape information and amendments to the layout for the site as per comments above.

Should sufficient detailed landscape information not be forthcoming, we will require full detailed landscape proposals as per point 1 below together with details of the management and maintenance of the areas of Public Open Space for the lifetime of the development in the Planning Condition.

PROW: POS paths dedicated as highway: Yes / No

Has the developer considered an environmental and biodiversity toolkit for gardens for residents to incorporate such as fruit tree planting, compost bins, hedgehog houses, water butts and rain gardens?

S106 HoT

Off Site Open Space & Location of site/s to receive POS contribution : £ xxx tbc towards existing facilities in the vicinity of the development.

By:. Preferably prior to occupation of 25% of dwellings

Trigger points if payments phased: Preferably prior to occupation of 25% and 50%
On-site POS

- **Trigger point:** Preferably prior to occupation of 50% for LEAP
- **Trigger points if phased:** Preferably prior to occupation of 50% &/or 75% of dwellings
- **Bonds: or deposit – yes** as there is on site POS with equipped provision and an off site contribution
- **Index linked:** Yes

- **Inspection fee (simple, routine or complex see fee sheet):** Yes – as there are numerous different POS areas being created on site with linking routes, equipped provision in the form of an extensive LEAP and key landscape features being planted (in the UGS), buffer planting etc.
- **Private/Resident Management company details:** Yes to be supplied prior to substantial completion of the on-site POS
- **Landscape Plan reference number (showing relevant areas of POS highlighted):** Shows on site POS shaded and or bounded by a colourful line

Conditions: TBC

The information below is intended for the applicant to consider and include in any amendments of support the application in order to help provide sufficient landscape and open space information to aid the planning process:

1. Full landscape proposals are required as a planning condition including hard and soft landscape details and planting plans to create a diverse and attractive landscape which should enhance the setting of the development. Thoughtful planting to incorporate native species would contribute to enhancing the biodiversity in this setting and would help in the development of green corridors as well as providing valuable mitigation for existing local residents or those in the vicinity who will be overlooking this development should permission be granted. All details relating to existing retained trees and vegetation should also be provided, including their protection during the development.
 - Conditions will be included to secure detailed landscape plan and long-term management. For developments where detailed landscape design has not yet been agreed and the design needs to fulfil a requirement for ecological mitigation and/or enhancement tree planting.
 - No development shall take place until a landscape and ecological design (LEDS) has been submitted to and approved in writing by the local planning authority. The scheme shall provide the means of providing biodiversity enhancement, given the location and an inclusive and accessible public open space, managed and maintained in perpetuity.
 - We will require full detailed landscape plans indicating full planting specification, including:
 - Layout, species, number, density and size of trees and plants and/or seed mixes and sowing rates, including extensive use of native species. Any phasing of the works
 - Details of all hard landscape materials and boundary treatments, garden fences/walls etc. Proposed treatment to existing boundaries.
 - Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - Persons responsible for implementing the works.
 - Location and detailed design & layout of any public open space and maintenance responsibility for Public Open Space (POS), any equipped area and playable space.
 - Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of 5 years. This should also include any existing trees and vegetation retained on site, plus management of any equipment or playable space, including safety inspections.
 - Details for monitoring and remedial measures, including replacement of any trees, shrubs or hedge that fails or becomes diseased within the first five years from completion.
 - The LEDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

2. The Council considers a presumption in favour of tree planting in verges and adjacent to carriageways in line with the West Yorkshire Combined Authority 'Green Streets[®]' principles, unless there are valid reasons for their omission. Refer to the Highways Design guide: [Highway Design Guide Supplementary Planning Document \(SPD\) \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/highway-design-guide-supplementary-planning-document-spd). Tree planting is very important, and getting the right types and size of trees in the right places is imperative. Trees should be incorporated in the scheme for a variety of reasons: to a) visually break up the built form b) help to screen/ mitigate or frame certain views c) support biodiversity and create green corridors/green links, d) not to create a nuisance in peoples gardens through leaves in gutters or screen the sun etc. e) not to cause damage to property boundaries/garden fences/dry stone walls in the future, or damage any SuDS system. There are opportunities for tree planting within the site and this will help mitigate the scheme. That being said, careful design is required. Trees should be incorporated into the street where possible but when necessary in gardens, not being located too close to buildings.
3. The scheme should consider how trees and street lighting should be specified together to avoid tree canopies from obstructing large amounts of street lighting and also provision of a maintenance schedule for trees to ensure safe levels of lighting at street level once trees mature.

Signed:

Landscape Ref:

Date: