Consultation Response from Emma Mills KC Landscape	
Application No:	**2022/90397**
Proposed Development:	**Erection of 10 dwellings and associated works**
Location:	**Newsome Bowling Green, St John's Avenue, Newsome, Huddersfield, HD4 6JP**
Applicant/Agent:	**Acumen Designers & Architects Ltd**
Planning Officer	**Ellie Worth / Katie Chew**
Date Responded:	08.03.23; updated 12.03.2025
Responding Officer:	em
Responding Ref:	LL29

NOTES/COMMENTS: These comments are Without Prejudice

Updated comments: 12.03.2025

We are pleased to see more frontline tree planting in the design, more in keeping with the requirements of the NPPF for all new streets to be tree lined.

Please confirm details of tree species, the root barrier for the tree pits and the underground sub structure or confirm engineered cell solutions to ensure the trees are not impacting stats or drainage. Landscape proposals, particularly frontline tree and shrub planting, should identify all proposed root protection/barriers, drainage, suds and attenuation or soakaways and all easements to ensure trees and shrub species are accommodated satisfactorily.

The design and access statement refers to native planting, please provide details.

SECTION 6: LANDSCAPING

36. The proposed development sees a significant reduction in hard standing from the existing layout in the removal of concrete.

37. Each plot benefits from a well-proportioned rear garden. All rear gardens will be laid on the lawn and offer border planting opportunities for the new residents.

38. Plots 1, 2, 3, 6, 7, 8 & 10, have front gardens which will be planted with native shrubs and saplings to offer texture and layering to the development.

39. The area after the turning head features a visitor parking bay on either side of the road and the area to the right will be landscaped to provide native shrub and tree species.

1. Preference is for native plants and for plants proven as beneficial to pollinators where possible for this location. Native, fruit bearing species preferred where appropriate.



2. Whilst the landscaping is indicative, the landscaping scheme can be secured by condition and it should be, to prevent the proposed quality and number of trees from being eroded in any subsequent applications.
3. Planting Plans should clearly show the impact of the proposed landscape planting on drainage infrastructure
4. we would require all new tree planting within 5m of the adoptable highway to include adequate root barrier, clearly identified on the proposed landscape plans.
5. When submitting detailed landscape proposals, preference is for species which are native, fruit bearing species, where appropriate. Potentially invasive species are not favourable and details from the list published by Natural England can be found here. Horizon-scanning for invasive non-native plants in Great Britain - NECR053 (naturalengland.org.uk)
   There's some further guidance on NNSS on alternative species to use for landscapers here.
   Species selection is important and those which are potentially more invasive should be substituted for less potentially invasive species.
   No plant species located on part 2 of schedule 9 of the Wildlife and Countryside Act 1981 (legislation.gov.uk) will be considered.
6. It doesn't look like any management plan for the scheme has been submitted. The plans should provide details of planting and maintenance requirements for the trees and planting to meet our expectations. We will need to see a management plan for the landscaping scheme to ensure the scheme successfully establishes. The management of newly establishing trees should include, but is not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees.
7. It would be prudent to secure early submission of Landscape details for both hard and soft landscaping, together with a Management Plan and conditions suggested A, B, and C below.

Conditions: TBC
Recommended as:

A. Landscape Condition

Prior to works commencing on the superstructure, a landscape management and maintenance plan (LMMP) for the external areas including any open space accessible to the public, playing fields etc shall be submitted to, and approved in writing by, the Local Planning Authority. This should include:

a) The landscape plan including all hard and soft details together with planting plan & specification. Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate
b) An implementation, management and maintenance programme including full details for management of newly establishing trees including, but not limited to, a watering regime, monitoring of stakes and ties, formative pruning, replacement of failed or damaged trees.
c) Details of initial aftercare and long-term maintenance for minimum of 5 years and seasonal maintenance operations. This should also include any SuDS features, existing trees and vegetation retained on site.
d) Details of monitoring and remedial measures, including replacement of any planting of trees, shrubs, hedgerows or other native planting that fails or becomes diseased within the first **five** years from completion.
e) The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this 5 year period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
f) This pre-commencement condition is necessary to ensure all details relevant to landscape matters are agreed at an appropriate stage of the planning process.

The works shall thereafter be carried out in accordance with the management and maintenance plan and retained for the lifetime of the development.

Reason: To enhance and conserve the visual amenity of the built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

B. **All planted materials shall be maintained for five years** and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation. Reason: In the interests of the visual amenity and character of the surrounding area and to accord with Policies LP24 and LP63 of the Kirklees Local Plan.

Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of

Policy LP24 & LP63 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

C. No building shall be occupied until a Landscape Maintenance & Management plan (LMMP) (LMMP) has been submitted to and approved in writing by the local planning authority which also includes the SuDS features. The scheme shall provide the means of providing biodiversity enhancement, and full details of how the landscaped areas, fruit trees and the playable spaces will be managed and maintained in perpetuity.

Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 & LP63 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

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Comments made on 08.03.23

Setting – this layout is for 10 dwellings and whilst there is no detailed landscape information or planting plan submitted, the site plan indicates minimal proposed indicative tree planting. There appear to be no street trees planted nor any in the front gardens. This does not accord with paragraph 131 of the NPPF, which requires new streets to be tree-lined.

In addition, please note that we consider Para 135- which states Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Therefore landscape proposals, particularly frontline tree planting should identify all proposed drainage, suds and attenuation or soakaways and all easements to ensure trees are accommodated satisfactorily.

There are no detailed hard nor soft landscaping proposals submitted along with the planning application, further clarification on proposed tree, shrub, groundcover and any hedgerow species planting is requested, prior to commencement and could be via condition (see A & B below).

Species selection is important the proposals should not include species in the Plantlife list of species to avoid. Plantlife :: Here today, here tomorrow? / plantlife.org.uk/application Here_today_here_tomorrow_2010_summary.pdf

Preference is for native and proven beneficial to pollinators where possible for this location.

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.

Advice to planning officer: detailed landscape proposals to be submitted and approved pre commencement – see conditions A & B below.

Required Actions-

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 Open Space near the parking areas for the lifetime of the development in the Planning Condition.

Once the above information is received, KC Landscape should be consulted once again, and appropriate conditions can be brought forward.

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?

Conditions: TBC
Recommended as:

A. Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:
(a) S106 agreement for any on site public open space
(b) Location and detailed design & layout of any public on-site open space
(c) Landscape works at the entrance and near the car parking and clarification if this is open space and who will manage and maintain it
(d) Materials to be used for all hard surfaced areas, vehicle parking, and other circulation areas;
(e) Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation, management, and maintenance programme;
(f)The approved landscaping scheme shall, from its completion, be maintained for a period of **five years.** If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
(g) Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of 5 years. This should also include any SuDS

features, existing trees and vegetation retained on site, plus management of any playable space including where relevant RoSPA safety inspections.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the local planning authority
Reason: To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.

B. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation. Reason: In the interests of the visual amenity and character of the surrounding area and to accord with Policies LP24 and LP63 of the Kirklees Local Plan.
Reason: In the interest of visual and residential amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 & LP63 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

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),
- 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.
- Any s106 requirements for off site contributions and all S106 Agreements should have indexation added to financial payments requirements

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). 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 provision of a maintenance schedule for trees to ensure safe levels of lighting at street level once trees mature.
4. 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 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.
5. Policy LP31 – Strategic Green Infrastructure Network states that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. Development proposals within and adjacent to Strategic Green Infrastructure Networks should ensure: -
    a. The function and connectivity of green infrastructure networks and assets are retained or replaced.
    b. New or enhanced green infrastructure is designed and integrated into the development scheme where appropriate, including natural greenspace, woodland, and street trees.
    c. The scheme integrates into existing and proposed cycling, bridleway and walking routes, particularly the Core Walking and Cycling network, by providing new connecting links where opportunities exist.
    d. The protection and enhancement of biodiversity and ecological links, particularly within and connecting to the Kirklees Wildlife Habitat Network