

**Consultation Response from KC,
Policy**
2022/92100 rear of, 23 to 43, Moor Lane, Gomersal, Cleckheaton, BD19 4LF
Outline application for erection of residential development of 10 dwellings, demolition of existing extension at 27 Moor Lane, widening of existing access and realignment of boundary walls
Date Responded:
Responding Officer:
Responding Ref:

The Local Plan Strategy and Policies document should be fully considered. However, the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

This outline planning application proposes 10 dwellings on land which is unallocated on the Kirklees Local Plan (adopted 2019).

Housing Mix and Affordable Housing

The threshold for triggering affordable housing provision is developments of 10 or more dwellings. Therefore, no affordable housing provision is required in this instance.

Density

Local Plan policy LP7 (Efficient and effective use of land and buildings) states that housing developments should achieve a net density of at least 35 dwellings per hectare, where appropriate. The site is 0.42ha, and proposes 10 dwellings, which is a density of approximately 24 dwellings per hectare. Policy LP7 (criteria c) allows for densities lower than at least 35 dwellings per hectare only if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet housing needs.

Design

The Local Plan design policy (policy LP24) states that good design should be at the core of all proposals. There are several criteria of this policy this proposal should consider:

- Criteria (a) the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape
 - There is a listed building adjacent to the site, therefore the design needs to consider this in order to not harm its character.
- Criteria (b) they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary
- Criteria (d) high levels of sustainability
- Criteria (e) the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features
- Criteria (f) the needs of a range of different users are met, including disabled people, older people, and families with small children to create accessible and inclusive places

- Criteria (g) any new open space is accessible, safe, overlooked and strategically located within the site and well-integrated into wider green infrastructure networks
- Criteria (h) development contributes towards enhancement of the natural environment, supports biodiversity, and connects to and enhances ecological networks and green infrastructure
- Criteria (i) the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits

Separation distances also need to be considered, which, for two-storey houses, are advised to be;

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

These can be found at paragraph 7.19 of the Housebuilders Design Guide SPD.

Comments should be sought from the council's Highways Officer in regard to the proposed access road.

Biodiversity

In accordance with Policy LP30 criterion (ii) development proposals are also required to minimise the impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist, and the council's approved Biodiversity Net Gain Technical Advice Note. The Environment Act requires mandatory biodiversity net gain (BNG) of at least 10%, to be secured for 30 years via planning obligations or conservation covenants. The BNG can be delivered onsite, offsite or via a financial contribution.

Further comments should be sought from the council's Biodiversity Officer.

Trees

On the northern boundary of the application site, there are a number of individual trees and areas of trees protected by Tree Preservation Orders protecting a variety of tree types, therefore Local Plan policy LP33 (Trees) is applicable. This states *"proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme."*

Further comments should be sought from the council's Trees Officer.

Conclusion

This site is unallocated on the Kirklees Local Plan policies map and careful consideration should be given to the density, the design of the access road, separation distances between existing houses and the proposed dwellings, biodiversity net gain and impact on existing trees.