

**Consultation Response from Emma Mills
KC Landscape**

Application No:	2022/93306
Proposed Development:	Erection of 11 dwellings, formation of new access road and associated landscaping and open space
Location:	Land adj, 894, Huddersfield Road, Ravensthorpe, Dewsbury, WF14 9HS
Applicant/Agent:	Robert Halstead Chartered Surveyor
Planning Officer	Richard Riggs
Date Responded:	18.01.23
Responding Officer:	EM
Responding Ref:	LL103

NOTES/COMMENTS: These comments are Without Prejudice

Landscape Context and Concept, Landscape Design

Setting – this layout for 11 dwellings is within the grounds of the adjacent 894 Huddersfield Rd, Ravensthorpe.

Greenspace on site is welcome, particularly the proposed pond area within the flood zone, however, given the equalities Act, the layout should consider accessibility of this area for residents/visitors. The proposed plan does not demonstrate how the space provided meets the needs of the widest possible range of users, be easily accessible and enjoyed by all people, regardless of visual, physical and cognitive ability, mobility or age, there are no footpaths with dropped kerbs to the development, seats or litter bins. The greenspace on the development appears to have no public access.

Lack of soft landscape proposals has resulted in dominance of hard surfaces/car parking to frontages.

Frontline tree planting and appropriate planting could help the proposed development comply with policies and guidance regarding design, biodiversity, health and wellbeing and other relevant planning considerations. Please be reminded of the council's advice regarding Green Streets principles, as well as 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 any frontline tree planting and planting to open spaces, should identify all proposed drainage, easements, suds and attenuation or soakaways to ensure trees and landscape planting areas are accommodated satisfactorily.

No landscaping proposals have been submitted with the planning application, and will be required prior to determination. Preference is for native and proven beneficial to pollinators where possible for this location.

The landscape 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](#)

We will also need to see a management plan for the landscaping scheme to ensure the scheme successfully establishes including full details of wmanagement for the scheme for the lifetime of the development and replacement of any species which fails during the first 5 years. This could be dealt with via pre commencement condition.

Meeting LP63 for open space typologies, on site and/or off site provision
Whilst the planning statement proposes viability, the scheme still triggers LP63.

The Developer should refer to the adopted Open Spaces SPD ([Open Space SPD \(kirklees.gov.uk\)](#) 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](#)
These SPDs are considered a 'comply or justify' approach. If proposals for open space are not in accordance with such guidance, it is beneficial to the decision making process if applicants submit such justification as part of the initial planning application submission.

11 detached dwellings triggers amenity greenspace and the majority of other typologies in LP63 but as less than 50 dwellings not the allotment typology.

The planning statement refers to 3 areas of greenspace on site –

Three areas measuring 598m², 218m² and 1615m² of open space are proposed at the southern/front of the site adjacent to Huddersfield Road. Two of these areas are located within flood zone 2, hence the reason no dwellings are proposed in these locations. However, these areas, one of which includes a pond and another which includes a number of protected trees, would provide high quality amenity open space for future residents to enjoy whilst also enhancing the overall appearance of the scheme. The proposals are therefore considered to comply with Policy LP63 and Principle 7 in the Housebuilders Design Guide SPD.

However the access to these has not been indicated – are they managed and maintained by a private/resident management company, labelled as communal gardens? The landscape plan should demonstrate clear delineation and defensible boundary where the communal areas abut the curtilage of the dwellings/garden boundaries.

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)
Dewsbury West	0.27	0.8	4.16	1.13
Current Open Space Provision Compared Quality & Accessibility Standards	Req'd for Acceptability	Req for quality	Req for quality	NA

Amenity greenspace is required to make the development acceptable and although there is amenity greenspace, Holroyd Park and other N&SN within 720m it is of low or medium quality. Greenspace on site does not appear to be publicly accessible.

Dwelling triggers for Children & Young Peoples Provision: 11 dwellings does trigger CYPP, a LAP 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: whilst viability has been cited, we feel that the need for improved infrastructure, including for these new residents is important.

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 Holroyd Park although consultation with the local community and local councillors will be undertaken.

Delegated approval will be sought for the locations for the off site lump sums. This will be post planning permission when Section 106 planning obligations are paid, and schemes can become 'live', local engagement helps shape and inform the individual POS schemes identified for improvement.

Consultation with the local community and local councillors is undertaken post planning permission when Section 106 planning obligations are paid, and schemes can become 'live', to help shape and inform the POS schemes identified for improvements.

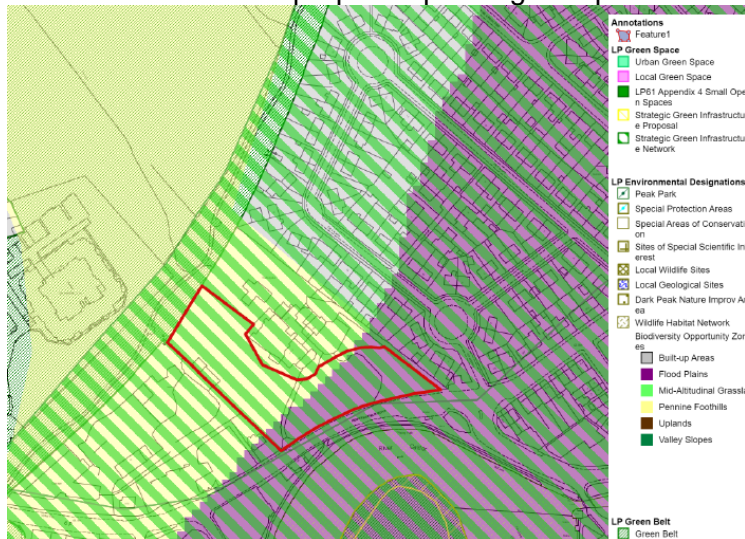
We would recommend negotiation of a commuted sum with the LPA to facilitate improvements in an offsite location

As there is no public access to the communal garden areas on site, the off site contributions in lieu of sufficient pos being provided on site in the respective typologies has been calculated, irrespective of the viability cited. The table below demonstrates the typologies triggered and requirements in sq.m. or off site £24,643 contribution. The new

residents moving in to this development will benefit from enhancements of existing facilities in the vicinity within 720m of the site.

Total Dwelling no	11			
Is POS being provided by developer?	No	This box (A) only when no POS provided on site.		
A. POS REQUIREMENTS SUMMARY	Cost (see below)	Admin @ 15%	Total Cost incl admin	Meters (see above)
Amenity Green Space	£3,823.46	£573.52	£4,396.98	160.38
Children & Young People	£4,347.59	£652.14	£4,999.73	147.40
Parks & Recreation	£5,312.25	£796.84	£6,109.09	213.84
Natural & Semi-Natural Green Space	£4,544.10	£681.62	£5,225.72	534.60
Allotments/Community Growing	£0.00	£0.00	£0.00	0.00
Outdoor Sports	£3,400.81	£510.12	£3,910.93	231.00
TOTAL	£21,428.20	£3,214.23	£24,642.44	1287.22
Shortfall/POS Requirement from developer:	£21,428.20			
Admin at 15%	£3,214.23			
Shortfall/POS Requirement from developer (rounded):	£24,643			

Wildlife and habitat networks, TPO's, PROW : links & connectivity: The protection and enhancement of this area is required by several policies within the Local Plan, including LP30, LP31 and LP33. The proposed planting is important and native planting in particular.



Advice to planning officer: Required Actions- comments as per above. Submission of proposed landscape hard and soft landscaping plans at the earliest opportunity, prior to determination.

Confirmation of the citing of viability affecting provision of open space contributions to meet requirements of LP63

If outline permission is granted we will require a detailed landscape plan clearly demonstrating the principles of the landscape design and the concept with thought to the context and setting at reserved matters stage, together with the details of access to the communal greenspace.

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 communal gardens/ greenspace on site 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?

All S106 Agreements should have indexation added to financial payments requirements

Conditions: TBC

Recommended as:

1. 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 off-site financial contribution in lieu of on-site provision;
 - (b) Materials to be used for all hard surfaced areas including linking paths to play area, vehicle and other circulation areas;
 - (c) 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;
 - (d) Planting plans shall also show all easements and any suds features in relation to locations of shrub, hedgerow planting and trees.
 - (e) The approved landscaping scheme shall, from its completion, be maintained for a period of five years to ensure establishment. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, including existing vegetation and trees on the site, it shall be replaced with others of similar size and species, in the next planting season, unless the Local Planning Authority gives written consent to any variation.
 - (f) Landscape Management Plan required including details of initial aftercare and long-term maintenance for minimum of 5 years, management objectives and the detailed landscape planting plan. This should also include any SuDS features, existing trees and vegetation retained on site, maintenance and management schedules and programme of maintenance operations.

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.

2. 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

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.

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.
 - 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 \(SPD\) \(kirklees.gov.uk\)](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 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