
Planning Statement

Land off Primrose Lane, Liversedge

Full planning application for the erection of 67 dwellings

Planning Statement

Land off Primrose Lane, Liversedge



Contents

1.	Introduction	1
2.	The Site and Surroundings and Planning History	5
3.	Public Consultation	8
4.	The Proposal	10
5.	Planning Policy	11
6.	Assessment	16
7.	Planning Obligations	22
8.	Summary & Conclusions	31



1. Introduction

Introduction

- 1.1. This Statement has been prepared by Savills Planning on behalf of Jones Homes (Yorkshire) Limited, in support of a full application for the erection 67 dwellings off Primrose Lane, Liversedge. The units comprise of 12 apartments, 8 semi-detached dwellings and 47 detached dwellings.
- 1.2. There are no previous planning applications on the site (evidenced by a search of the Council's online records), and as such this application acts as the first proposal for residential development on the site.

The Site

- 1.3. The site, as shown on the enclosed Site Location Plan, is situated between the local centres of Liversedge and Hightown and is bound by woodland to the north, Denby Close to the east, Lower Hall Close to the south, and Primrose Lane to the west. The site is currently in use as arable and pastoral agricultural land. Part of the woodland area to the northern boundary is designated as a Wildlife Habitat Network and the land north and west of the site is designated Green Belt.
- 1.4. The site sits on the outskirts of the town of Liversedge and is immediately adjacent to existing dwellings on its eastern and southern borders, with these and the wider area being characterised by two storey semi-detached or short terraced residential properties with some detached dwellings. There are a number of non-residential uses on Halifax Road just south of the site, such as a hair salon, public house and takeaway and other services such as a shop and pharmacy found 500 metres east of the site in Littletown.
- 1.5. The proposed access is off Darley Road where existing highway terminates and which would allow a natural extension into the proposed development site.

Pre-application Discussions

- 1.6. A pre-application enquiry was submitted to Kirklees Council on the 15 September 2021. A formal, written response was received on 2 February 2022. The initial pre-application request comprised 75 dwellings, but this number has since decreased to 67 due to a small area of land being retained by a separate landowner which therefore reduced the capacity of the site. The proposed scheme does not preclude or prejudice the future development of the (small) balance of the allocation as access could be achieved through the proposed development.
- 1.7. The pre-application response confirmed that the site is allocated for housing, HS117, known as 'Land off Primrose Lane, Liversedge', officers therefore acknowledged that the principle of residential development on the site is established given the Local Plan allocation.
- 1.8. The initial response raised concerns with the layout which comprised a linear development of 75 dwellings with no loop road. The main concerns extended to the housing mix and impact on existing trees and the lack of integration of public rights of way (PROW) and the western Green Belt edge.

Planning Statement

Land off Primrose Lane, Liversedge



- 1.9. Following this, the indicative masterplan was revised to include a loop road and address the Council's comments. The access options were explored at this stage and concluded that access could not be taken from Lower Hall Close, as such the only option for access to the site being off Darley Road. Further advice was received on 11 February 2022 in relation to the revised layout (B). The Council confirmed that layout B improved and moved closer to what is required but outlined some matters for further consideration, most related to highways.
- 1.10. The Council positively acknowledged the loop road system and confirmed the PROW links improved from earlier plans but requested consideration of pedestrian and cycle links to the greenway and street trees.
- 1.11. PROW links have since been improved and the submitted plan clearly shows multiple access points to the PROW, Spen Valley Greenway and Bridleway via footpaths which allow the development to be accessed by foot or bike and promote sustainable modes of transport. Additionally, street trees have been incorporated with some front gardens accommodating additional tree planting.
- 1.12. It is therefore considered that this application substantially addresses the pre-application advice received from the Council in February 2022.

Planning History

- 1.13. The applicant is not aware of any previous planning applications on the site.

Other matters

- 1.14. There are a full range of documents submitted in support of this application, in addition to this Planning Statement:

Plans:

- Location Plan
- House Type Drawings
- Proposed Site Layout
- Existing Site Layout
- Materials Plan
- Refuse Plan
- Boundary Treatment Plan
- Boundary Treatment Details
- Illustrative Street Scenes
- Cross-Sections
- Landscaping Plan

Additional Supporting Documents:

- Statement of Community Involvement
- Climate Change Statement
- Design and Access Statement
- Noise Impact Assessment
- Transport Assessment / Travel Plan

- Stage 1 Road Safety Audit
- Swept Path Analysis
- Air Quality Impact Assessment
- Flood Risk Assessment
- Drainage Strategy
- Phase 1 Contaminated Land Report
- Coal Mining Risk Assessment
- Arboricultural Impact Assessment
- Ecological Impact Assessment

Structure of the Statement

1.15. The remainder of this Statement sets out the case for the proposal and addresses the main issues identified above. It is structured as follows:

- **Section 2: The Site and Surroundings:** Describes the application site.
- **Section 3: Public Consultation:** This Section summarises the public consultation which has been undertaken by the applicant and details the feedback received. The subsequent amendments to the proposals, based upon this process are also set out in this Chapter.
- **Section 4: The Proposal:** Details the proposals in terms of access, layout, design, scale and housing mix.
- **Section 5: Planning Policy:** Provides a summary of the planning context and the relevant local and national planning policies.
- **Section 6: Assessment:** This Section considers Kirklees Council's Housing Land Supply position, how the proposal accords with the relevant policies and how the proposals constitute Sustainable Development. In addition, this Section summarises other matters, such as, Drainage, Ecology and Highway.
- **Section 7: Planning Obligations:** This Section considers the provisional Section 106 contributions required for this development and the applicant's proposed offer.

1.16. Our overall **Conclusions** at **Section 8** are as follows:

The key benefits of the development are considered to be:

- Delivery of 67 new homes on an allocated housing site;
- Delivery of 13 much needed new affordable homes;
- Provision of a range of house types, to promote an inclusive development. The proposal includes apartments, semi-detached and detached properties;
- Improved links to surrounding PROW's and the Spen Valley Greenway which will promote sustainable modes of transport and encourage permeability through the site;
- Significant economic benefits, including in terms of investment and jobs throughout the construction phase, alongside additional Council tax receipts to Kirklees Council.

1.17. The site benefits from a housing allocation within the Local Plan (ref: HS117: Land off Primrose Lane, Liversedge). The Plan period site capacity as per the Local Plan is 87 dwellings, with 30, 30 then 27 dwellings to be delivered 2020/21, 2021/22, 2022/23 respectively. It is important to note that the dwelling

Planning Statement

Land off Primrose Lane, Liversedge



capacity is indicative only and does not take account of site specific technical work and constraints. As such the number of dwellings has reduced by necessity to ensure a high-quality and well-designed scheme.

- 1.18. Through the Local Plan consultation and adoption process this site has already been assessed as being sustainable and suitable for residential development, as set out in Policy LP65. The housing allocation means that the principle of residential development has been established for the site. As such, development of the site for residential uses as demonstrated on the submitted site layout would accord with the policies within the Plan.
- 1.19. The proposed development takes account of the nature of existing adjacent development and the wider vicinity of Liversedge in terms of scale, layout and density. The layout and orientation of the proposed dwellings will also ensure a high level of natural surveillance throughout the site, including of the Public Open Space. In terms of appearance, the use of different house types (including apartments, semi-detached and detached), roof forms, materials and design features create visual interest. This results in a high quality design which is in accordance with the relevant policies in the Development Plan and the NPPF.
- 1.20. The provision of housing on this site is considered consistent with the aims of the National Planning Policy Framework in terms of housing delivery and it benefits from the housing allocation in the adopted Local Plan.

2. The Site and Surroundings

The Site

- 2.1. The principle of residential development in this location has been established through the allocation of the site in the Local Plan. Existing residential development between Liversedge and Hightown is focussed along Halifax Road with some back land development focused around the site and close to Liversedge which comprises the most built up area. The development of this site would represent a natural extension to the existing build development.
- 2.2. The site extends to approximately 2.96 hectares of currently vacant, open, arable and pastoral agricultural land. The developable site area totals 2.3 hectares. The site location is highly sustainable, close to a number of primary and secondary schools. Its location between Liversedge and Hightown is optimal as it benefits from amenities across both villages, including, supermarkets, restaurants, places of worship, public houses, post offices, as well as public open space. It is considered that the range of facilities on offer in the vicinity mean that the site is relatively well served.
- 2.3. There is residential development to the east and south of the site. Immediately to the north and west is undeveloped agricultural land. Terraced and semi-detached type housing with closely spaced properties are present in the surrounding vicinity of varying sizes. Additionally, some detached properties are located on a relatively new development on Middle Hall Close
- 2.4. The site is effectively enclosed on all sides by adopted Public Rights of Way, with footpaths to the south and east, boundaries and Bridleways to the west and north, with the Greenway located beyond the site to the north.
- 2.5. In terms of topography, the site gradually slopes uphill southwards by up to some 20 metres in height from the former railway line and embankment (now part of the Spen Valley Greenway, which forms part of National Cycle Network Route 66) to Lower Hall Close. The self-seeded tree cover is consequently a relatively prominent landscape feature viewed across the currently open landscape. The west flank of the site is Primrose Lane which is a narrow bridleway and enables open views across the agricultural landscape.

Heritage

- 2.6. There are no listed buildings, parks and gardens or scheduled ancient monuments within or adjacent to the site, with the closest heritage asset being Grade II Listed Middle Hall Farmhouse approximately 200 metres to the south off Halifax Road. The pre-application did however, confirm that there is potential below ground archaeology which has been explored through further ground investigation and raises no concerns.

Trees

- 2.7. There are no trees subject to Preservation Orders within the site, meaning that there are no constraints to development in this regard.

Flood Risk Classification

2.8. The application site lies within Flood Zone 1 according to the Environment Agency's current Flood Maps, meaning that it is at low risk of flooding, with a less than 1 in 1000 annual probability of river and sea flooding.



Fig. 1 Extract from the Environment Agency's Flood Risk Maps

3. Public Consultation

3.1. Planning guidance states that pre-application consultation with local communities, local authorities and statutory consultees can bring a number of benefits to the process of determining planning applications. Against this background, Jones Homes has sought to consult with interested parties through a formal public consultation.

3.2. Paragraph 188 of the National Planning Policy Framework states:

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”

3.3. The Localism Act of 2011 also seeks to provide the local community with an opportunity to input throughout the planning process. The act requires developers to notify the local community about its proposals to:

‘Bring the proposed application to the attention of a majority of the persons who live at, or otherwise occupy, premises in the vicinity of the land.’ it goes on to state that the publicity must explain how the developer can be contacted by those ‘wishing to comment on, or collaborate...on the design of, the proposed development’ and that developer must consider the feedback received by having ‘regard to any responses to the consultation.’

3.4. Full details of the public consultation undertaken are included in the accompanying Statement of Community Involvement (Savills).

3.5. In summary, the key findings of the consultation were:

- Proposed vehicle access, vehicle congestion and road safety. These issues are addressed elsewhere in this statement and supporting technical reports.
- Impacts on healthcare / education. The site is allocated for residential development and these aspects will be considered as part of the application with financial contributions being required where necessary.
- Other responses received were against housing development on this site due to loss of views of the open land. As noted elsewhere in this Report, the site is allocated for residential development and the layout has been carefully considered and orientated to reduce overlooking of existing properties.

3.6. Following this process, and feedback from the Council at pre-application stage, a number of significant changes have been made to the proposals:

- Introduction of a loop road to remove the original linear site layout and improve proposed traffic movement and safety across the site
- Access to be taken off Darley Road following a review of potential access options confirming that access would not be available from Lower Hall Close
- Improved PROW links on site

Planning Statement

Land off Primrose Lane, Liversedge



- Alterations to the housing mix to now include 2-bedroom apartments alongside semi-detached and detached homes
- Introduction of tree lined streets

4. The Proposal

- 4.1. This is a full planning application for the erection of 67 dwellings. A full complement of plans have been submitted with this application, including proposed floor plans and elevations.

Access

- 4.2. The vehicular access is proposed to be taken from Darley Road, which will be extended into the site as it currently comprises the end of the cul-de-sac on the eastern edge of the development plot.
- 4.3. A loop road system has been proposed and its design has ensured that there is adequate forward visibility around bends. The layout enables both pedestrian and vehicular access and improves public rights of way on site to show the greenway in the northeast corner linking to the existing connection to greenway. Adequate visitor parking has been provided within the adopted highway, spread out across the development.
- 4.4. Further details are set out in the accompanying Transport Statement prepared by Vectos. The submitted plan responds to comments raised by the Local Planning Authority at pre-application stage.

Layout

- 4.5. The proposed site layout has been informed by extensive pre-application discussions with Kirklees Council, which has resulted a revised layout.
- 4.6. A large area of self-seeded tree cover has been retained to the north of the site as public open space (POS) which will enhance visual amenity, interest and recreational opportunities.
- 4.7. The access off Darley Road devolves into a circular route, of which there is direct access into individual plots off street parking allocations. The access and internal roads seek to connect the proposed scheme to the existing residential area to the east of the site by forming a new vehicular route, and to increase pedestrian permeability through to Primrose Lane to the west. All properties have car parking and detached properties have been allocated a single garage.
- 4.8. All semi-detached and detached properties will have individual footpath access to their rear gardens, enhancing privacy and security. In some cases properties will be physically enclosed by soft or hard boundaries, further providing privacy and security.
- 4.9. Dwellings have been positioned to utilise plot orientation to front the road hierarchy within the site, and to create views across the highways internally. The orientation of plots ensures an appropriate relationship to the proposed street scape whilst providing natural surveillance across the site and outwards across Primrose Lane. Dwellings to the eastern edge of the site have been positioned appropriately so as to avoid any overlooking of adjacent existing dwellings and to maintain private amenity both within the site and to its neighbours.

Design

- 4.10. The accompanying Design & Access Statement (produced by Niemen Architects) details the design ethos behind the proposal. In summary, the proposal seeks to create a sustainable, attractive and high-quality residential development that supports the existing character and community of Liversedge.
- 4.11. Careful consideration has been given to the arrangement of the varying properties to ensure visual diversity and interest is achieved through the architectural form, the street scape and roof scape.
- 4.12. The dwellings will be constructed from a mix of materials including artificial stone, render and artificial slate grey roof tiles. These materials are considered appropriate in this location given that there is a mix of stone, artificial stone and brick.

Scale

- 4.13. The detached and semi-detached dwellings are all two storey and do not seek to raise the ridge heights to utilise the roof space for additional living accommodation. The apartment blocks will be 3 storeys in height with pitched roof lines in keeping with the existing locality.

Housing Mix

- 4.14. The proposed dwellings are a mix of apartments, semi-detached and detached, based upon the following split:

House Type	Number of units	% of Units	Number of bedrooms
Apartments	12	18%	2
Semi-detached	8	12%	3
Detached	47	70%	4/5
Total :	67		

- 4.15. The scheme is comprised of 67no. residential dwellings, made up of 7 different dwelling types, in a range of apartments, semi-detached and detached homes. There are 12no. 2 bed apartments, 8no. 3 bed semi-detached houses, 39no 4 bed detached houses, and 8no. 5 bedroom detached houses.
- 4.16. The properties range from 2 bedrooms up to 5. The development would therefore deliver a diverse mix of house types, catering for a range of future occupants in terms of size and demographics.
- 4.17. It is considered that the indicative layout achieves an appropriate housing mix, which is in accordance with Paragraph 50 of the National Planning Policy Framework (NPPF) which requires Local Authorities to,
“Deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.”

5. Planning Policy

5.1. This Section of the Statement sets out:

- a) Policy Context
- b) Kirklees Development Plan Policies
- d) The National Planning Policy Framework (NPPF)
- e) Supplementary Planning Documents (SPDs)
 - Kirklees Council's Affordable Housing Mix SPD
 - Housebuilders Design Guide SPD
 - Open Space SPD
 - Highway Design SPD

a) Policy Context

- 5.2. Kirklees Council's Statutory Development Plan comprises the Kirklees Local Plan and the Holme Valley Neighbourhood Development Plan, in applicable areas. The Kirklees Local Plan was adopted on 27 February 2019.
- 5.3. The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).
- 5.4. Kirklees Council adopted their Local Plan in February 2019, with the site benefiting from a Housing Allocation (ref: HS117), known as 'Land off Primrose Lane, Liversedge'. The allocation gives a capacity of 87 dwellings on a net site area of 2.48 Ha . However, the designation includes an area which has now been removed from the site plan and therefore the developable area has been reduced and number of dwellings on site reduced to reflect this change.
- 5.5. Delivery of housing on this site is considered consistent with the aims of the National Planning Policy Framework in terms of housing delivery and benefits from the housing allocation in the adopted Local Plan.
- 5.6. The National Planning Policy Framework (NPPF) for England was published by the Government on the 27th March 2012. The Framework was revised on 20 July 2021 and therefore supersedes previous versions.
- 5.7. The NPPF is a strong "material consideration" in planning decisions [Paragraph 2].

b) Kirklees Local Plan Strategy and Policies (February 2019)

- 5.8. The following Kirklees Local Plan 2013 – 2031 (Adopted in 2019) Policies are considered relevant in respect of this application:

5.9. **Policy LP1: Presumption in Favour of Sustainable Development**

The council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

5.10. **Policy LP11: Housing Mix and Affordable Housing**

All proposals for housing must aim to provide a mix (size and tenure) of housing suitable for different household types. The council will negotiate with developers for the inclusion of an element of affordable homes in planning applications for housing developments of more than 10 homes. The proportion of affordable homes should be 20% of the total units on market housing sites.

5.11. **Policy LP21: Highways and Access**

This policy relates to proposals demonstrating suitable access and a safe and efficient flow of traffic within the development. It requests that proposals should be accompanied by a Transport Statement.

5.12. **Policy LP22: Parking**

LP22 requires all proposals to provide full details of the design and levels of proposed parking, which should demonstrate how the design and amount of parking is making the most efficient land within the development and encouraging sustainable travel.

5.13. **Policy LP24: Design**

Good design should be at the core of all proposals and should be considered at the outset of the development proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable.

5.14. **Policy LP30: Biodiversity and Geodiversity**

This policy requires new development proposals to provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation. The council encourages the retention of high value biodiversity features, ecological enhancement and habitat creation on-site.

5.15. **LP32: Landscape**

LP32 requires development proposals to consider and seek to enhance the landscape character of the area, including the setting of settlements and buildings and the patterns of woodland, trees and field boundaries.

5.16. **Policy LP63: New Open Space**

This policy seeks to secure well-designed new and improved open space, sport and recreation facilities in the district to encourage everyone in Kirklees to be as physically active as possible and promote a healthy



lifestyle. New housing developments are required to provide or contribute towards new open space or the improvement of existing provision in the area, unless the developer clearly demonstrates that it is not financially viable for the development proposal.

c) The National Planning Policy Framework (NPPF)

- 5.17. The National Planning Policy Framework (NPPF) was revised and published on the 20th July 2021. The overarching aim of the Framework is to proactively deliver sustainable development to support the Government's economic growth objectives.
- 5.18. Paragraph 9 sets out that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.19. Paragraph 11 sets out in detail the presumption in favour of sustainable development. It states that plans should positively seek opportunities to meet the development needs of their area. The Framework details that development proposals which accord with an up-to-date development plan should be approved without delay.

d) Supplementary Planning Documents (SPDs)

Kirklees Council's Affordable Housing and Housing Mix SPD

- 5.20. The Kirklees Affordable Housing and Housing Mix SPD, adopted on 14 March 2023, provides guidance on the implementation of the Kirklees Local Plan Housing Mix and Affordable Housing Policy (LP11) which seeks to ensure provision of affordable housing in new housing developments and ensure that the housing mix meets local needs.
- 5.21. Local planning policy for affordable housing is set out in the Kirklees Local Plan (adopted February 2019) under policy LP11 (Housing Mix and Affordable Housing). The SPD provides detailed guidance and additional information to help implement Local Plan policy LP1

Batley and Spen	Market Housing	Affordable Rent	Affordable Intermediate
1 Bed	5-15%	40-59%	20-39%
2 Bed	25-45%	0-19%	40-59%
3 Bed	20-40%	0-19%	20-39%
4+ Bed	15-35%	0-19%	0-19%

- 5.22. The most up to date evidence as at adoption of the SPD is the Kirklees Strategic Housing Market Assessment (2016) which confirms that affordable housing should be split as 55% Affordable Rent and 45% Intermediate Tenure.
- 5.23. Affordable housing provision should be indistinguishable from market housing, in terms of achieving the same high quality of design, and should promote mixed and balanced communities by dispersing the affordable housing throughout the site

Housebuilders Design Guide SPD

- 5.24. The Kirklees Housebuilders Design Guide SPD, adopted on 29 June 2021, is intended for use by residential developers. It aims to ensure future housing development is high quality, socially inclusive and built to high environmental standards.
- 5.25. The SPD confirms that there are a range of tools available for developers to ensure that their schemes deliver a high standard of design, including, pre-application advice, support from Architects, community engagement, statutory consultees advice and other useful tools to feed into producing a high quality design.
- 5.26. There are a number of principles outlined in the SPD which have been taken into account as part of this application, which include but are not limited to the following:
- New residential development proposals will be expected to respect and enhance the local area by taking cues from the character of the built and natural environment and illustrating landscaping opportunities
 - Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking
 - The integration of green infrastructure and accessible open space
 - The site layout should make effective connections to existing walking and cycling links and take opportunities to create new connections
 - Provide inclusive spaces that meet the needs of pedestrians, cyclists and children and ensure streets are well integrated into the development
- 5.27. The SPD provides recommendations for the location of parking spaces to ensure high quality design. It confirms that car parking and highways should be efficiently designed to ensure they do not take up a high proportion of land. Opportunities for densification should be identified, especially if land is highly accessible and currently under-used.

Open Space SPD

- 5.28. The Kirklees Open Space SPD, adopted on 29 June 2021, provides detailed guidance for applicants and the local community on the requirements for open space, sports and recreation provision to serve new housing developments. It sets out a step-by-step approach to be used to determine the types, amount and location of open space required to serve new housing developments across Kirklees.
- 5.29. The SPD confirms that new housing developments which result in an increase of more than 10 dwellings will normally be expected to provide and/or contribute towards new or enhanced open space, sport and recreation facilities.
- 5.30. All development of 11 or more dwellings will normally be expected to include, usable, accessible greenspace (14.58 sq. metres per dwelling) and equipped play facilities in accordance with the guidelines set out in the table below.

Planning Statement

Land off Primrose Lane, Liversedge



Number of Dwellings	Local Area of Plan (LAP)	Locally Equipped Area of Plan (LEAP)	Neighbourhood Equipped Area of Plan (NEAP)	Multi Use Games Area (MUGA)
51-200	No	Yes	No	No

Highway Design SPD

- 5.31. The Kirklees Highway Design Guide SPD, adopted on 4 November 2019, aims to promote high standards of highway design which reflect nationally recognised best-practice, and facilitate the delivery of high quality residential developments in Kirklees.
- 5.32. The Highway Design Guide SPD helps to encourage good design in terms of how developments, routes and spaces relate to one another to create streets and public spaces that are safe, accessible, and pleasant to use.
- 5.33. The SPD confirms that Kirklees Council has not set local parking standards for residential and non-residential development. However, as an initial point of reference for residential developments, it is considered that the following should be adhered to:
- 2 to 3 bedroom dwellings provide a minimum of two off street car parking spaces
 - 4+ bedroom dwellings provide three off-street spaces.
 - 1-2 bedroom apartments provide one space (3+ bed two spaces)
 - In most circumstances, one visitor space per 4 dwellings is considered appropriate.
 - One cycle space per unit is recommended

6. Assessment

6.1 This Section will cover the following key matters:

- a) Principle of Development:
- b) Layout (Density, Mix and Crime Prevention)
- c) Design
- d) Drainage
- e) Ecology
- f) Food Risk
- g) Noise
- h) Trees
- i) Air Quality
- j) Climate Change
- k) Highways
- l) Heritage Considerations
- m) Contaminated Land

a) Principle of Development

- 6.2. Planning law requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
- 6.3. The site is allocated for housing under HS117 'Land off Primrose Lane, Liversedge', the allocation gives an indicative capacity of 87 dwellings. The Local Plan sets out a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. The delivery of this site would help meet the identified needs.
- 6.4. The pre-application advice confirms that the Council acknowledge that the principle of residential development on the site is established given the Local Plan allocation.

b) Layout

- 6.5. This proposal is for 67 dwellings, with a mix of apartments, semi-detached and detached dwellings. The access will be taken through Darley Road and will connect the site to the surrounding area. A loop road is proposed around the site which creates a more interesting layout whilst providing safer, more appropriate vehicular access. In addition, pedestrian and cycle permeability will be improved and will link to existing footpaths and residential areas.
- 6.6. The layout seeks a continuation of the existing built form of Liversedge, whilst protecting the amenity of the existing neighbouring residential dwellings. The proposed layout includes active frontages. This will create enhanced natural surveillance of the open spaces and enhance the street scene by providing visual interest.

- 6.7. Initial advice received from the Council (2 February 2022) raised issues with the layout and therefore fundamental changes have been made to address the comments, which raised concerns regarding a cramped layout of two storey detached and semi-detached properties with no accommodation for existing trees.
- 6.8. The layout was reviewed and amended and follow-up advice (11 February 2022) confirmed that the layout had improved and moved closer to what is required. The Council positively acknowledged the introduction of a loop road system which sought to radically change the layout.
- 6.9. The layout responds to comments set out in the pre-application advice and the requirements of the Housebuilders Design Guide SPD (2021). The opportunities and constraints presented by the sloping site were reviewed in detail and informed the proposed layout, which now adequately addresses comments raised by the local planning authority.

Density and Mix

- 6.10. Both the Local Plan and NPPF set out expectations to ensure proposals represent the effective and efficient development of land. Policy LP7 requires development to achieve a net density of at least 35 dwellings per ha, where appropriate and Policy LP11 of the Local Plan requires the consideration of housing mix.
- 6.11. Sections 6 and 7 of the Housebuilders Design Guide outline the Council's expected approach to the development of a site. The initial pre-application response confirmed that residential mix and density should be altered to reflect the size of households that require housing, achieving a mix of house size (i.e. number of bedrooms) and typologies (detached, semi-detached, terraced, apartments and, bungalows).
- 6.12. The Strategic Housing consultation response to the pre-application, identified that there is significant demand for affordable 3 and 3+ bedroom homes in the area, as well as a less but still significant need for 1 and 2 bedroom dwellings.
- 6.13. This application provides further amendments to the plan and now proposes a mixture of house sizes based on floor space and a range of dwellings of 2, 3, 4 and 5 bedrooms. Following the pre-application response confirming there was a lack of smaller units the proposal now includes 12, 2-bedroom apartments which ensures a better mix and balance of the site.
- 6.14. Taking all of these factors into account, a site layout is now proposed which, at 28.78 dwellings per hectare, based on the developable area, is considered to represent an appropriate density in this location, albeit marginally lower than the prescribed 35 dwellings per hectare, which is required 'where appropriate'. This takes account of the site specific constraints, such as topography, and the local context and in our view will harmonise well with existing development in the immediate area.

Crime Prevention

- 6.15. Policy LP24 of the Local Plan requires the risk of crime to be minimised by enhanced security, and encourages the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

- 6.16. The layout provides a high degree of natural surveillance with the orientation of plots having been carefully considered. The properties are generally parallel facing, with others at a 90 degree angle. The avoidance of an overly linear built form allows for increased surveillance as properties are inward facing.
- 6.17. Links to existing PROWs and increased permeability will further aid security. The parking spaces within the development have also been designed to be particularly well overlooked to assist crime prevention.
- 6.18. It is therefore considered that the proposal complies with LP24 in relation to crime prevention.

c) Design

- 6.19. Local Plan Policy LP24 relates to design and confirms that good design should be at the core of all proposals.
- 6.20. The design concepts behind the scheme have been outlined in detail in the accompanying Design and Access Statement, prepared by Niemen Architects. The Statement considers the site context and constraints, addresses the pre-application response and refers to the Housebuilders Design Guide SPD (2021).
- 6.21. Within their initial pre-application response (2 February 2022), the Council raised some requested amendments with regards to site layout and how it related to site context and constraints:
- 6.22. Following this feedback, changes were made to the site plan. Amendments sought to appropriately address concerns raised by the Council. Further pre-application advice in response to the revised plan was received (11 February 2022) which confirmed that the revised layout was an improvement and moved closer to what is required. The plan submitted as part of this application therefore seeks to address all comments and advice received from the Council to date.

Materials

- 6.23. The proposed materials of construction have been carefully considered to both reflect and complement the existing stone and brick constructions within the surrounding area, and to sit comfortably against the existing residential development.
- 6.24. The surrounding area has a range of properties in varying styles, ages and materials with a good number of relatively new build properties which provide good precedents for the proposed development. The proposals have taken cues from surrounding built form including older stone properties and newer stone or reconstituted stone.
- 6.25. The supporting Design and Access statement confirms that the scheme will predominantly comprise a buff artstone, with rendered elevational detailing, and grey roof tiles. These materials have been used recently by Jones Homes and feedback has been overwhelmingly positive from buyers.
- 6.26. The proposed materials comply with the requirement promote good design (Policy LP24) and will complement existing residential development in the locality.

Scale

- 6.27. Policy LP24 requires the scale of new development to respect and enhance the character of the townscape, heritage assets and landscape.
- 6.28. All proposed elevations consist of two storey dwellings in both semi-detached or detached form, with the exception of the 2no. apartment blocks which sit at 3 storeys in height (and are centrally located) , with pitched roof lines in keeping with the existing theme within the immediate locality. The surrounding area has a good mix of 2 or 2.5 storey properties, so they will not look out of character within the locality.

d) Drainage

- 6.29. At the time of the submission further investigations into the route, depth and details of the recorded culvert potentially crossing the north-western corner of the site are ongoing. Once the investigation works have been completed and analysed the report will be updated and resubmitted to the council.
- 6.30. The drainage strategy for the site has been assessed in detail and a SuDs basin would not be suitable due to the change in levels on site. However, permeable paving is proposed for all private drives. Surface water disposal will either be to the culvert or to the public surface water sewer immediately north-east of the site.
- 6.31. Attenuation Storage will be provided for rainfall events. The surface water storage accounts for storms up to the 1 in 100 year events plus 45% climate change event, including 10% urban creep.
- 6.32. The area of self-seeded tree cover to the north will be retained and will assist in reducing the amount of surface water run-off from the hard surface areas and help with natural absorption of rain. The inclusion of tree-lined streets and planting to the front of properties will also assist with this.
- 6.33. Foul water from the development is proposed to discharge to the public sewer in Darley Road, immediately east of the site.

e) Flood Risk

- 6.34. The proposed site is located in Flood Zone 1. The closest area of land within Flood Zone 2 or 3 is 155 metres to the north. A Flood Risk Assessment has been prepared by Eastwood Consulting Engineers in support of this application.
- 6.35. The Assessment concludes that the site is in Flood Zone 1 and the level of risk and safeguards available are considered appropriate to the proposed development.

f) Noise

- 6.36. A Noise Impact Assessment has been prepared by SLR in support of this application which confirms that the existing noise source which will potentially affect the residents of the proposed residential development would be the distant road traffic, on Halifax Road and the surrounding road network.
- 6.37. As such the road traffic noise levels have been assessed against the guideline values. The initial 'Site Noise Risk Assessment' confirms that proposed receptors on the development site are at a negligible risk of

experiencing an adverse noise impact due to road traffic during the day and night-time periods respectively, with no mitigation in place.

- 6.38. The Noise Assessment confirms that adverse noise impacts will be avoided at the proposed development in accordance with the national policy relating to new residential development.

g) Trees

- 6.39. An Arboricultural Impact Assessment has been completed by JCA Limited in support of this planning application. The report confirms, whilst the development will require the removal of some trees within the site, a planting scheme is included with the scheme, to mitigate trees losses, improve the visual benefits of the site and the surrounding area and improve the localised tree stock.
- 6.40. The report outlines a number of recommendations including temporary protective measures and remedial measures which will be adhered to if planning permission is granted.
- 6.41. Although the development of the site necessitates the removal of some trees, the site provided a 13% net biodiversity net gain due to the proposed structured tree planting and introduction of biodiverse grassland.

h) Air Quality

- 6.42. An Air Quality Impact Assessment has been undertaken in support of the application. The assessment provides suggested mitigation to help improve the impact on air quality during construction and operational phases of the proposed development. The proposed mitigation measures will be adhered to if planning permission is granted, as it is anticipated that standard conditions will be imposed. No air quality issues were raised as part of the assessment.

i) Climate Change

- 6.43. A Climate Change Statement has been completed in support of this application which confirms that the proposed development would comply with the new Part L of Building Regulations. The development will have an electricity sub-station installed and each plot will have an air source heat pump.
- 6.44. Trees to the front of properties and tree lined streets are proposed which will assist with the heating and cooling of houses. Much of the self-seeded tree cover to the north of the development has been retained which will also assist with wind protection.
- 6.45. The site is bordered on the south and east by an existing PROW, to the west by a Bridleway and to the north by the Spen Valley Greenway. Multiple access points to the PROW, Spen Valley Greenway and Bridleway via footpaths have been provided, which allow the development to be fully permeable by foot and bike to promote sustainable modes of transport i.e. walking and cycling.

j) Ecology

- 6.46. An Ecological Appraisal Impact Assessment has been prepared by Applied Ecological Services Ltd and accompanies this application.
- 6.47. The site comprises improved pasture (modified grassland). The desktop assessment indicates that there are no international or national sites of Nature Conservation interest that form part of the National Site Network within 2km of the survey area. There are no non-statutory sites of nature conservation interest within the 2km search area.
- 6.48. The site lies partly within the Kirklees Wildlife Habitat Network and the report confirms there is likely to be a minor negative impact on woodland habitat as a small area of broadleaved plantation woodland will be lost to provide access from Darley Road. However, the remaining woodland will be enhanced to bring it into good condition by improving the structural diversity and sub-canopy.
- 6.49. There are no protected Priority Species of plants recorded within the development site. The report outlines a number of recommendations which would be adhered to if planning permission is granted.
- 6.50. A separate Bat Survey Report was prepared alongside the Ecological Survey which confirms there were generally low levels of foraging and community activity across the site and no further survey work is required. The report recommends the introduction of bat roosting facilities, which can be controlled by condition.
- 6.51. A Breeding Bird Survey was also completed and supports this application. No protected species were recorded throughout the course of the surveys. The report recommends enhancements, including the installation of bird boxes.
- 6.52. The Ecological Report confirms there are no significant negative impacts anticipated as a result of the development proposals. In addition, the proposals result in a 13% biodiversity net gain which will improve the ecological value of the site.

k) Highways

- 6.53. A detailed Transport Statement, prepared by Vectos, has been submitted to accompany this submission. It is proposed that the western end of Darley Road will be extended into the site to facilitate access to the proposed residential dwellings.
- 6.54. The proposed level of parking complies with Kirklees parking guidelines and the internal layout is suitable to facilitate access for refuse and delivery vehicles. The supporting Travel Plan makes reference to facilitating sustainable modes of transport. All plots will be fitted with one or more Electric Vehicle (EV) charging point.
- 6.55. The Statement confirms that the proposed development complies with the main objectives and policies outlined in national and local guidance. It is therefore considered that the proposed development accords with Policies LP22 (Parking) and LP21 (Highways and Access) of the Kirklees Local Plan and the Highways Design SPD in respect of Highway safety and parking requirements.

l) Heritage Considerations

- 6.56. The application does not sit within Conservation Area and there are no known heritage constraints to the development of the site beyond potential below-ground archaeology.
- 6.57. The supporting ground investigation reports confirm that it is not believed the study site is archaeological interest. The closest listed buildings within proximity of the site are Stocks (Grade II) 140m to the south and Middle Farmhouse (Grade II) 150m south of the site both are located along Halifax Road and cannot be viewed from the site as a number of residential properties provide separation.
- 6.58. Given the physical separation of these properties from the application site, the presence of existing development in between and the fact that no issue was raised at pre-application stage by the Council in this regard, it is considered that there are no heritage issues arising from the development.

m) Contaminated Land

- 6.59. Ground investigation surveys have been carried out in support of this application by Michael D Joyce Associates. The Phase 1 Geoenvironmental Risk Assessment comprises an extensive desk top based report and confirms that based on the past history of the site, the probability of contamination being present sufficient to affect the identified receptors is considered to be a low to moderate risk. The report concludes that it is not considered that there is likely to be any significant risk, although a standard full intrusive investigation report was considered necessary.
- 6.60. A Preliminary Phase 2 Ground Investigation followed the initial survey work, which builds on the previous report, with results from additional sampling and testing undertaken on behalf of Jones Homes. This report concludes that there are no major geotechnical constraints to developing the site but the report sets out a number of recommendations which will be adhered to if planning permission is granted for the site.
- 6.61. As such, there are not considered to be any issues in respect of contaminated land which would affect residential development on the site.

Yorkshire Water Main Diversion

- 6.62. The proposals may require the diversion of a Yorkshire Water main. Although this is to be confirmed the landscaping plan shows a strip of trees to be removed to accommodate this. If the diversion is not required, trees will be retained, where possible.

7. Planning Obligations

7.1. The Section 106 requirements normally required for a development of this scale were set out in the Council's pre-application response letter (2 February 2022).

7.2. The standard contributions were listed as:

- **Affordable Housing** - 20% of units (approximately 13 dwellings) with a tenure split of 55% social or affordable rent to 45% intermediate housing.
- **Biodiversity Net Gain** – A financial contribution for off-site biodiversity enhancement works will be sought that ensures that the proposal delivers a biodiversity net gain of 10%.
- **Education** – A financial contribution will be sought towards additional pupil spaces at local Primary and Secondary Schools.
- **Public Open Space** – New open space provision on site or an off-site financial contribution.
- **Transport** – Section 106 highway contributions may be payable.
- **Management and Maintenance** – Obligations relating to the management and maintenance of landscape, highway, drainage infrastructure will be necessary.

7.3. Taking each of those contributions in turn:

Public Open Space (POS)

7.4. Policy LP63 of the Kirklees Local Plan seeks to deliver new open space or the improvement of existing provision in the area. The Open Space SPD confirms that sites delivering between 51-200 dwellings must provide a locally equipped play area (LEAP). Additionally all development of 11 or more dwellings will be expected to include useable, accessible greenspace (14.58 sq. metres per dwelling).

7.5. The pre-application response does however confirm that if POS provision is not provided on site an off-site contribution would be required. The proposal seeks to provide 67 dwellings and therefore the area of open space should equate to 976.86 sq. metres.

7.6. The submitted site plan details the provision of this POS within the site, in the form of retention of the self-seeded tree area and it is anticipated that a management company would be established to ensure maintenance of this area in the long term. The area of POS extends to 5987.9 sq. metres which will deliver well over the requirements.

7.7. It is therefore considered that the proposal is fully policy compliant in respect of delivery of Public Open Space, in accordance with Policy LP63 and the Open Space SPD.

Affordable Housing

- 7.8. Kirklees has recently published an Affordable Housing and Housing Mix Supplementary Planning Document (March 2023). This requires 20% of units on a site as affordable housing, on all developments for more than 10 dwellings. The tenure split for this is 55% affordable rent and 45% intermediate housing.
- 7.9. The SPD is supported by Policy LP11 of the Local Plan, 'Housing Mix and Affordable Housing' which requires proposals for housing to aim to provide a mix (size and tenure) of housing suitable for different household types. The council will negotiate with developers for the inclusion of an element of affordable homes in planning applications for housing developments of more than 10 homes. The proportion of affordable homes should be 20% of the total units on market housing sites.
- 7.10. The proposal includes the provision of 13 affordable units, 12 units will be provided in the apartment blocks and one Keswick 3 bedroom house will be allocated as an affordable home. This equates to 20% of the units on site.
- 7.11. The proposal is therefore consistent with the local planning authority's affordable housing requirements.

Biodiversity Net Gain

- 7.12. The proposal provides a net increase in biodiversity on site through the retention and enhancement of existing woodland (where possible) and commitment to future maintenance. In addition, proposals include the retention and enhancement of hedgerows on the development which are included in maintenance plans. The provision of tree lined streets have now been accommodated following the council's pre-application advice and additional trees will be planted in front gardens where possible.
- 7.13. The proposed enhancements will improve the Kirklees Wildlife Habitat Network and will help to reduce the surface water run-off rates by minimizing areas of hardstanding and incorporating vegetation to reduce run-off.
- 7.14. The supporting Ecological Report confirms that the baseline area habitat, linear hedgerow data and information regarding the areas of retained and enhanced habitats were entered into the Biodiversity Metric 3.0 auditing and accounting for biodiversity calculation tool for BNG. The headline results indicate that BNG on the site is feasible with a +13.16% net change in habitat units and +130.72% change in hedgerow units.

Education

- 7.15. The proposed financial contribution sought towards additional pupil spaces at local Primary and Secondary Schools outlined in the pre-application advice is based on 75 dwellings. This figure will be calculated based on the proposed 67 dwellings and agreed as part of this application.

Transport

- 7.16. As the proposal includes over 50 dwellings, a Travel Plan is required for the development and Kirklees Council require a Travel monitoring fee to be secured as part of the S106 Agreement.

Planning Statement

Land off Primrose Lane, Liversedge



- 7.17. For a development of this scale (classed as a 'small major' residential development) the fee is £10,000 (£2,000 per year for 5 years).
- 7.18. The provision of Residential Metro cards (or Sustainable Transport Fund) is expected for this development, West Yorkshire Combined Authority will be consulted at the planning application stage and will recommend a contributory sum accordingly.

Management and Maintenance

- 7.19. The required obligations relating to the management and maintenance of the landscape, highway and drainage infrastructure will be agreed as part of this application.

8. Summary & Conclusions

- 8.1. This Statement has been submitted in support of a full planning for 67 dwellings by Jones Homes, on land off Lower Hall Close, Liversedge. The key benefits of the development are considered to be:
- Delivery of an allocated residential site which will help meet the housing numbers for Kirklees;
 - Provision of a range of house types, to promote an inclusive development. The proposal includes apartments, semi-detached and detached properties;
 - Delivery of 13 affordable homes on-site;
 - Promotion of sustainable modes of transport through links to public rights of way and the Spenn Valley Greenway;
 - 13.6% Biodiversity Net Gain;
 - Significant economic benefits, including in terms of investment and jobs throughout the construction phase, alongside Council Tax receipts to Kirklees Council;
 - The development will deliver on-site Public Open Space and highway improvements of benefit to the wider community.
- 8.2. The application site is allocated for residential development in the Local Plan and therefore the principle of development is established. The layout responds to the pre-application advice, public consultation and fully addresses the constraints and opportunities of the site.
- 8.3. The proposed development takes account of the nature of existing development within the local and immediate area in terms of scale, layout and density. Although Policy LP7 of the Local Plan requires 'at least' 35 dwellings per hectare, it specifies 'where appropriate'. It is considered that a marginally lower density development in this location is more appropriate given the character of existing development within the area. It is recognised this is a transition site between built form and open countryside, The number of units proposed is 67 and this represents a density of approximately 28.78 dwellings per hectare.
- 8.4. The layout and orientation of the proposed dwellings will also ensure a high level of natural surveillance throughout the site. In terms of appearance, the use of different house types, materials and design features create visual interest. This results in a high quality design which is in accordance with the relevant policies in the Local Plan (Policies LP24, LP11, LP22, LP32 and LP63) and NPPF.
- 8.5. A Phase One Ecological Survey has been submitted in support of this application. This establishes that the site offers low potential for protected species to be present. Additional surveys also found that the site has very limited potential for bats or birds.
- 8.6. A Transport Statement, prepared by Vectos, accompanies this application and confirms that the proposed development complies with the main objectives and policies outlined in national and local guidance. The proposed level of parking complies with Kirklees parking guidelines and the layout is suitable to facilitate

Planning Statement

Land off Primrose Lane, Liversedge



access for refuse and delivery vehicles. The proposals therefore comply with LP21 and LP22 of the Local Plan.

- 8.7. The proposed development is in accordance with the relevant planning policies from the Kirklees Local Plan and the guidance contained within the National Planning Policy Framework.

Planning Statement

Land off Primrose Lane, Liversedge



Jonathan Ainley
Director

+44 (0) 7814 121 663
JAinley@savills.com

Sophie Moore
Senior Planner

+44 (0) 7866 822 607
Sophie.Moore@savills.com