Consultation Response from Emma Mills KC Landscape	
Application No:	2023/91212
Proposed Development:	Erection of 16 dwellings with access from Laithe Avenue
Location:	Land off, Bankfield Drive, Holmebridge, Holmfirth, HD9 2PH
Applicant/Agent:	Alistair Flatman Planning
Planning Officer	Ellie Worth
Date Responded:	25.08.23
Responding Officer:	EM
Responding Ref:	MM44

NOTES/COMMENTS: These comments are Without Prejudice

Submission of measured areas and typologies of open space to meet requirements of LP63 as per the validation checklist… https://www.kirklees.gov.uk/beta/planning-applications/pdf/validation-requirements-submission-of-planning-applications.pdf which includes the following:

"Measured areas and identification of all greenspace typologies and landscape features including Amenity Greenspace, Parks and Recreation Grounds, Natural and Semi Natural Greenspace, Allotments, Children and Young People's Provision (LAP, LEAP, NEAP, MUGA) and Outdoor Sports"

It would appear that Landscape pre-app comments have not been addressed...

"Greenspace on site is welcome, however, there is none indicated on the initial layout, nor is there a landscape buffer for the greenbelt edge and along the existing PROW. The rear gardens of dwellings 1-~~7~~ **4** provide opportunities for strengthening the landscape edge."

Landscape Context and Concept, Landscape Design

Plans considered: *H2 230201 1 Feb 23 Detailed Landscape Proposals

Setting – this layout for 16 dwellings is on allocated agricultural land adjacent to the greenbelt.

We welcome proposed tree planting to the front gardens where there is sufficient room, however the landscaping scheme does not appear to have taken into account street tree planting in the verges of the estate roads. The scheme as a whole is ok but does not provide street tree planting for the development which would be preferred. Trees in rear or private gardens cannot provide the same public amenity and tend to be removed before they reach a size that allows them to contribute to the setting of the development.

In landscape design terms, ensure that there is a clear definition of highway verges with residential and an appropriate defensible space for the dwelling, consider means of natural surveillance and secure by design matters are fully considered.

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

New developments are to retain and incorporate existing significant trees within the layout as stated within Kirklees Local Plan policy LP33. Please also 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.

*"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined**, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."*

** *Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate*

Landscape proposals, particularly frontline tree planting and planting to open spaces, should identify all proposed root protection/barriers, drainage, suds and attenuation or soakaways and all easements to ensure trees are accommodated satisfactorily.

Additionally, we would anticipate all new tree planting within 5m of the adoptable highway to include adequate root barrier, clearly identified on the proposed landscape plans.

Details should be submitted for proposed tree planting in front gardens and highways verges demonstrating adequate soil volumes and tree pit details to support the growth of the tree for the long term, such as: the volume of tree pits, details of soil volume & root management, details of installation, timing/planting season and long term management.

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).

The proposed landscape layout drawing no. H2 230201 is sympathetic to the existing landscape and setting, including hedgerows of native species.

Preference is for species which are not potentially invasive and details from Natural England can be found here.
There's some further guidance on NNSS on alternative species to use for landscapers here.

There are opportunities for strengthening the landscape edge and we suggest mitigation to the greenbelt to the southern boundary and PROW HOL/91/20.

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

The remaining landscaping scheme is acceptable. However, it doesn't look like any management plan for the scheme has been submitted.

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.

Landscape maintenance and management plans can be dealt with via pre commencement condition – see indicative condition below.

Meeting LP63 for open space typologies, on site and/or off site provision
The Developer should refer to the adopted Open Spaces SPD (Open Space SPD (kirklees.gov.uk) 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.

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

Ward deficiencies

	Current Open Space Provision Compared to Quantity Standards			
Select Ward	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)
Holme Valley South	0.05	0.72	1.51	0.16
Current Open Space Provision Compared Quality & Accessibility Standards	Req'd for Acceptability	Def in quantity	Def in quantity	Def in quantity

Amenity greenspace is required to make the development acceptable and although there is amenity greenspace within 720m it is of low or medium quality.

Dwelling triggers for Children & Young Peoples Provision: 16 dwellings does trigger CYPP – a LAP

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	×	×	×	×
11-50 dwellings	✓	×	×	×
51-200 dwellings	×	✓	×	×
201-500 dwellings	✓	✓	×	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:

As the site lies well within the acceptable guidelines for proximity to existing provision with Holmbridge rec within a 15min walk and less than 720m away we would recommend an off-site lump sum contribution towards existing provision, in the vicinity.

For the typologies not able to be provided on site, there are other 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, 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.

Negotiation of a commuted sum with the LPA to facilitate improvements in an offsite location

Kirklees COUNCIL

Public Open Space requirements calculator (refer to Open Space SPD)

1. Enter the number of dwellings proposed in each dwelling type category
2. Results will be displayed for on-site space requirement and an equivalent payment requirement if on-site is not possible. Inspection fees will apply to any on-site provision.
3. Select the relevant Ward to see open space provision compared to quantity standards in each typology (based on LP63 evidence)

1

Dwelling Type	Number of proposed dwellings
Market/Affordable Housing (100%)	16
Market/Affordable Housing 2-bed Flats (75%)	
Market/Affordable Housing 1-bed Flats (50%)	
Housing for Older People	
Student Housing	
TOTAL	16

2

LP63 Open Space Typology	Sq m of space required on site	OR	Payment towards off-site provision	Inspection fees for on-site
Amenity Green Space	233.28		£6,395.60	Choose a level:
Children & Young People	214.40		£7,272.33	N/A
Parks & Recreation	311.04		£8,885.95	(This will vary according to size, number of site visits and ROSPA certification)
Natural & Semi-Natural Green Space	777.60		£7,601.04	
Allotments/Community Growing	0.00		£0.00	
Outdoor Sports	336.00		£5,688.62	
TOTAL	1872.32	(inspection fees will apply)	£35,843.54	N/A

3

Open Space Provision Compared to Quantity Standards (RED = CURRENTLY DEFICIENT)**

Select Ward	Amenity Greenspace (ha per 1000 pop)	Parks & Recreation Grounds (ha per 1000 pop)	Natural & Semi_Natural Greenspace (ha per 1000 pop)	Allotments (ha/p 1000 households)
Holme Valley South	0.05	0.72	1.51	0.16

** Large developments will affect the level of provision by virtue of increasing the resident population upon which the assessment is based. Therefore deficiencies may be increased in these cases, adding to the required contribution.

We will require the measured areas for the on site pos provision in order to be able to calculate the off site contributions in lieu of sufficient pos being provided on site in the respective typologies. The table above demonstrates the typologies triggered and requirements in sq.m. or off site £35,843.54 contribution with/without on site pos provision.

If the applicant submits a plan showing suitable and appropriate open space and the measured areas of their typologies, we can re-calculate this sum to reflect the on site provision, if any is proposed on site. It all appears to be highways verge and landscaping though rather than open space for public use.

Wildlife and habitat networks, TPO's, PROW : links & connectivity:

There are areas close to the Site designated as a Wildlife Habitat Network. Landscape planting on site can help provide additional green infrastructure going towards linking in the future.

How is the new estate road layout connecting with the surrounding community?

A linking surfaced footpath should be provided to the existing PROW which runs along the southern boundary of the site, promoting access to the existing healthy active travel routes and improvements that promote and facilitate greater use of the spaces and a strong integration with the surrounding new and existing community, refer to the Highways Design guide: Highway Design Guide Supplementary Planning Document (SPD) (kirklees.gov.uk)

Advice to planning officer:

Required Actions-

Revision of landscaping plan to… include access to the PROW

Landscape – it would be prudent, given the setting of this scheme, to secure early submission of a detailed Landscape Management Plan and conditions suggested A, B and C below.
A s106, or similar, will be required with full details of the management and maintenance of the areas of on site landscaping, for the lifetime of the development, off site lump sums, and contact for the private management company or resident management company arrangements. **The condition for the Landscape And Ecological Management Plan: (to be confirmed with GH)**
See condition indicative for LEMP below.

Submission of measured areas and typologies of any open space to meet requirements of LP63

To be satisfied with the proposals we will need to see amendments to the layout for mitigative planting and buffer to the greenbelt and PROW to the southern boundary.

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.

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 landscaped areas 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.

PROW: POS paths dedicated as highway: Yes

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

S106 HoT

Off Site Open Space & Location of site/s to receive POS contribution : ***£ TBC towards existing facilities in the vicinity of the development including but not limited to Holmebridge Rec.***
By:. Preferably prior to occupation of 25% of dwellings
Trigger points if payments phased: Preferably prior to occupation of 25% and 50%
On-site POS

- **Trigger point:** Preferably prior to occupation of 50%
- **Trigger points if phased:** Preferably prior to occupation of 50% &/or 75% of dwellings
- **Bonds:** or deposit – yes as there is an off site contribution
- **Index linked: Always Yes** - All S106 Agreements should have indexation added to financial payments requirements
- The Developer covenants with the Council not at any time to use or allow the Open Space Land to be used as a site compound for the storage of construction materials and plant and/or the location of a site office in connection with the Development (unless otherwise agreed in writing with the Council).
- The Developer shall at its own cost and expense construct lay out and substantially complete the Open Space Works in a proper and workmanlike manner with sound and good quality planting and materials in accordance with good horticultural and ecological practice to adoptable standards and to the reasonable satisfaction of the Council.
- **Inspection fee (simple, routine or complex see fee sheet):** na

- **Private/Resident Management company details:** Yes to be supplied prior to substantial completion of the on-site landscaped areas

- **Landscape Plan reference number (showing relevant areas of POS highlighted):** Shows on site POS shaded and or bounded by a colourful line

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) Means of enclosure around the site, including gates; (b) Materials to be used for all hard surfaced areas (c) Soft landscape works to include planting plans; plant schedules noting species, plant sizes and proposed numbers/densities where appropriate; (d) 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. (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. 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.

A. **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

B. No building shall be occupied until a landscape and ecological management plan (LEMP) 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, SuDS 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

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). 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