

**Consultation Response from KC,  
Policy****2023/91313 Land Adj, Scar Mills, Lockwood Scar, Lockwood, Huddersfield, HD4 6BL****Erection of 5 dwellings and associated works****Date Responded: 07/06/2023****Responding Officer: AL****Responding Ref:**

The proposed development for 5 dwellings and associated works is predominantly shown unallocated on the Kirklees Local Plan. However, on the north-western boundary of the site and on small part of the southern eastern boundary off Enoch Lane, the application site encroaches into land allocated as urban green space (site UG145) and the Kirklees Wildlife Habitat Network as identified on the Kirklees Local Plan.

The Local Plan was adopted on 27 February 2019. The Local Plan Strategy and Policies should be fully considered. However, the following response relates to specific Local Plan policies which are of particular relevance to the proposal, other policies that are not mentioned here may also apply.

**Urban Green Space**

Local Plan Policy LP61 (Urban Green Space) does not allow for development proposals that would result in the loss of urban green space (UGS) unless it can be demonstrated that (a) the open space is no longer required to meet open space, sport or recreational needs, or (b) it can be replaced by equivalent or better provision in quantity and quality terms in a suitable location, or (c) the proposal is for an alternative open space, sport or recreation use.

Urban green space allocation UG145 comprises a natural/semi-natural greenspace which encompasses Spa Wood that forms an important buffer between industrial and residential areas and is part of the Wildlife Habitat Network. This woodland area was not identified in the Kirklees Open Space Study 2016 as being no longer required as open space and therefore LP61 criterion (a) does not apply to this proposal. Similarly, as the proposal is not for an alternative open space use LP61 criterion (c) is also not relevant.

The area on the south-eastern boundary of the application site, located within the UGS, is proposed to be retained as part of the existing woodland and as such there would be no loss of green space in this location, and therefore no conflict with Local Plan policy LP61.

However, careful consideration should be given to the extent of the loss of UGS on the north-western boundary. The UGS boundary at this point follows the boundary of application 2017/90143 previously granted outline permission for residential development. It appears that the gardens of plots 1 and 2 will marginally encroach into the UGS, and potentially these 2 proposed dwellings may also infringe into the UGS. Some existing trees are intended to be removed within/along the UGS boundary and the accompanying proposed site plan shows an area of new trees to be planted. An assessment is therefore required to determine the impact on the land allocated as UGS and whether any replacement provision, such as the proposed new trees, meets LP61(b) as being equivalent or better in quantity and quality compared to any green space that will be lost to development.

**Biodiversity**

Spa Wood is a Priority Habitat and therefore Local Plan policy LP30 (Biodiversity & Geodiversity) is relevant to this proposal which seeks to protect habitats and species of principal importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest. As Spa Wood also forms part of the Kirklees Wildlife Habitat Network (WHN) and the application site encroaches into the WHN, policy LP30

criterion (iii) would also apply to this proposal and careful consideration should therefore be given to impact on the WHN and the need to safeguard and enhance its function and connectivity. In this case, whilst the development proposals would not result in the fragmentation of the network, the Biodiversity Officer should be consulted in relation to any potential impact on this priority habitat.