

Consultation Response from KC, Policy**2023/92966 Land to the rear of, 271, Cliffe Lane, Gomersal, Cleckheaton, BD19 4SB****Demolition of existing dwelling and erection of 87 dwellings including formation of a new access from Cliffe Lane, landscaping, public open space and all associated infrastructure and engineering works****Date Responded:****Responding Officer:** Jacob Parker-Henry

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.

This application proposes the erection of 87 dwellings, and associated works such as landscaping, public open space, and infrastructure. The site of the application is allocated for housing in the Kirklees Local Plan. However, the application does not cover the full allocation. The site is also adjacent to a conservation area (CA15) and listed building on the north-east edge of the site. Part of the Wildlife Habitat Network also runs from the centre of the northern boundary down the centre of the site. The site also includes a number of Tree Protection Orders (TPOs). The site borders the Green Belt along the northern boundary and part of the western boundary.

Local Plan Allocation

As the application site is allocated for housing (HS116), Local Plan Policy LP65 (Housing Allocations) is applicable, and the principle of residential development on this site is acceptable. The allocation has an indicative capacity of 135 dwellings and a net area of 3.87ha. The application covers 3.6ha of the site.

As mentioned above, the site also borders the Green Belt on the northern boundary and part of the western boundary. As set out in principle 8 of the Housebuilders Design Guide SPD, the development should provide a soft transition between the built form and Green Belt to minimise any detrimental impact on the openness of the Green Belt. The proposed scheme which includes the open space between the houses and the northern boundary provides this soft transition. However, there is less scope in the submitted scheme which shows rear gardens backing onto the western boundary should be reconsidered. A strong Green Belt boundary should be retained to minimise the risk of encroachment.

Furthermore, the proposed site does not cover the full allocation, however, the plans show (by the blue line boundary), that the applicant owns the remaining part of the site. Therefore, consideration should be given to facilitating potential future development of this land and future access to this area needs to be considered. Further comments from the highway's team should be sought on this.

Density

Local Plan Policy LP7 (Efficient and effective use of land and buildings) states that housing density should ensure efficient use of land, in keeping with the character of the area. Furthermore, the development should achieve a density of at least 35 dwellings per hectare, where appropriate. This application proposes 87 dwellings across 3.6ha, which gives a density of 24 dwellings per hectare, well below the density requirements.

For lower densities, the policy states *“that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs”*. Therefore, the applicant would need to demonstrate that a lower density is necessary.

Affordable Housing

Local Plan Policy LP11 (Housing Mix and Affordable Housing) states that on sites of 10 or more dwellings, affordable housing contributions are required. As this application proposes 87 dwellings, this threshold is met. The policy states that the minimum requirement is 20%, and the tenure split of the affordable dwellings should be 55% affordable / social rent, 45% intermediate tenure as set out in the Affordable Housing and Housing Mix SPD. Furthermore, national planning policy also states that 25% of all affordable homes must be First Homes, which make up part of the intermediate tenure.

Therefore, for this development, the affordable housing contribution, and subsequent tenure split should be as follows;

- 17 affordable homes
- 9 of these to be affordable / social rent
- 8 to be intermediate tenure (with 3 being First Homes)

Housing Mix

Local Plan Policy LP11 (Housing Mix and Affordable Housing) also states that on sites of 10 or more dwellings, appropriate housing mix should be reflected. The Affordable Housing and Housing Mix SPD provide housing mix tables which show the appropriate housing mix across the different tenure types for the different sub-areas across Kirklees. The application is situated within the Liversedge and Gomersal Ward, which forms part of the Batley & Spend sub-area. Table 7 of the Affordable Housing and Housing Mix SPD shows the housing mix requirements for Batley & Spen.

The application does not reference affordable housing provision; therefore, no comment can be made on whether the proposed housing mix across tenure types is appropriate at this time.

Further comments relating to Affordable Housing and Housing Mix should be sought from the Housing Growth team.

Design

Careful consideration should be given to the design quality of this proposed development in accordance with Local Plan policy LP24 (Design) and the design principles set out in the council's Housebuilders Design Guide Supplementary Planning Document. This includes sensitively respecting and enhancing local character, high standards of residential amenity, such as minimum separation distances between houses, integrating green infrastructure and accessible open space, net biodiversity gain, walking and cycling and road connections, materials, and detailing, and how the proposal in terms of energy efficiency contributes to the council's ambition to have net zero carbon emissions by 2038.

For this proposals, criteria (a), (b), (d), (e), (f), (g), (h), (i), and (j) of Local Plan Policy LP24 (Design) all apply.

Due to the fact the site is adjacent to a conservation area (CA15) and a listed building on the north-east boundary of the site, further comments should be sought from the Conservation and Design team.

Parking

Local Plan policy LP22 (Parking) sets out the criteria for parking on residential developments. Criteria (e), (f), (g), and (h) all apply to this development. Furthermore, principle 12 of the Housebuilders Design Guide states that cars should not dominate street frontages through parking arrangements that place cars at the front of all dwellings and with overly dominant integral garages at the front of dwellings. The submitted plans show car parking spaces dominating the street frontages, therefore this is of concern.

Further comments should be sought from the council's Highways Team.

Open Space

As this proposal is for more than 10 dwellings, new open space provision is required in accordance Local Plan policy LP63 (New Open Space) and the Open Space SPD to meet the needs of the development. Local Plan policy LP63 states; "*New housing developments will be 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. New open space should be provided in accordance with the council's local open space standards or national standards where relevant.*"

This analysis will help determine the need for new on-site or off-site open space, enhancement of existing provision and/or a financial contribution and considers the need to provide for different types of open space. As such, the assessment in Appendix 1 indicates the open space requirement for a development of 87 dwellings in this location.

Further comments should be sought from the council's Landscape team.

Biodiversity

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

In accordance with Local Plan policy LP30 (Biodiversity and geodiversity) criterion (iii) development proposals are also required to safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term.

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

Trees

Local Plan Policy LP33 (Trees) states that the council will not grant planning permission for developments which directly or indirectly threaten trees. Proposals should normally retain any valuable or important trees, but where tree loss is deemed acceptable, developers will be required to submit detailed mitigation schemes.

The site of the application has a number of Tree Protection Orders (TPOs), therefore, LP33 applies. The plans submitted show that some trees protected by TPOs will need to be removed for access, therefore, mitigation schemes will be required.

Further comments should be sought from the trees officer.

Conclusion

In conclusion, as per Local Plan Policy LP65 (Housing Allocations), the principle of residential development on this site is acceptable, however, consideration needs to be given to parking, heritage, trees, affordable housing provision, housing mix and open space provision.

Appendix 1: Open Space Assessment (Liversedge & Gomersal Ward – 87 Dwellings)	Quantity	Accessibility	Quality	Quantity Required (sqm)	Outcome
Parks & Recreation Grounds	<p style="text-align: center;">Met</p> <p>The local standard is 0.8ha per 1,000 population.</p> <p>Current provision is 1.02ha per 1,000 population.</p>	Met	<p>The majority of the site is within a 15 minute walk of Nibshaw Lane Recreation Ground.</p> <p>Consult the Landscape/ Greenspaces Team for the need for improvements to provision within the area.</p>	<p>19.44 sqm per dwelling.</p> <p>Total = minimum 1,691,28 sqm.</p>	<p>Explore opportunities to provide new recreation space on-site within the development or off-site nearby.</p> <p>For developments of 10-500 dwellings, a financial contribution towards the enhancement of existing provision nearby may be appropriate to meet quantity deficiencies or identified quality deficiencies following a Green Space Appraisal by the Landscape Team.</p>
Natural and Semi-natural Greenspace (NSNG)	<p style="text-align: center;">Not Met</p> <p>The local standard is 2ha per 1,000 population.</p> <p>Current provision is 0.17ha per 1,000 population.</p>	Met	<p>The majority of the site is within a 15 minute walk of woodland at Shirley Recreation Ground.</p> <p>Consult the Landscape/ Greenspaces Team for the need for improvements to provision within the area.</p>	<p>48.6 sqm per dwelling.</p> <p>Total = minimum 4,228.2 sqm.</p>	<p>Explore opportunities to provide new natural/semi-natural greenspace on-site, such as natural areas, landscaping treatments and tree planting. New off-site provision can be provided within a 15 minute walk.</p> <p>For developments of 10-199 dwellings, a financial contribution towards new or enhanced natural/semi-natural greenspace within the vicinity may be appropriate, particularly to support habitat creation and connectivity with the Kirklees Wildlife Habitat Network.</p>
Amenity Greenspace	<p style="text-align: center;">Met</p> <p>The local standard is 0.3ha per 1,000 population.</p> <p>Current provision is 0.33ha per 1,000 population.</p>	Met	<p>The majority of the site is within a 15 minute walk of Aspen Close Open Space and Play Area adjacent to Red House Museum.</p> <p>Consult the Landscape/ Greenspaces Team for the need for improvements to provision within the area</p>	<p>14.58 sqm per dwelling</p> <p>Total = minimum 1,268.46 sqm.</p>	<p>Provide new amenity greenspace on-site to achieve a well-designed scheme and quality of place.</p>

Allotments	<p>Not Met</p> <p>The local standard is 0.5ha per 1,000 population.</p> <p>Current provision is 0.09ha per 1,000 population.</p>	Not Met	Not Met	<p>5 sqm per dwelling</p> <p>Total = minimum 435 sqm.</p>	<p>Explore opportunity to provide new allotments/community growing either on-site or off-site within a 15 minute walk.</p> <p>Developments of 50-499 dwellings may be required to provide a financial contribution towards new allotment provision within the area (within a 15 minute walk).</p>
Equipped Play - Children	Not Applicable	Met	Contact Landscape Team	<p>6.1 sqm per dwelling.</p> <p>Total = minimum 530.7 sqm.</p>	<p>Developments of 51-200 dwellings trigger the requirement for a Locally Equipped Area of Play (LEAP).</p> <p>1,165.8 sqm. Minimum required.</p>
Equipped Play - Teen Provision	Not Applicable	Not Met	Contact Landscape Team	<p>7.3 sqm per dwelling.</p> <p>Total = minimum 635.1 sqm.</p>	
Young People Provision – Major Skate Park	Not Applicable	Met	Contact Landscape Team		
Young People Provision – MUGA	Not Applicable	Met	Contact Landscape Team		
Outdoor Sport provision	The Playing Pitch Strategy 2016 identifies the following shortfalls in the Batley & Spen.	N/A	See Playing Pitch Strategy 2016 for quality of sites within the Batley & Spen sub-area.	<p>Financial contribution of £355 per dwelling.</p> <p>Total = £30,885</p>	Financial contribution of £30,885