

Consultation Response from KC Landscape	
Application No:	2023/93503
Proposed Development:	Outline application for residential development of 82 dwelling and associated works, with layout and access as considerations
Location:	Land off, Roslyn Avenue, Netherton, Huddersfield, HD4 7EW
Applicant/Agent:	Johnson Mowat Planning & Development Con
Planning Officer	Nick Hirst
Date Responded:	18.01.2024, updated 29.01.2024
Responding Officer:	EM
Responding Ref:	MM113 rev 1

NOTES/COMMENTS: These comments are Without Prejudice

Confirmation of the details included in submission of measured areas for typologies of open space, to meet requirements of LP63, will be required to ensure designs, layouts, detail and specifications meet the typology criteria.

1. Landscape Context and Concept, Landscape Design

Plans considered/reviewed:

-  Propose Site Areas.pdf
-  Proposed Landscaping Childrens Area.pdf
-  Proposed Landscaping Detail Plan 1.pdf
-  Proposed Landscaping Detail Plan 2.pdf
-  Proposed Landscaping detail plan 3.pdf
-  Proposed Landscaping Plan.pdf
-  Proposed Location Plan.pdf
-  Proposed Site Layout Affordable housing...
-  Proposed Site Layout POS Typologies Pla...
-  Proposed Site Layout.pdf
-  Soft Landscaping specification.pdf
-  Design and Access Statement.pdf
-  Planting schedule.pdf

Setting – this layout for 82 dwellings within the allocated area of agricultural land adjacent to the greenbelt.

2. Greenspace on site is welcome, however, with regards the typologies, we would question if the location of a parks and recreation area over the attenuation tank meets the criteria. We will need cross sections and details of surface treatment, any inspection chambers etc to be satisfied this would be a recreational area for public use, and to be mapped as such on the Kirklees mapping system as a public park & recreation area. At present it does not meet the Park criteria – even as a pocket park. We cannot label it as a “Park” on the Kirklees map as a park for the public to visit, it looks more like a grass space.
3. In addition, given the usual constraints of an attenuation role, will the open space provided and annotated as recreation, meet the needs of the widest possible range of users, be easily accessible and enjoyed by all people, regardless of visual, physical and cognitive ability, mobility or age? There are no paths, planting or designed infrastructure for users.



LANDSCAPING AREAS KEY		Kirklees requirement	Proposed
Natural and semi natural green space (88.6 sq m per dwelling)		3985 SQ M	4146 SQ M
Parks and recreation (10.44 sq m per dwelling)		1594 SQ M	1598 SQ M
Amenity green space (14.58 sq m per dwelling)		1195 SQ M	1383 SQ M
Allotments & community food growing (5 sq m per dwelling)		410 SQ M	528 SQ M
Children and Young people (13.4 sq m per dwelling)		1098 SQ M	1109 SQ M
Outdoor Sports Facilities		Provided off site	N/A
Total		8282 SQ M	8756 SQ M

4. Green space areas on site: are they managed and maintained by a private/resident management company?

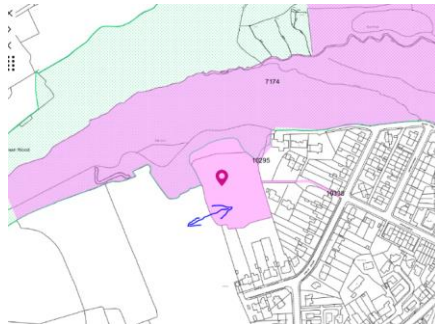
5. The curtilage and adjacent Public Open Space should be better defined to ensure that there is a clear definition of residential/amenity use and there should be an appropriate emphasis in landscape design terms. Defensible space is important and needs considering carefully as secure by design.

This area is ambiguous, it is shown as dark green N&SN greenspace, however there is no clear curtilage boundary to the orchard POS nor garden, driveway, just sloping grass banking.



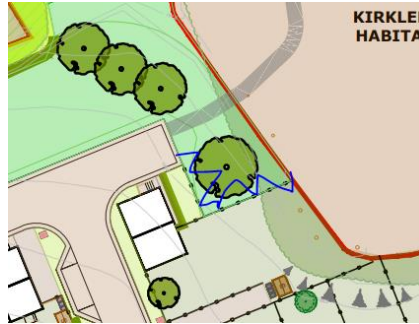


7.



And clarity on the defensible space along these curtilage boundaries butting up to the POS areas marked as N&SN greenspace.

6. In landscape design terms, ensure that there is a clear definition of residential amenity and an appropriate defensible space for the dwelling, consider means of natural surveillance of the open space or green space and secure by design matters are fully considered. Linked routes to existing paths to the PROW should be encouraged and surfaced to the site boundary.



8. Links to existing open space are important – ensure these links to the north eastern boundaries are secured, with good natural surveillance and the residents overlooking these public access routes know they are here and public will be using them. Include condition for the routes to have suitable accessibility, however to restrict the use by unauthorised motorised vehicles such as motorbikes etc.
9. Include signage for respecting the ancient woodland and open spaces.
10. We wouldn't advise including Rowan in a children's play area due to **poisonous** ornamental berries, when eaten raw, particularly immediately next to the community fruit trees area which is, by definition, encouraging folk to pick and eat the fruit in the community food growing area and surrounding a play area.



11. The plans submitted /landscaping/ scheme documents do not appear to have taken into account street tree planting in verges on 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.
12. *"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
13. 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.
14. 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.
15. 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.
16. 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).
17. When submitting detailed landscape proposals, preference is for species which are native, fruit bearing species, where appropriate. Not potentially invasive species and details from Natural England [can be found here](#).
 There's some further guidance on [NNSS on alternative species to use for landscapers here](#).

Species selection is important and those which are potentially more invasive should be substituted for less potentially invasive species.

No plant species located on part 2 of schedule 9 of the [Wildlife and Countryside Act 1981 \(legislation.gov.uk\)](https://www.legislation.gov.uk) shall be considered.

18. Preference is for native plants and for plants proven as beneficial to pollinators where possible for this location. Native, fruit bearing species preferred where appropriate.
19. The indicative shrub planting list includes some potentially invasive species, which should not be planted in this setting given the greenbelt locality and should be substituted with more appropriate less invasive species
20. The remaining landscaping scheme is acceptable. However, it doesn't look like any management plan for the scheme has been submitted. The plans should provide details of planting and maintenance requirements for the trees and planting to meet our expectations.
The Planting specification only includes 12 months establishment, there should be inclusion of the 5 years replacement should new or existing planting and vegetation fail.
 - 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.
 - **5 years in the Planning Condition**
21. Landscape maintenance and management plans can be dealt with via pre commencement condition – see indicative condition below.
22. 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 \(kirklees.gov.uk\)](https://www.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](#)
23. 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.
24. Number and type of dwellings trigger amenity greenspace in LP63 and 82 dwellings triggers other typologies in LP63 including the allotment typology.
25. Ward deficiencies

Select Ward	Current Open Space Provision Compared to Quantity Standards			
	Amenity Greenspace (ha per 1000 pop)	Recreation Grounds (ha per 1000 pop)	Natural & Semi_Natural Greenspace (ha per 1000 pop)	Allotments (ha/p 1000 households)
Crosland Moor & Netherton	0.22	1.16	0.48	0.79
Current Open Space Provision Compared Quality & Accessibility Standards	Req'd for Acceptability	Def quality	Def quantity	def Quality

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

Date: 19.01.2024														open-space- spd	
Development: MM113, 2023 9303 Land off, Roslyn Avenue, Netherthorpe, 82 dwellings		In accordance with LP63, SPD June 2021													
NOS Dwelling Count for Calls (Parks & LEAP New Open Space)		Input Number of Houses	Amenity Greenspace	Amenity Greenspace (sq.m space per dwelling)	Parks & Recreation Grounds	Parks & Recreation Grounds (sq.m space per dwelling)	Natural & Semi-natural Greenspace	Natural & Semi-natural Greenspace (sq.m space per dwelling)	Allotments/ Community Growing	Allotments/ Community Growing (sq.m space per dwelling)	Children & Young People	Children & Young People (sq.m space per dwelling)	Outdoor Sports	Outdoor Sports (sq.m space per dwelling)	
Market/Affordable Housing (100%)		82	Yes	1195.56	Yes	1594.08	Yes	3985.2	Yes	410	Yes	1098.8	Yes	1722	
Market/Affordable Housing 2-bed Flats (75%)		0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	
Market/Affordable Housing 1-bed Flats (50%)		0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	Yes	0	
Housing for Older People		0	Yes	0	Yes	0	Yes	0	Yes	0	No		No		
Student Housing		0	Yes	0	Yes	0	Yes	0	No		No		No		
Totals		82		1195.56		1594.08		3985.2		410		1098.8		1722	
Qualifying POS meterage for this development?				Yes		Yes		Yes		Yes		Yes		Yes	
Total meterage for this development				1195.56		1594.08		3985.2		410		1098.8		1722	

26. Dwelling triggers for Children & Young Peoples Provision: xxx dwellings does trigger CYPP – a * LAP/LEAP

Scale of Development	Local Area for Play (LAP)	Locally Equipped Area for Play (LEAP)	Neighbourhood Equipped Area for Play (NEAP)	Multi-Use Games Area (MUGA)
1-10 dwellings	x	x	x	x
11-50 dwellings	✓	x	x	x
51-200 dwellings	x	✓	x	x
201-500 dwellings	✓	✓	x	Contribution
501+ dwellings	✓	✓	✓	✓

Refer to Fields In Trust
[Guidance-for-Outdoor-Sport-and-Play-England](#)

27. On site or off site & Existing facilities in the vicinity: Lighthenfield Rec



28. There are existing facilities in the vicinity, within the recommended 720m for accessibility of the site, which would require enhancement in lieu of on-site provision, potentially, but not limited to Lighthenfield Rec, however, given this and Elder Grove Mews are across a busy main road, the inclusion of on site LEAP is acceptable. That being said, on site equipped provision has been included, but **Is this 20m from the closest dwellings to meet the recommended separation distances?** This needs to be confirmed, both for new dwellings and existing dwellings adjacent to the southern and eastern boundary.

- | | | | | |
|---|--------------------|---|-----------------------|--------------------|
| Total Dwelling no | 82 | | | |
| Is POS being provided by developer? | No | This box (A) only when no POS provided on site. | | |
| Development: MM113, 2023.93503 Land off, Roslyn Avenue, Netherton, 82 dwellings | | | | |
| A. POS REQUIREMENTS SUMMARY | Cost (see below) | Admin @ 15% | Total Cost incl admin | Meters (see above) |
| Amenity Green Space | £28,502.15 | £4,275.32 | £32,777.47 | 1195.56 |
| Children & Young People | £35,681.67 | £5,352.25 | £41,033.92 | 1098.80 |
| Parks & Recreation | £39,600.41 | £5,940.06 | £45,540.47 | 1594.08 |
| Natural & Semi-Natural Green Space | £33,874.20 | £5,081.13 | £38,955.33 | 3985.20 |
| Allotments/Community Growing | £3,562.90 | £534.44 | £4,097.34 | 410.00 |
| Outdoor Sports | £25,351.47 | £3,802.72 | £29,154.19 | 1722.00 |
| TOTAL | £166,572.81 | £24,985.92 | £191,558.73 | 10005.64 |
| Shortfall/POS Requirement from developer: | | £166,572.81 | | |
| Admin at 15% | | £24,985.92 | | |
| Shortfall/POS Requirement from developer (rounded): | | £191,559 | | |

- www.kirklees.gov.uk**

The table above demonstrates the typologies triggered and requirements in sq.m. or off site £ contribution with/without on site pos provision yet to be confirmed due to lack of detail for some of the areas highlighted above.

LANDSCAPING AREAS	Proposed area
Soft Landscaping - shared areas	
Scrub Land	428 SQ M
Green streets	491 SQ M
Grass - EL1 - Flowering lawn mixture	
Community Orchard	528 SQ M
Grass - EL1 - Flowering lawn mixture	
Grass - EM10 - Tussock meadow mixture	2578 SQ M
Grass - EL1 - Flowering lawn mixture	136 SQ M
Grass - EM3 - Special general purpose meadow mixture	1896 SQ M
Grass - EG22 - Strong lawn mixture	2487 SQ M
Play area - sealed surface	220 SQ M
Native species hedge	773 M (length)

LANDSCAPING AREAS KEY	Kirklees requirement	Proposed
Natural and semi natural green space (40.6 sq m per dwelling)	3985 SQ M	4146 SQ M
Parks and recreation (19.44 sq m per dwelling)	1594 SQ M	1598 SQ M
Amenity green space (14.58 sq m per dwelling)	1195 SQ M	1383 SQ M
Allotments & community food growing (6 sq m per dwelling)	410 SQ M	528 SQ M
Children and Young people (13.4 sq m per dwelling)	1098 SQ M	1109 SQ M
Outdoor Sports Facilities	Provided off site	N/A
Total	8282 SQ M	8756 SQ M

B. Complete ONLY if POS supplied by Developer							
Input POS area to be provided(sq.m)		8764	Remaining sq m	-2491.00			
Development: MM113, 2023.93503 Land off, Roslyn Avenue, Netherton, 82 dwe Date: 19.01.2024			INPUT % OR sq. m				
POS REQUIREMENTS SUMMARY		Cost (see below) excl admin	Sq Meters Req (based on no of dwellings)	Allocate Developer POS %	Developer POS Sq m Allocated	Value of developer POS	Outstanding Developer POS
Amenity Green Space		£28,502.15	1195.56		2981	£28,502.15	0
Parks & Recreation		£39,600.41	1594.08		0	£0.00	£39,600.41
Natural & Semi-Natural Green Space		£33,874.20	3985.20		4146	£33,874.20	0
Allotments/Community Growing		£3,562.90	410.00		528	£3,562.90	0
Outdoor Sports		£25,351.47	1722.00		0	£0.00	£25,351.47
Children & Young People		£35,681.67	1098.80	100% provided?	Min sq.m		
CHYPs provided by developer			LAP	No	0	£0.00	
			LEAP	Yes	3600	£35,681.67	
			NEAP	No	0	£0.00	
			MUGA	No	0	£0.00	
						£35,681.67	0
TOTAL Cost (excl admin)		£166,572.81	10005.64		11255	£101,620.92	£64,951.88
Outstanding POS Requirement from developer:		£64,951.88					
Admin at 15%		£9,742.78					
Inspection Fee (see Manco Fees Guidance tab)		£1,000.00					
Shortfall/POS Requirement from developer (rounded):		£75,695					

Given the childrens play LEAP should ideally be situated in/equate to 3600m2 I have incorporated the grass over the attenuation tank as combined CHYPs and Amenity grass until further detail is provided for it to be laid out as a park.

36. If the applicant submits further details of infrastructure for a Pocket Park, on the plan showing suitable and appropriate provision on their new open spaces and the measured areas of the typologies, we can re-calculate this sum to reflect the on site provision.
37. Wildlife and habitat networks, TPO's, PROW : links & connectivity: important in this location, why does the estate not connect to the PROW down the western boundary?
38. The Council has an obligation in respect of the Equalities Act and therefore mown grass paths across open greenspace are not acceptable versus bitmac or bound gravel paths.

39. The woodland area adjacent the Site is designated as a Wildlife Habitat Network. The protection and enhancement of this area is required by several policies within the Local Plan, including LP30, LP31 and LP33.
40. How is the new estate road layout connecting with the surrounding community?
41. A linking surfaced footpath network should be considered creating 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 communities, refer to the Highways Design guide: [Highway Design Guide Supplementary Planning Document \(SPD\) \(kirklees.gov.uk\)](#)
42. Walking and cycling routes are safeguarded under Policy LP23 of the Local Plan. A number of potential walking and cycling routes dissect the site and the integration of pedestrian and cycleway linkages should provide the framework for movement through a truly sustainable community in association with the greenspaces.

With regards our comments on the information provided in the application, these are without prejudice and are not to be read as approval on the principle of development

Advice to planning officer:

Required Actions- see above

Revision of landscaping plan to... address queries and concerns highlighted above.

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 Public Open Space, equipped play area, community orchard, footpaths, slopes and bankings for the lifetime of the development, off site lump sums, inspection fee and contact for the private management company or resident management company arrangements.

Preferred separate condition, but consideration to the conditions for the Landscape And the separate Ecological Management Plan: (to be confirmed with GH) to work together.

See condition indicative for LEMP below.

Submission of measured areas and typologies of open space to meet requirements of LP63 as per validation checklist, clarity needed for the parks area.

Whilst there are lots of positive attributes to the scheme as laid out, given the comments above, the proposals are not acceptable in their current form, until these issues are addressed or clarified.

Confirmation required as to the surfacing of the footpaths – these need to be bound and edged and accessible for largest possible practicable users (Equalities Act).

details of the management and maintenance of the areas of Public Open Space for the lifetime of the development in the Planning Condition.

concern about certain planting species near the play area

Formatted: Don't adjust space between Latin and Asian text



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 : *£75,695 towards existing facilities in the vicinity of the development, including but not limited to Lightenfield Rec .*

By:. *Preferably prior to occupation of 25% of dwellings (N.B. we're likely to require the payment or any final instalment earlier than the final dwelling, to avoid disincentivising completion)*

Trigger points if payments phased: *Preferably prior to occupation of 25% and 50%*

On-site POS

- **Trigger point:** *Preferably prior to occupation of 50% for LEAP (or 75% for all areas of POS & LEAP)*
- **Trigger points if phased:** *Preferably prior to occupation of 50% &/or 75% of dwellings*
- **Open Space** - means the open space including play equipment to be provided on the Site as part of the Development;
- To provide the On-Site Open Space identified in the Approved Open Space and Drainage Scheme in accordance with the specification therein prior to first Occupation of 85% of the Dwellings.
- To provide written notification to the Council of completion of the On-Site Open Space within 20 Working Days of completion.
- To pay the **Open Space Inspection Fee** to the Council within 20 Working Days of receipt of written request from the Council (PROVIDED THAT such request shall not be made any earlier than the date of the Council's inspection of the On-Site Open Space and nothing in this paragraph 3.3 requires the Owner to pay the Open Space Inspection Fee on any date which is earlier than 20 Working Days after the inspection).
- Subject to paragraph xxx to maintain and manage in perpetuity the On-Site Open Space and drainage infrastructure in accordance with the Approved Open Space and Drainage Scheme by way of incorporation of a Management Company which is registered at Companies House:
 - (a) which may already be in existence or which may be formed by the Owner for the purposes of carrying out the maintenance of the onsite open space and drainage infrastructure in accordance with this deed and which is incorporated in England and Wales or Scotland;
 - (b) which has its registered office in England and Wales or Scotland; and
 - (c) whose primary object is permitted to maintain and renew the drainage infrastructure and On-Site Open Space.

- Not to transfer the On-Site Open Space to a Management Company until such time as the Council has certified in writing that the On-Site Open Space has been provided in accordance with the Approved Open Space and Drainage Scheme.

Corresponding obligations for the Council:

- To inspect the On-Site Open Space within 20 Working Days of the date of receipt of notification of completion of the On-Site Open Space from the Owner.
- To provide to the Owner, as soon as is reasonably practicable after an inspection during which the Council (acting reasonably) concludes that the On-Site Open Space has been provided in accordance with the Approved Open Space and Drainage Scheme, certification in writing confirming that to be the case.
- **Bonds: or deposit – yes as there is on site POS with equipped provision and 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): Yes – as there is substantial POS being created on site with equipped provision and key landscape features being planted**
The Inspection fee, to be paid within a reasonable time after the inspection and certification by the council that the on site pos has been created (preferably as per the approved plans) and this fee shall **NOT** be tied in to the adoption by a private/residents management company nor any land transfer to the same).
- **Private/Resident Management company details: Yes to be supplied prior to substantial completion of the on-site POS**
- **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.

- B. **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

- C. 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, fruit trees 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 \(SPD\)](https://www.kirklees.gov.uk/highways-design-guide-supplementary-planning-document-spd) ([kirklees.gov.uk](https://www.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

