























Consultation Response from KC Landscape

Application No:	2024/90058
Proposed Development:	Reserved Matters application, including the considerations of appearance, scale, layout, and landscaping, for the erection of 67 dwellings, pursuant to outline permission 2020/92307 for the erection of residential development (up to 75 units) and the discharge of conditions 7 (include a Written Scheme of Archaeological Investigation (WSI) and Designer's Response), 8 (Foul and Surface Water Drainage Strategy), 9 (flood routing), 10 (mitigatory tree-planting), 11 (cycle parking), 12 (Arboriculture Assessment), 13 (Ecological Design Strategy), 14 (Bar survey), 15 (noise impact assessment)
Location:	Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS
Applicant/Agent:	Johnson Mowat
Planning Officer	Nick Hirst
Date Responded:	27.03.2024
Responding Officer:	EM
Responding Ref:	NN13

NOTES/COMMENTS: These comments are Without Prejudice

Submission of measured areas and typologies of open space to meet requirements of LP63 is welcomed, however some of the landscaped areas are highways verges and not public open space as per typologies in LP63.

 1. Landscape Context and Concept, Landscape Design

-  2023 12-13 Sealed S106 Agreement.pdf
-  2024-90058_-_General_1028107.PDF
-  2024-90058_-_Location+Plan.PDF
-  2024-90058_-_Planning layout.PDF
-  2024-90058_-_POS provisions plan.PDF
-  2024-90058_Boundary treatment.PDF
-  2024-90058_Root protection area.PDF
-  2024-90058_site layout inc roundabout.P...
-  2024-90058_Site layout plan.PDF
-  2024-90058_Soft landscape - low.PDF
-  2024-90058_Soft landscape - top.PDF
-  Arboricultural impact assessment.PDF
-  Arboricultural method statement.PDF
-  Arboricultural survey and report.PDF
-  Biodiversity cal tool.PDF
-  Biodiversity Impact Assessment.PDF
-  Built heritage statement.PDF
-  Design+ and+ Access Statement.PDF
-  EIA - Oct 2023.PDF
-  J169, Penistone Road calcs 26.02.2024 wit...
-  Landscape Mgt Plan Iss 1 - Dec 23.PDF
-  Landscape Mgt Plan Iss 2-Jan24.PDF

Plans considered/reviewed:

2. The landscape design is important and green spaces created should form a sustainable and resilient public realm, incorporating meaningful sustainable design principles. Landscape proposals and designs should be of high quality, ensure any activities consider and meet the needs of people of all ages. Landscaped areas should address and enhance existing site conditions, air, and water quality, and increasing green infrastructure to promote biodiversity.

3. We welcome the open space and landscaping on site, and whilst much of the open space on site is well connected through the proposed footpath link, there are some areas indicated which do not constitute public open space, such as the visibility splays of the highways verges

at the entrance. Landscaped areas such as these are welcomed and important for a sense of arrival, however they are not POS.

4. The small Lap is of insufficient size to be a useable space, however it is a welcomed small landscaped amenity space, breaking up the build form.

5. Greenspaces on site should consider access and their purpose (and typology). The spaces provided need to 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, background or age.
6. In addition to a key aspect of providing welcoming accessible pathways and circulation routes, consideration of seating options that cater to a range of users should include benches at a various distance/resting points. Details should be well thought out, such as benches with backrest and armrest for individuals who requires support, together with benches with varying heights to accommodate people of different sizes, abilities, as well as shaded for comfort and usability will also need consideration.
7. In landscape design terms, the scheme ensures there is a clear definition of residential amenity and an appropriate defensible space for the dwellings. The open space is well overlooked, however, there appears to have been little thought yet as to the design of the public open spaces for the intended uses and users. The majority of the space allocated as public open space appears to be amenity greenspace, however, even then, there do not appear to be any seating areas for users of the public open spaces nor litter bins – **have these been discounted for some reason?**
8. Inclusivity extends into visual experience in greening, viewpoints, planting design, paving design for a multi -sensory environment that engages individuals. The design of open green space should also consider acoustics that enhances the users experience of the outdoor environment.
9. Plans should clearly show the impact of the proposed landscape planting on drainage infrastructure.
10. Green space areas on site: are they intended to be managed and maintained by a private/resident management company?
11. Carefully consider all opportunities for appropriate 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. The scheme as a whole is ok but does not provide sufficient street tree planting for the development which would be preferred. Trees in 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. 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.
13. *"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*

14. 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.
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. 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.
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. The proposed landscape layout drawing no. GL2199 includes some native species, and the ornamental planting is primarily within the curtilage of the proposed new dwellings.
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. 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 \(legislation.gov.uk\)](#) shall be considered.
20. Mitigating and Enhancing Biodiversity: The proposed landscape scheme should support biodiversity and mitigate the impacts of the development. This scheme should demonstrate habitat areas, planting native species, and creating ecological corridors to facilitate the movement of wildlife.
21. 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.
 - 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.
22. Landscape maintenance and management plans can be dealt with via pre commencement condition – see indicative condition below.

23. Much of the landscaping is indicative at this stage but if the landscaping scheme can be secured by condition then it should be to prevent the quality and number of trees from being eroded in any subsequent applications.
24. SuDS: Enhancing and including Nature-Based Solutions: how does this scheme integrate nature-based solutions, particularly to enhance the ecological function of the landscape. Consideration of retention ponds, rain gardens, and bio-swarles in softscape areas to mitigate flooding, slow the flow and improve water quality.
25. The open space and landscaped areas should be promoting Healthy and Outdoor Lifestyles by providing opportunities for outdoor activities and recreation. This can involve designing looped paths, fitness stations, informal sports and play areas that cater for people of all ages, abilities and backgrounds.
26. 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 \(kirklees.gov.uk\)](http://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](#)
27. 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.
28. 67 dwellings triggers amenity greenspace and the all other typologies in LP63.
29. Ward deficiencies: All typologies have some deficiency, therefore all required.

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)
Kirkburton	0.41	0.5	0.95	0.52
Current Open Space Provision Compared Quality & Accessibility Standards	Req'd for Acceptability	Req for Qty, Qual & Accessibility	Req for Qty, Qual & Accessibility	Req for Accessibility

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

30. 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](#)

31. On site or off site & Existing facilities in the vicinity: there is limited open space indicated on site, however the calculations have taken this into account.

32. There are existing facilities in the vicinity, relatively close to the recommended 720m for accessibility of the site, which would require enhancement in lieu of on-site provision, potentially, but not limited to Lepton rec so we would recommend an off-site lump sum contribution towards existing Children and young people's provision.
33. For the typologies not able to be provided on site, there are other existing greenspace and open space facilities in the vicinity, which would require enhancement in lieu of on-site provision, potentially, although consultation with the local community and local councillors will be undertaken.
34. 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.
35. 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.
36. Negotiation of a commuted sum with the LPA to facilitate improvements in an offsite location

Total Dwelling no	67			
Is POS being provided by developer?	Yes	Complete (B) POS details below		
A. POS REQUIREMENTS SUMMARY				
	Cost (see below)	Admin @ 15%	Total Cost incl admin	Meters (see above)
Amenity Green Space	£23,288.34	£3,493.25	£26,781.59	976.86
Children & Young People	£29,154.54	£4,373.18	£33,527.72	897.80
Parks & Recreation	£32,356.43	£4,853.47	£37,209.90	1302.48
Natural & Semi-Natural Green Space	£27,677.70	£4,151.66	£31,829.36	3256.20
Allotments/Community Growing	£2,911.15	£436.67	£3,347.82	335.00
Outdoor Sports	£20,714.01	£3,107.10	£23,821.11	1407.00
TOTAL	£136,102.17	£20,415.33	£156,517.50	8175.34
Shortfall/POS Requirement from developer:	£136,102.17			
Admin at 15%	£20,415.33			
Shortfall/POS Requirement from developer (rounded):	£156,518			

37. Unfortunately the table shows on site proposed as totalling 3696m2 however the sums total 3072m2.
38. Irrespective of this, we have re-assessed the measured areas for the on site pos provision. Some areas are clearly highways verges and visibility splays, and not public open space. The parks and recs and LAP are more likely amenity greenspace. These revised measured areas have been used to calculate the off site contributions in lieu of sufficient pos being provided on site in the respective typologies.
39. As part of our open space study, spaces identified with only paths and benches are considered to constitute **amenity greenspace**. None of the open spaces designed on the plan show the provision of benches even.

DRAWING LEGEND:

	Children & young people - 181m ²
	Parks & recreation grounds - 1138m ²
	Natural & semi natural green space - 881m ²
	Amenity greenspace - 872m ²

LANDSCAPE AREAS KEY	REQUIREMENT	PROPOSED
Parks & recreation	1302m ²	1138m ²
Natural & semi natural green space	3256m ²	881m ²
Amenity green space	977m ²	872m ²
Allotments & community food growing	335m ²	-
Children and young people	898m ²	181m ²
Outdoor sports facilities	Provided off site	N/A
TOTAL	6748m²	3496m²

40. We would welcome the applicant to include a well designed and welcoming appropriate Parks and Recreation typology on site, even in the form of a small pocket park. We would anticipate this to be a small attractive civic space providing a focal point for activity for visitors and users, including such elements as seating, litter bins, planting areas, flower beds, community gardens, picnic tables, features or public art etc. and it will need to be a quality useable space, however we have concerns that the attenuation tank may limit what can be installed to create such a civic space. At present it is amenity greenspace.
41. There is the potential for the applicant to include a well designed community growing area, or orchard, popular in Lepton over recent years, this would enable some of the amenity greenspace to become allotments and community growing typology.
42. The table below demonstrates the typologies triggered and requirements in sq.m. or off site £ contribution with/without on site pos provision. At present the calcs indicate a shortfall in provision resulting in an off site contribution of £123,580.00

43. Clarification and agreement of POS areas required.

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
36	Input POS area to be provided(sq.m)		2872		0.00		
37	Development: NN13, 2024.90058 67-75 units Penistone Road/, Rowley Lane, Fee Date:26 March 20						
38	Development: NN13, 2024.90058 67-75 units Penistone Road/, Rowley Lane, Fee Date:26 March 20						
39	Amenity Green Space	£23,288.34	976.86		2191	£23,288.34	0
40	Parks & Recreation	£32,356.43	1302.48			£0.00	£32,356.43
41	Natural & Semi-Natural Green Space	£27,677.70	3256.20		681	£5,788.50	£21,889.20
42	Allotments/Community Growing	£2,911.15	335.00		0	£0.00	£2,911.15
43	Outdoor Sports	£20,714.01	1407.00		0	£0.00	£20,714.01
44							
45	Children & Young People	£29,154.54	897.80	100% provided?	Min sq.m		
46			LAP	No	0	£0.00	
47			LEAP	No	0	£0.00	
48			NEAP	No	0	£0.00	
49			MUGA	No	0	£0.00	
50						£0.00	£29,154.54
51							
52	TOTAL Cost (excl admin)	£136,102.17	8175.34		2872	£29,076.84	£107,025.33
53							
54							
55	Outstanding POS Requirement from developer:	£107,025.33					
56	Admin at 15%	£16,053.80					
57	Inspection Fee (see Manco Fees Guidance tab)	£500.00					
58	Shortfall/POS Requirement from developer (rounded):	£123,580					
59							

44. Wildlife and habitat networks, TPO's, PROW : links & connectivity: 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.
45. The linking surfaced footpath network is welcomed, creating healthy active travel routes and improvements that promote and facilitate greater use of the spaces and a stronger integration with the surrounding new and existing communities, refer to the Highways Design guide: [Highway Design Guide Supplementary Planning Document \(SPD\) \(kirklees.gov.uk\)](http://kirklees.gov.uk)

With regards our comments on the information provided in the application, these are without prejudice.

Advice to planning officer:

Required Actions- outlined in comments above.

Revision of landscaping plan to address comments raised above.

Landscape – it would be prudent to agree the pos area typologies so the calcs can be confirmed.

S106 should include the landscape scheme with reference to all Drawing nos: being annexed to it, together with the text “together with such amendments as the Council may reasonably require”.

A s106, or similar, will be required with full details of the management and maintenance of the areas of on site Public Open Space, footpaths and planted 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.

On site inspection fee will be required for certification of provision of on site pos as per the agreed typologies to enable mapping of such on the Council system.

The Landscape management plan should specifically state that 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.

Submission of measured areas and typologies of open space to meet requirements of LP63 as per validation checklist.

To be satisfied with the proposals we will need to see amendments to the layout, protection measures and a revised pos areas plan for the s106 agreement.

Given the comments above, the proposals are not acceptable in their current form.

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 Lepton 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%**
- **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 comprising the landscape scheme in Drawing no: xxx annexed hereto, together with such amendments as the Council may reasonably require;
- 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 and comprising the landscape scheme in Drawing no: xxx annexed hereto, together with such amendments as the Council may reasonably require.
- 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 if there is on site POS 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 and certification charge (simple, routine or complex see fee sheet): Yes** – as there is substantial POS being created on site 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 colour.

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) Impact of the proposed landscape planting on drainage infrastructure; (f) 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 LEDES 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 \(SPD\) \(kirklees.gov.uk\)](https://www.kirklees.gov.uk/highways-design-guide-supplementary-planning-document-spd). 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