Consultation Response from KC Landscape	
Application No:	2025/93355
Proposed Development:	Erection of 75 residential dwellings with associated landscaping, open space, highways and drainage infrastructure
Location:	Land off, Woodward Court, Mirfield, WF14 0PY
Applicant/Agent:	Paul Butler PB Planning Ltd
Planning Officer	Katie Chew
Date Responded:	02.02.2026
Responding Officer:	Landscape
Responding Ref:	PP38

NOTES/COMMENTS: These comments are Without Prejudice

Submission of measured areas and typologies of open space to meet requirements of LP63 is required as per validation checklist. I have been unable to find the measured areas in the application.

1. In the absence of detailed Landscape information, we are not able to provide definitive comments on the proposals in relation to design, planting choice or specification or national and local policies. However, based on the information available, we can highlight below potential issues that are likely to influence the nature of an acceptable scheme. To assist the prospective applicant, further information on key elements of landscape design is provided in item 1 below, which will help the applicant submit sufficient landscape and open space information to aid the planning process.

2. The list is intended to draw the prospective applicant's attention to likely landscape and open space issues that are specific to the site, and which may affect assessment of an application against open space and landscape policies. This list is not based on a comprehensive understanding of constraints particular to the site, therefore it is essential that the prospective applicant engages a suitably qualified landscape architect or similar to advise on specific site issues, opportunities and constraints.

3. <u>Landscape Context and Concept, Landscape Design :</u>
   Plans & documents considered/reviewed, including but not limited to:

   2025-93355_+Design+and+Access+Statement_1117835.PDF
   2025-93355_+Location+Plan.PDF
   2025-93355_+Proposed+Landscaping+Layout_1117847.PDF
   2025-93355_Planning layout.PDF
   2025-93355_Site layout.PDF
   AIA + Method statement.PDF
   Arboricultural Survey Schedule.PDF
   BNG Assessment.PDF
   Boundary treatment plan.PDF
   EIA.PDF
   Heritage assessment.PDF
   Heritage letter.PDF
   Planning statement.PDF
   Prelim ecological appraisal.PDF

   Setting – this layout for 75 dwellings on safeguarded land.

4. The plan is very indicative in landscape terms, therefore difficult to provide meaningful comments, however, some greenspace on site is shown and is welcome, however, consider access and purpose of the spaces being created. Will the spaces provided 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. Are some of the areas shaded green more likely highways verges or buffer and screen planting?

5. Plans should clearly show the impact of the proposed landscape planting on drainage infrastructure and visibility spays, particularly with proposed street trees and frontline tree planting/ trees in front gardens.

6. 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. Or are the green spaces on site purely for BNG provision rather than for accessible areas for residents and the local community to spend time outside?

7. Access to local facilities – the new open space created to the southern part of the site does not appear to link to the PROW – this could also be one of the likely routes to the local play area and recreation ground to the east.





8. Green spaces should be "high-quality," and ensure that the green space is substantial enough to accommodate a variety of recreational activities, making it an inviting hub for people to spend time in. Whilst provision for BNG is important, greenspace on site for public open space should also consider access and their purpose (and typology). Will the space provided 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 and ensure sustainable, resilient natural environments that support the wellbeing of communities.
9. Consideration for incorporating accessible spaces, ramps with a 1:21 gradient, designing with inclusivity in mind & creating landscapes that prioritise health and well-being,
10. 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. 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.

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

12. The curtilage and the adjacent Public Open Space should be clearly 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.

13. 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.
14. The plans submitted /landscaping/ scheme documents do not appear to have considered enough street tree planting in the verges of the estate roads.

15. New developments are to retain and incorporate existing significant trees within the layout as stated within Kirklees Local Plan policy LP33. Tree planting adjacent to carriageways accords with the West Yorkshire Combined Authority's "Green Streets" principles, as well as paragraph 136 of the NPPF.

16. 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.

17. *"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*
18. 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.

19. 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.

20. 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.

21. 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).

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22. Invasive non-native species pose a significant threat to biodiversity in Britain. When submitting detailed landscape proposals, preference is for species which are native, fruit bearing species, where appropriate. Potentially invasive species are not favourable and details from the list published by Natural England can be found here. Horizon-scanning for invasive non-native plants in Great Britain - NECR053 (naturalengland.org.uk)
    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) will be considered.

23. 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. There are some indicative species lists on the proposed landscape layout plan.
24. Crataegus sp are welcomed as native, however, being a high water demand tree can potentially cause issues with foundations so it's generally not usually planted within 10m minimum distance so that the house foundations don't need to be deepened –clearly show on plans the mitigation if it is within 10m. Plans should also clearly show the impact of the proposed landscape planting on drainage infrastructure

25. 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.

26. The scheme is indicative and at present 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.
27. 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.

28. Landscape maintenance and management plans can be dealt with via pre commencement condition – see indicative condition below.
29. 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.

30. 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
    The Developer should refer to the Kirklees Playing Pitch Strategy Stage D Report January 2025 for addressing needs and shortfalls regarding outdoor sports requirements.
31. 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.

32. 75 dwellings triggers amenity greenspace and the other typologies in LP63 due to shortfalls in quantity and quality.

33. Ward deficiencies

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)
Mirfield	0.33	0.45	0.37	0.37

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

34. Outdoor sports provision will be required as an off site contribution and will be assessed with Parks officers, stakeholders & Playing Pitch Strategy which identifies deficiencies in the quantity and quality of playing pitches.

35. Any separation distance from LAP's, LEAPs, NEAPs and MUGA's should be measured to the boundary of the garden not the residential property itself. The Environmental Protection Act considers gardens as premises, and the boundary is where anything should be measured to/from. The play equipped areas will therefore need a 20m buffer from the garden boundaries if on site provision is included.

36. Dwelling triggers for Children & Young Peoples Provision: 75dwellings does trigger CYPP – a 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	×	×	×	×
11-50 dwellings	✓	×	×	×
51-200 dwellings	×	✓	×	×
201-500 dwellings	✓	✓	×	Contribution
501+ dwellings	✓	✓	✓	✓

Refer to Fields In Trust Guidance-for-Outdoor-Sport-and-Play-England

37. On site or off site & Existing facilities in the vicinity:

38. As the site lies well within the acceptable guidelines for proximity to existing provision with Crossley Lane and Old Bank Rec, both within a 15min walk and less than 720m away we would recommend an off-site lump sum contribution towards existing Children and young people's provision.

39. For the typologies not able to be provided on site, there are other existing greenspace and open space 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 will be undertaken, with stakeholders, local community and local councillors.

40. 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.

41. 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.

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

43.

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

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	1093.50		£36,715.62	Choose a level:
Children & Young People	1005.00		£45,964.07	Moderate
Parks & Recreation	1458.00		£51,012.07	(This will vary according to size, number of site visits and ROSPA certification)
Natural & Semi-Natural Green Space	3645.00		£43,635.73	
Allotments/Community Growing	375.00		£4,589.63	
Outdoor Sports	1575.00		£32,657.01	
TOTAL	9151.50	(inspection fees will apply)	£214,574.13	918.52

44. 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 £215,492.65 contribution without on site pos provision.

45. 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.**

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

47. The Council has an obligation in respect of Public Sector Equality Duty (Equality Act 2010) and therefore mown grass paths across open greenspace are not acceptable versus bitmac or bound gravel paths.

48. 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)

49. 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-
Submission of measured areas and typologies of open space to meet requirements of LP63 as per validation checklist.

- Are the green spaces on site for BNG rather than public open space? Introduce bins and benches into amenity greenspace.
- Please show drainage infrastructure on the landscaping plans, to demonstrate no conflict between trees and drainage.
- pre-commencement condition is necessary to ensure all details relevant to landscape matters and s106 triggers and requirements for POS and contributions are agreed at an appropriate stage of the planning process.

Landscape – it would be prudent, given the setting of this scheme, to secure early submission of Landscape details for both hard and soft landscaping, together with a Management Plan and conditions suggested A, B, C and D below.

S106 should include the landscape scheme with reference to all Drawing nos: xxx 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. **The condition for the Landscape Maintenance & Management Plan:** See condition indicative for LMMP below.

To be satisfied with the proposals we will need to see early submission of detailed landscape information or amendments to the layout for the site.

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, together with the details of access to amenity greenspace measured areas clearly labelled.

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 areas of Public Open Space 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, the following has been submitted:

PLANNING OBLIGATIONS

3.4 A Section 106 Agreement will be submitted to the Council in due course to provide details of the trigger points for the delivery of the agreed planning obligations associated with the development of the site.

3.5 The current proposed Heads of Terms for the Section 106 Agreement are as follows: -

- Provision of 20% (15) affordable housing: -
  - Tenure Split – To be Agreed.
  - Delivery of 9 x Affordable Homes by 40 Market Homes
  - Delivery of 6 x Affordable Homes by 60 Market Homes
- Education Contribution: Amount to be confirmed (TBC): -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings
- Sustainable Travel Contribution: Amount TBC: -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings
- Off-Site Open Space Contribution: Amount TBC: -
  - Payment of 50% by Occupation of 40% of Dwellings
  - Payment of 100% by Occupation of 80% of Dwellings
- Management & Maintenance of Open Space & Biodiversity Area in Perpetuity

DELIVERY TIMESCALES

3.6 It is the applicant's desire to work with the Council to ensure that the application can be approved at the earliest appropriate time.

3.7 Other than the delivery of the initial site infrastructure there are no other major infrastructure works that need to take place prior to the commencement of delivery of new homes on the site.

S106 HoT

Off Site Open Space & Location of site/s to receive POS contribution : *£ towards existing facilities in the vicinity of the development including, but not limited to, Crossley Lane, Old Bank rec plus other POS and facilities in the vicinity .*
By:. Preferably prior to occupation of 50% 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 both areas of amenity 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 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 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 and certification charge (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. Landscape Condition

Prior to works commencing on the superstructure, a landscape management and maintenance plan (LMMP) for the external areas including any open space accessible to the public, playing fields etc shall be submitted to, and approved in writing by, the Local Planning Authority. This should include:

a) The landscape plan including all hard and soft details together with planting plan & specification, location and specification of any play equipment or play elements and playable/educational spaces or sports facilities/pitches including any surfacing (including where appropriate safety surfacing and anti-wear surfacing), structures such as street furniture seats, litterbins bollards, picnic tables and means of enclosure.
b) 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.
c) Details of initial aftercare and long-term maintenance for minimum of 5 years and seasonal maintenance operations. This should also include any SuDS features, existing trees and vegetation retained on site, slopes and bankings,

woodlands, plus management of any equipment or playable/educational space, including where relevant RoSPA safety inspections.

d) Details of monitoring and remedial measures, including replacement of any equipment, safety surfacing, site furniture, trees, shrubs, hedgerows or planting that fails or becomes diseased within the first **five** years from completion.
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.
f) This pre-commencement condition is necessary to ensure all details relevant to landscape matters and s106 triggers and requirements for POS and contributions are agreed at an appropriate stage of the planning process.

The works shall thereafter be carried out in accordance with the management and maintenance plan and retained for the lifetime of the development.

Reason: To enhance and conserve the visual amenity of the 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. 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, a plan of existing trees and tree features (such as groups of trees or woodland) to be retained and to be removed in accordance with BS5837(2012); any new trees showing their species, spread and maturity and new planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants (including the location, number, species, size and planting density); (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) any suds, earth mounds or depressions; (g)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.

C. **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

D. No building shall be occupied until a Landscape Maintenance & Management plan (LMMP) (LMMP) 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

Rootspace engineered tree pits

E. The installation of root space engineered tree pits and specified trees below hard surfacing shall be monitored by the manufacturer and a letter confirming monitoring of, and satisfactory installation of the trees, as per the landscape scheme drawings shall be submitted on completion of the same to and approved in writing by the Local Authority. **Reason:** To minimise the effect of development on the area and enhance and conserve the visual amenity of the 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.

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 and Maintenance Plan (LMMP) 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 Landscape Management and Maintenance Plan (LMMP) 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