
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 28-Apr-2021

**Subject: Pre-application for a residential development of c270 dwellings
(Bradley Villa Farm part of the HS11 allocated site, Bradford Road,
Huddersfield, HD2 2JY)**

APPLICANT

ID Planning for Redrow Homes

DATE VALID

25-Sep-2020

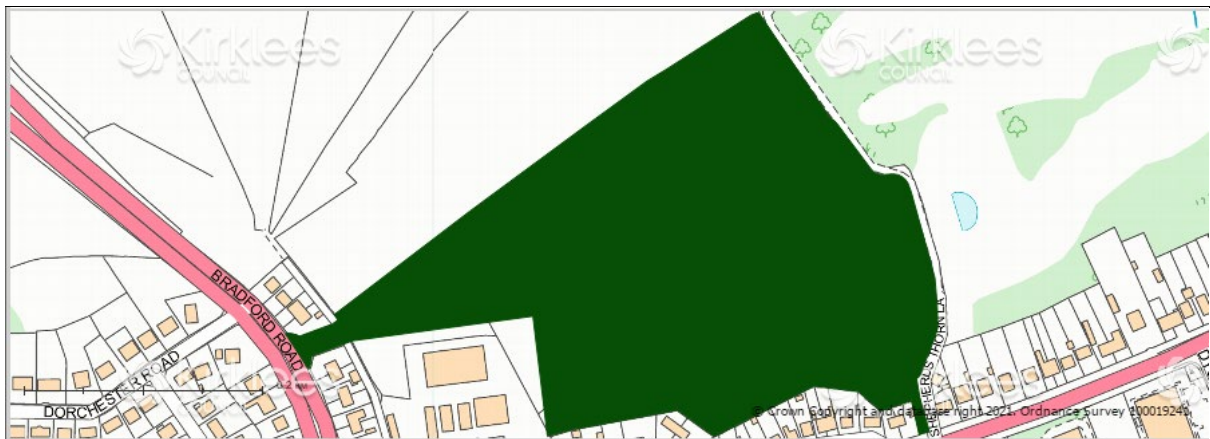
TARGET DATE

22-Oct-2020

EXTENSION EXPIRY DATE

n/a

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Ashbrow

Ward Councillors consulted: Yes

Public or private: Public

RECOMMENDATION

Members to note the contents of this pre-application report for information.

1.0 INTRODUCTION

- 1.1 This pre-application enquiry is presented to the Strategic Planning Committee to inform Members of a potential large scale major application, for which an application for planning permission is likely to be submitted in the near future.
- 1.2 A pre-application enquiry (ref: 2020/20411) has been submitted in relation to the Bradley Villa Farm part of allocated site HS11.
- 1.3 The forthcoming application would be brought to the Strategic Planning Committee for determination.
- 1.4 Details of the proposed development, and relevant planning considerations, are summarised in this report.
- 1.5 Members of the Committee are invited to comment on the main planning issues to help and inform ongoing consideration of the proposals, and discussions between officers and the applicant. This report does not include a full assessment of the proposals or formal recommendations for determination of the forthcoming application. Discussion relating to this report would not predetermine the forthcoming application and would not create concerns regarding a potential challenge to a subsequent decision on the forthcoming application made at a later date by the Committee.

2.0 SITE AND SURROUNDINGS

- 2.1 The Bradley Villa Farm pre-application site comprises approximately a fifth of the wider allocated site (HS11), at the west end of the allocation. It is currently in agricultural use, and generally slopes downhill from southwest to east and northeast. Vehicular access is available from Bradford Road (the A641). Shepherds Thorn Lane forms the site's eastern boundary. To the south are the residential properties of Torcote Crescent and Bradley Road (the A6107). To the north are fields in agricultural use, within the green belt. The existing buildings of Bradley Villa Farm are not included in the pre-application site. The pre-application site includes the highest part of the allocated site (approximately 165m AOD, close to Bradford Road). Tree Preservation Order 17/98/t18 protects a Hawthorn tree within the pre-application site. Site allocation HS11 notes that the western part of the allocated site includes an archaeological site.
- 2.2 The wider allocated site (HS11) has a 68.34 hectare gross site area, and a 62.84 net site area (excluding ponds and a buffer area to the north of the site from the developable area), and occupies much of the land between Bradley Road and the M62 to the north, including the 18-hole municipal golf course and driving range at Bradley Park. The majority of the allocated site (including

the golf course and driving range) is council-owned. The eastern part of the allocated site has more varied topography, including Park Hill and undulations at the golf course. The lowest parts of the allocated site are at the junction of Bradley Road and Tithe House Way (approximately 110m AOD) and the northern tip of the allocated site (approximately 100m AOD). Vehicular access points currently exist at Shepherds Thorn Lane, Lamb Cote Road and Tithe House Way. Public Rights of Way enter and/or run through parts of the allocated site – these include HUD/3/10, HUD/3/20, HUD/3/30 and HUD/4/10. There are residential properties adjacent to the allocated site to the south and east. Land to the north is in the green belt. An area of land to the east of the allocated site is designated as urban green space in the Local Plan.

- 2.3 In relation to minerals, all of the allocated site is within a wider mineral safeguarding area relating to surface coal resource (SCR) with sandstone and/or clay and shale. In relation to the area's coal mining legacy, parts of the allocated site are within the Development High Risk Area as defined by the Coal Authority, while other parts are within the Low Risk Area. The east end of the allocated site includes part of a former landfill site, and a 250m buffer zone extends into the allocated site. A 250m buffer zone of another landfill site also includes the northern tip of the allocated site. Landfill gas affects land to the north of the allocated site, and a landfill gas buffer covers the northern and eastern parts of the allocated site. Overhead power lines cross the golf course.
- 2.4 There are no designated heritage assets within the allocated site, however the Grade II listed barn at Shepherds Thorn Farm (Historic England ref: 1290881) is just outside, and parts of the allocated site are within the setting of that designated heritage asset. The allocated site is not within or close to a conservation area. Non-designated heritage assets also exist in the area.
- 2.5 The Wildlife Habitat Network covers parts of the allocated site, and areas outside it, including the ancient woodlands at Bradley Wood to the north and Screamer Wood and Dyson Wood to the south. Local Wildlife Sites exist immediately outside the allocated site, to the north and east. The majority of the allocated site is within a Biodiversity Opportunity Zone (Mid-Altitudinal Grasslands for most of the site, Built-up Areas for a small part of the west end of the site, and Valley Slopes along the site's northeastern boundary). Bats are known to be present in the area.
- 2.6 The allocated site is not located within an Air Quality Management Area (AQMA), however it is relatively close to AQMA 1 (Bradley Road / Leeds Road junction), where elevated levels of Nitrogen Dioxide have been measured.
- 2.7 The allocated site is located within Flood Zone 1 and is therefore at low risk of flooding. Part of the allocated site (at Tithe House Way) is at risk of surface water flooding, as is an area at the northern edge of the golf course. To the east of Shepherds Thorn Farm, a watercourse runs northeastwards (via a pond), joining Deep Dike, Bradley Park Dike and, eventually, the River Calder. Another watercourse runs eastwards from a pond adjacent to the golf course club house. Other unmapped watercourses may exist within and close to the allocated site. Yorkshire Water sewers exist beneath Bradford Road, Bradley Road and Tithe House Way.

- 2.8 Regarding the social and other infrastructure currently provided and available in Bradley, the area has a small number of pubs, churches, eating establishments and other facilities. There are also schools, nurseries, playspaces and open spaces. Regarding public transport, the main roads are served by the X63 bus service along Bradford Road and the 328 bus service that terminates at Alandale Road. The nearest railway stations are at Brighouse and Deighton. Cycle lanes have been marked out on the carriageway of Bradford Road, and this route forms part of the existing Core Walking and Cycling Network. An expansion of the network is proposed under the Local Plan via Shepherds Thorn Lane.
- 2.9 Parts of the allocated site are visible from the M62, and from Calderdale borough. As defined in the Castle Hill Settings Study, a significant ridgeline runs roughly east-west across the allocated site.

3.0 PROPOSALS

- 3.1 A residential development comprising c270 dwellings, with associated access, open space and landscaping, is proposed.
- 3.2 The pre-applicant team initially submitted a proposed site layout, drawings of standard house types, and a Heritage Impact Assessment. The proposed site layout showed a vehicular access provided from Bradford Road, with a spine road extending across the site to its eastern boundary (where the site meets Shepherds Thorn Lane). From this, further estate roads were shown, lined with detached, semi-detached and terraced housing. A central area of open space was shown, as were smaller open spaces further west along the spine road.
- 3.3 During discussions with officers, the pre-applicant team also submitted masterplan concept drawings, draft parameter plans, masterplan workshop slides, and suggested Landscape and Visual Impact Assessment viewpoints.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

- 4.1 Various applications relating to land immediately outside the pre-application site have been considered by the council, including application ref: 2010/92771 relating to an agricultural building close to the site's Bradford Road entrance.
- 4.2 On 04/09/2020 planning permission was granted for erection of 105 dwellings with associated highways works and landscaping at part of HS11 allocated site (ref: 2018/93965) at Tithe House Way.
- 4.3 On 30/10/2020 the council issued an Environmental Impact Assessment (EIA) Scoping Opinion in response to a request relating to a residential development of circa 1,460 dwellings and other works at the HS11 site.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)

5.1 To date, the following pre-application meetings have been held:

- 18/03/2020 – meeting between pre-applicant team's agent and officers.
- 19/10/2020 – meeting attended by pre-applicant team, Cllr Homewood, and officers.
- 02/12/2020 – second pre-application meeting between pre-applicant team and officers.
- 17/12/2020 – meeting between pre-applicant team and Lead Local Flood Authority.

5.2 Officers representing the council in its two relevant roles (as Local Planning Authority, and as adjacent landowner) attended pre-application meetings.

5.3 Further information was submitted during pre-application discussions, as noted at paragraph 3.3 above.

5.4 A detailed pre-application advice letter was issued on 12/02/2021. The main points of that advice letter are summarised as follows:

- Full planning permission required.
- Development at this site welcomed in principle.
- List of required planning application documents (including EIA Environmental Statement relating to entire HS11 site) provided.
- Site is allocated for residential development.
- Measures to address sustainability and climate change would be required.
- Masterplanning approach required. Concern that site layout had been prepared before site and contextual analysis had been completed, and before any masterplanning work had been carried out.
- List of considerations (relevant to masterplanning) provided.
- Masterplanning workshop slides provided some reassurance that the pre-applicant team are aware of some of the allocated site's constraints and opportunities.
- Developable areas should not be fixed until further assessment is done.
- Advice provided regarding masterplan format.
- Concerns regarding proposed site layout, including regarding relationship with the rest of HS11, whether topography and other aspects of the site have been properly considered, and lack of engagement with Shepherds Thorn Lane.
- Perimeter block approach and two-storey dwellings are appropriate.
- Harm would be caused to setting of Grade II listed barn at Shepherds Thorn Farm.
- Significant infrastructure required to support development of HS11 site.
- 20% affordable housing, compliance with the Nationally Described Space Standard, a mix of one-, two-, three- and four-bedroom units, and dementia-friendly design required.

- Advice provided on content of required Transport Assessment, including regarding junction and cumulative impact assessment. Discussions with officers can continue in light of forthcoming work relating to the Cooper Bridge highway improvement scheme. Consultation with Highways England advisable.
- Advice provided regarding design of east-west spine road.
- Shepherds Thorn Lane is not suitable as a key vehicular access point to the HS11 site, however enhancement and integration (in relation to pedestrian and cyclist movement) would be necessary. Core Walking and Cycling Network is to be extended along this lane.
- Travel planning required.
- Advice provided regarding waste storage and collection.
- Site-specific Flood Risk Assessment (FRA) and full site-wide drainage strategy required.
- Noise, air quality, odour and construction management need to be addressed.
- Health Impact Assessment required.
- Pre-application site is within a Development Low Risk Area, however advice should be sought from the Coal Authority.
- Ecological surveys and impact assessment required. 10% biodiversity net gain required.
- Tree survey, impact assessment and method statement (including in relation to TPO-protected Hawthorn tree) required.
- Open spaces, playspace and landscaping to be discussed at a further workshop/meeting.
- Section 106 obligations may include:
 - Infrastructure provision.
 - Highways and transport mitigation.
 - Sustainable transport measures.
 - Education provision.
 - Early years and childcare provision.
 - Open space and playspace provision, management and maintenance.
 - Affordable housing.
 - Drainage provision and maintenance.
 - Biodiversity net gain.
 - Decentralised energy.
- Council intends to secure a high quality, sustainable, residential development at HS11 site that addresses borough and local needs, that seeks to address all relevant planning considerations, and that mitigates its impacts (including in relation to infrastructure). Officers cannot confirm that the pre-application proposals sufficiently respond to that vision.
- Further dialogue and work required, including in relation to masterplanning.
- Applicant invited to enter into a Planning Performance Agreement.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27/02/2019).

Kirklees Local Plan (2019):

6.2 The pre-application site forms part of site HS11, which is allocated for residential development in the Local Plan. The site allocation sets out an indicative housing capacity of 1,460 dwellings, with potential for a further 498 dwellings beyond the plan period.

6.3 Site allocation HS11 identifies the following constraints relevant to the site:

- Multiple access points required
- Additional mitigation on the wider highway network may be required
- Public right of way crosses the site
- Ordinary watercourses cross the site
- Odour source near site – landfill site to the north-east
- Noise sources near site – noise from road traffic on Bradford Road, Bradley Road and M62
- Air quality issues
- Potentially contaminated land
- Part of this site is within the Wildlife Habitat Network
- Part of this site contains a Habitat of Principal Importance
- Site is close to listed buildings
- Part/all of site within High Risk Coal Referral area
- Power lines cross the site
- Site is in an area that affects the setting of Castle Hill
- Western part of this site includes an archaeological site

6.4 Site allocation HS11 also confirms that a masterplan is required for the site, and identifies several other site-specific considerations in relation to local education and early years / childcare provision, landscape impacts, ecological impacts, community gardens and allotments, cycling, access points, spine road connection, mitigation of highway network impacts, the provision of a new Local Centre (subject to sequential testing and impact assessment), heritage assets and golf course provision.

6.5 Relevant Local Plan policies are:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP4 – Providing infrastructure
- LP5 – Masterplanning sites

LP7 – Efficient and effective use of land and buildings
LP9 – Supporting skilled and flexible communities and workforce
LP11 – Housing mix and affordable housing
LP19 – Strategic transport infrastructure
LP20 – Sustainable travel
LP21 – Highways and access
LP22 – Parking
LP23 – Core walking and cycling network
LP24 – Design
LP26 – Renewable and low carbon energy
LP27 – Flood risk
LP28 – Drainage
LP29 – Management of water bodies
LP30 – Biodiversity and geodiversity
LP31 – Green infrastructure network
LP32 – Landscape
LP33 – Trees
LP34 – Conserving and enhancing the water environment
LP35 – Historic environment
LP38 – Minerals safeguarding
LP47 – Healthy, active and safe lifestyles
LP48 – Community facilities and services
LP49 – Educational and health care needs
LP50 – Sport and physical activity
LP51 – Protection and improvement of local air quality
LP52 – Protection and improvement of environmental quality
LP53 – Contaminated and unstable land
LP63 – New open space
LP65 – Housing allocations

Supplementary Planning Guidance / Documents and other documents:

6.6 Relevant guidance and documents are:

- Kirklees Strategic Housing Market Assessment (2016)
- Kirklees Housing Strategy (2018)
- Kirklees Interim Affordable Housing Policy (2020)
- Viability Guidance Note (2020)
- Providing for Education Needs Generated by New Housing (2012)
- Kirklees Joint Health and Wellbeing Strategy and Kirklees Health and Wellbeing Plan (2018)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Negotiating Financial Contributions for Transport Improvements (2007)
- Providing for Education Needs Generated by New Housing (2012)
- Kirklees Biodiversity Strategy and Biodiversity Action Plan (2007)
- Highway Design Guide SPD (2019)
- Public Rights of Way Improvement Plan (2010)

- Waste Management Design Guide for New Developments (2020, updated 2021)
- Green Street Principles (2017)
- Castle Hill Settings Study (2016)

6.7 A draft Housebuilder Design Guide SPD, Open Space SPD and Biodiversity Net Gain Technical Advice Note were published by the council in 2020. These have undergone public consultation, but have not been adopted.

Climate change

6.8 The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

6.9 On 12/11/2019 the council adopted a target for achieving “net zero” carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

National Planning Policy and Guidance:

6.10 The National Planning Policy Framework (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of the proposals. Relevant paragraphs/chapters are:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment
- Chapter 17 – Facilitating the sustainable use of minerals

6.11 Since March 2014 Planning Practice Guidance for England has been published online.

6.12 Relevant national guidance and documents:

- National Design Guide (2019)
- Technical housing standards – nationally described space standard (2015, updated 2016)
- Cycle Infrastructure Design – Local Transport Note 1/20 (2020)
- Fields in Trust Guidance for Outdoor Sport and Play (2015)
- Design Guidelines for Development Near Pylons and High Voltage Overhead Lines (2019)

7.0 PUBLIC/LOCAL RESPONSE

7.1 The pre-applicant team carried out local consultation in March 2021. The results of that consultation exercise have not yet been shared with officers.

8.0 CONSULTATION RESPONSES

8.1 Extensive consultation relating to development at this site was carried out during the preparation of the Local Plan. At pre-application stage, internal consultation was carried out, with officers from several departments attending meetings with the applicant team (including officers representing the council as the adjacent landowner).

8.2 Consultation carried out at pre-application stage does not normally involve external consultees.

8.3 Where possible, officers at Calderdale Council will be kept up-to-date, given the site's proximity to the borough boundary.

9.0 MAIN ISSUES

- Environmental Impact Assessment
- Land use and principle of development
- Masterplanning
- Masterplan format
- Quantum of development
- Sustainability and climate change
- Urban design matters
- Conservation
- Landscape impacts
- Infrastructure requirements and delivery
- Residential accommodation
- Highway and transportation issues
- Flood risk and drainage issues
- Environmental and public health

- Site contamination and stability
- Ecological considerations
- Trees and hedgerows
- Open space, sports and recreation
- Planning obligations and financial viability
- Phasing and delivery

10.0 APPRAISAL

Environmental Impact Assessment (EIA)

10.1 The cumulative environmental impacts of development at both parts of site HS11 (Bradley Villa Farm and the council-owned land) need to be considered, and the applicant would need to submit an Environmental Statement (ES) that related to all parts of HS11 in support of a future planning application that only related to the Bradley Villa Farm site.

10.2 On 30/10/2020 the council issued an EIA Scoping Opinion (ref: 2020/20413).

Land use and principle of development

10.3 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

10.4 The Local Plan sets out a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum.

10.5 Full weight can be given to site allocation HS11, which allocates the site for residential development. Allocation of this and other greenfield (and previously green belt) sites was based on a rigorous borough-wide assessment of housing and other need, as well as analysis of available land and its suitability for housing, employment and other uses. The Local Plan, which was found to be an appropriate basis for the planning of the borough by the relevant Inspector, strongly encourages the use of the borough's brownfield land, however some release of green belt land and reliance on windfall sites was also demonstrated to be necessary in order to meet development needs. Regarding this particular site, in her report of 30/01/2019 the Local Plan Inspector concluded that, subject to the proposed site allocations H1747 and H351 being combined into a single allocation (as they have, in the form of current site allocation HS11) and subject to other modifications (also accepted and implemented by the council), there were no fundamental constraints that would prevent development coming forward at the site, there were exceptional circumstances to justify the release of the site from the green belt, and the site allocation was soundly based.

- 10.6 The Bradley Villa Farm site is within a wider mineral safeguarding area relating to surface coal resource (SCR) with sandstone and/or clay and shale. Local Plan policy LP38 therefore applies. This states that surface development at the application site will only be permitted where it has been demonstrated that certain criteria apply. Criterion c of policy LP38 is relevant, and allows for approval of residential development here, as there is an overriding need (in this case, housing needs, having regard to Local Plan delivery targets) for it. Other criteria of policy LP38 may also apply.
- 10.7 Given the above assessment, the principle of residential development at the Bradley Villa Farm site is considered acceptable, subject to the further discussion of land use matters later in this report.

Masterplanning

- 10.8 Due to the size of the Bradley Villa Farm site (and of site HS11), the scale of the proposed development, the wide range of relevant planning considerations, the need for significant supporting infrastructure, the requirements of site allocation HS11 and Local Plan policy LP5, and the proposed allocation of sites within Calderdale borough, a masterplanning approach is necessary. Careful masterplanning can ensure efficient use of land, high quality placemaking and properly co-ordinated development, appropriate location of facilities and infrastructure, prevention of development sterilising adjacent land, appropriate phasing to limit amenity and highway impacts, and fair apportionment of obligations among the respective developers.
- 10.9 The masterplanning work already done in 2017 (for the purpose of informing discussions at the Local Plan Examination in Public) must be noted – that 2017 masterplan had merit (and was approved by Cabinet), however it is appropriate to revisit this earlier work in light of current aspirations and other considerations, and to look again at the site's constraints and opportunities, consulting with residents, Members, officers, consultee bodies and other stakeholders.
- 10.10 No masterplan, or evidence of masterplanning work, was submitted with the initial request for pre-application advice in September of last year. The pre-applicant's covering letter dated 23/09/2020 did not refer to Local Plan policy LP5, and did not acknowledge the requirement (of site allocation HS11) for a masterplan. The pre-applicant team did, however, submit a detailed layout plan (BVF-16-02-SK05) for the Bradley Villa Farm site, suggesting that a proposal had been worked up before site and contextual analysis had been completed, and before any masterplanning work had been carried out. This is the wrong way to approach a major development site where masterplanning is necessary, and the council encourages applicant teams to instead adopt an informed, iterative approach to such sites, where site and contextual analysis, and masterplanning, precedes detailed design work and informs the proposals that are eventually brought forward.

- 10.11 The pre-applicant team subsequently submitted draft parameter plans and concept masterplans on 25/11/2020 and masterplanning workshop slides were presented and discussed at the pre-application meeting held on 02/12/2020. These provided at least some reassurance that the pre-applicant team were aware of some of the allocated site's constraints and opportunities.
- 10.12 The preference would be for both HS11 landowners to work together, revisit the 2017 masterplan, and devise proposals based on an updated masterplan that ensured co-ordinated, complimentary development was brought forward, with neither development prejudicing the other. It is accepted, however, that the pre-applicant team is more advanced in progressing their site than the council (as landowner) is – this isn't an unusual scenario, and it is one the council has had to deal with at other sites. With housing delivery targets in mind, a degree of flexibility can be provided, and therefore officers previously advised that the pre-applicant team could proceed, provided that adequate masterplanning work was carried out. Similar flexibility was applied at the Tithe House Way part of HS11, although that development isn't entirely comparable with what the pre-applicant team have in mind at Bradley Villa Farm.
- 10.13 At the very least the Bradley Villa Farm pre-applicant team would be required to provide the indicative bones of a masterplan based on the 2017 masterplanning work (and the research that informed it), further site analysis, and guidance from officers. This work should provide reassurance that the Bradley Villa Farm site can be developed without the rest of the HS11 allocated site being brought forward at the same time, and that co-ordinated, complimentary development can still be brought forward across the entire HS11 site, with the earlier development not prejudicing the later.
- 10.14 To assist the pre-applicant team, on 26/11/2020 officers set out points that should be considered when carrying out the necessary masterplanning work, as follows:
- All constraints and considerations set out in site allocation HS11 to be addressed.
 - Compliance with Local Plan policy LP5 to be demonstrated.
 - Reference to be made to draft Housebuilder Design Guide SPD.
 - Masterplan to correspond with ongoing Calderdale/Kirklees work (Brighouse and Bradley Garden Community Masterplan Framework).
 - A full assessment of all the infrastructure requirements of HS11 needs to inform any masterplan.
 - Flexibility required in the event that development is phased, or only part(s) of the allocated site are developed.
 - No ransom strips to be designed into any land. Where applicable, adoptable highway should be shown up to site boundaries where they abut other developable parcels. Provisions for future and construction access may need to be included in Section 106 agreements.
 - Masterplan to reflect latest proposals for the Cooper Bridge link road scheme [now referred to by officers as the Cooper Bridge highway improvement scheme]. Flexibility required until proposals become fixed.
 - Other vehicular access points as per 2017 masterplan.

- North-south movement (for pedestrians and cyclists) along Shepherds Thorn Lane is a key consideration. The Local Plan includes an expansion of the Core Walking and Cycling Network along this route, and significant opportunities for improved connection with the Brighthouse Garden Suburb site (to the north) and education and employment opportunities (to the south) exist.
- Walking-to-school routes to be planned for.
- Public rights of way to be retained along their recorded alignments.
- Proposals to work with existing topography, and not radically reshape it.
- Site's coal mining legacy may affect layout.
- Watercourses to be regarded as fixed. Layout flexibility required in the event that culverted watercourses are found.
- Reference to be made to the desk top work and site assessment carried out during Local Plan preparation (in particular, the report by RES Environmental, ref: 543KLE\H1747-H351 rev P1).
- Flood routing to inform layout.
- TPOs, woodlands, hedgerows and protected habitats to be regarded as fixed.
- 10% biodiversity net gain required, and to inform layout. See draft Biodiversity Net Gain Technical Advice Note.
- Wildlife corridors and linkages to be designed into any layout.
- On-site space to be provided in accordance with Local Plan policy LP63 and draft Open Space SPD. 2017 support for a significant, central open space (or "green lung") to be noted. A network of connected, multi-functional open spaces expected.
- Co-ordination of facilities across various development sites should be considered, to help avoid duplication, and to result in a more comprehensive and varied sports and recreation offer.
- Relevant initiatives (White Rose Forest, Green Street principles etc) to inform layout.
- Wider landscape impacts to inform layout. Visibility of site from Calderdale, M62 and Castle Hill to be considered. Note that Castle Hill Settings Study identifies a significant ridgeline running roughly east-west across the allocated site.
- Location of nine-hole golf course, driving range, clubhouse and two full-sized 3G pitches (as illustrated in 2017 masterplan) to be regarded as fixed for the time being.
- Placemaking to inform layout and all other design decisions. Reference to be made to Local Plan policy LP24 (among others), National Design Guide, Building for Life and other guidance. It is essential that early thought be given to placemaking, to avoid the creation of a monotonous, anonymous, characterless, illegible anytown development that misses opportunities to create an integrated, distinctive, vibrant, safer, legible, well-connected, convivial and attractive place to live and visit. Standard house types of volume housebuilders may not be appropriate. Character areas and design coding may be appropriate. If HS11 is developed in phases/parcels by two or more parties, evidence of piecemeal development should not be apparent across the site.
- Dementia-friendly design required.

- Significance of Grade II listed Shepherds Thorn Farm to inform layout. Setting must not be unacceptably harmed. Rural approach to this designated heritage asset to be maintained.
- Environmental health considerations (air quality, noise and vibration, lighting, odour and site contamination) to inform layout.
- Wider council objectives (including in relation to economic resilience, tackling inequality, improving health and wellbeing, and the climate change emergency declaration) to be addressed in any masterplan.
- All three aspects of sustainable development (social, economic and environmental) to inform masterplan. Exemplary development expected in relation to energy use and other aspects of sustainability.
- Maintenance responsibilities for open space, drainage, private drives and other spaces outside private curtilages etc should be considered.
- Apportionment of Section 106 obligations (calculated on the basis of the entire development) will be necessary.
- Housing to comply with relevant policies and best practice regarding affordable housing, pepper-potting, indistinguishable tenure, unit size mix, and accessibility. Specialist accommodation, bungalows and self-build to be allowed for. Compliance with Nationally Described Space Standards required.
- Residential density to comply with Local Plan policy LP7. Variations in density across the site can assist with placemaking and legibility.
- Meaningful response to community aspirations for HS11 required.

10.15 Concerns raised by officers to date regarding the pre-applicant team's masterplanning submissions related to:

- Suggested developable areas – Although these appear to work around existing tree and biodiversity constraints (which is considered appropriate), many other matters would need to be considered before concluding which parts of HS11 are developable, and which should not be developed. These matters include:
 - the forthcoming Landscape and Visual Impact Assessment;
 - the visibility of the site from surrounding vantagepoints (including Castle Hill, and locations within Calderdale borough);
 - the character of the site and surrounding undeveloped land;
 - the importance of the site in landscape terms;
 - council policies and aspirations regarding landscape impacts and reforestation;
 - further advice from the Lead Local Flood Authority (particularly in relation to flood routing);
 - ground conditions;
 - testing of different distributions of open space;
 - the need to meet playspace needs within appropriate walking and stand-off distances;
 - the need to achieve biodiversity net gains;
 - impacts of development upon the setting of (and the rural approach to) Shepherds Thorn Farm; and
 - other matters.

- Residential-related and non-residential land use requirements – Of note, site allocation HS11 does not specify quanta of development to be accommodated within each part of the allocated site, nor where the primary school and local centre should be located. Although the council's 2017 masterplan suggested that these should be located towards the centre of the site, the pre-applicant team have been advised to ascertain why Cushman and Wakefield – in their initial cross-boundary masterplanning work for Kirklees and Calderdale – suggested that the local centre (or rather, a “community hub”) should be located at the far west end of HS11, within the Bradley Villa Farm site.
- Minimum distances to be maintained between new development and overhead power lines and their pylons.

10.16 Officers have advised the pre-applicant team that the considerations outlined above may demonstrate that the proposed developable area for the Bradley Villa Farm site may not be appropriate, and that the number of residential units currently proposed may need to be reconsidered. Once the necessary masterplanning work is completed, a proposal for the Bradley Villa Farm site can be devised.

Masterplan format

- 10.17 Officers have advised the pre-applicant team that a masterplan for the HS11 allocated site should not consist of a single drawing, and bearing in mind the masterplanning work commissioned by Calderdale and Kirklees, ideally the application-stage masterplanning information would include plans drawn up at three levels: 1) a Bradley/Brighouse/Cooper Bridge cross-boundary masterplan as agreed between the two councils, landowners/developers and other interested parties as an appropriate basis upon which to progress proposals for specific sites, 2) an HS11 masterplan agreed between the pre-applicant team, the council as landowner and the council as Local Planning Authority, and 3) the proposed Bradley Villa Farm layout. It would be appropriate to collate these plans, and the relevant supporting information, explanation and commentary, into a masterplan framework document.
- 10.18 At application stage, parameter plans illustrating developable areas and proposed uses (including locations for the school and local centre), access (namely, the site's five proposed vehicular access points, the site's other access points for pedestrians (and cyclists and horse riders), and the routes of spine roads), blue and green infrastructure, densities, building heights and character areas would be appropriate. The high-level detail that such drawings provide would be considered adequate for consideration at application stage, provided that sufficient supporting and indicative information is also submitted.
- 10.19 The pre-applicant team are not expected to undertake detailed planning of the council-owned land. Furthermore, any masterplan devised by the pre-applicant team would not be binding on the council (as landowner) or its future developer partners.

Quantum of development

- 10.20 As noted above, site allocation HS11 sets out an indicative housing capacity of 1,460, with potential for a further 498 dwellings beyond the plan period. Proposals for the Bradley Villa Farm site would be expected to make a significant contribution towards those quanta, however it is again noted that the site allocation does not specify how many dwellings should be provided in each part of HS11.

Sustainability and climate change

- 10.21 As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions. At application stage, information to demonstrate that the proposed development would achieve net gains in respect of all three sustainable development objectives would be expected. The forthcoming submission should also respond positively to the net zero carbon emission targets referred to earlier in this report.
- 10.22 Subject to details, and to masterplanning, design, highways, infrastructure, residential amenity, drainage and other matters (including the requirements of site allocation HS11) being appropriately addressed, development at the Bradley Villa Farm site can be considered to be sustainable development, given the site's location adjacent to an already-developed area, its proximity to public transport and other facilities, and the opportunities for economic, social and environmental net gains (and for addressing climate change) that the site provides.
- 10.23 Measures would be necessary to encourage the use of sustainable modes of transport. A development at this site which was entirely reliant on residents travelling by private car is unlikely to be considered sustainable. Adequate provision for pedestrians, cyclists (including cycle lanes, where appropriate) and possible new or diverted bus services should be demonstrated, and cycle storage and space for cyclists, electric vehicle charging points, a Travel Plan and other measures would be required. The proposed expansion of the existing Core Walking and Cycling Network should be assisted by any development at the Bradley Villa Farm site.
- 10.24 Drainage and flood risk minimisation measures would need to account for climate change.
- 10.25 Given the range of uses proposed at (and surrounding) the allocated site, in accordance with Local Plan policy LP26 there may be scope for the creation of a district heat or energy network for which provision (including leaving space for the future provision of an energy centre and pipework beneath footways) should be made at application stage. Local Plan paragraph 12.11 refers to the heat mapping work already carried out for the Leeds City Region – the forthcoming submission should refer to this work.

Urban design matters

10.26 Notwithstanding the masterplanning and developable area concerns detailed above, officers have responded to the pre-applicant team's request for comments on the proposed site layout and other design matters. Positives were identified by officers in relation to the acceptable spine road alignment (subject to detail), proposed areas with perimeter block layouts, and the appropriate building heights (two storeys are proposed throughout the site, although some bungalows and attic accommodation could be acceptable), however concerns were raised as follows:

- Layout influences – Unclear how site allocation requirements, topography, existing/possible vehicular entrances, green infrastructure, drainage, existing watercourses, use separation, open space requirements, infrastructure needs, highway safety and adoption, public rights of way, adjacent uses and other factors have influenced the proposed layout.
- Bradley Villa Farm buildings – Unclear why this part of the allocated site is not included in the pre-application proposals.
- Entrance experience – Concern regarding people entering the site from Bradford Road, and being greeted with a large agricultural shed, electricity substation, three detached dwellings and a small open space.
- Shepherds Thorn Lane – Inadequate response to this important north-south route. Lane would be lined with side garden fences and cul-de-sacs. Insufficient pedestrian and cyclist connections. Northwards view into the site from Bradley Road should be celebrated.
- Landscaping – Ill-considered, ambiguous leftover spaces are proposed in places.
- Developed area edges – In some locations, garden fences would line the public realm and northern (green belt) edge of the site.
- Cul-de-sacs – These are less dementia-friendly, and require refuse collection vehicles to reverse, which raises safety concerns.
- House types – Unclear why pre-applicant team considers the proposed house types to be suitable for this location.
- Typology distribution – Unclear why larger detached dwellings would line the proposed open spaces, while terraced dwellings would be largely confined to the secondary streets.
- Car parking – Concern that parked cars would dominate the street scene in some locations.

10.27 Further advice was provided by officers in relation to detailed aspects of the proposed layout, density variation, designing out crime, materials, boundary treatments, sustainable design, and creating convivial, inclusive environments offering opportunities for social interaction and integration. Officers highlighted a need to avoid creating anonymous, monotonous, insular, isolated suburban development. The pre-applicant team have also been reminded that the Design Review Service for Yorkshire and the Humber is available to provide further, external design advice at pre-application and/or application stage.

Conservation

- 10.28 There are few designated heritage assets close to the Bradley Villa Farm site, however impacts would need to be assessed nonetheless, and the pre-applicant team have already provided an initial Heritage Impact Assessment (HIA). With regard to the Grade II listed barn at Shepherds Thorn Farm, officers agree (with the applicant's assessment) that the creation of the M62 and golf course has affected the heritage asset's relationship with its surroundings, however officers also agree that the agricultural fields on the west side of Shepherds Thorn Lane make a positive contribution to the setting of the farmstead, as they provide one of the few remaining links to a past rural landscape. Some of these fields would be developed under the current proposals for the Bradley Villa Farm site, and the submitted HIA suggests (at paragraph 5.7) that less than substantial harm would be caused as a result. Given the requirements of paragraph 193 of the NPPF, Local Plan policy LP35 and site allocation HS11 (which requires the rural approach to this designated heritage asset to be maintained), the pre-applicant team would be expected to explore how this impact can be reduced. This may necessitate pulling the developable area back from the northernmost corner of the Bradley Villa Farm site (i.e., extending the "Buffer to Listed Building" (shown in the pre-applicant team's workshop slides), which is currently identified as a constraint only applicable to council-owned land).
- 10.29 In light of the site's potential archaeological interest, on 16/12/2020 the West Yorkshire Archaeological Advisory Service (WYAAS) provided the pre-applicant team with a specification for a pre-determination archaeological evaluation (by trial trenching).

Landscape impacts

- 10.30 A draft of the required Landscape and Visual Impact Assessment (LVIA) has not been submitted by the pre-applicant team, however officers have provided advice regarding the viewpoints that are to be assessed. As noted above, the findings of the LVIA may influence the locations of HS11's developable areas. The assessment would also need to take into account the findings of the 2016 Castle Hill Settings Study.

Infrastructure requirements and delivery

- 10.31 Development of the HS11 site would require significant infrastructure to render the site ready to take development, to support development during its operational phase, and to mitigate its impacts. Infrastructure-related works and provisions would, or may, include site investigation, stabilisation and remediation (including in relation to the site's coal mining legacy), formation of development platforms, provision of new roads and junctions, signalisation works, new cycle routes, new footways and footpaths (and diversions and improvements to existing footpaths), the required two form entry primary school, playspaces, sports and recreation facilities, other social infrastructure, allotments, landscaped areas, ecological enhancement, other green

infrastructure, public realm works, surface water drainage, utilities (water, sewerage, electricity, gas, and telecommunications including fibre broadband), electricity substations, decentralised energy (energy centre and distribution network), work related to the retained pylons, noise and air quality mitigation. Temporary, between-phase infrastructure may also be required, as may off-site infrastructure works.

- 10.32 Officers have emphasised how crucial it is that these infrastructure requirements are identified at an early stage. The forthcoming application submission must ascertain what is required, when these works and provisions are required (phased delivery of some works may be appropriate), their costs, and who would be responsible for their delivery.
- 10.33 The council (as landowner) has commissioned WSP to assess the infrastructure needs of the HS11 site, and a list of infrastructure topics (that WSP have been commissioned to cover) has been shared with the Bradley Villa Farm pre-applicant team.

Residential accommodation

- 10.34 Although floor plans of the proposed standard house types have been submitted by the pre-applicant team, little other information has been provided in relation to the standard, sizes, amenities and tenures of the proposed residential accommodation.
- 10.35 The applicant team have been advised that a policy-compliant 20% affordable housing provision, compliance with the Nationally Described Space Standard, a mix of one-, two-, three- and four-bedroom units, and dementia-friendly design would be required. Officers have added that parts of the HS11 site may be appropriate locations for specialist residential accommodation (such as homes for retirement or sheltered living and/or an Extra Care facility), and that potential locations for bungalows and for self-build development (as referred to at Local Plan paragraph 8.32) should also be explored in the pre-applicant team's masterplanning work.

Highway and transportation issues

- 10.36 Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development will normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.
- 10.37 Paragraph 108 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively

mitigated to an acceptable degree. Paragraph 109 of the NPPF adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.

- 10.38 The proposals for the Bradley Villa Farm site show only one vehicular access point off Bradford Road, however the development would also be accessible from the east should development come forward at the rest of the HS11 site.
- 10.39 No draft Transport Assessment (TA) has been submitted, however the pre-applicant team have been advised which junctions to assess in the TA, and that the findings of the council's Major Projects (Transportation) team in relation to the Cooper Bridge highway improvement scheme will be shared in due course. Regarding the emerging Cooper Bridge highway improvement scheme, "with" and "without" scenarios should be tested by the pre-applicant team, to provide a robust assessment that accounts for the possibility of delivery of that scheme being delayed (of note, funding for improvements has not yet been secured) or the scheme being amended.
- 10.40 Site allocation HS11 notes that additional mitigation on the wider highway network will be required in connection with development at the allocated site, and that there is potential for significant impacts upon the Strategic Road Network. To ensure later developments (elsewhere within HS11, and at other sites) are not required to mitigate all the cumulative highway impacts to which a development at Bradley Villa Farm would contribute, any planning permission granted for major residential development at the Bradley Villa Farm site would be required to contribute to future capacity improvements, regardless of whether the c270 proposed dwellings would – when considered in isolation – trigger a need for improvements.
- 10.41 Given the potential impacts upon the Strategic Road Network, the pre-applicant team have been advised to engage in early dialogue with Highways England.
- 10.42 The design of the proposed east-west spine road should reflect that of the section of spine road already approved under application ref: 2018/93965, with a 6.75m wide carriageway. The spine road should be capable of accommodating new or diverted bus services. Details of crossing points, including for farm traffic along the retained access directly behind 686 and 688 Bradford Road, should be provided. Beyond the proposed spine road, an appropriate road hierarchy for the proposed development should be clearly described and illustrated. Reference should also be made to the council's adopted Highway Design Guide SPD when designing and specifying the development's internal roads.
- 10.43 Shepherds Thorn Lane is already of some importance (and provides opportunities for significant enhancement and integration with a redesigned scheme at the Bradley Villa Farm site, for aesthetic and active travel reasons), however as noted above it is not a suitable location for a key vehicular access point to the HS11 site.

- 10.44 An HS11-wide strategy for pedestrian and cyclist movement is required in light of the requirements of policy LP21 to encourage the use of sustainable modes of transport, policy LP23 regarding the Core Walking, Cycling and Riding Network, and policies LP20, LP24dii and LP47e which require improvements to neighbourhood connectivity and opportunities for walking and cycling. This strategy should look beyond the boundaries of the allocated site, and should harness opportunities for wider sustainable and active travel, including to and from the centres of Huddersfield and Brighouse, the Brighouse Garden Suburb site, and employment, education and leisure destinations.
- 10.45 Bradley Road (the A6107) is a part 30mph, part 40mph highway with cycle lane markings, and part of the Core Walking and Cycling Network runs along this road and along Bradford Road (the A641), where a 40mph restriction also applies. This network is intended to provide an integrated system of routes that provide opportunities for alternative sustainable means of travel through Kirklees, and provide efficient links to urban centres and sites allocated for development – the Bradley Villa Farm proposals should respond positively to this intention, including in relation to Shepherds Thorn Lane.
- 10.46 Comprehensive and effective travel planning would be required in compliance with Local Plan policies LP20 and LP51, and a draft Travel Plan should be submitted at application stage. Travel Plan implementation and monitoring fees would need to be secured via a Section 106 agreement. A contribution towards, or the provision of, Metro cards for the new residential units may be necessary – the need for this would be assessed fully at application stage. The main roads nearest to the allocated site are served by the X63 bus service along Bradford Road and the 328 bus service that terminates at Alandale Road.
- 10.47 Parking provision across the site would need to reflect anticipated need (balanced against aesthetic, street scene, safety and sustainability considerations), having regard to likely vehicle ownership and the council's adopted Highway Design Guide SPD.
- 10.48 Construction management provisions (including in relation to construction traffic) would need to be confirmed at application stage, or secured via conditions.

Flood risk and drainage issues

- 10.49 The allocated site is located within Flood Zone 1 and is therefore at low risk of flooding. Part of the allocated site (at Tithe House Way) is at risk of surface water flooding, as is an area at the northern edge of the golf course. To the east of Shepherds Thorn Farm, a watercourse runs northeastwards (via a pond), joining Deep Dike, Bradley Park Dike and, eventually, the River Calder. This watercourse may extend upstream (via a culvert) into the Bradley Villa Farm site. Another watercourse runs eastwards from a pond adjacent to the golf course club house, and historic maps illustrate other watercourses, some of which were interrupted by the construction of the M62. Surface water flood

risk is associated with these routes. Additionally, there are some isolated depressions which represent flood risk. Other unmapped watercourses and features may exist within and close to the allocated site. Yorkshire Water sewers exist beneath Bradford Road, Bradley Road and Tithe House Way.

- 10.50 The Bradley Villa Farm site is larger than 1 hectare in size, therefore a site-specific Flood Risk Assessment (FRA) and a full site-wide drainage strategy would be required at application stage. A chapter relating to flood risk would also need to be included in the forthcoming ES. The requirements of chapter 14 of the NPPF, and Local Plan policies LP27, LP28 and LP29, would need to be addressed. Drainage and flood risk (including provisions for flood routing) should be a key influence on any masterplan for the HS11 site, and any layout proposed for the Bradley Villa Farm site.
- 10.51 The pre-applicant team have been advised to refer to the desk top work and site assessment carried out during Local Plan preparation (in particular, the report by RES Environmental, ref: 543KLE\H1747-H351 rev P1), and to continue liaising with Highways England regarding impacts on the M62's drainage.

Environmental and public health

- 10.52 A Health Impact Assessment and/or relevant chapter in the forthcoming Environmental Statement is required at application stage. This would be assessed with regard to chapter 8 of the NPPF, Local Plan policy LP47 and the council's Joint Health and Wellbeing Strategy.
- 10.53 Development at this site would be required to assist in promoting healthy, active and safer lifestyles in accordance with the above planning policies. This can be achieved in many ways – air quality mitigation and improvement, facilitation and encouragement of on-site and local outdoor activity, inclusive design, providing opportunities for inter-generational interaction, new and enhanced public footpath and cycle path connections, careful construction management (including dust control) and other measures can be proposed by the pre-applicant team. Active travel is of particular relevance to the HS11 site, given the local opportunities available for walking and cycling, and the council's intentions to expand the Core Walking and Cycling Network along Shepherds Thorn Lane.
- 10.54 Noise, air quality, odour and other matters relevant to environmental health will need to be addressed in the forthcoming planning application submission.
- 10.55 The allocated site is not located within an Air Quality Management Area (AQMA), however it is relatively close to AQMA 1 (Bradley Road / Leeds Road junction), where elevated levels of Nitrogen Dioxide have been measured. An AQMA has also been designated in Brighouse.

- 10.56 Due to the size of the development proposed at the Bradley Villa Farm site, and having regard to the West Yorkshire Low Emission Strategy planning guidance, an Air Quality Assessment (AQA) would be required at application stage. This would need to assess the proposed development's likely impacts upon existing receptors (existing residents), and residents of the development itself. Monetary damages from the development may need to be set out – if so, the value of these should be reflected in proposed expenditure on mitigation measures.
- 10.57 For air quality reasons, details of charging points for electric vehicles would be required at application or conditions stage. One charging point per residential unit would be required for dwellings with dedicated parking, and one charging point would be required for every 10 dwellings where unallocated parking is proposed.
- 10.58 At application stage, the previously-mentioned draft Travel Plan would also be required for air quality reasons, given the size of the proposed development. This should include mechanisms for discouraging high emission vehicle use and encouraging modal shift (to public transport, cycling and walking), as well as the uptake of low emission fuels and technologies, among residents.
- 10.59 A Noise Assessment would need to be submitted. This would need to determine the existing noise climate, predict the noise climate in outdoor spaces (daytime), bedrooms (night-time) and other habitable rooms of the development, and detail the proposed attenuation or design measures necessary to protect the amenity of the occupants of the new residential units.

Site contamination and stability

- 10.60 Site allocation HS11 notes the potential presence of contamination at the site. The east end of the allocated site includes part of a former landfill site, and a 250m buffer zone extends into the allocated site. A 250m buffer zone of another landfill site also includes the northern tip of the allocated site. Landfill gas affects land to the north of the allocated site, and a landfill gas buffer covers the northern and eastern parts of the allocated site. Local Plan policy LP53 is relevant, and its requirements would need to be addressed in the application-stage Phase 1 contamination report and ES.
- 10.61 The Bradley Villa Farm site is within the Development Low Risk Area as defined by the Coal Authority, however much of HS11 is within the Development High Risk Area, therefore within the site and surrounding area there are coal mining features and hazards. A Coal Mining Risk Assessment, noting the coal mining legacy of the site and the surrounding area, assessing risk, and making recommendations for mitigating any risk to the proposed development, would be required. The pre-applicant team have been advised to obtain advice from the Coal Authority.

Ecological considerations

- 10.62 The Wildlife Habitat Network covers parts of the allocated site, and areas outside it, including the ancient woodlands at Bradley Wood to the north and Screamer Wood and Dyson Wood to the south. Local Wildlife Sites exist immediately outside the allocated site, to the north and east. The majority of the allocated site is within a Biodiversity Opportunity Zone (Mid-Altitudinal Grasslands for most of the site, Built-up Areas for a small part of the west end of the site, and Valley Slopes along the site's northeastern boundary). Bats are known to be present in the area.
- 10.63 Site allocation HS11 states that, where an ecological assessment shows the presence of protected species, that area of the site will need to be safeguarded from development. Chapter 15 of the NPPF and Local Plan policy LP30 apply. A 10% net biodiversity gain needs to be demonstrated in accordance with these policies. Net gain is measurable, and the degree of change in biodiversity value should be quantified using Natural England's Biodiversity Metric 2.0 or the Biodiversity Metric 3.0 which is due to be launched shortly. In order to address the above, the proposed development would need to be supported by landscaping information and a calculation of change in biodiversity value using this metric.
- 10.64 Further discussions regarding ecological matters can be held at a focussed workshop once officers have had sight of the findings of the pre-applicant team's ecological survey work, assessments and initial biodiversity net gain calculation.

Trees and hedgerows

- 10.65 Tree Preservation Order 17/98/t18 protects a Hawthorn tree at the west end of the allocated site. Other trees exist in several locations across HS11.
- 10.66 Local Plan policy LP33 is relevant, and a Tree Survey, Arboricultural Impact Assessment and Method Statement would be required at application stage. The impact assessment should demonstrate the realistic root growth of trees and a realistic assessment of potential impacts (including in relation to shading) and should recommend mitigation measures where appropriate.
- 10.67 Green Streets principles would need to be adhered to, and would need to be accounted for in any assessment of infrastructure requirements. Sufficient space should be allowed for trees in new roads. The pre-applicant team have been reminded of the proposed changes to the NPPF, which reflect the Government's ambition to ensure that all new streets are tree-lined.
- 10.68 The council promotes the White Rose Forest initiative, which is intended to greatly increase tree cover within the borough. Development of the Bradley Villa Farm site presents opportunities for extensive tree planting, and the Design and Access Statement, landscaping proposals and other submission documents should refer to this initiative. The pre-applicant team have also been advised to monitor progress regarding the forthcoming England Tree Strategy.

Open space, sports and recreation

- 10.69 A breakdown of the proposed open space provision would need to be provided with reference to the six open space typologies used in Local Plan policy LP63 assessments. All proposed open space and landscaped areas should be clearly defined. In particular, the purpose of the proposed thin open space (running southwest-northeast through the Bradley Villa Farm site) should be clarified.
- 10.70 Sports and play spaces should be located and designed in accordance with Fields in Trust guidance.
- 10.71 Reprovision of golfing facilities would need to be addressed in the pre-applicant team's masterplanning work, however as it is considered that this reprovision would be best located at the northeast part of the HS11 site (on council-owned land), this matter is not considered to be a key land use or layout constraint at the Bradley Villa Farm site.

Planning obligations and financial viability

- 10.72 A development of this scale would have significant impacts requiring mitigation. To secure this mitigation (and the benefits of the proposed development, where relevant to the balance of planning considerations), planning obligations secured through a Section 106 agreement would be necessary. Heads of Terms would or may refer to:
- Infrastructure works and provision.
 - Works and contributions required to mitigate highways and transportation impacts, including cumulative impacts. Should impacts not be fully assessed at the time the forthcoming application is determined (due to, for example, funding for the Cooper Bridge highway improvement scheme not being in place), an appropriate legal mechanism would still be required to ensure contributions are secured.
 - Sustainable transport (including Travel Plan implementation and monitoring, and a contribution towards the expansion of the existing Core Walking and Cycling Network).
 - Provision, or contribution towards the provision, of a two form entry primary school.
 - Education contributions (to be calculated based on numbers of units and size mix).
 - Early years and childcare provision, or a relevant contribution.
 - Open space, including playspaces, ongoing management and maintenance responsibilities, and contributions towards off-site provision in the local area.
 - Affordable housing.
 - Provision and maintenance of drainage systems.
 - Biodiversity net gain.
 - Decentralised energy.

- 10.73 Further consideration of contributions, responsibilities for them (and for other obligations), their timing and triggers, and how they would be apportioned, would be possible once acceptable proposals for the Bradley Villa Farm site are brought forward, and once more is known regarding the infrastructure needs of HS11.
- 10.74 The above obligations are significant, and together with the costs associated with on-site infrastructure, drainage and addressing the site's topography and coal mining legacy, would need to be taken into account by the pre-applicant team. The pre-applicant team have been advised that the council will not accept arguments that these costs were unanticipated (and that affordable housing or other necessary mitigation is not viable) where there is evidence that a developer has overpaid for a site, having not given sufficient consideration to development costs. The Bradley Villa Farm site was promoted for allocation and development by the landowner, and such development at this site can reasonably be assumed to be viable at this stage. Therefore, and given what is known regarding the site's development costs, the council is unlikely to entertain a future argument that residential development at this site is unviable. Should any such argument be made in the future, the council can have regard to paragraph 57 of the NPPF, which states that the weight to be given to a viability assessment is a matter for the decision maker.
- 10.75 On 19/01/2021, in light of the Government's announcement that it will abolish CIL and replace it with a nationally-set infrastructure levy, Cabinet agreed to not adopt the CIL Charging Schedule in Kirklees at this stage.
- 10.76 The provision of training and apprenticeships is strongly encouraged by Local Plan policy LP9, and as the proposed development meets the relevant thresholds (housing developments which would deliver 60 dwellings or more), officers will be approaching the pre-applicant team to discuss an appropriate Employment and Skills Agreement, to include provision of training and apprenticeship programmes. Such agreements are currently not being secured through Section 106 agreements – instead, officers are working proactively with applicants to ensure training and apprenticeships are provided. Given the scale of development proposed, there may also be opportunities to work in partnership with local colleges to provide on-site training facilities during the construction phases.

Phasing and delivery

- 10.77 If planning permission is approved, a development of this scale is likely to be constructed in phases. No phasing information has been provided by the pre-applicant team to date, however such details would be required at application stage. Phasing should be organised having regard to several considerations, including neighbour amenity, the amenities of occupants of earlier phases, highway safety, aesthetic considerations, biodiversity and infrastructure provision.

11.0 CONCLUSION

11.1 Members to note the contents of this pre-application report.