

Housebuilders Design Guide SPD

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1	Introduction	2
2	Background & policy context	3
3	Drivers of site design in Kirklees	4
4	Securing high quality design through the planning process	7
5	Context	9
	5.1 Character and Distinctiveness	9
	5.2 Understanding Built Form	11
6	Setting design parameters	14
	6.1 Establishing a Site Framework	14
7	Site layout	17
	7.1 Density	17
	7.2 Built form and the building line	18
	7.3 Maintaining high standards of residential amenity	20
	7.4 Green infrastructure and open space	22
	7.5 Landscaping and edges	24
	7.6 Biodiversity	25
	7.7 Walking, cycling and road connections	27
	7.8 Street design	28
	7.9 Parking	30
8	Architectural details	33
	8.1 Materials and Detailing	33
	8.2 Windows and doors	34
	8.3 Rooflines	35
9	Home design	37
	9.1 Internal space standards	37
	9.2 Outdoor space	38
	9.3 Energy efficiency	39
	9.4 Waste	40

1 Introduction

1 Introduction

Purpose of the SPD

1.1 The purpose of this Supplementary Planning Document (SPD) is to set out what the Council considers to be good residential design, to raise the quality of housing that is delivered in the district, supporting the Local Plan Vision. The main aim is to ensure that the district's future housing development has the required high-quality and socially inclusive design to help deliver quality places. The publication of the SPD provides the Council's response to the Government's emphasis on design quality being embedded within the planning system, following the publication of the National Design Guide. The document seeks to support the delivery of residential development in Kirklees that supports the Council's Climate Emergency Action Plan, for Kirklees to be completely carbon neutral by 2038.

1.2 The SPD provides applicants and developers with detailed guidance about the implementation of Kirklees Local Plan policy LP24 'Design' and other relevant Local Plan policies within the context of national planning guidance to create high quality buildings and places. The document considers how the distinctive built and natural environment in Kirklees can help shape high-quality residential development and provides a starting point from which developers will be expected to develop a tailored, site specific response. The guidance will be a material consideration in the determination of planning applications for all residential development, including proposals for apartments and student housing.

1.3 The SPD is split into six parts, intended to guide developers through the site design process:

1. Introduction: Explaining the policy context, drivers for site design in Kirklees and the tools to secure good design through the planning process.
2. Context: Exploring the character of Kirklees and local built form to inform residential development.

3. Setting development parameters: Identifying a site framework to establish how the development potential of the site can be fulfilled.
4. Site Layout: Considering how the site can be developed within identified site parameters.
5. Architectural Details: Considering the materials and detailing to be used throughout the site.
6. Home Design: How individual homes can be designed within the developed site layout.

What is good design?

The long-standing, fundamental principles for good design are that it is: fit for purpose; durable; and brings delight. It is relatively straightforward to define and assess these qualities for a building. We can identify its activities and users, the quality of detail, materials, construction and its potential flexibility. We can also make judgements about its beauty. (National Design Guide 2019)

Design and Access Statement Prompts:

Each section includes considerations for what should be included within a Design and Access Statement accompanying a major residential scheme.

2 Background & policy context

2.1 There are several adopted national and local strategies and policies that form the policy context for the Housebuilder Design Guide SPD at the time of adoption, these are listed below.

National:

- National Planning Policy Framework (2019)
- Planning Practice Guidance
- National Design Guide (2020)
- Technical Housing Standards - Nationally Described Space Standards (2015)
- The Building Regulations 2010
- Manual for Streets (2007)
- Secured by Design – Homes 2019
- Building for a Healthy Life (2020)
- Living with Beauty (Building Better Building Beautiful Commission) (2020)

Local:

- Kirklees Local Plan (Adopted February 2019)– Related Policies:
 - LP2 Place shaping
 - LP3 Location of new development
 - LP5 Masterplanning sites
 - LP7 Efficient and effective use of land and buildings
 - LP11 Housing mix and affordable housing
 - LP20 Sustainable travel
 - LP21 Highway and access
 - LP22 Parking
 - LP23 Core walking and cycling
 - **LP24 Design**
 - LP26 Renewable and low carbon energy
 - LP27 Flood risk

- LP28 Drainage
- LP30 Biodiversity & geodiversity
- LP31 Strategic green infrastructure network
- LP32 Landscape
- LP35 Historic environment
- LP47 Healthy, active and safe lifestyles
- LP63 New open space
- The Corporate Plan 2018-2020
- Health and Wellbeing Plan (2018)
- Highway Design Guide SPD (2019)
- Open Space SPD (2021)
- Biodiversity Net Gain Technical Advisory Note (2021)
- Viability Guidance Note (2020)
- Living Play 2020 - Playable Spaces Strategy
- Public Art Policy (2017)
- Green Streets ® (West Yorkshire Combined Authority) (2015)
- Kirklees Air Quality Strategy (2007)
- Kirklees Housing Strategy (2018-2033)
- Kirklees Walking and Cycling Strategic Framework (2018-2030)
- Kirklees Conservation Area Appraisals
- Dewsbury Blueprint (2020)
- Huddersfield Blueprint (2019)

3 Drivers of site design in Kirklees

3 Drivers of site design in Kirklees

3.1 The drivers of site design in Kirklees are set out in the diagram below. Designs should be informed by a thorough analysis of the broader context of the site and the landscape, heritage, cultural and natural character of the places which make up Kirklees, using the tools set out in Principle 1 and following the advice set out in Principle 2.

Figure 1 Drivers of Site Design in Kirklees

DRIVERS OF SITE DESIGN IN KIRKLEES



3.2 The design of all development should respond to wider policy challenges, with development expected to:

- Be resilient and adaptable to the impacts of **climate change** and minimise greenhouse gas emissions, in the design of both the site and the homes within it, reflecting the factors listed in the box below.

- Protect and enhance the district's **biodiversity** and integrity of the natural environment and the locally distinctive qualities that contribute to its character. This helps strengthen the beneficial services provided by the natural environment and makes a positive contribution to the health and well-being of existing and future residents.
- Provide the amount, type and tenure of homes that help meet the district's **housing need** and ensuring homes are well-integrated and designed to the same high-quality to create tenure neutral homes and spaces, where no tenure is disadvantaged.
- Ensure that **housing quality** is at the forefront of housing need, supporting innovative designs providing safe and secure homes that are built to modern sustainable standards adaptable to the changing demands of society and the climate.
- Support a positive impact on **health and wellbeing**. The design of residential developments affects health in terms of its accessibility, living space, access to outdoor space and the environment in which the house is located. This also includes access to well-connected multi-modal transport, physical activity, employment and services, community safety, green space, to healthy and affordable food choices and environmental quality.
- Support sustainable **transport** choices by being well connected to the existing network of streets, have good levels of connectivity and ease of movement throughout the site itself. New development should have good links to local services and both existing and proposed public transport facilities to achieve sustainable movement patterns, reducing the reliance on cars and promoting sustainable travel.
- Contribute to the Council's **inclusive growth** aspirations by supporting the delivery of homes for all sectors of society and ensuring that development supports the Kirklees economy through supporting learning and skills in construction; and
- Support **flood risk and drainage** policies by incorporating natural features such as tree planting and wetlands, that form part of an integrated multifunctional green infrastructure network.

Combining industrial heritage and modern construction methods to create low carbon homes at Little Kelham, Sheffield (Image: Flickr / Academy of Urbanism)



3.3 Development design in accordance with the Design Principles set out in sections 6 to 9 will support well-designed developments relate well to their immediate surroundings and the site's broader context by responding to landscape, heritage, cultural and natural characteristics. New development will be integrated into the surrounding context and respond positively to local character, whilst being sensitive to its

surroundings. The delivery of development in accordance with the principles set out in the SPD, along with Local Plan policies and relevant SPDs can ensure that the design and quality of new homes in Kirklees will make a positive contribution to the towns and villages of the district and play a critical role in addressing the Climate Emergency declared in Kirklees.

A car-free development comprising of energy efficient modular homes set around attractive SuDS infrastructure at LILAC, Leeds



How good residential design can address the climate emergency:

- Active Travel: Ensuring safe, attractive and convenient walking and cycling routes and providing secure cycle parking and connecting key destinations.
- Public Transport: Provide links to rail and bus services and consider how development can enhance bus service provision to help meet day-to-day needs of residents.
- Ultra-Low Emission Vehicles: Include charging points for low emission vehicles.
- Renewable Energy: Providing opportunities for energy generation on properties and site-wide energy generation schemes.
- Energy Efficiency: The orientation and fabric of buildings can reduce energy demand and make warmer homes more affordable.
- Local natural materials: Using locally sourced natural materials minimises embodied carbon and carbon produced in the transportation of materials to site.
- Re-using existing buildings: Making effective use of their embodied carbon, to minimise waste and impacts on the natural environment.
- Green and Blue Infrastructure: To enhance biodiversity, reduce and manage surface water run-off make places cooler in hot weather.
- Technology: Ensure developments are future-proofed for advancements in communications and transport.
- Recycling: Ensure residents can recycle as much waste as possible and that this is convenient and well-integrated into the site.
- Food Growth: Green space on the site can be used to grow food and could form part of a wider urban agriculture scheme.
- Density: Higher density development can support more local services such as shops, which reduces the need to travel and can make public transport services more viable.

3 Drivers of site design in Kirklees

Relevant Local Plan Policies:

LP2, LP5, LP24, LP30, LP31, LP32, LP35

4 Securing high-quality design through the planning process

Principle 1

Developers are expected to draw upon the range of tools available to help secure high-quality design for residential development, from the outset of the development process. Developers should work closely with the Council and use the most appropriate tools to secure high-quality design.

4.1 There are a range of tools available for developers to ensure that their schemes deliver a high standard of design:

- **Pre-Application Advice:** Setting the parameters and environmental constraints and opportunities including habitats, understanding developer contributions and viability issues, travel plan and transportation requirements, getting the right amount and mix of homes, conformity with local and national policy, how the site will be serviced and embedding Crime Prevention measures into the design at an early stage. Further information is available on the Council website⁽¹⁾.
- **Support from Architects and Landscape Architects:** Developers should work with architects to ensure that the built form is appropriate to the site and to provide technical advice on overcoming constraints and understanding local context. Landscape architects can help consider how the development will impact on, integrate with, complement and enhance the landscape.
- **Community Engagement:** Developers should agree what engagement will be undertaken with the local community and elected members and work together as early as possible involving them in preparing plans.

Community engagement should be undertaken in conjunction with the council, or agreed with the council prior to being undertaken. Particular attention should be paid to how the development can make a positive contribution to placemaking, with an understanding of the aspirations and needs of the community. Kirklees have used the Place Standard tool to gain local insight from citizens in different settlements within the district, the evidence from this is available on the Kirklees website ⁽²⁾ and can ensure that applicants respond to any significant local issues. The Kirklees Public Art policy considers the role that public artists can have in the community engagement process. The Development Management Charter ⁽³⁾ sets out further advice on community engagement.

- **Statutory consultees advice:** Developers should identify which Statutory Consultees may be affected by the proposed development and should undertake relevant engagement with affected Consultees as early as possible. Developers should work with Statutory Consultees to ensure that the built form is appropriate to the site.
- **Development Briefs:** Prepared by the council, with the community and where applicable the landowners, to help establish the principles of development at the early stage and provide certainty to the council, community and developers
- **Masterplanning:** Local Plan Policy LP5 sets out the expectations for site masterplans, which will be sought where feasible and appropriate, including where there are multiple landowners, several sites in a focused area or a large site that will take a number of years to build out. A masterplan must be developed at an early stage and form the basis of subsequent planning applications on the site. A masterplan for larger sites will be prepared by a multi-disciplinary team and could benefit from the input of a team of architects and use design competitions to promote new ideas and innovation.
- **Design and Access Statements:** These are required to accompany major applications and applications in conservation areas and show the evolution of a design showing how it responds to the constraints and opportunities that the site presents, how it helps meet the needs /

1 <https://www.kirklees.gov.uk/beta/planning-applications/get-pre-application-planning-advice.aspx>

2 <https://howgoodisourplace.org.uk/>

3 <https://www.kirklees.gov.uk/beta/planning-applications/guidance-and-advice-notes.asp>

4 Securing high-quality design through the planning process

aspirations of the community, and how the site is efficiently developed to meet the policy objectives set out in the Local Plan. Design and Access Statements should address the ten characteristics set out in the National Design Guide, as shown in figure 2.

- **Design Codes:** Where sites are likely to have multiple owners and where opportunities for self-build and custom-build houses are made available, a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for development which avoids standardised layouts and ensures the site is developed in accordance with the site's context, as assessed according to Principle 2. The Government Published the National Model Design Code in January 2021, which provides detailed guidance on the production of design codes, guides and policies to promote successful design.
- **Design Review:** A design review undertaken by an independent body can provide advice to applicants to improve design quality, the Council will encourage the use of Design Review on large-scale housing sites. The Design Council have produced guidance which includes ten principles of Design Review.
- **Health Impact Assessment:** Health Impact Assessments can identify measures to maximise the health benefits of the development and avoid any potential adverse impacts. As well as considering impacts on health infrastructure and/or the demand for health care services, this can also influence the design of the proposal. A Health Impact Assessment will be required for all proposals likely to have a significant impact on health and wellbeing.
- **Agreeing Details Early:** Working with the Council from an early stage and preparing detailed site masterplans can help ensure that responses to site constraints and detailed highways designs are agreed when a site receives planning permission and that details are not left to planning conditions. This will provide more certainty and it will support the Council's aim in swiftly dealing with Discharge of Conditions applications. The Kirklees Validation Checklist sets out what information is required to accompany planning applications to ensure that sufficient information is provided at an early stage to support good design in proposals.
- **Management and maintenance:** Consider how open spaces and communal areas will be managed and maintained in perpetuity (including

potentially through co-operation of residents and community interest companies) and how the street will work on a day-to-day basis responding to challenges presented by car parking and bin collection.

4.2 National Planning Practice Guidance set out more detail on the different methods available to plan for well-design places, based around the ten characteristics set out below:

Figure 2 The ten characteristics of well-designed places set out in the National Design Guide (MHCLG, 2019)



Relevant Local Plan Policies:

LP5, LP24

5 Context

Principle 2

New residential development proposals will be expected to respect and enhance the local character of the area by:

- Taking cues from the character of the built and natural environment within the locality.
- Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.
- Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.

5.1 Character and Distinctiveness

Upland pastures, separated by dry stone walls looking out to the Pennine Moors at Marsden



5.1 Local distinctiveness is defined by the positive features of a locality that contribute to its special character and heritage assets, the sense of place and distinguish one local area from another. Kirklees has a rich and diverse historic environment that, together with the character of the landscape, creates its local distinctiveness and special interest.

The rolling wooded farmland of Emley Moor



5.2 The general character of the towns and villages of Kirklees is typified by stone-built properties closely following the hillside contours, with industrial and residential areas traditionally located close together and looking out onto the surrounding countryside.

5.3 Kirklees is a diverse district with a variety of landscapes which have distinctive characteristics, which are identified in the Kirklees District Landscape Character Assessment⁽⁴⁾ and summarised in the table below:

Table showing the landscape character types by sub-area of Kirklees

	A High Moorland Plateaux	D Moorland Fringes / Upland Pasture	E Rural Fringes	F Settled Valleys	G Wooded Rural Valleys	K Coalfield Edge, Urban Fringe Farmland	M Industrial Lowland Valleys	N Rolling Wooded Farmland	O Industrial / Business Parks	U Urban
Kirklees Rural (West)	•	•	•	•	•					
Kirklees Rural (East)		•	•		•			•		
Huddersfield			•	•			•			•
Batley & Spen			•		•	•			•	•
Dewsbury & Mirfield			•		•		•	•	•	•

4 <https://www.kirklees.gov.uk/beta/planning-policy/pdf/supportingDocuments/climateChange/Kirklees-Landscape-Character-2015.pdf>

5 Context

Former textile warehouses creating a high quality urban townscape in Dewsbury Town Centre



5.4 There are several settlements in the district that have medieval origins, though the textile industry is the main influence of the built form in the district, in the form of weavers' cottages, mills, workers' stone terraced housing; and municipal and commercial buildings. Kirklees has a wealth of historic farmsteads, the laithe house (a dual-purpose dwelling, comprising house and agricultural building in one range), a linear farmhouse

and barn is a locally distinctive form of building commonly found in upland farmsteads of West Yorkshire. Historic field boundaries make an important contribution to local character and should have an active role in shaping the form of new developments.

A railway viaduct meeting domestic character in Slaithwaite.



5.5 Contemporary designs and high-quality modern interpretations of distinctive local characteristics would be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment. Great weight will be placed on the importance of good design where a proposed development may impact on a designated heritage asset or its setting. In conservation areas, it

will be of great importance that development is sympathetic and responds to the context.

5.6 Kirklees has a wealth of heritage assets which help define the district's distinctive character and special interest. Conservation area appraisals, list entries and the West Yorkshire Historic Environment Record provide detailed information about character and distinctiveness. New residential development will be expected to be informed by the relative significance of the place in order to positively complement the place. Applicants should have regard to the range of resources listed above, agreeing relevant heritage assets with the Council at an early stage.

A dramatic sloping sandstone terrace in Huddersfield



5.7 The traditional building material throughout the district is stone, though other building materials have been used as construction became more standardised in the 20th century. Approximately 60% of all homes in Kirklees were built after 1945, meaning there are parts of the district where stone is not as prevalent in these areas. Traditional roofing materials, include locally sourced stone

flags, and slates sourced from within the UK.

Clockwise from top left: stone roofs commonly found in Kirklees, stone terrace with slate roof at Thornhill, ashlar stone in Dewsbury, contemporary modular housing (Image:Citu), red brick housing at Whitley Lower, coursed rubble at Denby Dale and contemporary stone buildings at Slaithwaite.



5.2 Understanding Built Form

5.8 When looking at the site's immediate context, there are several aspects that make up the built form, which are considered below:

Types / Size of dwelling

5.9 The type and size of dwelling will influence the built form. Applicants should ensure the development is meeting needs for the type of homes required in the locality and that all homes are designed in accordance with the Home design section.

Scale and Enclosure

Enclosure formed by buildings at Oakenshaw, where a newer development on the right of the picture complements the linear village form



5.10 Development should consider the scale and enclosure around the street and other public realm, by giving attention to the width between building frontages and the heights of buildings on streets that lead to the development. Planting such as street trees, or in front gardens of homes, can also provide enclosure as well as boundary treatments subject to appropriate planting and maintenance. The scale and enclosure provided by existing buildings around the site

should also be considered and inform the development of the site.

Building Line

5.11 The building line is a general line of development formed by the main façade of buildings as they face on to the street. Consideration should be given to the existing building line and how new development, particularly on infill sites, can provide a continuation of the building line. Consideration should

5 Context

also be given to the need for punctuation in the building line to avoid monotony with projecting or recessed bays to provide accents, further detail on the Building Line is set out in Principle 5.

Urban Grain

A figure ground diagram of part of Gomersal



5.12 New development should have regard to the existing urban grain. This is the pattern presented by buildings and the spaces between them and how the spaces enable people to move between the buildings. Streets with fine urban grain tend to be in the centre of towns and where development is of a higher density. Places defined by a finer urban grain can add character and interest and can assist with accommodating challenging topography with good examples including the borough's streets of short traditional terraces. Larger footprints and massing may be more appropriate for the borough's flatter valley-bottom sites where similar scale and character already exists. A Figure ground diagram, which depicts buildings in black and

unbuilt space in white, can be useful for understanding urban grain as shown in the accompanying image.

Topography

New development at the Malings, Ouseburn in Newcastle upon Tyne working with site topography to create an attractive high density housing within an urban setting.



walls should be avoided and a high-quality street scene should be maintained. The topography of the site is likely to impact on the access arrangements and the development density of the site and this should be clearly identified in Design and Access Statements.

5.13 The influence of the topography of a site and how the development responds should be clearly set out in the Design and Access Statement. Applicants should demonstrate how the topography of the site has been utilised to create well-designed and distinctive places, this can mean including bespoke house types and using the topography to provide under-croft car parking. On steep sites standard house types separated by high retaining

Design and Access Statement Prompts

- How has the proposal taken wider landscape characteristics into account and used opportunities to respond to the local character?
- Has the applicant taken account of designated heritage assets and consulted the Historic Environment Record?
- Does the scale of the proposed development reflect local character?
- Does the proposal respect the urban grain of the surrounding area?

Relevant Local Plan Policies:

LP2, LP5, LP24, LP35

6 Setting design parameters

6 Setting design parameters

6.1 Establishing a Site Framework

Principle 3

Developers are expected to clearly identify and map out site opportunities and constraints in the Design and Access Statement. This can help understand what constraints impact upon the developability of the site and ensure that they are fully embedded into the design of the site and that the site can be developed to make the efficient and effective use of land. A Site Framework will identify the purpose of each part of the site and help guide the site's development, setting the development parameters early in the planning process.

6.1 Many sites will have technical constraints that limit how much land can be developed and that guide the layout of the site. It is critical that these are considered early in the process and are clearly identified to better inform the design process and to secure efficient and effective use of land. These constraints are considered below and should be clearly set out in the D&A Statement:

Flood risk and Drainage

6.2 The approach for flood risk is set out in Local Plan policy LP27. This policy states that development will not be permitted on any part of the site identified through a site-specific flood risk assessment as performing a functional floodplain role. Drainage is considered in LP28. Flood management, drainage and the design of sustainable drainage systems need to be considered at the outset of the design process and agreed with the Council as the lead local flood authority. Applicants should seek to enhance the existing drainage arrangements and consider how development of the site

will impact on the surrounding community, beyond the site boundary. Advice on green infrastructure which plays an important role in flood risk and drainage is set out in Principle 7.

Slopes

6.3 Steep slopes should be identified where they present challenges to the development of the site, particularly with regard to overlooking neighbouring sites and where they would present infrastructure constraints. Steep slopes also present challenges in terms of accessibility for different users of the site. Applicants should demonstrate how they have sought to exploit the topography of the site to respond to these challenges. More advice on topography is in Principles 8 and 15.

Ground conditions

6.4 The industrial legacy of the district means that ground conditions may affect the development of some sites. A coal mining risk assessment is required for sites in some parts of the district (as defined by the Coal Authority) and these may present site constraints that effect the developable area of the site. Further information is provided in Local Plan policy LP53.

Infrastructure

6.5 Sites may have a range of utility infrastructure that presents a design constraint. Overhead powerlines, gas mains and sewerage infrastructure will require easements or diversions and undergrounding may be necessary. This is likely to result in higher costs for development so it should be considered in early viability appraisals.

Relationship with neighbouring land and buildings

6.6 The relationship of the site with neighbouring buildings and the suitability of different parts of the site for different uses in the case of mixed use allocations can determine its layout. This may include heritage assets, employment uses or other sensitive uses that may require buffer zones, stand-off distances and for development to respect the neighbouring buildings

privacy and amenity. Where a proposal is adjacent to a canal or river, consideration should be given to how the development will integrate with them and, where appropriate, provide a safe access. For those sites around main rivers, an Environmental Permit will be required from the Environment Agency under certain circumstances, this should be identified in early discussions with the Environment Agency as advised in paragraph 4.1. If part of a site or adjacent land offers appropriate opportunities for development, applicants should apply a masterplanning approach, and explore the possibility of jointly developing and densifying sites; as set out in Principle 1 and Local Plan Policy LP5.

Landscape

6.7 Appropriateness of new development to the setting and consideration of impact on the landscape should be demonstrated. Consideration of the character of the site, features being retained and concepts behind design, space and planting for protecting, preserving and enhancing trees, vegetation, wildlife habitats, boundary treatments and historic landscape. Where sites include watercourses within/on the edge of sites, an undeveloped buffer zone to be included to allow space for water and wildlife and provide a connection into the wider green infrastructure would be appropriate.

Noise, odour and air quality

6.8 Proposals should consider local air quality in the area and how mitigation measures can be integrated into the design where the proposal seeks to introduce new residential development into Air Quality Management Areas, Areas of Concern or near other areas of relatively poor air quality in accordance with Local Plan Policy LP51. All development proposals are expected to incorporate suitable and sustainable mitigation measures which reduce pollution from a range of sources including noise, odour and light. Mitigation measures can include planting, screening and use of green walls and green roofs.

Trees and hedgerows

6.9 Planning permission will not be granted for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should have regard to the Wildlife Habitat Network, Habitats of Principal Importance and green infrastructure networks and consider the contribution that the trees and hedgerows make to the local distinctiveness of the area. Existing tree and landscape features should be incorporated into a scheme at the concept or initial design stage and sites should show a net gain in tree coverage.

Biodiversity

6.10 Biodiversity constraints should be identified at the outset of a proposal via a Preliminary Ecology Appraisal. The Council will be providing a technical advisory note biodiversity net gain in Kirklees and further information is set out in Principle 9.

Walking and Cycling Connections

6.11 An assessment of the site's relationship with the surrounding street hierarchy and walking and cycling network should be provided. This can inform how to best make connections to help prioritise walking and cycling journeys and to identify how to make connections to existing and proposed routes, further detail is set out in Principle 10.

6 Setting design parameters

Views

Golcar viewed from Linthwaite, showing development working with the topography to create an attractive and distinctive setting for the village (Image: Tim Green, Flickr)



terms of long-distance views, the townscape and the impact on the setting of heritage assets.

6.12 Any development proposal should consider views from public vantage points to important landmarks, the scope of a development to open-up and frame new views; and the impact of development on long distance views. In the case of development within or adjacent to a conservation area, views to and from the conservation area must be considered. Proposals for taller residential buildings should consider their visual impact in

- How has the site layout taken the position of neighbouring buildings into account to maintain privacy and residential amenity?
- Are important views into, out of, and within the site identified and how has the site layout taken them into account?
- Are heritage assets within or adjacent to the site identified; and the measures that would help safeguard their setting clearly identified?
- Does the site framework clearly identify a net-developable area?

Relevant Local Plan Policies:

LP5, LP7, LP20, LP21, LP23, LP24, LP27, LP28, LP30, LP31, LP32, LP33, LP35, LP47, LP51, LP52, LP53, LP63

Design and Access Statement Prompts

- Are areas that are unsuitable for development because of constraints arising from biodiversity, flood-risk, topographical constraints, utilities infrastructure, ground contamination and stability clearly identified?
- Is the role and function of each part of the site clearly identified, for example for drainage attenuation, open space or on-site biodiversity compensation?
- Are existing trees and hedgerows clearly identified and do these form the basis of the site's open space and green infrastructure network?
- How has the site layout sought to mitigate any noise and air quality issues?

7 Site layout

7.1 Density

Principle 4

Net development density is expected to achieve at least 35 dwellings per hectare, though higher densities are supported in areas in or adjacent to town centres which are well served by public transport and to secure more sustainable forms of development. Densities lower than 35 are only permitted in line with Local Plan Policy LP7. The location of the site is important in terms of the requirement for car parking provision, on-site open space provision and the type of housing required in the locality.

7.1 The Site Framework should be used to establish and clearly identify the developable area of the site as well as areas unable to form part of the net developable area; and in the case of mixed use allocations those areas of the site that are designated for other uses. The net developable site area should not include areas that: are at high risk of flooding and existing flood routes and drainage infrastructure; are priority habitats; contain protected and important trees; and are unable to be developed because of ground conditions and land stability issues. Areas of open space provided in accordance with LP63, streets and car parking are within the net area of the site. Detailed site analysis will provide more in-depth information to inform the net developable area.

7.2 Density should positively respond to the scale, form and massing of the surrounding locality. It will be important that new development ensures the conservation and where possible enhancement of heritage assets and their settings. In conservation areas, conservation area appraisals can provide useful guidance.

7.3 Higher development densities have been shown by the Housing Design Audit for England⁽⁵⁾ to result in better design and can help:

- ensure that local services are more viable;
- reduce the need to travel to access community facilities and services; and
- support higher frequency bus services.

7.4 Achieving a high development density is subject to other policy requirements, such as car parking on-site open space provision and a range of housing types of properties needed to support housing mix. Car parking and highways should be efficiently designed to ensure they do not take up a high proportion of land. Opportunities for densification should be identified, especially if land is highly accessible and currently under-used.

7.5 Developers may need to demonstrate flexibility when considering standard house types, the location of larger detached houses should be considered within the overall housing mix of the site, against density requirements and their appropriate location within the site.

7.6 The density of homes and their parking and servicing requirements needs to be balanced against the need of being able to achieve a highway layout that is of an adoptable standard.

7.7 Lower densities may be necessary to ensure:

- the development is compatible with its surroundings;
- development viability would not be compromised;
- particular house types are secured to meet local housing needs (LP11); or
- the development of low-energy housing built to Passivhaus standards.

7 Site layout

7.8 On larger sites, it may be appropriate to identify character areas where different development densities can be provided. This can take account of the local character and site context and help sites make a transition from urban to rural. This can also ensure that new development creates character and identity and help to create a memorable sense of place.

Design and Access Statement Prompts

- Does the development achieve a net density of 35 per hectare and is sufficient justification provided for lower densities?

Relevant Local Plan Policies

LP5, LP7, LP11, LP24

7.2 Built form and the building line

7.9 Following the identification of a site framework (as set out in Principle 3) and considering the type of housing required and the appropriate density; the site layout should be established which takes into account remaining Principles in this section.

Principle 5

Buildings should be aligned and set-back to form a coherent building line and designed to front on to the street, including corner plots, to help create active frontages. The layout of the development should enable important views to be maintained to provide a sense of places and visual connections to surrounding areas, and seek to enable interesting townscape and landscape features to be viewed

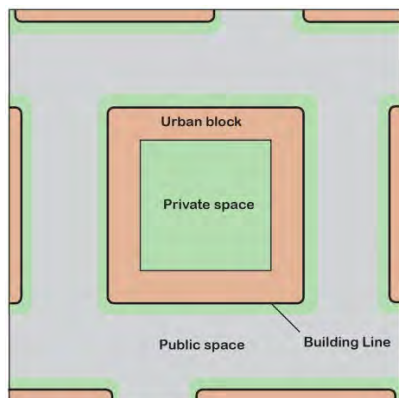
at the end of streets, working with site topography. The arrangement of buildings should consider maintaining privacy and residential amenity. Effective boundary treatments should be used to form defensible space and delineate between public and private realm. Buildings should be arranged to take account of weather and microclimates.

7.10 Good quality built form is supported by a strong and distinctive building line which helps create active street frontages and defines the character of places. It is recommended that:

- Buildings front on to the street to with well-designed frontages and prominent front doors
- windows look out over the street, and
- careful consideration is given to accommodating garages and car parking within the development to ensure they are not visually dominant

7.11 In higher density areas, the building line will generally be closer to the street and on the edge and outside of urban areas properties will tend to be set back. Infill development should reflect the building line of existing development and new development should provide clear and consistent building lines that are appropriate to the area, as considered in Principle 2. The character of the building line could be varied, with groups of buildings set back from the main building line, although a scattered and constantly changing building line can be unattractive and confusing. Regard should be had to the traditional built form of the area, with many earlier rural houses facing south and presenting gable ends to the street. In lower density suburban areas, a softer building line may be appropriate having regard to the wider character of the surrounding area.

A diagram of the perimeter-block layout in its simplest form



enhances legibility, ensures little exposure of vulnerable rear gardens to public access and can be delivered in a variety of forms. Residential amenity and privacy should be considered by having regard to the guidance set out in Principle 6.

A house with low level planting and active frontage on two elevations as it turns a corner at Black Rock Mills, Linthwaite



open to view. Where access to rear gardens is taken from the front of dwellings, this should offer high gated access close to the front building line

7.12 A strong building line can help define public and private spaces which puts private spaces at the rear of properties away from the street in the form of an urban block. Private space can be enclosed within a block, though if this is not possible or appropriate and private space fronts on to the

edge of the site, boundary treatments should be considered – as set out in Principle 8. A perimeter-block approach helps define public and private space,

7.13 Boundary treatments should be used to clearly distinguish between public and private space, helping to minimise the risk of crime whilst performing an important role in breaking up the dominance of on-plot car parking. Boundary treatments can comprise railings, walls and hedges and the choice of treatment and material used should reflect the site context and location. At the front of plots, any boundary treatments should be kept low so that dwellings are kept

to avoid deep recesses between buildings. Low quality and intrusive boundary treatments can have a negative visual impact on the public realm; particularly high fences where rear gardens face on to the street. Consideration should be given to how the built form can be designed to enhance natural surveillance and reduce fear of crime, ensuring views are not obscured by vegetation, high walls and fencing. The location and type of planting within the site and its maintenance should be considered at the outset of the design process.

7.14 Buildings on corners should respond to their location. In more

A Distinctive corner building with frontages sensitively incorporating garages at Abode, Cambridgeshire (Image: Tim Crocker, Proctor Matthews Architects)



A well-enclosed car-free street, with car parking hidden away at Paintworks, Bristol (Image: Stride Treglown)



prominent locations at key junctions, these should be designed to mark the corner (with additional height where appropriate, although a different elevational treatment can be adequate) to support wayfinding, with buildings having two front elevations facing on to either street.

7.15 Building frontages that are dominated by hard landscaping and car parking that is within the plot and fronting on to the street should be avoided (see Principles 11 and 12) as this can result in dull and vehicular-dominated streetscapes. Within some sites, it may be appropriate to accommodate car parking outside of the curtilage of the dwellings provided that this is well-lit and

7 Site layout

within sight of active rooms or locate it in under-croft car parks; a strong building line and delineation of public and private space is still a key consideration in such developments.

Buildings orientated for solar gain at LILAC, Leeds



7.16 The direction of prevailing winds and sunlight influence the microclimate of outdoor spaces, the amount of light homes receive, the capacity of homes to be optimised for passive solar construction and the capability of a site to deal with extreme weather events. Further guidance on orientation of buildings for

energy efficiency are detailed in principle 18.

7.17 The enclosure of buildings around the street can help frame views to important landmarks and the surrounding countryside; utilising views within a site can help create a better experience for a user of the site and to support dementia friendly design. Developments within or adjacent to Conservation Areas should have regard to any important views and townscape features that are identified in the Conservation Area Appraisal. The legibility of the site can be enhanced by streets ending at landmark buildings or helping to frame the views of attractive landscape. Streets terminating at gable ends, parking spaces, walls or fences are discouraged.

- Is the set back of buildings to the street appropriate to the site's context and does it help provide a sense of enclosure?
- Does the built form, building line and boundary treatments address issues of crime and minimise its impact on the safety and security of the area?
- Has the termination of streets been fully considered, with particular regard given to ensuring key streets in the site terminate with interesting views?
- Are buildings on the site orientated to take account of prevailing winds and to allow for passive solar construction?

Relevant Local Plan Policies

LP5, LP24, LP32

7.3 Maintaining high standards of residential amenity

Principle 6

Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

7.18 The space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to penetrate buildings. Space about buildings can also make a positive contribution to local character and street scenes. Normally new build developments should seek appropriate separation distances for servicing,

Design and Access Statement Prompts

- Are active frontages provided through the orientation of buildings and the width of plots?
- Is there a clear delineation between public and private spaces with appropriate boundary treatments?
- Does the site layout use buildings and open space to form landmarks and support wayfinding?

accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to scale of the dwellings.

7.19 For two storey houses typical minimum separation distances are advised:

- **21 metres** between facing windows of habitable rooms at the backs of dwellings;
- **12 metres** between windows of habitable rooms that face onto windows of a non-habitable room;
- **10.5 metres** between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys

or above, there should normally be a minimum of a **2 metres** distance from the side wall of the new dwelling to a shared boundary.

New housing development providing a creative design solution to a constrained site at Leeds Road, Liversedge (Image: Google Streetview)



- buildings;
- The size, angle and design of upper storey windows to minimise overlooking, including off-set windows and giving consideration to the advice set out in Principle 14;

7.20 Applicants should consider creative design solutions to maintain high development densities where this is appropriate. Applicants should also set out how they have sought to ensure adequate visual privacy for every home. There are several design solutions that allow for reduced distances between buildings such as:

The angles of facing elevations and the orientation of the

- The internal layout of dwellings, to maximise distances between habitable rooms;
- Appropriate screening and boundary treatments, such as planting, fences, walls and ancillary outbuildings;
- Parts of the building that project from the rear elevation to obscure views.

7.21 Longer distances between buildings may be necessary if:

- It fits in with the local character;
- The site includes higher buildings to fit with local character, or is adjacent to higher buildings which would impact on the amount of natural light;
- Steep topography on the site, which presents challenges relating to overlooking.

A constrained site with a small set back appropriate to that site's context (Image: Ash Sakula Architects)



7.22 A setback from back of pavement of 2 – 4 metres is normally appropriate on minor residential streets to provide usable, defensible space at the front of the dwelling and to help foster social interaction with the street. This will, however, depends on local character. A larger setback is likely to be more appropriate on busier roads, and

where car parking is carefully incorporated into curtilage of the dwelling, and a smaller setback could be appropriate on traffic-free streets / within car-free developments. On busier roads, designed in accordance with the Highway Design Guide SPD, verges and street trees will help provide further enclosure.

Design and Access Statement Prompts

- Is residential amenity maintained through appropriate separation distances between buildings, through screening or the orientation of buildings?

7 Site layout

Relevant Local Plan Policies

LP24

7.4 Green infrastructure and open space

Principle 7

The integration of green infrastructure and accessible open space must be considered early in the design process by assessing:

- **the site's context;**
- **the ability to make connections with wider green infrastructure networks; and**
- **the multi-functional role green infrastructure can perform.**

Proposals should retain existing features within the site, such as valuable trees, natural wildlife habitats and landscape features.

Green infrastructure can be provided through building features such as green roofs and green walls and through the design of streets to include street trees, and trees within residential plots and open spaces.

Open Space, particularly for recreation, should be located at the heart of the site and designed to help create identity.

7.23 Green Infrastructure and open space can add value to housing developments and should be considered at an early stage in the design process by analysis of the site, its context and Site Framework.

7.24 The Open Space SPD provides guidance on the requirement for open space, including type amount, and location on or off-site. Secured by Design Homes 2019 guidance offers specific advice on open spaces including natural surveillance, management and location within the site.

7.25 The steps set out in the Open Space SPD should be followed from the outset of the design process in tandem with understanding the site's environmental context and how any open space provided can connect into the wider green infrastructure network and wildlife habitat network. It should consider the multi-functional nature of green infrastructure in the site particularly in relation to drainage infrastructure. Care must be taken to balance biodiversity provision with recreation provision to ensure that habitats can be undisturbed.

7.26 Careful consideration should be given to the multi-functional role that green infrastructure can perform within the development, including:

- Flood mitigation;
- Improving urban biodiversity, through street trees, woodland creation and wetlands;
- A net gain of tree coverage to provide shelter from rainfall, shade and to minimise impact of high winds;
- Providing a setting for walking and cycling connections;
- Natural playable spaces; and
- Drainage infrastructure.

Natural solutions to drainage, which also provide visual amenity in the streetscene at Greener Grangetown, Cardiff (Image: Susdrain, Flickr)



7.27 Green Infrastructure can help sites become more resilient in the face of extreme weather events which are occurring more frequently due to climate change. Utilising green infrastructure to reduce surface water run-off and to store water helps ensure that the district is more resilient to flooding and storms, with green space also providing urban cooling in response to extreme heat. Green roofs can help

support green infrastructure and ecological networks and help reduce the amount of surface water run-off. Blue roofs are flat roofs that are used for water attenuation to minimise surface water run-off. These features can be integrated with rain gardens to provide rainwater management solutions. The inclusion of green and blue roofs should have regard to Principle 15, as they will require flat or shallow pitched roofs and consideration will need to be given to how these fit into the wider design.

7.28 Open spaces should be designed to ensure that they are not adversely affected by microclimate. The design of streets in accordance with Green Streets principles as set out in the Highway Design Guide SPD should be integral to the design of all sites and their green infrastructure provision.

A balanced network of public and private outdoor space at Byker, Newcastle



7.29 Well thought out and integrated open space is of fundamental importance in the layout of any new development to allow residents to enjoy their surroundings. Open Space for recreation should be located within easy reach of all residents on the site forming an accessible space at the heart of new

development. Any new open space should be well-integrated with development, overlooked and activated by surrounding uses spilling out on to the space ensuring that it provides a safe, attractive and well-used space, following guidance set out in the Open Space SPD. A network of open spaces can be integral to creating a site's identity, in terms of landscaping, and on larger sites the potential for public art provision which can help foster civic pride and community involvement. Key links between spaces and the planting of street trees and segregated pedestrian and cycling routes through Green Streets ® can encourage healthy active travel. Street trees and planting can help create vistas and screening within the site, but these must be balanced against providing natural surveillance of the street from dwellings. Any tree planting should be specified with other infrastructure, including street lighting specification to ensure that tree canopies do not obstruct street lighting.

Design and Access Statement Prompts

- Is the amount of open space delivered on the site compliant with Local Plan Policy LP63 and the Open Space SPD?
- How accessible is open space to all residents on the site and how does it support the creation of a strong identity for the site?
- Does the site utilise green infrastructure for climate change mitigation?

Relevant Local Plan Policies

LP5, LP24, LP28, LP32, LP47, LP63

7 Site layout

7.5 Landscaping and edges

Principle 8

The transition from urban to open land should be carefully considered where development is located on the edge of the urban area.

Proposals should demonstrate how the new development makes a positive contribution to the character and function of the landscape through sensitive siting and good design.

For all sites in elevated areas, the appearance in the wider landscape should be considered and with applicants demonstrating how development respects the topography of the site and its surroundings.

Service road forming the edge of the site at Derwenthorpe, York to soften the transition to open space



of the site to help create a gentler transition to the edge of the development; with appropriate planting used to soften the edge. Where open space and landscaping are adjacent to service roads on the site edges, well-designed

7.30 Where a site has a boundary on to open countryside or open space, or adjoins a major road, hard edges dominated by rear fences, gable ends, and outbuildings should be avoided. Houses should front on to such

edges of the site; to minimise the risk of crime arising from the exposure of vulnerable areas such as rear gardens to open land.

Service roads can form the edge

measures should be put in place to ensure the spaces are not used for car parking. Links to the Public Right of Way network at the edges of the site should be provided in context with the local setting. Where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.

7.31 Within the site, proposals should consider boundary treatments, both hard and soft, in relation to local patterns and use of predominant local boundary materials. New planting and landscape should enhance the setting and support local distinctiveness, avoiding the typical palette of standard plants. The type of planting that is used can also be utilised for providing additional boundary security. (see principle 9 – biodiversity)

Homes front on to open space which helps maintain the setting of the listed church building at Churchfields, Boston Spa (Image: Wikimedia Commons)



7.32 Providing planting and green space at different scales throughout a site can help maximise exposure to nature for both residents and visitors. Landscaping can maintain key and screen undesirable views and mitigate noise and air pollution. The location, scale and species of planting and its maintenance, as well as visibility in and around spaces, should be carefully considered in relation to the effect

that this may have on safety and the perception of crime, with the risk of poorly maintained planting creating opportunities for concealment and pinch points.

7.33 The impact of development on the skyline should be considered, particularly with sloping sites. Development should take account of wider views of a settlement and consider the role of carefully placed taller buildings

in making a positive contribution to views and the skyline. An analysis of views is key to understanding how any adverse visual impacts of development at the edge of open land can be mitigated.

7.34 Existing edges that contribute to the historic and landscape character of an area should be retained and repaired as part of the development, such as dry-stone walls and hedges.

Design and Access Statement Prompts

- How do boundary treatments at the site's edges fit into the site's context?

Relevant Local Plan Policies

LP5, LP24, LP32

7.6 Biodiversity

Principle 9

Proposals are required to provide net gains in biodiversity, with ecological enhancement integral to the design of the development. At the outset of the design process the wildlife habitat network and Habitats of Principal Importance should be considered in addition to protected species and the maintenance and management arrangements for any wildlife spaces need to be clearly set out.

Street trees on Annie Smith Way, Huddersfield



7.35 Net biodiversity gains should be provided through good design and considered at an early stage to ensure biodiversity enhancements and habitat creation are incorporated and the function of the wildlife habitat network is safeguarded and enhanced.

7.36 The assessment of a site's context should have regard to the natural environment and

blue-green infrastructure corridors and consider the ecological role of a site in supporting a higher level of biodiversity, including potential connections to the neighbouring natural environment. The strategy for preserving and enhancing the existing vegetation/habitats should be clearly demonstrated, with an aim to maintain the site's ecological function post-development. Where new development impacts on existing valuable habitats or ecological features these should avoid being included within the curtilage of residential dwellings and maintained and managed as a wildlife space by an appropriate body (such as a Wildlife Trust).

7.37 The ecological mitigation hierarchy should be applied in order to result in no significant ecological harm by:

- in the first instance seeking avoidance of loss of existing habitat;
- secondly by providing adequate mitigation; or
- as a last resort, through compensatory measures.

7 Site layout

An integrated bird box (Image: Sarah Roberts / Action for Swifts)



7.38 The council's technical advice note on Biodiversity Net Gain in Kirklees provides guidance about how developments should achieve biodiversity net gain in accordance with Local Plan policy LP30. All development should avoid loss of extant biodiversity and demonstrate on site biodiversity net gains of at least 10%. The size, location and type

of site will underpin what role it can play in supporting a measurable net gain of biodiversity and applicants should liaise with the Council's biodiversity officer. An ecological consultant should be engaged at the earliest opportunity, prior to the design phase of the development, this will ensure advice on likely constraints and opportunities can be sought at the pre-app and the necessary constraint surveys can be undertaken.

7.39 Steps to enhance biodiversity include:

- Considering how the role of green infrastructure assets within the site can help form linkages between the wildlife habitat network;
- Providing gentle transitions between different habitats and incorporating measures in walls, fences and roads that support the movement of animals and providing ecological buffer zones between developed areas and retained habitats;
- Using new access and circulation routes as opportunities to create or strengthen links to established habitat networks;
- Using natural solutions to deal with drainage (sustainable drainage systems) and incorporating multi-level green infrastructure such as green walls and green roofs;
- Retaining trees and appropriate planting for the site, taking account of biodiversity opportunity zones and relevant habitats and species of

principal importance as identified within the Kirklees Biodiversity Action Plan 2009;

- Incorporating the planting of street trees as per Green Streets® and planting to support local distinctiveness and enhance existing vegetation and habitats;
- Incorporating measures such as bat boxes and swift bricks in buildings and incorporating wildlife friendly lighting particularly if there are sensitive habitats on or adjacent to the site;
- External lighting should be minimised to reduce impact on bats, birds and other wildlife. It should use warm white LED lighting with temperature <2700K unless specifically required for essential security cameras. Lights should be directed downwards and away from wildlife habitats;
- Improving the quality of aquatic habitats and blue-green infrastructure connectivity by incorporating measures such as invasive species control, river restoration, removal of redundant weirs or provision of fish passes and de-culverting where feasible; and
- Protecting watercourses or other water environments adjacent to or within sites by incorporating measures including suitably sized natural buffers and controlling surface run-off during and post construction.

Design and Access Statement Prompts

- Has the mitigation hierarchy been applied and demonstrated? Are there any residual negative effects on biodiversity anticipated due to the development?
- Will a measurable net gain for biodiversity be achieved?
- Do biodiversity enhancement measures reflect the relevant Kirklees Biodiversity Opportunity Zone?
- Are there any on-site interventions that form part of the proposal's biodiversity net-gain? Where biodiversity net gains are not achievable on site, off site provisions will be required.

Relevant Local Plan Policies

LP5, LP24, LP30

7.7 Walking, cycling and road connections

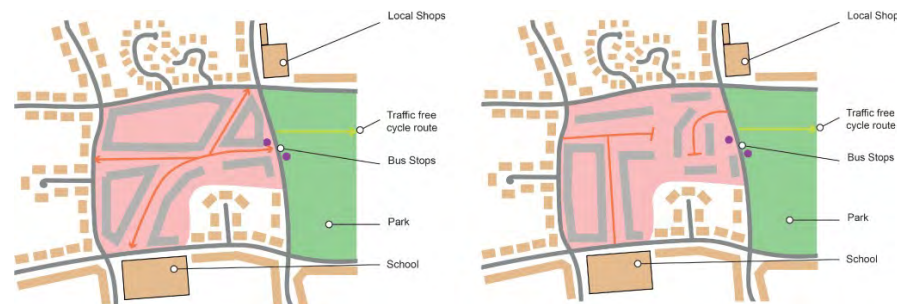
Principle 10

The site layout should make effective connections to existing walking and cycling links and take opportunities to create new connections. Site access will recognise the different needs of people walking, cycling and using cars and prioritise the needs of people walking and cycling, to encourage sustainable modes of travel. In order to contribute towards more people using sustainable modes of travel walking and cycling links should be safe, convenient, direct and accessible; and residential development may provide opportunities to improve connections via the Kirklees Core Walking and Cycling Network.

7.40 The Local Plan Policies map sets out a core walking and cycling network of existing and proposed routes and is a key starting point, alongside local routes and connections. Local and City Region strategies both aim for

significant increases in the proportion of journeys made by walking and cycling.

A good and a bad example of considering connections through a site, with the red lines indicating routes for walking and cycling.



An existing residential street landscaped to limit access to motor vehicles at Waltham Forest, London (image: Twitter / E17 Modal Filters)



7.41 The layout of the site should show walking and cycling connectivity both within the site and to the surrounding area. Site layouts should ensure that access to nearby facilities can be achieved by safe and convenient routes for people on foot or on bicycles. Secure car parking can be sited to support traffic free streets. The needs of people walking, people on bicycles and people using cars are all different and require different design approaches, appropriate for each

site. Careful consideration of proposed gateways and entry points into the developments to highlight a sense of arrival. Green Streets® and an avenue of trees on the estate road and approach can support this.

7 Site layout

Developments should seek to make connections to key walking and cycling routes, like the Spen Valley Greenway



7.42 The layout should consider where direct and attractive walking journeys can be made to facilities within 800m of the site and, for cycling, seek direct and safe connections to the wider cycle network and to access destinations such as schools, town centres, open space, sport and recreation facilities and railway stations, within approximately 2.5 km of the site. 800 m and 2.5km represent a journey time that can be taken in approximately ten minutes for

walking and cycling respectively, and with increased use of E bikes these journeys can be undertaken quicker, with topography becoming less of a constraint. Modal filters, barriers that restrict access in existing streets for vehicular traffic but still maintain access for walking and cycling, can be used to reduce the impact of through-traffic and make residential streets a more pleasant environment. In West Yorkshire and York, the City Connect programme works in partnership with a range of organisations to support the provision of new active travel routes to ensure that walking and cycling opportunities are accessed by a range of communities, applicants should ensure proposals complement the provision of new walking and cycling infrastructure.

7.43 The design of routes should:

- Use landscaping to encourage usage and healthy active lifestyles.
- Promote usage through marker planting, distinctive landscape design artwork or similar bespoke feature or design specific to the locality.
- Keep access to the rear and side of dwelling to an absolute minimum, particularly shared rear access to dwellings. Where these are provided access to them should be controlled to residents, with such access points being well-overlooked.

- Ensure all streets and paths through a site are open and over-looked.
- Consider and control pedestrian permeability carefully to reduce the risk of crime.

Design and Access Statement Prompts

- How does the layout facilitate safe and convenient walking and cycling routes to local destinations?
- Does access to and within the site, including main vehicular access, prioritise people on foot and on bicycles?

Relevant Local Plan Policies

LP5, LP20, LP21, LP23, LP24, LP47

7.8 Street design

Principle 11

Provide inclusive spaces that meet the needs of pedestrians, cyclists and children and ensure streets are well integrated into the development.

Streets must be able to serve emergency and service vehicles, maintain low vehicular speeds and successfully integrate on-street car parking.

Creative design should ensure natural surveillance and movement help mitigate the risk of crime and street layouts are attractive with street trees and landscaping.

An agreement of the design of highways to an adoptable standard, in accordance with the Highway Design Guide SPD, should be reached at the earliest stage of design following advice in paragraph 7.44.

7.44 The Highway Design Guide SPD (HDG) sets out how highways should be considered as part of residential schemes and this should be referred to by applicants at the outset of the design process.

A street prioritising people, play and interaction at Marmalade Lane, Cambridge (Image: David Butler / Mole Architects)



7.45 Proposals should consider the role that streets have for social interaction and informal play and be designed in a way that facilitates this. Developments should be set around linked streets following a clear hierarchy of street types, and discouraging through traffic using residential streets as a shortcut. As part of a perimeter / block layout, mews courts within blocks can help increase the density of the site but

still maintain pedestrian permeability. Long, straight, uniform streets, streets that do not allow pedestrian permeability and complicated junctions should be avoided to help support dementia-friendly design. ⁽⁶⁾ Where a cul-de-sac layout is unavoidable due to site constraints, care must be taken to ensure that they are not designed to be vulnerable to crime and anti-social behaviour, and that refuse collection vehicles can service the site without the need for turning and reversing. Further information is available in Secured by Design Homes 2019 guidance.

A well over-looked ginnel providing pedestrian permeability at Derwenthorpe, York



to enter into the space for an activity / destination / or natural line of travel. A risk assessment at an early stage of the design process will help to mitigate the risk of crime arising from a site layout.

7.47 Residential developments should not be dominated by over-engineered highway layouts that provide bland and uninspiring environments. Highway engineering considerations must be balanced against other design requirements to help achieve quality places to live. Hard landscaping can be broken up by local vernacular features such as stone setts, which can help development respond better to their context. Where streets are designed for parking and servicing; build-outs, verges and soft-landscaping should form part of the streetscape to mitigate hard landscaping.

7.48 Street trees should be provided in accordance with the Green Streets principles, as set out in the HDG, and considered from the outset of development, ensuring that the right tree is put in the right place for the right reasons. The long-term maintenance of street trees, particularly in respect of other infrastructure and disturbance caused by roots must be considered.

6 The Royal Town Planning Institute published advice on planning and dementia in 2020 including "What does a place designed for people living with dementia look like": <https://www.rtpi.org.uk/practice/2020/september/dementia-and-town-planning/>.

7 Site layout

A well screened communal bin store at Staiths South Bank, Gateshead



7.49 The design of streets can be influenced by their need to be serviced by refuse collection vehicles and access for emergency vehicles. Communal bin stores, with the storage placed in a convenient area for collection that is well-integrated into the streetscene may be appropriate, more information is in Principle 19. Manual for Streets sets out

guidance for emergency vehicles based on carriageway widths of 3.7m and ensuring that a pump appliance can get to within 45metres of every dwelling.

7.50 The HDG sets out what is expected for streets to be brought up to an adoptable standard, and this should be addressed at an early stage in the design process and dealt with prior to approval. The HDG sets out the liabilities facing private streets and drives and the required maintenance responsibilities. Appendix 7.3 of the HDG sets out the adoption process and further guidance is available in a separate note. Providing streets that are not adopted will, like any open space and other communal areas on the site, require lighting to adoptable standards and have a maintenance and management programme in perpetuity.

Design and Access Statement Prompts

- How does the design of the street prioritise the needs and safety of pedestrians and cyclists?
- Are all highways within the site designed in accordance with the Highway Design Guide SPD?
- What measures are used within the site layout deter anti-social car parking?
- Are streets within the site inter-connected?
- Are arrangements for bin storage and refuse collection well integrated into the site layout?

Relevant Local Plan Policies

LP5, LP20, LP21, LP24

7.9 Parking

Principle 12

At the outset of the development, applicants should identify the need for car parking having considered a range of measures to reduce private car-use into the design of development and through travel plans such as promoting car sharing and car clubs, providing safe and convenient cycle infrastructure and parking, providing safe and convenient access to bus stops and providing improved passenger facilities and where appropriate working with bus operators facilitate bus services through the site; and seeking enhancements to existing bus services.

Any car parking provision should:

- **Not dominate street frontages through parking arrangements that place cars at the front of all dwellings and with overly dominant integral garages at the front of dwellings;**
- **Be provided in a mix of different formats including on street car parking, parking in mews courts, parking courtyards and under-croft / underground as well as within the curtilage of properties;**
- **Where car parking is included within the curtilage of a dwelling, creative design solutions should ensure that car parking can be accommodated at the side of buildings or to their rear to avoid dominating the street scene;**

- Where car parking is accommodated outside the curtilage of dwellings, it should be well-integrated into the street scene with landscaping; discouraging anti-social parking and within the view of properties; and
- Ensure that any garages are set back from the front door of the house or are carefully designed in terms of materials so that they are not the dominant feature; any garage must be large enough to accommodate a large family car following guidance set out in the Highway Design Guide SPD.

7.51 Local Plan Policy LP22 sets out principles for the provision of car parking, with advisory car parking standards set out in the Highway Design SPD. The accessibility of development, type use and mix of development, availability and opportunities for public transport and local car ownership levels should be considered, as well as providing for charging points for low-emission vehicles.

7.52 Local Plan Policy LP20 supports measures to reduce car-dependency

and states that travel plans will normally be required for major developments, with the travel plans including a package of measures including an approach to lower carbon emissions as part of the Council's response to the Climate Emergency.

Undercroft and on-street parking provided at the Malings, Newcastle to ensure the development maximises development density



7.53 The inclusion of car parking should avoid dominating the streetscape and the frontage of development, there are a range of different ways car parking can be included but not be over-dominant:

On-plot car parking at the front of a property resulting in bland streetscapes should be avoided;

- Integral garages should be carefully designed to ensure that they do not dominate frontages;
- Car parking within the streetscape and within the plot at the front of dwellings should form part of a well-landscaped streetscape so its visual effect is minimised, such as screening with low hedgerows, avoiding the creation of bland streetscapes that are dominated by car parking.). In the case of under-croft parking, consideration should be given to security measures, including access controlled entry;
- Support the creation of traffic-free and low-traffic streets by carefully considering the location of secure car parking within the site;
- Ensure parking provision is well-lit, allows safe access to/from the homes it serves and is within view of active windows of dwellings (e.g. living rooms or kitchens);
- Where rear parking courtyards are provided they should be within sight of active windows of dwellings, well-lit with access protected by a gate, in accordance with Secured by Design guidance;
- Streets should be designed to ensure that anti-social car parking does not detract from the street scene.

An internal courtyard provides car parking at Carpino Place, Salford to allow the front of the buildings to interact with the street



7.54 New homes should have sufficient space for easily accessible and secure cycle parking; in accordance with principle 17. Secured by Design Homes 2019 provides detailed guidance on providing secure cycle parking.

Design and Access Statement Prompts

- Is car parking provision appropriate in the context of alternative transport options?

7 Site layout

- How is car parking been integrated into the site to ensure that it is not visually dominant?
- If integral garages are provided, are these designed in a way that minimises their visual dominance?
- Is convenient and secure cycle parking provided?

Relevant Local Plan Policies

LP20, LP21, LP22, LP24

8 Architectural details

8.1 Materials and Detailing

Principle 13

Applicants should show how different materials which are prevalent in the vicinity of the site have been taken into account in the proposal.

Consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area.

A simple palette of materials, appropriate to the site's context, should be identified early in the development process to help give the site a coherent identity. The embodied carbon of the material in terms of the environmental impact of its production, transportation and thermal performance should be a prime consideration in the development process.

The detailing of the public realm on larger schemes can help form part of a cohesive public art strategy for the site; and help create a rich identity supporting the distinctive character of Kirklees.

8.1 Applicants are expected to consider the materials that are prevalent in the local area, as set out in Principle 2. It is recommended that:

- A simple palette of materials is used to create a positive contrast to existing buildings and help create a richer variety of architecture;
- The use of high quality contemporary materials is considered on the merits of the proposal and its location, with particular attention given to

proposals in the setting of listed buildings and conservation areas and other designated heritage assets;

- Where modern methods of construction and modular housing form part of the scheme, consideration is given to the appropriateness of non-traditional building materials;
- Rainwater goods, gas pipes and meters, television antennae and cable boxes are carefully integrated into the design of new homes;
- Consideration is given to the role of projecting eaves, cornices and mouldings in shedding water from the face of a building; and
- Applicants look to include features that help mitigate the effects of climate change such as green walls and green roofs.

Picture 1 An example of energy efficient homes that are built off-site at the Climate Innovation District, Leeds (Image: Citu)



8.2 Regard should be had to the sustainability and durability of building materials, including their embodied energy, maintenance requirements and weathering. Modular developments, which are built off-site are often built from timber frames and clad with non-masonry materials with high solar and thermal performance ⁽⁷⁾. Recycled and reclaimed materials help the Council meet their obligations in reducing waste and

avoid the energy intensive process of sourcing new materials. More information is set out in Principle 18.

8.3 The consideration of architectural details in new developments should be integral to the design and the vision of the proposal at the outset. Contemporary and innovative approaches will be welcomed where they are of high quality and complement the existing context, although care must be taken in the setting of listed buildings and conservation areas.

⁷ Part B of the Building Regulations includes information on building materials and their suitability.

8 Architectural details

8.4 The Council's Public Art Policy provides further detail on the role of public artists in developing a rich and meaningful public realm which celebrate local character and distinctiveness.

Design and Access Statement Prompts

- Does the development contain a simple palette of materials which is appropriate for the site's context?
- Are the chosen materials durable and sustainable in terms of their energy performance and maintenance requirements?
- How does the architectural detailing make a positive contribution to the character of the local area?
- Has careful consideration been given to incorporating rainwater goods, gas meters, television antennae and cable boxes?

Relevant Local Plan Policies

LP5, LP24, LP35

8.2 Windows and doors

Principle 14

The design of windows and doors is expected to relate well to the street frontage and neighbouring properties and reflect local character in style and materials. Innovation for energy efficiency is encouraged, particularly for maximising solar gain to allow for passive solar construction.

Vertical emphasis and rhythm from openings at Timekeepers Square, Salford



8.5 Windows and doors help shape the relationship with the street and other buildings. Openings on a building's primary elevation can help form a 'rhythm' to the street and providing an active frontage to the street. Vast expanses of blank walls should be avoided.

8.6 It is recommended that:

The proportion and form of windows and doors should have regard to the size, form and orientation of windows, as well as

- the number of openings and the hierarchy of windows and doors in nearby properties;
- Openings should have a coherent pattern and their design should have regard to the local character and with the design of windows through a site being an important part in generating a sense of identity;
- Front doors should be prominent and there should be regular front doors along a streetscape to promote active frontages and interaction with the street;
- Porches should not be overly dominant, nor seen as an 'add-on' to a home but should be carefully incorporated into the overall design; and
- The detailing of windows and the quality of materials should be reflected on all elevations of the house.

Contemporary window materials set back in deep reveals at St Chads Tilbury (Image: Kilian O'Sullivan www.kilianosullivan.com)



8.7 Windows should be set in a reveal to add depth, articulation and to avoid flat facades and to ensure that window frames and facades are better protected from weathering.

8.8 Secured by Design Homes 2019 guidance provides detailed information on the security of windows and doors, above the current Building Regulations Part Q requirements.

8.3 Rooflines

Principle 15

The design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types. Consideration should be given to the pitch of roofs, the inclusion of dormer windows, provision of green/blue roofs, the role of roofs in providing outdoor space and ensuring that the design of roofs does not allow for easy climbing access to upper floor windows.

The roof profile following the contours of the hill at Batley



8.9 Topography is a key determinant of the character of the built form in the district. Buildings and their roofscape should follow the topography; with development on steeper slopes comprised of smaller plots to allow buildings to easily step-down hillsides or with the building footprint design accordingly to

take account of the topography.

8.10 The roof form of a building should respect that of neighbouring buildings, but more modern forms and green roofs are encouraged, with further information in Principle 18, as well as utilising roofs for semi-private outdoor space, subject to maintaining residential amenity and privacy as set out in Principle 6.

8.11 Where an area is characterised by a dominant building height, it would not normally be appropriate to seek a different building height. Some areas will have a range of building heights; and in some cases, a higher roofline

Design and Access Statement Prompts

- Do the windows and doors provide a consistent rhythm to frontages?
- Are porches well integrated into building frontages and how do they complement the palette of building materials?

Relevant Local Plan Policies

LP5, LP24, LP35

8 Architectural details

can help form more enclosure around the street. Consideration should be given to the height of roofs and their impacts on views and landmarks; and how the development is viewed.

A distinctive roof profile using contemporary materials at Timekeepers Square, Salford



8.12 The pitch of the roof and materials should be consistent throughout the site and respect the local context. The ridge of a pitched roof should generally be parallel to the line of the street, subject to local character considerations, though a series of gable ends under pitched roofs can help create rhythm to a frontage and add interest to the streetscape, alongside patterns of windows and doors. High pitch angles should only be used where

the building has a narrow span to avoid over-dominant roof forms. This needs to be considered where newer buildings are deeper in plan than neighbouring traditional buildings.

8.13 Chimneys have traditionally been an important part of the roofscape, particularly in providing punctuation to long ridgelines. Whilst traditional chimneys may not be necessary, combined service cores for gas flues and natural ventilation hoods can be incorporated into the roofscape where chimneys are a key characteristic of an area.

8.14 Dormers should be carefully integrated within the design of new homes, using the same materials and not being over-dominant. The purpose of dormer-windows should not be to gain extra headroom over any great width. For new dwellings it may be more appropriate to include this as an additional storey. Dormers tend not to be a feature of traditional buildings in the district and their incorporation into designs should be carefully considered.

Design and Access Statement Prompts

- Is the pitch of roofs consistent within the site and does the roofscape reflect local character?

Relevant Local Plan Policies

LP5, LP24, LP35

9 Home design

9.1 Internal space standards

Principle 16

All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations. The provision of homes that meet these standards should be considered within the housing mix of the wider site in line with Local Plan policy LP11 (Housing Mix and Affordable Housing).

All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan. The council will seek to adopt such a policy in the future in accordance with evidence and in the meantime will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design).

9.1 Occupants must have sufficient space within their homes to be able to carry out day to day activities, and where homes are accessible and adaptable they are able to meet the changing needs of occupants over time. The government's Nationally Described Space Standards deals with internal space within new dwellings across all tenures. The standards as shown in the table below set out minimum requirements for internal gross floor area of new dwellings at a certain level of occupancy along with floor areas and dimensions for key parts of the home particularly bedrooms, storage and floor to ceiling heights. From April 2021, the National Described Space Standards will be required for new homes delivered through Permitted Development Rights.

The Council recognises the nationally described space standards as best practice to ensure that new homes are able to meet basic lifestyle needs and provide high standards of amenity for future occupiers.

Table 1

Number of bedrooms (b)	Number of bed spaces / persons (p)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-In Storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

9 Home design

	8p	125	132	138	
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*Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed, applicants should refer to the government's technical housing standards for further information.

Design and Access Statement Prompts

- Is the internal floor area for each dwelling clearly set out?

Relevant Local Plan Policies

LP24

9.2 Outdoor space

Principle 17

All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces. Apartment development can provide outdoor spaces through balconies, though communal terraces and gardens may be more appropriate.

9.2 External space should be able to accommodate activities such as playing, drying clothes, cycle, waste and recycling storage. Storage in gardens should be accessible through the garden and level considered.

9.3 The size of private gardens should be influenced by the size of the dwelling, the potential number of occupants and its location within the site. Garden sizes will vary between sites and homes and should be incorporated in a way that takes into consideration the site's context.

9.4 The provision of outdoor space should take account of the access to sunlight, with at least part of open spaces within the site able to receive direct sunlight for part of the day all times of the year. Outdoor space should be provided in line with a perimeter-block approach as set out in Principle 5 and have regard to residential amenity as set out in Principle 6.

9.5 Where developments have areas of ecological importance, these should not be included within the curtilage of residential gardens; these areas should be planned in accordance with the strategy for preserving and enhancing existing vegetation and habitats as set out in Principle 8.

Design and Access Statement Prompts

- Do all dwellings have access to useable outdoor and has consideration been given to how the outdoor space can maximise the amount of sunlight that it receives for at least part of the day?

Relevant Local Plan Policies

LP24

9.3 Energy efficiency

Principle 18

New proposals should contribute to the Council’s ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

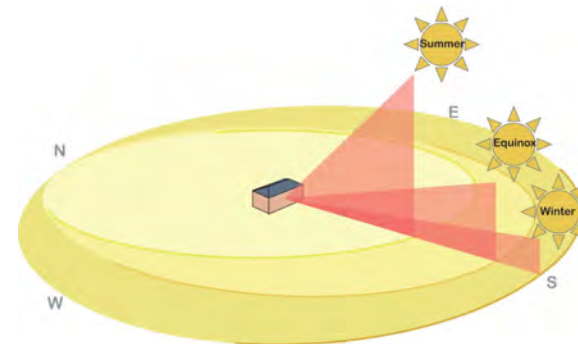
9.6 Well-designed places respond to the impacts of climate change by conserving natural resources. 40% of UK emissions come from households ⁽⁸⁾ with a significant proportion coming from how they are heated and how electricity is provided.

9.7 The Council declared a climate emergency in January 2019 and has adopted a target for achieving 'net zero' carbon emissions across the district by 2038. Climate change will have an impact over the life span of the development, it is therefore important to consider the effects of climate change at the beginning of the design process.

9.8 To help reduce the impact on the environment new residential developments should be designed in a way that helps reduce the reliance on sources of non-renewable energy. This in turn will reduce greenhouse gas emissions and minimise embodied energy. Improving the energy efficiency of new build homes will not only help to achieve sustainable design but will also help reduce fuel poverty and the potential health risks of living in a cold home or over-heating. Homes can take advantage solar gain, typically with one elevation facing within 30 degrees of due-south and supporting the

position of dual-aspect buildings to allow for the penetration of natural light at different times of the day. This needs to form part of an integrated house design that avoids overheating.

Picture 2 Diagram indicating the path and angle of the sun at summer, equinox and winter



9.9 It is crucial that early consideration is given to the building fabric, maximising a fabric first approach will ensure energy efficiency and minimise energy requirements. New homes should be designed to achieve thermal comfort without the need for mechanical space heating and cooling. This can be achieved through insulation, air-tight windows and doors and avoiding thermal bridges. The type and arrangement of windows have a significant bearing on energy efficiency and energy use, following the advice set out in Principles 6 and 14. Green roofs can have a positive heat regulating effect, with consideration given to Principle 15.

9.10 The council will support the use of renewable energy sources within residential schemes. Larger development sites have the potential to utilise heat and power networks such as ground source heat pump, water source heat pumps and gas combined heat and power. These systems can be installed as an alternative to large number of individual gas boilers and will be supported by the council.

9 Home design

9.11 The design of homes should look to include measures which increase the retention of water and are efficient in their use of water by considering elements such as rainwater harvesting, greywater recycling, the use of water butts.

Design and Access Statement Prompts

- How does the development improve resilience towards climate change?
- Does the development make use of innovative technologies to reduce energy and water consumption?
- Does the design of homes utilise opportunities to have larger windows to southern elevations?

9.4 Waste

Principle 19

Provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

9.12 The storage of refuse and recycling wheelie bins and boxes should be fully accommodated into the design of new housing developments. Solutions to how waste and refuse storage is incorporated into the design of residential developments will be dependent on local characteristics, house types and should complement the design approach.

9.13 It is important to limit the visual impact on the street scene. Bespoke well-designed enclosures to the front of dwellings may be required, enclosures may form part of a dwellings defensible space. Storage areas should not be located in areas where they cause obstruction to pedestrian or vehicles. For bin collection, presentation points should be provided in accordance with advice set out in the Highway Design Guide SPD.

Communal bins

9.14 Developments including apartments and sheltered accommodation the provision of communal waste and recycling areas may be a more practical solution. Any communal bin collection should be well-designed, well-screened and fit into the streetscape; potentially utilising design features such as green roofs and provide controls to prohibit unauthorised access. Further advice is in the NHBC document 'NF60 Avoiding Rubbish Design'. The location of bin storage should be in line with guidance in the HDG, the Council's Waste Management Design Guide for New Developments and Building Regulations 2010, part H. The siting of bin storage and communal bin storage areas must be away from dwellings to prevent climbing access to upper floors.

Design and Access Statement Prompts

- Is waste and recycling storage convenient and well-designed?

Relevant Local Plan Policies

LP24, LP43

House Extensions and Alterations SPD

Draft June 2021



1 Information and purpose	2
2 Advice before you begin	5
3 Site appraisal	7
4 General design principles	8
4.1 Local context and character	8
4.2 The original house	9
4.3 Neighbouring properties	10
4.4 Sustainable design	14
4.5 The natural environment	16
4.6 Parking	18
4.7 Access for all users	20
5 Detailed guidance for extensions and alterations	22
5.1 Rear extensions	22
5.2 Front extensions	25
5.3 Side extensions	26
5.4 Dormer windows & roof extensions	28
5.5 Balconies	30
5.6 Outbuildings	30
5.7 Bungalows	31

1 Information and purpose

1 Information and purpose

Purpose of the SPD

- 1.1 High-quality house extensions and alterations can enhance the appearance of an area and help improve well-being and quality of life. Well-designed development which responds to the local context, character and climate emergency can enhance your home, the quality of the neighbourhood and help mitigate and adapt to climate change.
- 1.2 The importance of good design is promoted through the National Planning Policy Framework and the National Design Guide which require good design to be considered in all types of development to encourage inclusivity, create a sense of place, develop safe, secure and accessible environments and respond to local character and history. This document therefore supports and applies these national documents by applying local context to ensure excellence in developments in local communities.
- 1.3 This Supplementary Planning Document (SPD) has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration as required by the council.
- 1.4 The principles and guidance contained within this SPD are relevant and helpful when designing any house extension or alterations regardless of whether planning permission is required or not.
- 1.5 Supplementary Planning Documents are a material consideration in planning decisions, adding further detail to the Local Plan and are prepared to help applicants make successful applications.

- 1.6 This SPD is split into the following main sections:

- Advice before you begin
- Site appraisal
- General design principles for extensions and alterations
- Detailed guidance for extensions and alterations

- 1.7 The SPD includes images that show both good and bad examples of design. The images shown in the green are good examples, while those in red are bad examples.

Local policy

- 1.8 Local planning policy for good design is set out in the Kirklees Local Plan (adopted February 2019) under policy LP24 (Design) as set out below:

LP24 Design

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.

Proposals should promote good design by ensuring:

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d. high levels of sustainability, to a degree proportionate to the proposal, through:
 - i. the re-use and adaptation of existing buildings, where practicable;
 - ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;
 - iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;

- iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;
 - v. providing charging points to encourage the use of electric and low emission vehicles;
 - vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;
 - vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;
 - viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.
- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;
 - f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;
 - g. any new open space is accessible, safe, overlooked and strategically located within the site and well-integrated into wider green infrastructure networks;
 - h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;

1 Information and purpose

- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and
- j. the provision of public art where appropriate.

This SPD should be read in conjunction with the relevant policies in the Local Plan which can be viewed on the council's website and other relevant Supplementary Planning Documents.

Comply or Justify

- 1.9** The guidance and additional details on Local Plan policies set out in this SPD have been produced based on the principle of 'comply or justify'.
- 1.10** The council expects proposals for new house extensions and alterations to comply with the guidance and key design principles set out in this document. Proposals which comply with this SPD are more likely to progress through the planning process quickly and successfully.
- 1.11** Proposals which depart from the guidance set out in this SPD will need to provide a full justification. The Council will be flexible where innovative and contemporary designs which enhance the appearance and character of an area are proposed.

2 Advice before you begin

Permitted development

- 2.1** This SPD covers extensions and alterations to residential properties. However, not all proposals will require planning permission and certain types of small-scale extensions and alterations can be carried out without the need to apply for planning permission. These are referred to as 'permitted development'.
- 2.2** Legislation that relates to permitted development can be complex and depends on the history of a particular property. If you are planning to extend or alter a property it is strongly advised that you check first whether planning permission is required.
- 2.3** Information on whether you will need planning permission can be obtained from the council's website by searching 'Find Out if You Need Planning Permission'. Guidance is also available on the government's website (GOV.UK) by searching 'Householders Permitted Development' or via the Planning Portal's online Interactive House service.
- 2.4** If it is not clear whether your proposals are permitted development or not, it is recommended that you submit a formal pre-application to the council. Further details are provided in the Planning Advice section below.

Certificate of lawfulness

- 2.5** If you want certainty that your proposal does not require planning permission, you can apply for a Lawful Development Certificate (LDC) as proof that your household building work is lawful. An application for an LDC can be submitted, with supporting information and evidence, via the council's Planning Service at planning.portal@kirklees.gov.uk or the Planning Portal's online application service.

Planning advice

- 2.6** The Council welcomes and encourages discussions with the Planning Service before a planning application is submitted. We provide pre-application planning advice which could: reduce your overall cost and time to develop a project, reduce your risk by identifying and addressing potential issues early on and help discover alternative solutions that meet your aims and avoid issues.
- 2.7** You can access this service by visiting the Council's website and search for 'Get Pre-application Planning Advice'.

Building Regulations

- 2.8** The majority of extensions, regardless of whether they require planning permission, will require Building Regulations consent. Planning Permission and Building Regulations are two separate requirements. Most construction work will need to comply with Building Regulations. These include replacement of windows, new electrical installations and renovations of a building.
- 2.9** You can find more information and guidance by visiting the Council's website and searching for 'Building Regulations' or contacting the Council at building.control@kirklees.gov.uk to speak with our Building Control team.

Listed buildings and conservation areas

- 2.10** If your home is listed or located in a Conservation Area, additional design criteria will usually apply, and it is recommended you submit a formal pre-application enquiry to the council. A carefully considered and detailed design approach will be required where the proposed development would impact on a designated heritage asset, falls within the curtilage of a listed building, or affects a positive contributor to a

2 Advice before you begin

Conservation Area. If a development type, such as Listed Building Consent, is not covered within this document, then you are advised to contact the Conservation and Design team for further advice via the council's website.

Green Belt

- 2.11** One of the purposes of the Green Belt is to safeguard the countryside from encroachment. Any application for the extension of a building in the Green Belt must therefore have regard to its Green Belt setting so care should be taken to ensure that the design is sympathetic to countryside character, both on the building itself and in the treatment of any outside space. It should not introduce or proliferate the use of unsympathetic discordant or incongruous domestic or urban features such as porches, balconies or dormer windows. Suburban boundary treatments, such as close boarded fences, should also be avoided and hard surfaced areas should be kept to a minimum.
- 2.12** When considering any application, substantial weight will be given to any harm to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Security

- 2.13** Properties should be designed to be safe and secure for occupants and neighbours. The council encourages householder developments to incorporate security features, measures and materials into the design from the outset. Further information on designing security measures into household development and recommended standards can be found on the 'Secured by Design' website.

Architect

- 2.14** The Council recommends that you consider employing an architect to help you achieve your aspirations. Architect-designed extensions are usually highly tailored to the needs of the householders, and an architect can provide options and creative solutions for your property and should be knowledgeable about the latest building regulations. It often makes sense to choose an architect who is familiar with your locality and the Council's planning requirements. If you decide to use an architect, it is advised that you visit the Architects' Registration Board (ARB) website where you will find the register of fully qualified architects in the UK.

Discussion with neighbours

- 2.15** The Council encourages prospective applicants to discuss their proposal with neighbours before making an application. Not only will your neighbours feel that you have made an effort to keep them informed, it will also avoid them being surprised when they receive our planning application notification letter. It will also give you an opportunity to consider changes to address their concerns before submitting your planning application.
- 2.16** While not a material planning consideration, extensions and walls that are built right up to the property boundary can often cause problems. In many cases the consent of adjoining owners will be necessary. If you intend to carry out work on, or within close proximity to your neighbour's boundary or party walls, you will need to consider the requirements of the Party Wall Act 1996. This is designed to resolve disputes which may arise between neighbours when building work is carried out. You can find more information and guidance by visiting the GOV.UK website and searching 'Party Walls' or the Planning Portal.

3 Site appraisal

- 3.1** A full site appraisal should be undertaken to assess the characteristics of the existing house, the site and its immediate surroundings before making design decisions about an extension or alteration. This will help to understand the constraints and opportunities. Site appraisals will inform the proportion, position, size and scale of the extension and will provide a well-designed scheme that makes optimum use of the existing building which reflects the character of the original house and adjacent properties.

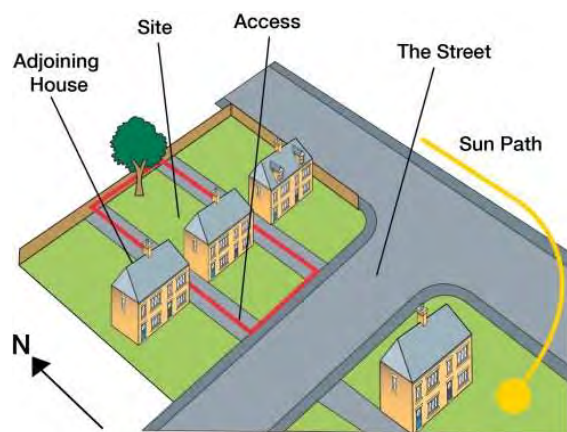


Figure 1: Site Appraisal.

- 3.2** The site appraisal should include an analysis of:

1. **The existing house** - assess the features and characteristics of the house and site and how this affects the proposed extension or alteration, including the:
 - **General characteristics of the existing house** - architectural style, materials, size and form, roof pitch and features

- **Views and landform** - views into, within, across and out of the site and site levels, including differences within the site, such as significant dips or rises and slopes
 - **Garden space** – size of the existing garden, the position of trees, their canopies and root spread, and other landscaping features, such as planting, hedges and watercourse
 - **Boundaries** – position and height of walls, fences and hedges that form boundaries with neighbouring properties and whether they provide a sense of privacy and security
 - **Orientation** – position of the house in relation to the path of the sun and shadows that will be cast from buildings and trees
 - **Access** - parking and vehicle turning arrangements
 - **Designations** – designation as a Listed Building or adjacent to a Listed Building and location within or adjacent to a designation, such as a Conservation Area, Ancient Monument, the Green Belt, a Tree Preservation Order, Flood Risk Area
2. **The surroundings** - assess the relationship of the existing house to its immediate surroundings, including the:
 - **General characteristics** – the character of the street or the area, the rhythm and the spacing between houses
 - **Street scene** – relationship of the existing house to the front elevation, the street and the building line
 3. **Neighbouring houses** - assess the relationship of the existing house with neighbouring properties and how the proposed extension or alteration may affect adjoining residents, including:
 - **Overlooking** – the position of windows of neighbouring properties which could be overlooked by an extension
 - **Property boundaries** – consider any impact on adjoining gardens

4 General design principles

4 General design principles

4.1 The council will encourage proposals for house extensions and alterations to implement the key design principles set out below relating to development context, character and the relationship with the built and natural environment. Proposals should aim to achieve a balance between these principles to create sustainable, well-designed extensions and alterations which will have a positive impact on the quality of life for both occupiers and neighbours.

4.1 Local context and character

4.2 The local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of house extensions and alterations.

Key design principle 1: Local character and street scene

Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene.

Relevant Local Plan Policy

Policy LP24 Design (a) and (c)

4.3 The following considerations should help ensure that proposals are appropriate to the local character and street scene of the area:

- **Terracing effect** - The siting of an extension should be in keeping with the pattern of the buildings and spacing in between them and avoid the potential to create a terracing effect in the street scene,

by setting the extension down from the roofline and back from the original frontage of the building.



Figure 2: Side extensions to detached and semi-detached houses with no gap can cause the appearance of terraced housing which does not match the street scene.

- **Building line** - Where a street or group of buildings have a clearly defined building line this should be retained. Extending forward from the street's building line will only be appropriate in certain circumstances and will be assessed on the merits of the application.

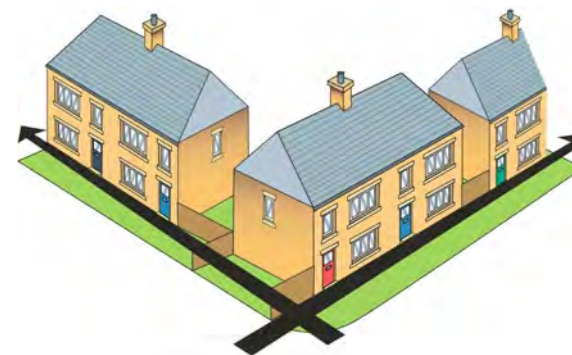


Figure 3: The Building Line.

- **Local character** - Extensions should appear in keeping with the local character including the use of materials, windows form and size, architectural style and roof pitch. The use of contrasting materials, architecture styles and roof pitches will be considered on a case-by-case basis.
- **Enhance appearance** - Where practical, opportunities should be taken to improve the appearance of existing buildings, particularly by the removal or replacement of existing unsightly extensions or alterations.

4.4 Contemporary designs and high-quality modern interpretations of distinctive and significant local characteristics will be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment. In some cases, applicants may wish to develop proposals which do not conform to the existing character and street scene of an area. The council will assess these schemes on merit, and where an innovative architectural approach is proposed, a rationale for the approach and a clear justification as to why the scheme would enhance rather than detract from the character and street scene of the area should be submitted for consideration.

4.2 The original house

Key design principle 2: Impact on the original house

Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.

Relevant Local Plan Policy:

Policy LP24 Design (c) and (d)

4.5 Proposals for extensions should normally be smaller in scale than the original property and set back from the existing building line. Two-storey extensions should be set down from the ridge line and generally smaller in footprint. The materials, design, roof pitch and detailing should normally match the existing house detailing.



Figure 4 (left to right): Extension faces onto the street and is well balanced, proportionate and sympathetic; Extension is unbalanced and over dominant in scale to the existing house; and Example of a good extension which is well proportioned and set back from the building line and ridge line of the existing house.



Figure 5: Extensions that are neither well balanced, proportionate or sympathetic to the existing house.

4.6 Where extensions seek to differ from the existing materials, design, roof pitch or detailing, proposals will be considered on a case-by-case basis. The council will support innovative and modern design approaches which are of a high-quality and appropriate to the local

4 General design principles

context, including those which provide a range of climate change adaptations in their proposals. The scale and proportion of elevations and the quality of contemporary materials and detailing will be important. Such proposals should be supported by reasons and justification for their design approach.

4.3 Neighbouring properties

4.7 Proposals for extensions and alterations need to consider the impact on the amenity of residents in neighbouring properties and should not cause undue harm. Proposals will need to consider the following key design principles:

Key design principle 3: Privacy

Extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.8 A reasonable amount of space should be provided around new extensions in the interests of the amenity of future residents and to prevent overlooking and undue loss of privacy to any existing residents, as shown in Figures 6 and 7.

4.9 The principal criteria for determining space requirements should be good design, respect for site levels, and the achievement of privacy through well planned layouts whilst retaining adequate amenity space for existing and future residents.

4.10 In general, the following minimum separation distances and those shown in Figure 7 should be considered to ensure reasonable privacy between the original house and neighbouring properties. A minimum separation of:

- no less than **12 metres** is recommended between windows of habitable rooms that face onto windows of a non-habitable room
- no less than **21 metres** is recommended between facing windows of habitable rooms

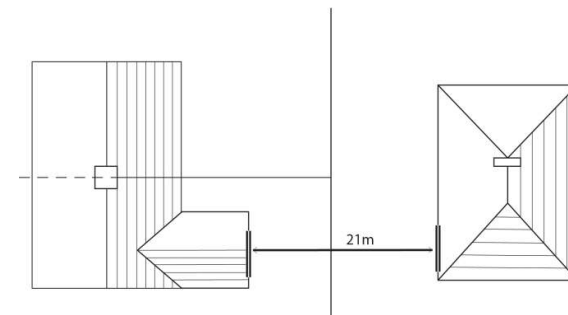


Figure 6: 21m recommended distance between habitable rooms.

Minimum recommended distances to maintain residential amenity

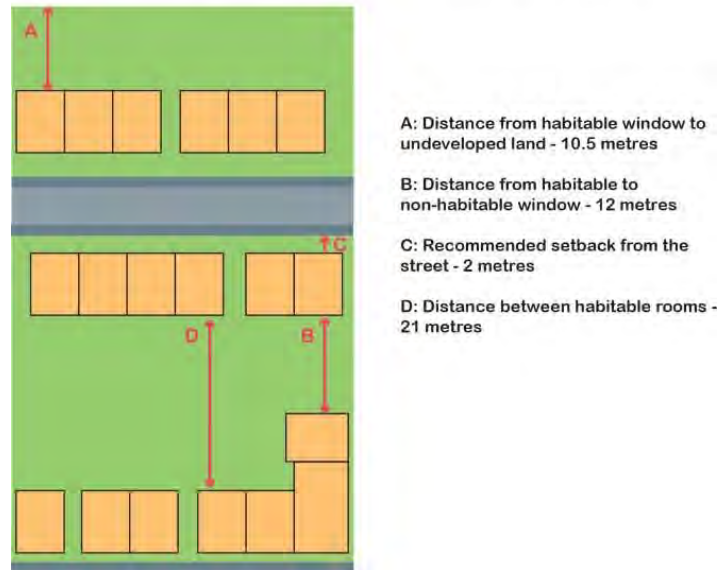


Figure 7: Minimum recommended separation distances.

4.11 These distances should have regard to the character of the original house, local context and topography of the site. Proposals that do not comply with these distances will need to be justified.

4.12 In certain situations, harmful overlooking can be avoided by using

obscure glazing in rooms or areas of a dwelling which are non-habitable and by appropriate screening at ground floor level, such as boundary treatments which protect the privacy of neighbouring properties.

Key design principle 4: Habitable rooms and side windows

Extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.

Relevant Local Plan Policy

Policy LP24 Design (b)

4.13 Both light and outlook can be of greater importance for some rooms than others. Limited weight will be given to protecting light and outlook from non-habitable rooms. Greater weight and protection will be afforded to rooms that most people spend much of the day in, known as habitable rooms. In relation to kitchens, greater weight will be given to protecting light and outlook where they include a dining area.

Habitable rooms

- Dining kitchens (e.g. kitchen with an open shared dining room)
- Living rooms
- Dining rooms
- Bedrooms
- Studies
- Conservatories

Non-habitable rooms

- Kitchen
- Bathroom
- Toilets
- Stairways
- Landings
- Small porches
- Garages

4 General design principles

- 4.14** In some cases, properties may have habitable rooms with windows on the side of the house (secondary windows). In these circumstances, development may be allowed closer to an affected main window.
- 4.15** Side windows should not be included in extensions where they would unacceptably overlook neighbouring gardens or otherwise constrain the development potential of adjoining land.

Key design principle 5: Overshadowing/loss of light

Extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Relevant Local Plan Policy

Policy LP24 Design (b)

- 4.16** Any house extensions or alterations are expected to not materially affect the amount of natural light presently enjoyed by a neighbouring property. Therefore, extensions will not be permitted if they unreasonably overshadow neighbouring habitable rooms and private gardens.
- 4.17** When assessing the impact of overshadowing on neighbouring properties, the council will, as a starting point, have regard to the 45° guidelines. A line will be drawn from the midpoint in the nearest habitable room window of the adjacent property, at an angle of 45°, across the proposed extension. The extent to which the line infringes upon the proposed extension will indicate the levels of light that may be lost to the neighbouring property. In appropriate circumstances, where local context supports this, larger guidelines may be considered on a case-by-case basis.

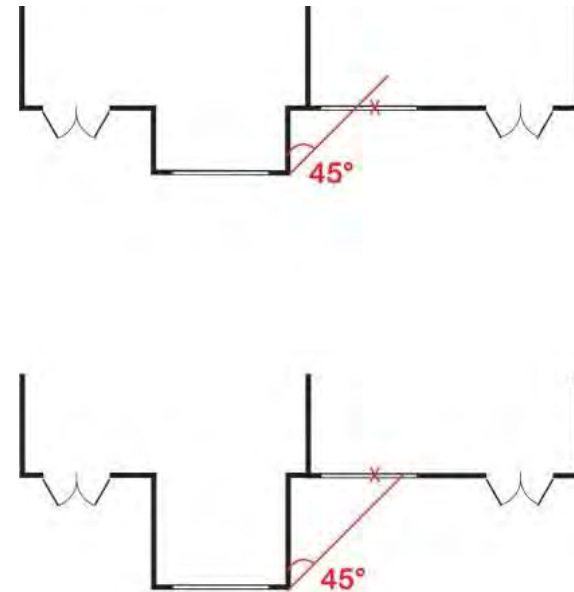


Figure 8: The top image shows an extension which passes the 45-degree rule, while the bottom image shows one that has failed the 45-degree rule.

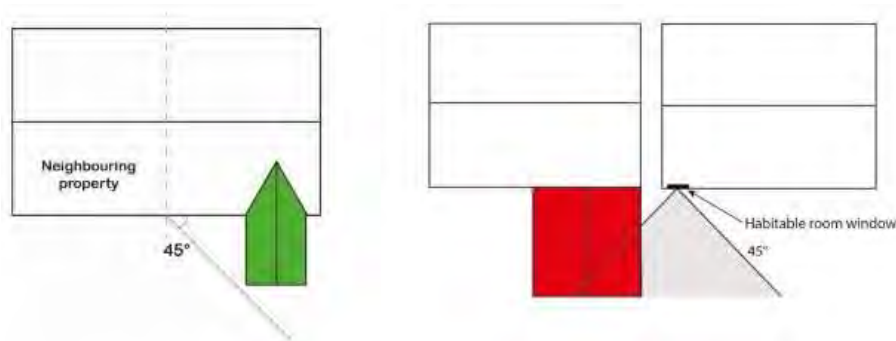


Figure 9: The image on the left shows an extension which achieves the 45 degrees rule while the image on the right does not achieve the 45 degree rule.

- 4.18** Consideration should also be given to the position of the proposed extension in relation to the sun's path and the impacts of different times of day and year when considering the impact of the 45° guidelines.

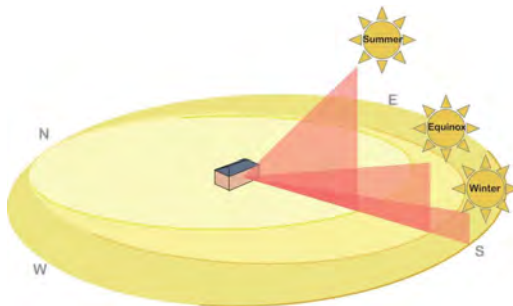


Figure 10: Sun path diagram for different times of year.

Key design principle 6: Preventing overbearing impact

Extensions and alterations should not unduly reduce the outlook from a neighbouring property.

Relevant Local Plan Policy

Policy LP24 Design (b)

- 4.19** Consideration of the outlook of neighbouring properties will also be considered in assessments of extensions and alterations. Dominance and outlook relate to how an extension will change the character of the neighbouring house and garden and affect the outlook from a neighbour's window. Proposals which would result in a poor or reduced outlook from neighbouring properties are unlikely to be acceptable.

- 4.20** When assessing the impact that an extension or alteration may have on outlook, regard will be given to the established character of an area and the existing feeling of openness. It is important that neighbours do not feel unduly 'hemmed-in' by the proposals.

Key design principle 7: Outdoor space

Extensions and alterations should ensure an appropriately sized and useable area of private outdoor space is retained. Normally at least half the garden area should be retained as part of the proposals.

Relevant Local Plan Policy

Policy LP24 Design (b) and (c)

4 General design principles

4.21 Proposals should seek to retain adequate and useable private outdoor space for the occupiers of the building, such as garden space, paved or patio areas. Proposals which would result in outdoor space which are too small or significantly out of character with the local area are unlikely to be acceptable.

4.22 Normally, front gardens will not be considered adequate useable private amenity space due to the lack of overall privacy for occupants.

4.4 Sustainable design

4.23 Planning for climate change is an important part of a successful response to the climate emergency. The council is committed to a target of zero carbon by 2038. Sustainable design can influence the amount of greenhouse gas emissions produced, both during construction and through the development's lifecycle. All development proposals, however small the footprint of the development, should embed key sustainable design principles for mitigating and adapting to climate change. Consideration should be given to opportunities to further embed energy efficiency measures into the existing building. Proposals should therefore have regard to the following design principles for all extensions and alterations:

Energy efficiency

Key design principle 8: Energy efficiency

Extensions and alterations should, where practicable, maximise energy efficiency.

Relevant Local Plan Policy

Policy LP24 Design (d) (iv)

4.24 The design of a building can greatly affect the consumption and use of energy within it. Buildings should be designed to stay warm in the winter and cool in the summer, without the need for air conditioning or excessive heating. Proposals for extensions and alterations therefore should seek to achieve the following principles:

- Maximise solar gain;
- Maximise natural light; and
- Maximise natural ventilation and cooling

4.25 To achieve the principles above, proposals for housing extensions and alterations should consider adopting a fabric-first approach to maximising energy efficiency. The following opportunities should be considered to help achieve energy efficiencies and plan for climate change:

- Siting buildings and extensions to minimise overshadowing;
- Orientating buildings so that they broadly run east west and face south;
- Locating garages on the north side of homes to act as additional thermal buffers;
- Ensuring that the roof structure includes south facing slopes to facilitate the installation of solar panels;
- Locating main rooms on the south side of the building;
- Optimising glazing on the south side of buildings while providing appropriate shading opportunities such as blinds or external louvres;
- Minimising the area of north-facing windows;
- Careful design to avoid excessive surface area and associated heat loss;
- Using construction materials with a high thermal mass, such as concrete, tiles and stone, which absorb excess heat during the day and release it slowly;
- Using landscaping and porches to provide shelter from winds;

- Extra insulation of walls, roofs and floors;
- Advanced glazing systems such as triple glazing;
- High efficiency heating boilers that respond to solar gain and have multi-zone temperature control; and
- Considering low energy/emissions build standards where appropriate to ensure the development meets the required real-world performance expectations.



Figure 11: Illustrative example of a extension achieving energy efficiency methods through the use of climate mitigation and adaptation strategies.

Materials

Key design principle 9: Construction materials

Extensions and alterations should seek to use innovative construction materials and techniques, including reclaimed and recycled materials where possible.

Relevant Local Plan Policy

Policy LP24 Design (d) (iii)

4.26 The choice of materials for construction should consider the carbon footprint of the source of these materials and overall life upkeep. Proposals should consider the following when choosing materials:

- Sourcing materials locally to reduce the need for transport;
- Selecting materials that have a long life and require little maintenance;
- Selecting materials that have low levels of embodied energy (energy used in manufacture);
- Considering the full life cycle of alternative materials i.e the impacts of raw material extraction, processing, manufacture, transport, use and disposal; and
- Maximising the use of timber from sustainable Forest Stewardship Council (FSC) sources. If other timber is used it should be from a known source with a sustainable purchasing policy.

4 General design principles

Renewable energy

Key design principle 10: Renewable energy

Extensions and alterations should consider the use of renewable energy.

Relevant Local Plan Policies

Policy LP24 Design (d) (iv)

Policy LP26 Renewable and low carbon energy (a), (b), (c), (d) and (l)

4.27 Microgeneration of renewable energy can support a strong reduction in household greenhouse gas emissions. Household extensions should strongly consider the opportunities for microgeneration of renewable energy. Proposals should have regard to opportunities to include renewable microgeneration technologies such as solar photovoltaics, solar water heating (aka solar thermal), ground, air and water source heating/cooling systems and hydro-electric generation in new extensions.

Water retention

Key design principle 11: Water retention

Extensions and alterations should consider designing water retention into the proposals.

Relevant Local Plan Policy

Policy LP34 (5)

4.28 Consideration should be given to designing water retention into proposals. The following measures could be included:

- Rainwater harvesting (collecting rainwater from a building's roof and storing this in a tank);
- The use of water butts;
- Grey Water recycling (water which has already been used) for toilet flushing and garden watering; and
- Water efficient devices (e.g. toilets, taps, showers and appliances).

4.5 The natural environment

4.29 The natural environment plays a key role in supporting the ecosystem and health and well-being of occupiers and neighbours. Proposals for extensions and alterations need to have careful consideration of how they impact the natural environment and should seek to enhance this.

Key design principle 12: Natural environment

Extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

Relevant Local Plan Policies

Policy LP24 Design (h) (i)

Policy LP34 Conserving and enhancing the water environment

- 4.30** The protection and enhancement of biodiversity is an important aspect of development. It is important that all building work, however small, recognises the impact that their development could have on biodiversity and consider how no significant loss or harm will be caused and where possible how net gain in biodiversity can be achieved.
- 4.31** Household extensions and alterations can provide opportunities to include features to support biodiversity net gain. Potential opportunities include:
- Providing gentle transitions between different habitats and incorporating measures in walls, fences and roads that support the movement of animals;
 - Retaining gardens where possible;
 - Using green roofs; and
 - Incorporating measures such as bat boxes and swift bricks in buildings
- 4.32** Some extensions and alterations may have an impact on protected species, particularly in relation to bats and birds. Where this occurs, applications will need to be supported by the appropriate surveys for protected species if the council determines there is a likelihood of their presence. Statutory obligations are placed to ensure habitats are protected, and applicants would be required to show how these habitats would be protected as part of any planning permission. Further standing advice on protected species can be found on the Natural England website.

Vegetation and tree planting

Key design principle 13: Vegetation and tree planting

Extensions and alterations should seek to retain existing vegetation and trees and enhance this provision through landscaping where possible.

Relevant Local Plan Policies

Policy LP24 Design (d) (i) (iv)

Policy LP33 Trees

- 4.33** Vegetation and trees play a key role in supporting a sustainable natural environment. They support climate change mitigation, enhance biodiversity and support the health and well-being of occupants and neighbours.
- 4.34** Proposals for extensions should normally retain valuable and important trees in accordance with Local Plan Policy LP33 (Trees) and where appropriate, plant new trees to increase environmental benefits as well as support improved visual impacts of proposed developments. The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity value. Further guidance on trees is available on the council's website.
- 4.35** Consideration should also be given to providing boundary treatments and potential shading from sunlight and wind to help control natural cooling and ventilation using appropriate species of trees and vegetation. Where possible, proposals should seek to use native and local trees and vegetation.

4 General design principles

Drainage and flood risk

Key design principle 14: Drainage and flood risk

Extensions and alterations should ensure that all new developments are resilient and resistant to flood risk.

Relevant Local Plan Policies

Policy LP24 Design (d) (vii)

Policy LP27 Flood risk

Policy LP34 Conserving and enhancing the water environment

- 4.36** To avoid the footprint of extensions and alterations causing increased risk of flooding on the land or elsewhere, the council strongly encourages the retention of garden space and landscaped areas.
- 4.37** Where the loss of garden space is unavoidable, surfaces should be permeable and preferably finished with a natural material, such as grass mesh for parking areas, to reduce the effect and appearance of hard surfaced areas. Where impermeable surfaces are unavoidable, it is essential that any run-off is directed to a porous or permeable surface to avoid excessive run-off into highway drains. If this is not possible, planning permission will be required for laying traditional, impermeable driveways.
- 4.38** Where a proposed extension site is located in Flood Zone 2 or 3, a site-specific flood risk assessment is required that is appropriate to the scale, nature and location of the development. Householder development is not subject to a flood risk sequential test or exception test but should still meet the requirements for flood risk assessment.

The flood risk assessment should be proportionate to the scale of the proposal. Further advice relating to flood risk and householder extensions can be found at Gov.uk by searching 'Flood risk assessment standing advice for minor extensions' and the councils Strategic Flood Risk Assessment can be found on the councils website by searching 'Strategic Flood Risk Assessment' and pre-application advice can be obtained from the Environment Agency on their website in cases of close proximity to main rivers.

- 4.39** Where single storey extensions containing bedrooms are proposed within Flood Zones 2 and 3, careful consideration and adequate mitigation measures will be required to ensure safety.

4.6 Parking

- 4.40** Proposals for extensions and alterations need to ensure that they maintain appropriate access and parking to ensure that highways are not affected by development.

Key design principle 15: Provision for parking

Extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking.

Relevant Local Plan Policy

Policy LP22 Parking (f)

- 4.41** Proposals for extensions need to carefully balance the requirement for off-street parking and cycling storage against the retention of private amenity space and soft landscaping areas within the curtilage of the property.
- 4.42** Proposals should maintain appropriate access and parking arrangements, including for bicycles. The number of parking spaces required are dependent on the size of the property and the prevailing local characteristics and will be considered on a case-by-case basis. An initial point of reference for residential development is as follows:
- 2 to 3 bedroom dwellings provide a minimum of 2 off-street car parking spaces
 - 4+ bedroom dwellings provide 3 off-street parking spaces
- 4.43** Where alternate parking areas are required in the property boundary, careful consideration should be taken to retain as much of the garden boundary and soft landscaping as possible. Proposals should not result in street scenes dominated by large areas of hard surfaces and parked cars. Where parking surfaces are in the curtilage of the dwelling these should be permeable and preferably finished with a natural material.

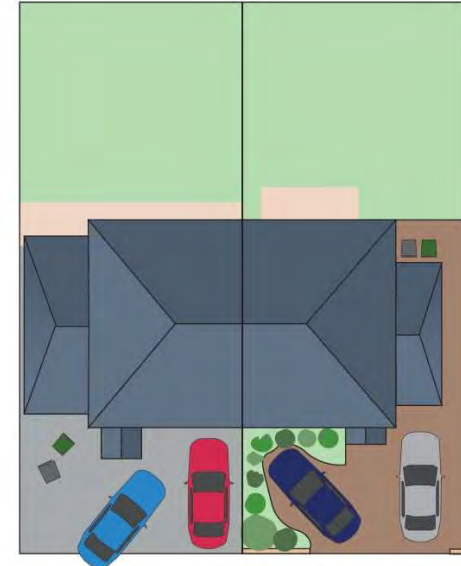


Figure 12: The left-hand side of the image shows a poorly designed extension with limited hardstanding parking, poor bin storage, no access to rear garden and loss of garden boundaries. Meanwhile the right-hand side shows a well-designed proportionate extension with permeable parking area, planting, access to rear garden and hidden bin storage

4 General design principles

Waste Storage

Key design principle 16: Provision for waste storage

Extensions and alterations should maintain appropriate storage arrangements for waste.

Relevant Local Plan Policy

Policy LP24 Design (d) (iv)

4.44 Consideration should be given to the storage of bins and recycling. Proposals for extensions should consider appropriate storage for bins. Bin storage should provide easy, level access from the storage location to the collection point. Bin storage areas should be well integrated in enclosed or otherwise discreet/well screened areas and must meet fire safety standards. Further guidance on emergency access, waste management, servicing and deliveries can be found in the Council's Highways Design Guidance SPD and waste strategy available on the council's website.

4.7 Access for all users

4.45 Well-designed extensions and alterations should be accessible or adaptable for all current and future occupiers to support the changing needs at different stages of life. This includes inclusive access for those who are disabled, elderly and families with small children and will help ensure that residents are able to meet their housing needs. Consideration should be given to the following key design principle.

Key Design Principle 17: Access for all users'

Extensions and alterations to existing households should consider how the needs of a range of different users' needs can be met in facilitating access and movement.

Relevant Local Plan Policy

Policy LP24 Design (f)

4.46 While there is no requirement under current planning legislation or building regulations to create disabled access to your proposed extension, you should consider the provision of a level access to any new external doorway to your extension and appropriate accessibility to gardens. This will enable occupiers and visitors with mobility difficulties to gain access more easily. You can find more information and guidance on the Lifetime Homes website.

4.47 Extensions for disabled people may need to be larger than the council would normally permit, for example to incorporate a downstairs bedroom or toilet/shower room and wheelchair turning, and could be acceptable where appropriate evidence of need and assessment can be demonstrated.

4.48 Dementia is a growing condition within the population, and consideration should be given to designing future extensions and alterations to homes which provide an ease of access and legibility around the whole building. When designing extensions and alterations with dementia in mind, consideration should be given to the following:

- Providing clear sight lines with signage at lower levels;
- Using clear, simple and clutter free designs to increase legibility;

- Providing even lighting, including clear unobstructed access to daylight;
- Installing matt, even coloured flooring;
- Reducing noise and reverberation through using sound absorbent materials. Curtains and soft furnishings will help;
- Accessing green outside spaces;
- Providing clear landmark features within buildings as wayfinders; and
- Providing space for future installations of equipment that may be required.

4.49 Further information on dementia friendly design can be found at the Design for Dementia guide at the Housing LIN website.

5 Detailed guidance for extensions and alterations

5 Detailed guidance for extensions and alterations

5.1 Rear extensions

5.1 Rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings. Rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended. This should include consideration of the following:

- Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained;
- Being set behind the original building, and not projecting beyond the sides; and
- Maintaining external access to the rear garden.

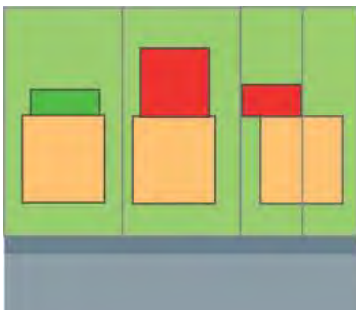


Figure 13: Left: Example of a well-designed rear extension situated at the back of the original property. More than 50% of the garden space is retained and access to the rear of the property is available down the side. Central: Poorly designed extension which is large and has more than 50% of the rear garden removed. Right: Access to the rear garden is prevented due to the siting of the rear extension.

5.2 As a general rule, a rear extension should:

- respect the original house and garden in terms of its size and scale;
- use appropriate materials which match or are similar in appearance to the original house; and
- not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.

5.3 Rear extensions commonly encounter problems by causing overshadowing and loss of outlook to neighbouring properties. Figure 14 shows how unacceptable heights of single storey and two-storey rear extensions can have adverse impacts on neighbouring properties through these principles and would not be permitted.

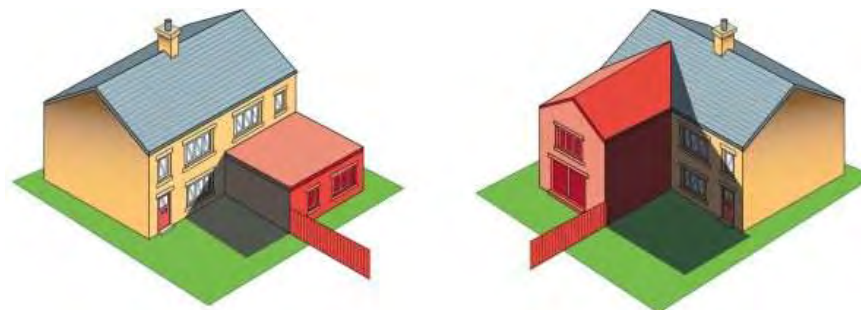


Figure 14: Left image shows a single storey extension built to the boundary of the neighbouring property overshadows more than the 45 degrees permitted. The right image shows a two-storey rear extension built to the boundary of the neighbouring property overshadows more 45 degrees.

5.4 To avoid the problems caused by loss of light, as well as loss of privacy and outlook, the sizes and projections of rear extensions need to be strictly controlled.

Single storey rear extensions

5.5 Single storey rear extensions can have an adverse impact on neighbouring properties and gardens. Careful consideration should therefore be given to the design of these extensions to ensure their height and windows do not harm the privacy of neighbours.

5.6 Single storey extensions should:

- be in keeping with the scale and style of the original house;
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

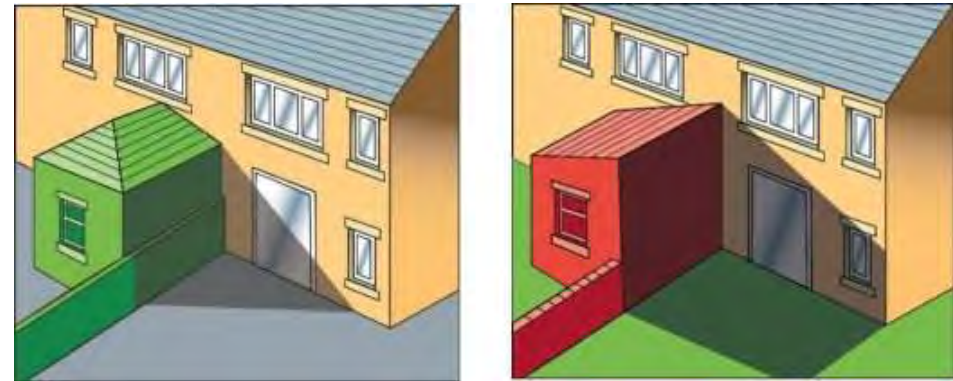


Figure 15: The left image's extension keeps the eaves height low ensuring that the neighbouring property is not overshadowed. The right image's extension eaves are too high causing the neighbouring property to be overshadowed.

Conservatories

5.7 Conservatories and summer rooms are classed as extensions. They should be in keeping with the original house, not overlook a neighbouring property and not over dominate adjacent gardens. A conservatory which would overlook a property next-door will not be allowed unless the view from to the neighbouring boundary is sufficiently screened by a fence, wall or hedge to protect the privacy of adjoining neighbours.

5 Detailed guidance for extensions and alterations

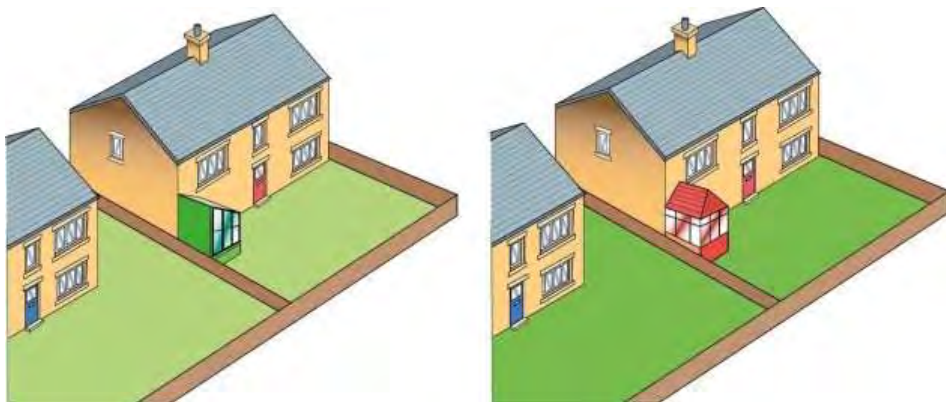


Figure 16: The left image shows a good example of a conservatory, while the right image shows a bad example of a conservatory.

Two-storey rear extensions

5.8 Two-storey rear extensions will be considered based on the extent of overshadowing, loss of privacy and outlook. Generally, two-storey rear extensions should:

- be proportionate to the size of the original house and garden;
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

5.9 Larger extensions may be acceptable in certain circumstances if this can be justified, such as where neighbouring houses have already been extended, and will be considered on a case-by-case basis.

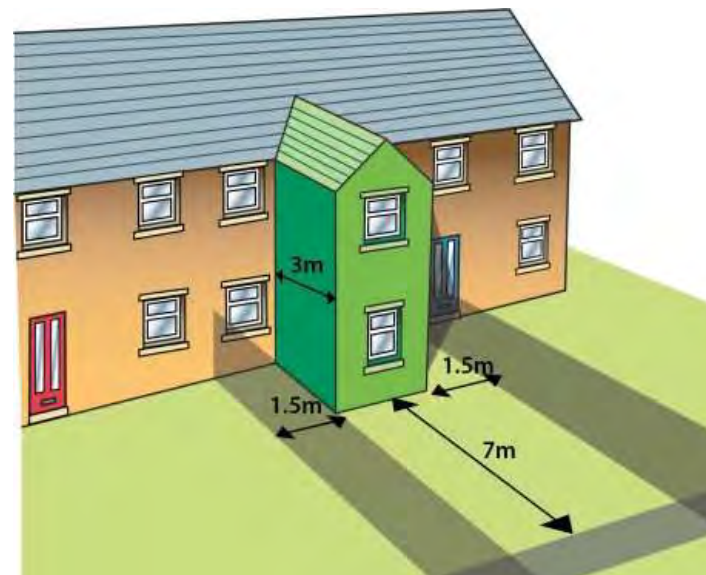


Figure 17: Acceptable two-storey rear extension which does not impact on the neighbouring properties.

5.10 Where two storey extensions introduce additional bedrooms overall parking requirements will need to be considered, as stated in Key Design Principle 15.

Part two storey, part single storey extensions

5.11 Careful consideration should be given to the design of part two-storey, part single storey rear extensions to ensure the proportions reflect those of the original house and that they do not overlook, overshadow or dominate neighbouring properties and gardens.

5.12 Care needs to be taken to ensure that the placement of windows takes account of neighbouring gardens. A stepped extension where the single storey addition lies close to the neighbouring boundary helps reduce the impact on neighbours. If the site is level and the rear elevations of the dwellings are flush, a 3.0m depth is acceptable provided that the single storey extension is set a minimum of 1.0 metre away from neighbouring side boundary and the two-storey extension a minimum of 1.5 metre from the shared side boundary.



Figure 18: Acceptable part two storey part one storey rear extension which does not affect the neighbouring property.

5.2 Front extensions

5.13 Front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed. Large extensions (single and two-storey) and conservatories on the front of an existing house are likely to appear particularly intrusive and will not normally be acceptable.

5.14 Single storey extensions on the front of a house and two-storey or first floor front extensions are usually unacceptable due to the impact on the character of the area and visual amenity and will not normally be permitted unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and
- The materials and design match the existing features of the original house; and
- The extension would not unreasonably affect the neighbouring properties.

5 Detailed guidance for extensions and alterations

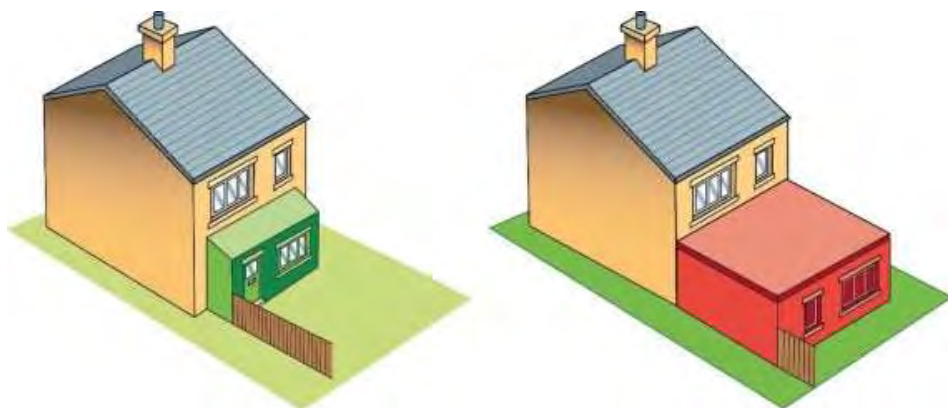


Figure 19: The left image shows a suitable small scale front extension with an appropriate roof detailing. The right image shows an over dominant and unproportioned extension with a flat roof which does not match the existing house.

5.3 Side extensions

5.15 Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch materials and detailing.

5.16 Side extensions should maintain the quality of the environment for neighbours by:

- Ensuring reasonable levels of natural light to the habitable rooms in neighbouring properties; and
- Positioning windows to minimise or avoid any potential overlook into neighbouring gardens.

Single storey side extensions

5.17 Single storey side extensions should be offset and complement the original building. As such, single storey side extensions should:

- not extend more than two thirds of the width of the original house;
- not exceed a height of 4 metres; and
- be set back at least 500mm from the original building line to allow for a visual break.



Figure 20: The left image shows a single storey extension proportionate and set back from the existing building line with an appropriate roofing design to match the existing house. The right image shows a poorly designed single storey side extension which is not set back from the building line and with a flat roof which does not match the existing house.

5.18 In certain circumstances it may be appropriate for single storey dwellings to use lean-to roof designs against a gable wall to reduce potential impacts on neighbouring properties.



Figure 21: Examples of types of roofs which are acceptable for side extensions.

Two-storey side extensions

5.19 Two-storey side extensions can have a significant effect on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area.

5.20 Two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.



Figure 22: Left image shows a side extension which is set back from the existing building line and is proportionate to the existing building in scale. The right image shows a side extension which is not set back from the existing building line and is overly dominant in relation to the original building line.

Two-storey and first floor side extensions

5.21 Spaces between houses, including driveways, are important in providing a sense of space, local character and attractive appearance of an area and should be retained. Two-storey and first floor side extensions can cause a negative impact on the street when used to close the gap

between semi-detached or detached houses. This can create a terracing effect in a non-terraced street, as shown in Figure 23, and must be avoided.



Figure 23: Left image shows two detached properties which include a 1m gap between the boundaries and are set back by 500mm from the building line to provide a lowered ridgeline. The right image shows a side extension to detached dwellings providing no gap between the buildings causing a terracing effect.

5.22 Two-storey and first floor side extensions should:

- ideally be visually smaller in relation to the original house;
- be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;
- have a roof design that follows the form of the existing roof; and
- retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens.

5 Detailed guidance for extensions and alterations



Figure 24: Acceptable two-storey side extension which has an appropriate set back from the building line and ridgeline of the original building.

Corner plots

5.23 On corner plots, side extensions should be considered as being both side and front extensions and as such will relate to both street frontages. Therefore, both elevations should be designed as street frontages. On corner plots, side extensions should contribute to the local character by:

- Facing in both directions to create two frontages, each with windows overlooking the street;
- Being set back from the existing building line on both streets; and
- Following the boundary treatment along both streets, in relation to its position, height and materials.



Figure 25: Good example of a corner plot which relates well to street frontages.

5.4 Dormer windows & roof extensions

5.24 Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical.

5.25 The design of dormer windows and roof extensions should reflect the character of the area, the surrounding buildings and the age, appearance and materials of the existing house. Ideally, dormers should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained. There are different roof types, as shown in Figure 26, which can be used to provide extra space within a home.

5 Detailed guidance for extensions and alterations

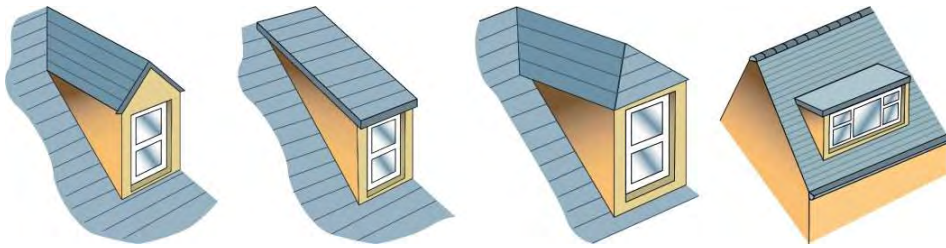


Figure 26: Example of roof types for dormer windows left to right: Gable, shed, hipped and flat.

5.26 To assess whether a dormer window is appropriate on the front elevation, consideration should be given to the surrounding buildings in the street. Traditional vertical dormer windows usually complement the character and roof pitch of the existing house and will normally be acceptable. Modern flat roof dormers may be considered acceptable if they are well-designed, small in scale and appearance and are characteristic of the street scene.



Figure 27: Example of a traditional vertical dormer which complements the existing pitched roof.

5.27 Dormer windows should:

- relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the ridge of the house;
- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.



Figure 28: Placing of traditional dormers below the ridge line, away from party walls, in line with windows below and in neighbouring roof plane and set back from the eaves and gable.

5 Detailed guidance for extensions and alterations

5.5 Balconies

5.28 Balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area. Balconies and roof terraces should be:

- Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.
- Sited away from locations that are sensitive to additional noise levels or disruption.

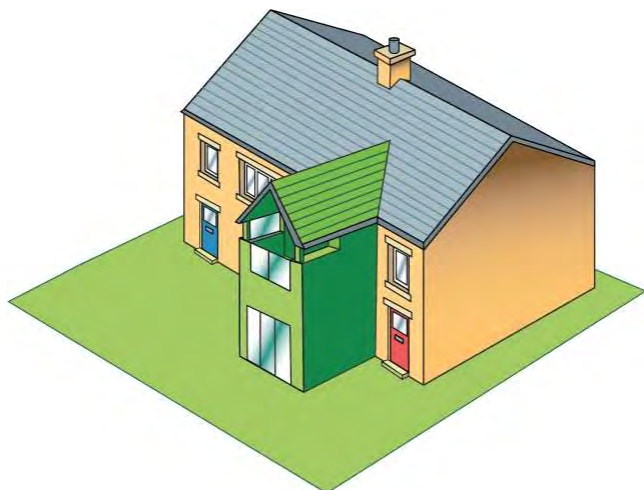


Figure 29: Example of a good balcony with appropriate obscure glazing to provide privacy to neighbouring dwelling.

5.6 Outbuildings

5.29 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.

5.30 Outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;
- be set back behind the building line of the original building so that they do not impact on the street scene; and
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.

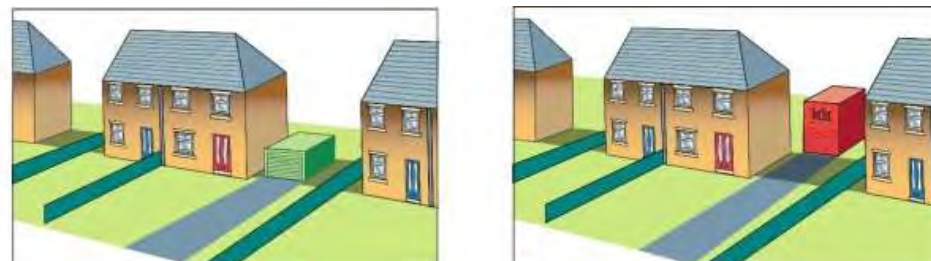


Figure 30: The left image shows an example of a suitable single storey outbuilding set back from the building line with suitable garden space retained. The right image shows an unsuitable outbuilding which is two-storey, set back too far from the building line and removes too much garden space.

5.7 Bungalows

- 5.31** Careful consideration should be given to two storey and first floor extensions to bungalows. These can cause a negative impact on the street scene and character of the area through changing the height, rhythm or form of a roof in relation to the rest of the street scene.
- 5.32** Increasing the height of the property by amending the roof pitch or eaves height will significantly affect the character and proportions of the building and will impact on the surrounding street scene (see Figure 31) and is usually unacceptable where the roof pitches and heights in the street scene are consistent.

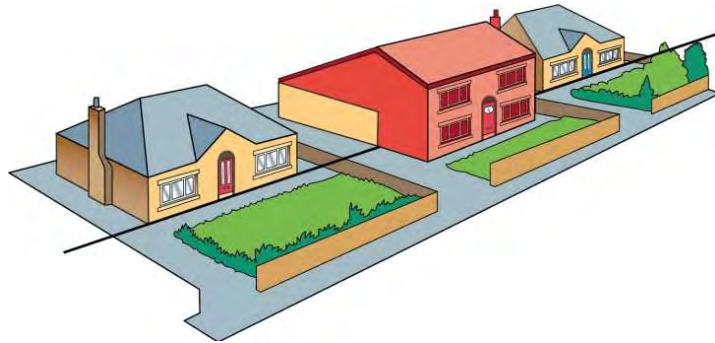


Figure 31: Example of how raising the eaves height of a bungalow has caused a shallower pitched roof from the neighbouring properties. This makes it incongruous with the rest of the street, over dominant in scale and out of step with the building line.

Open Space SPD

Draft June 2021



1	Introduction	3
2	Background	5
	2.1 National policy	5
	2.2 Local policy	6
	2.3 Local evidence	8
	2.4 Achieving biodiversity net gain	9
3	Approach to determining open space provision	10
	3.1 Pre-application advice	10
	3.2 Key principles	11
	3.3 Step-by-step approach	13
4	Step 1: Determine whether open space is required	14
	4.1 Developments which require open space	14
	4.2 Housing type	16
5	Step 2: Establish the type of open space required	17
	5.1 Open space types	17
	5.2 Kirklees open space standards	18
	5.3 Quantity, quality and accessibility assessment	19
6	Step 3: Calculate the amount of open space required	23
7	Step 4: Decide the location of provision	24
8	Step 5: Calculate the off-site financial contribution (if appropriate)	25
9	Management and maintenance	28
	Appendix 1: Existing open space provision	29
	Appendix 2: Design guidance	30
	Appendix 3: Flow chart process for determining open space	32
	Appendix 4: Worked example for 25 dwellings	33

Contents

Appendix 5: Worked example of 75 dwellings

37

Appendix 6: Worked example for 150 dwellings

40

1 Introduction

Purpose of the Supplementary Planning Document

- 1.1** Residents of new housing developments will generate additional needs and demands for open space, sport and recreation facilities. It is therefore important that such facilities are sufficient to meet their needs within or close to the development. Well-designed, high-quality open space that is widely accessible, safe and pleasant to use can help encourage physical activity and an active lifestyle contributing to the physical and mental health and wellbeing of local communities.
- 1.2** The purpose of this Supplementary Planning Document (SPD) is to inform applicants and developers of the minimum level of open space the council would normally expect to be provided in connection with housing developments. The SPD provides detailed guidance and additional information about the implementation of Kirklees Local Plan policy LP63 'New Open Space' and will be a material consideration in the determination of planning applications.

Policy LP63 New Open Space

The council will seek to secure well-designed new and improved open space, sport and recreation facilities in the district to encourage everyone in Kirklees to be as physically active as possible and promote a healthy lifestyle for all.

New housing developments will be required to provide or contribute towards new open space or the improvement of existing provision in the area, unless the developer clearly demonstrates that it is not financially viable for the development proposal. New open space should be provided in accordance with the council's local open space standards or national standards where relevant.

In determining the required open space provision, the council will have regard to the type of housing proposed and the availability, quality and accessibility of open space provision in the area assessed in accordance with the council's district wide open space standards. The provision of playing pitches will also be considered. This analysis will help determine the need for new on-site or off-site provision, enhancement of existing provision and/or a financial contribution.

In areas where existing open space provision is insufficient to meet local needs, provision of new open space on-site would be preferred to meet the needs of the development. Where this is not viable the expansion or improvement of existing open space provision in the area will be sought and the co-location of open space, sport and recreation facilities will be encouraged. Open space provided on-site should be designed to complement existing facilities in the area and to allow for informal children's play through good quality landscape design.

In areas where existing provision is sufficient to meet local needs, new open space can be provided on-site for amenity purposes and to achieve a well-designed scheme. New provision should complement existing facilities in the vicinity and enhance the natural landscape and environment.

The council will support proposals that provide a sustainable and community led approach to the management and maintenance of public open spaces to encourage local communities to take an active role in looking after public open spaces near where they live.

1 Introduction

1.3 This SPD sets out the approach the council will take in determining the nature, amount and location of new open space provision that will normally be required and how this should be provided. Open space should be provided in accordance with the open space standards which accompany policy LP63. Each case will be considered on its merits taking into account individual site circumstances and the local context. Applicants are advised to contact the council early when preparing planning applications in order to discuss the required provision and more specific advice will be provided where needed on individual applications.

Town Gate Gardens, Meltham



1.4 Developers will be required to provide for the six different types of open space set out below and the approach to seeking provision for these is clarified in this SPD.

OPEN SPACE TYPES

- Parks and recreation grounds
- Natural and semi-natural greenspace
- Amenity greenspace
- Allotments and community food growing
- Provision for children and young people
- Outdoor sports facilities

NB: Definitions are provided in Section 5.1.

1.5 The multi-functionality of open spaces means they can make a valuable contribution to increasing resilience to climate change locally by helping to reduce urban temperatures and carbon emissions, reduce the effects of flooding, contribute to sustainable drainage, improve air quality and enhance opportunities for wildlife. This SPD encourages new housing developments to contribute to measurable improvements for biodiversity net gain as part of the open space requirement through the retention, creation and enhancement of wildlife habitats, such as ecological features, tree planting and natural areas. Design guidance is also set out in the appendices to the SPD to help achieve high quality open spaces and help minimise the risk of crime.

2 Background

2.1 National policy

- 2.1** The National Planning Policy Framework (NPPF 2019) requires planning policies to be based on robust and up-to-date assessments of the needs for open space, sport and recreation facilities and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreation provision is needed and this should be reflected in proposals (NPPF paragraph 96).
- 2.2** The National Planning Practice Guidance (NPPG) provides additional guidance to support the NPPF and contains information relating to open spaces. It states that open space should be taken into account in planning for new development and it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas.
- 2.3** The National Design Guide (2019) sets out ten characteristics illustrating how well-designed places can be achieved in practice. Two of these characteristics, 'Nature' and 'Public Open Space,' relate directly to green open spaces:
- 'Nature' aims to provide high-quality green open spaces with a variety of landscapes and activities including play, and support biodiversity; and
 - 'Public open space' aims to create well-located high-quality and attractive open spaces, provide well-designed spaces that are safe, and make sure public spaces support local interaction.

The Green, Heckmondwike



- 2.4** The Fields in Trust 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (2015) sets national benchmark guidelines and guidance to ensure that the provision of open spaces is of a sufficient size to enable effective use; is located in an accessible location and in close proximity to dwellings; and is of a quality to maintain longevity and to encourage its continued use. These have been taken into account in preparing this SPD.

2 Background

2.2 Local policy

Kirklees Local Strategies

- 2.5** The Corporate Plan (2018-2020) sets out the council's vision for Kirklees to be a district which combines a strong sustainable economy with a great quality of life, leading to thriving communities, growing businesses, high prosperity and low inequality where people enjoy better health throughout their lives. The plan aims to improve people's health and well-being by providing and improving access to a high-quality clean and green environment which contributes to people's quality of life, making the district a more attractive place in which people want to live and invest.
- 2.6** The Everybody Active – Kirklees Physical Activity and Sports Strategy (2015-2020) aims to encourage everyone to be active whether this is through work, playing sport, leisure activities or travel. Being more active leads to significant gains in physical and mental health, builds vibrant, stronger communities and can make an economic contribution through improving skills and attracting inward investment. It is recognised that the environment is crucial in increasing activity levels and that green spaces, playgrounds and cycle lanes have a big impact on improving health by encouraging people to be active every day.
- 2.7** There is significant and growing evidence on the health benefits of access to good quality green spaces. The benefits include better self-rated health; lower body mass index, overweight and obesity levels; improved mental health and wellbeing; increased longevity. People living in the most deprived areas are less likely to live near green spaces and will therefore have fewer opportunities to experience the health benefits of green space compared with people living in less deprived areas. Increasing the use of good quality green space for all social groups is likely to improve health outcomes and reduce health inequalities. It can also bring other benefits such as greater community

cohesion and reduced social isolation. One of the outcomes identified in the Kirklees Joint Health and Well-Being Strategy (2014-2020) is that citizens of Kirklees and local communities should be able to take up opportunities that have a positive impact on their health and well-being by 2020. This includes:

- access to green and open spaces and leisure services; and
- spatial planning supporting a placed-based approach to improving health and well-being encouraging health promoting environments.

Street Trees at Annie Smith's Way, Birkby



2.8 The council supports the planting of more trees in Kirklees, as promoted by the Yorkshire West Local Nature Partnership and West Yorkshire Combined Authority 'Green Streets' project, to improve the urban environment for people, businesses and wildlife. Street trees in new housing developments can provide visual benefits contributing to the attractiveness and character of an area, adding colour and interest to the urban environment, as well supporting biodiversity and helping reduce the impacts of climate change. The council will work with developers to ensure green infrastructure is included in the design and is incorporated as an integral part of a housing development's open space provision, including natural greenspace, woodland and street trees.

2.9 The Kirklees Playable Spaces Strategy encompassing the current Kirklees Play Standard, aims to achieve a diverse range of high-quality play spaces for people of all ages, abilities and backgrounds to access challenging opportunities for play, physical activity, contact with nature and social development close to home. Requirements for play and open space provision will be determined in line with the council's Playable Spaces Strategy.

Kirklees Local Plan

2.10 The Kirklees Local Plan sets out a vision and a framework for the future development of the district, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure. It also seeks to enable higher standards of health and well-being resulting from improved access to green spaces and opportunities for physical activity and a healthy lifestyle.

2.11 Quality of place will be enhanced through high-quality, inclusive design and safe environments, opportunities for play and sport, protection and enhancement of green infrastructure, opportunities for local food growing and the enhancement of biodiversity, and opportunities for improving social interaction and addressing social isolation.

2.12 Policy LP63 (new open space) is the main policy relating to the provision of new open space required in connection with housing developments. Other Local Plan policies relate to the delivery, design and connection of green spaces and associated networks. Consideration should therefore be given to these policy requirements and where appropriate opportunities taken to simultaneously achieve multiple benefits.

Related Kirklees Local Plan Policies

- LP4 Providing infrastructure
- LP5 Masterplanning sites
- LP23 Core walking and cycling network
- LP24 Design
- LP27 Flood Risk
- LP28 Drainage
- LP30 Biodiversity and geodiversity
- LP31 Strategic green infrastructure network
- LP32 Landscape
- LP33 Trees
- LP34 Conserving and enhancing the water environment
- LP47 Healthy, active and safe lifestyles
- LP50 Sport and physical activity

2 Background

2.3 Local evidence

2.13 The council will use the most up-to-date local evidence relating to the quantity, quality and accessibility of existing open space, sport and recreation facilities within the area to determine appropriate new provision.

- **The Kirklees Open Space Study (KOSS)** – includes an assessment of local needs for open space and recreation facilities across Kirklees and evaluates the quantity, quality and accessibility of existing provision. The study has informed the development of locally derived open space standards for Kirklees which are used to assess the adequacy of existing provision across the district. Site assessments have been undertaken as part of the study and include a high-level evaluation of physical, social, environmental and visual qualities. Accessibility standards (walking distances) have been developed, mapped and applied to identify areas deficient in access to different types of open space.
- **The council's green space quality assessment** – for pre-application enquires and planning applications, consideration will also be given to the council's latest detailed green space quality information for parks, recreation grounds and children's play spaces (and where appropriate woodlands and allotments) undertaken by the Council's Landscape and Parks and Green Spaces teams. This information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances. This will include identifying opportunities for expansion, new provision and quality enhancements.

- **The Kirklees Playing Pitch Strategy (PPS)** - provides a detailed local assessment of the supply and demand for playing pitches (football, rugby, cricket, hockey crown green bowling and outdoor tennis) across the district and indicates where playing pitch provision is deficient to meet local needs. The PPS includes quality assessments of pitches, capacity and the quality, standard and range of ancillary facilities.

2.14 The findings from the Kirklees Open Space Study (2016) show all wards across the district are deficient in at least one type of open space when compared against the open space quantity standards (see Appendix 1). The results of the open space quality assessments and accessibility mapping from the Kirklees Open Space Study (2016) are available on the council's website.

2.15 The Playing Pitch Strategy (2015) identifies significant shortfalls in playing pitch provision for all pitch sports across Kirklees, The main shortfalls are in adult football, 3G pitches and cricket provision. The PPS also identifies playing pitch stock in Kirklees which suffers from issues linked to poor quality and overuse.

2.16 The needs and demand for open space, sport and recreation facilities can change over time, particularly playing pitches. The above studies and assessments together with demand information will be periodically reviewed and up-dated to ensure local evidence is robust. The council's most current information will be used to inform the nature and location of new open space provision and the relevant National Governing bodies should be consulted in relation to playing pitch provision.

2.4 Achieving biodiversity net gain

- 2.17** The government's ambition for 'A Green Future: Our 25 Year Plan to Improve the Environment' (2018) sets out action to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first. 'Embedding an environmental net gain principle for development', including housing, is the first proposed action and required the planning system should provide biodiversity net gains where possible.
- 2.18** The National Planning Policy Framework (NPPF) requires the planning system to contribute to and enhance the natural and local environment by, among other means, minimising impacts on and providing net gains for biodiversity (paragraph 170). Development plans are required to identify and pursue opportunities for securing measurable net gains, and planning decisions should favour the incorporation of biodiversity improvements into development proposals, especially where measurable net gains can be secured (paragraphs 174 and 175).
- 2.19** Biodiversity net gain is described in the National Planning Practice Guidance (NPPG) as an approach that “delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development”. In order to measure whether a net gain for biodiversity is being achieved it is expected that the Department for Environment, Food and Rural Affairs (DEFRA) Biodiversity Metric will be applied to assess the baseline and impacts from development.
- 2.20** The Kirklees Local Plan Policy LP30 (Biodiversity and Geodiversity) requires new development proposals to provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation. The council therefore encourages the retention of high value biodiversity features, ecological enhancement and habitat creation on-site in line with the mitigation hierarchy.
- 2.21** The council recognises that the successful implementation of biodiversity net gain can be achieved through the provision of high-quality open space in new housing developments by incorporating features such as biodiverse urban woodlands and tree planting, green spaces and recreational spaces, natural areas and water management infrastructure. Opportunities to achieve net gains in biodiversity should therefore be considered in conjunction with the approaches set out in this SPD.
- 2.22** In the circumstances where biodiversity net gain cannot be achieved on-site, a net gain will need to be achieved through off-site interventions, including through local off-site habitat enhancement and habitat creation projects. Off-site interventions can be on land in the control of the developer or a third party and the biodiversity gains will need to be demonstrated through the use of the Biodiversity Metric 2.0 and secured through an appropriate mechanism. This can be considered in conjunction with open space provision required in connection with new housing developments.
- 2.23** Biodiversity net gain is expected to be delivered in accordance with latest government and industry guidance.

3 Approach to determining open space provision

3 Approach to determining open space provision

3.1 Pre-application advice

3.1 It is recommended that applicants engage in early pre-application enquiries with the Council's Development Management Team to establish open space requirements as early in the planning process as possible as this can affect the design and layout of the development. Through this process, consultation will be carried out with the council's relevant departments to consider the types of open space and amounts required and establish whether a Section 106 Agreement will be needed to secure the open space requirement. Detailed calculations can be provided based on an assessment of the quantity, quality and accessibility of existing open space provision in the area. As part of an enquiry or planning application, the applicant should:

- indicate how open space requirements are intended to be met;
- provide clear plans identifying all open space types to be provided within the development site and annotating measured areas of each of these;
- specify how open space will be integrated into the design of the development and connect to any wider green network and;
- identify open space links through the site and new improved connections with the wider environment.

3.2 Applications are considered on a case-by-case basis. In the circumstances where the development site is within a distance or of a nature determined to have potential impacts on the South Pennine Moors SSSI/SPA/SAC, a Habitats Regulations Assessment will be required in line with Habitat and Species Regulations and Local Plan policy LP30 (Biodiversity & Geodiversity).

Cornet Close, Lindley



3.2 Key principles

3.3 The council will encourage new housing developments to follow ten key principles set out below aimed at achieving open spaces which are well-designed, well-located, well maintained and available for all users to meet local needs.

1. Meeting local needs - providing for a range of different open space, sport and recreation facilities where required (six types) to meet the needs generated by the development.

2. Assessment of existing provision - the council will undertake a bespoke quantity, quality and accessibility assessment to determine whether existing open space provision in the local area is sufficient to meet the needs of the new development.

3. Kirklees open space standards - the council's open space standards which accompany Policy LP63 will be used to determine the nature and amount of new open space required.

4. Design - green open spaces should be high-quality, well-located, safe, well-designed and attractive. They should be easily accessible and be able to be enjoyed by all people regardless of visual and cognitive ability, mobility or age.

Spaces, large and small, should also provide access to challenging opportunities for play, physical activity, contact with nature and social development close to home and benefitting physical and mental health and well-being as well as encouraging intergenerational interaction and community cohesion and meeting inclusivity needs in line with the Kirklees Playable Spaces Strategy.

The suitability of the site, such as site conditions, constraints, topography, accessibility and viability, will be taken into account in determining open space provision. Furniture installed should be accessible to all accommodating wheelchairs and facilities for cycle parking and adapted cycles.

5. Multi-functional benefits - creating multi-functional green spaces with potential benefits and uses for amenity, wildlife, local climate change resilience, flood control, water management, outdoor activity, food growing and social benefits, such as community cohesion.

Spaces for natural and formal play and sport and activity should be designed to complement other local play spaces thereby supporting provision of a diverse range of accessible outdoor opportunities across the whole of the district.

Opportunities to maximise biodiversity net gain should be taken by retaining existing ecological features and incorporating new natural features that support the creation and enhancement of wildlife habitats, such as woodland and tree planting, wetlands, recreation, food production and enhancing ecological networks.

3 Approach to determining open space provision

6. Connectivity - providing improved connectivity to wider networks, such as the wildlife habitat network, cycling and walking network, green infrastructure networks, canals and waterways and water management systems. Play provisions should be designed to incorporate safe networks of footpaths giving access to play opportunities which are within the development and wider area. Additional design guidance is provided in Appendix 2.

Spring Place Park, Northorpe



7. Comprehensive provision and cumulative impact - developments that form part of a larger site, phased schemes or master planned sites should have regard to the total open space expected for the comprehensive development of the wider site. The cumulative effect of a number of developments may create the need for open space provision to serve the whole community. Whilst the calculations are based on the number of dwellings per development, developers should be mindful of the thresholds set out in this SPD (Table 2) for the wider site.

8. Location - new open space should be provided on-site where existing provision in the area is insufficient. Off-site provision will be acceptable where it is more appropriate to develop or enhance existing open space, sport or recreation facilities nearby within the local area.

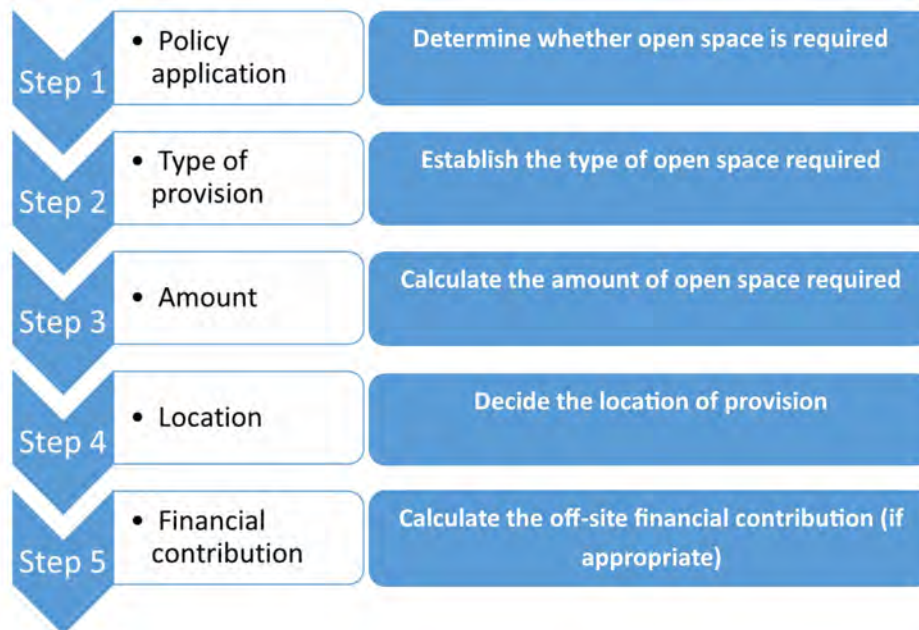
9. Financial contributions - the council may accept a financial contribution in lieu of on-site provision where it is more appropriate to deliver new or improved facilities off-site.

10. Maintenance and management - open spaces should be permanently maintained and managed appropriately for continued use and to enable them to fulfill their intended function, including adapting to communities changing needs over time. This should always be to the highest quality to maintain longevity and encourage their use in perpetuity.

3 Approach to determining open space provision

3.3 Step-by-step approach

3.4 The five-step approach set out below outlines the process which will be used to determine the nature and amount of open space the council will normally require as a result of new housing developments. Each key stage is explained in greater detail in this SPD and three worked examples for 25, 75 and 150 dwellings are provided in Appendices 3, 4 and 5.



Locally Equipped Area of Play, Skelmanthorpe



4 Step 1: Determine whether open space is required

4 Step 1: Determine whether open space is required

4.1 Developments which require open space

- 4.1** The council considers that developments of more than 10 dwellings are of sufficient scale to have an impact on existing open space, sport and recreation facilities and the development should provide new open space to meet the needs and demand likely to be generated by the new residents.
- 4.2** A development of this scale in Kirklees can usually accommodate a functional and usable open space, including an equipped/designated children's play space with safety zone, without compromising housing delivery. The threshold of more than 10 dwellings has been adapted from the recommended guideline of 5 dwellings set out in the Fields in Trust Guidance 'Beyond the Six Acre Standard'. This is to ensure an appropriate balance is achieved between housing density and the provision of usable open space within the development having regard to site constraints. This threshold is also consistent with the Affordable Housing SPD.

New Housing Developments

New housing developments which result in an **increase of more than 10 dwellings** will normally be expected to provide and/or contribute towards new or enhanced open space, sport and recreation facilities.

For developments of **10 or less dwellings** there is no requirement to provide new open space in accordance with this SPD. However, the council would encourage the provision of amenity space, with natural habitats, within the development to ensure a well-designed scheme for the benefit of new residents.

New Housing Developments

For developments that form part of a wider housing site, the policy requirement will be applied to the total site area to be developed or available for housing and proportionate open space provision will be sought. This includes:

- developments under eleven dwellings which are part of a larger housing site;
- sites to be developed incrementally, in phases or by separate developers; and
- developments that form part of a larger housing allocation, including those where a master planned approach is preferred.

Agreement should be sought between all interested developers regarding the location, timing and delivery of new open space provision appropriate for the wider housing site.

- 4.3** The residents of new housing developments will also generate additional demand for sporting provision. However, the existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies.
- 4.4** The Kirklees Playing Pitch Strategy (PPS) shows significant shortfalls for all pitch sports across the district with a marked deficiency in the number of 3G pitches and the playing pitch stock suffers from issues linked to poor quality and overuse. In view of public sector cuts and the potential additional impact on facilities as a result of increased demand, the council's priority is to address these issues through opportunities to improve the quality of existing playing pitches and ancillary facilities to increase capacity, invest in key football hubs and where appropriate the creation of new 3G artificial grass pitches rather than developing new single grass pitch sites.

4 Step 1: Determine whether open space is required

- 4.5 Housing developments of more than 10 dwellings will therefore be required to pay a financial contribution towards creating new or enhancing existing community sports facilities to improve quality.
- 4.6 Some types of development may not generate demand for outdoor sports facilities and will be exempt from providing new provision (see Table 1).

Playing Pitch at White Lee, Batley



4 Step 1: Determine whether open space is required

4.2 Housing type

4.7 The council will consider the needs arising from the proposed development to determine the appropriate open space required taking into account the nature and type of housing proposed. Different types of housing proposals will generate different open space needs. Certain types of development, such as sheltered and retirement housing, are unlikely to increase the demand for provision for children and young people or sports facilities and will, therefore, be exempt from requiring such facilities. In these cases, on-site amenity space would be preferable to achieve a well-designed scheme. Table 1 below shows the requirements and applies to residential new build and conversions, flats and houses (see Table 4 for dwelling thresholds).

Table 1 Housing development and open space required

Development	Parks & Recreation Grounds	Natural & Semi-natural Greenspace	Amenity Greenspace	Allotments (50 + dwellings)	Children & Young People	Outdoor Sports Facilities
Market Housing	Yes	Yes	Yes	Yes	Yes	Yes
Affordable Housing	Yes	Yes	Yes	Yes	Yes	Yes
Housing for Older People	Yes	Yes	Yes	Yes	No	No
Student Housing	Yes	Yes	Yes	No	No	No

Amenity Green Space Swallow Lane, Golcar



4.8 For sites where a master plan is to be prepared in accordance with Local Plan Policy LP5 (Masterplanning Sites) and housing sites intended to be developed in phases, incrementally or by separate developers, Policy LP63 will apply to the housing site as a whole and a holistic approach to new open space provision will need to be provided and approved.

4.9 In exceptional cases, the council will allow negotiation where clearly evidenced viability and/or practical considerations concerning the level of open space provision being sought as set out in this SPD are deemed to restrict delivery of the development. Robust viability assessments will need to be submitted to allow the council to determine whether a reduction in the scale and nature of the open space provision is appropriate.

5 Step 2: Establish the type of open space required

5.1 Open space types

- 5.1 In accordance with Local Plan policy LP63 and this SPD, the council will require developers to provide and/or contribute towards the range of open spaces listed below.

Open Space Type

Parks and recreation grounds

Managed and accessible, high public value opportunities for informal recreation and community events, including country parks, urban parks, local recreation grounds, formal gardens and pocket parks.

Natural and semi-natural greenspace

Sites that provide wildlife conservation, biodiversity and environmental education and awareness. This type of greenspace includes woodlands, local nature reserves, scrubland, grassland, heath or moor, wetlands, wastelands and bare rock habitats, as well as unmanaged and unused sites. In Kirklees, these also comprise tracts of natural and semi-greenspace used for agricultural and horse grazing purposes which may have limited public access but are important for their landscape, visual amenity or wildlife function.

Amenity greenspace

Open Space Type

Opportunities for informal activities close to home that can enhance the appearance of residential areas. Amenity greenspace includes informal recreational and playable spaces, green spaces in and around housing and village greens.

Allotments & community food growing: opportunities for people to grow their own produce, including allotments, community gardens, community orchards and growing areas such as fruit trees and vegetable patches.

Provision for children and young people (play spaces)

Designated areas designed primarily for play and social interaction involving young people, such as equipped play areas, ball courts, green gyms and other healthy active facilities, multi-use-games areas, skateboard parks, wheeled facilities and teen shelters. In line with Kirklees Playable Spaces Strategy, the aim is to provide a diverse range of quality outdoor spaces close to home with opportunities for creative, accessible and well-connected play to benefit children, families and the wider community. Provision should be accessible and well connected and may include informal play opportunities in addition to formal play facilities as follows:

- Local Area of Play (LAP) - small area close to homes that facilitates informal play and informal recreation, within a minimum activity zone of 1000 sq m and 5 metres minimum separation between activity zone and nearest property containing dwelling;
- Locally Equipped Area of Play (LEAP) - with through-age and inclusive play equipment along with natural features and materials, and informal recreation, within a minimum activity zone of 1000 sq m and 5 metres minimum separation between activity zone and nearest property containing dwelling;
- Neighbourhood Area of Play (NEAP) - large playable spaces with manufactured and natural play features and informal recreation area,

5 Step 2: Establish the type of open space required

Open Space Type

comprising 400 sq m minimum activity zone and 20 metres minimum separation between activity zone and the habitable room façade of dwellings;

- Multi-use games area (MUGA) with informal recreation, minimum activity zone of 1000 sq m comprising an area of play equipment and structures and a hard surfaced area of at least 465 sq m (the minimum needed to play five-a-side football) and 30 metres minimum separation zone between the activity zone and the boundary of the nearest property containing a dwelling.

Outdoor sports

Natural or artificial playing pitches for football, rugby, cricket, hockey and other sports, tennis courts, bowling greens and athletics tracks.

5.2 Kirklees open space standards

5.2 Open space required for new developments will be determined by applying the minimum open space standards which accompany Policy LP63 (set out in Table 2). These standards will be used to assess whether or not existing open space provision within the area is sufficient to meet the needs arising from the development. This assessment will inform the appropriate type and level of open space required.

5.3 The open space standards are derived from the Kirklees Open Space Study 2016 (KOSS) and include:

- **Quantity** standards which set out the amounts (per 1,000 population) for each type of open space and have been used to assess the level of provision (parks/recreations grounds, natural and semi-natural greenspace, allotments and amenity greenspace)

in the wards. Applying the standards to the existing provision and population in each ward identifies those areas deficient in provision and those areas where current provision exceeds the standards (see Appendix 1).

- **Quality** standards which relate to the overarching high-level assessment of the site undertaken in the KOSS and the councils Green Space Quality Assessment to determine public value.
- **Accessibility** standards (distances) which have been applied to existing open spaces as a catchment area. Deficiencies in accessibility to provision have been identified where an areas is not covered by a catchment area.

Table 2 District wide open space standards

Type of Open Space	Quantity Standard (minimum)		Quality Standard	Accessibility Standard
	Amount per 1,000 population (hectares)	Amount per dwelling (sq m) ⁽¹⁾	Site Assessment Rating	Within the following walk time/distance for residents
Parks & recreation grounds	0.8	19.44	High	15 minutes/ 720 metres
Natural & semi- natural greenspace	2.0	48.6	High	15 minutes/ 720 metres
Amenity greenspace	0.6	14.58	High	10 minutes/ 480 metres
Allotments	0.5 per 1,000 households	5	High	15 minutes/ 720 metres
Children's play areas	0.25	6.1	N/A	15 minutes/ 720 metres
Young people's provision	0.3	7.3	N/A	2km

1. Based on the average Kirklees household of 2.43 people

5 Step 2: Establish the type of open space required

5.3 Quantity, quality and accessibility assessment

5.4 Each application will be considered on its individual merits taking account of:

- future demands for open space arising from the development;
- current quantity deficiencies in the area (ward level);
- the quality of existing open spaces in the area (within the accessibility distances); and
- accessibility (distance) to existing open space provision.

5.5 The council will undertake a bespoke assessment of the quantity, quality and accessibility of existing open spaces in the area (at ward level and within the accessibility distance standards shown in Table 2) to determine the level and adequacy of current provision and existing deficiencies. The assessment will determine whether the proposed housing development will create a need for new open space.

Quantity

5.6 The council will use the latest quantitative evidence set out in the Kirklees Open Space Study (KOSS) and the Playing Pitch Strategy (PPS) to determine the existing level of open space, sport and recreation provision within the area. This will identify whether the existing provision is sufficient to meet the needs of the new residents of the development taking account of the increase in population and subsequent impact this may have on the existing and future level of local provision and facilities.

5.7 In relation to open space and recreation facilities, this impact will be calculated by estimating the population of the new housing development (using the Kirklees average household of 2.43 people) and adding this to the ward population. The existing provision for each open space type is then divided by the new estimated population figure and compared

against the benchmark standards (shown in Table 2). The assessment will use this information to determine the effect on the future level of provision and whether the increase in population will result in a new quantity deficiency.

5.8 New provision will normally be required if the existing amount of open space, sport or recreation facilities in the area is insufficient to cater for the needs generated by residents of the new housing development.

Whitley Willows, Lepton



5 Step 2: Establish the type of open space required

Quality

5.9 The quality assessment will consider whether the development would require the expansion of or improvements to the quality of existing open space, sport or recreation facilities nearby (within the accessibility distances). The council will use the most up-to-date evidence and information set out below to assess and determine the quality of the open spaces in the area and may seek improvements to existing provision where required.

Quality Evidence

- **The Kirklees Open Space Study (KOSS)** – open space assessments, undertaken as part of this study, provide a high-level analysis of the overarching physical, economic, social, environmental and visual qualities of existing open spaces to determine public value.
- **Green space quality assessment**– where available the council will also take into account the latest detailed quality assessments carried out by the Landscape and Green Spaces Teams for parks, recreation grounds and children’s play and, where appropriate natural and semi-natural greenspace and allotments. This will include considerations relating to condition, through-age provision and opportunities for enhancement.
- **The Kirklees Playing Pitch Strategy (PPS)** – this provides quality assessments of all playing pitches and the standard and range of ancillary facilities supporting them. It also recommends actions to improve pitch quality on poor quality sites.

5.10 The Landscape and Green Spaces Teams will be consulted to provide the latest up-to-date information on the quality condition and opportunities for potential improvements of nearby provision (parks, recreation grounds and play spaces). This will take into account any recent changes that may have occurred, such as routine improvements or the installation of new play equipment.

5.11 Where the quality of existing provision (within the walking distance standards) is identified as requiring improvement, off-site enhancements may be sought to improve the quality of provision. Where open space provision is to be provided off-site, the Council will seek to ensure it is in a location that is reasonably accessible from the development site and, wherever possible, avoiding the need to cross busy roads (this may not always be possible given topography, land availability or other factors).

Ainley Top Recreation Ground before improvements



Ainley Top Recreation Ground after improvements

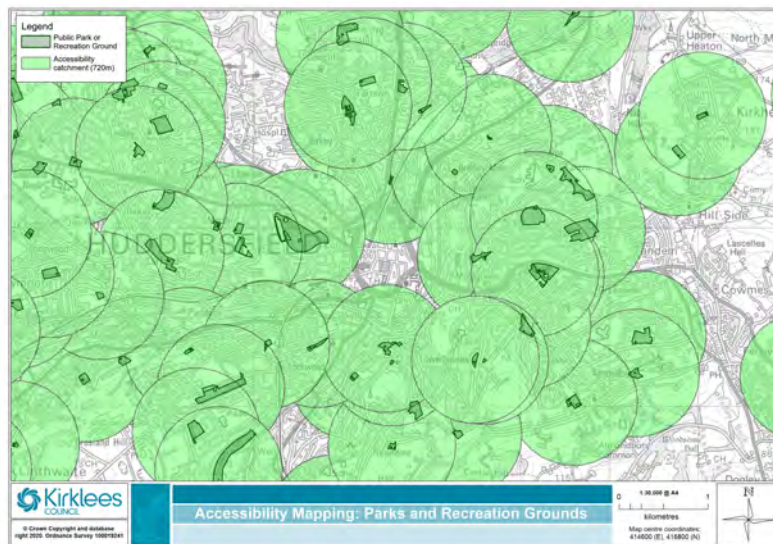


5 Step 2: Establish the type of open space required

Accessibility

5.12 The assessment will consider whether residents of the new housing development will be able to access existing open space (of all types) within the accessibility (distance) standards. The council has undertaken GIS catchment mapping of all open spaces using the accessibility standards to enable an assessment of the current level of accessibility to existing open spaces within the area. An example of catchment mapping showing the accessibility of parks and recreation grounds is shown below. Deficiencies in access will be identified where the development site is not within the specified walking distances for a particular type of open space.

Accessibility Mapping of Kirklees Parks and Recreation Grounds



5.13 New open space provision may be required within the development (on-site) or in close proximity to the site if residents of the housing development cannot access existing open space within the walking distance standards (set out in Table 2).

Allotments, Luck Lane



5 Step 2: Establish the type of open space required

Open space requirements

5.14 The deficiencies in existing provision identified in the quantity, quality and accessibility assessment will be used to inform the types and nature of open space required to accommodate the additional needs that the new development will generate.

5.15 All developments of eleven or more dwellings (subject to the exemptions in Table 1) will normally be expected to include:

- usable, accessible amenity greenspace which is available to the public based on the standard of 14.58 square metres per dwelling; and
- equipped play facilities or designated play space in accordance with the guidelines set out in Table 3.

Table 3 Kirklees Guidelines for Equipped/Designated Play Space

Number of Dwellings	Local Area of Play (LAP)	Locally Equipped Area of Play (LEAP)	Neighbourhood Equipped Area of Play (NEAP)	Multi-Use Games Area (MUGA)
1-10	No	No	No	No
11-50	Yes	No	No	No
51-200	No	Yes	No	No
201-500	Yes	Yes	No	Contribution ⁽¹⁾
501+	Yes	Yes	Yes	Yes

¹ Calculated based on the number of dwellings above 200 at £500 per dwelling as set in table 6.

Local Area of Play (LAP) Boothroyd Lane, Dewsbury



Example of a Locally Equipped Area of Play (LEAP) New Mill Recreation Ground



6 Step 3: Calculate the amount of open space required

- 6.1** The quantity, quality and accessibility assessment will be used to inform the amount of provision required for each different type of open space needed to serve the new housing development.
- 6.2** In areas where the existing quantity of open space or recreation facilities is insufficient, when compared against the quantity standards, the amount of new open space required will be calculated using the open space standards set out in Table 2. The quantity standards (amount per 1,000 population) have been translated into an equivalent amount per dwelling for each type of open space. The council would normally expect development to provide the stated amounts per dwelling in order to meet the requirements for each open space type.
- 6.3** Where this assessment demonstrates there is sufficient existing open space provision of a particular type within the area (in terms of quantity, quality and accessibility) new provision of this type may not be required. Although all developments will be expected to provide open space on-site for amenity purposes.
- 6.4** The amount of open space required for children and young people will be calculated using the amounts per dwelling figures set out in Table 2 plus the amenity greenspace on which it will be sited.

Little Green Lane, Brighton Mills



7 Step 4: Decide the location of provision

7 Step 4: Decide the location of provision

- 7.1** In determining whether open space should be provided on-site or off-site, the council will take into account the size of the required provision together with the availability and quality of existing provision nearby within the accessibility (distance) standards set out in Table 2.
- 7.2** Open space within the development will be expected to be provided to a high-quality being accessible to a wide variety of users, multi-purpose, well-designed with appropriate landscaping and well maintained in a safe and secure environment. Open spaces should provide value and benefits for wildlife and the local community, including opportunities to participate in physical and healthy activity, social interaction and create a sense of community. Amenity greenspace will be expected to be provided on-site for most developments to achieve an attractive and well-designed scheme that benefit future residents.
- 7.3** Table 4 below sets out the dwelling thresholds where applicants and the council will need to consider provision of open space on-site. For both planning applications and pre-application enquiries, the amount and type of open space proposed on-site should be indicated on the site plan. For developments below the thresholds a financial contribution in lieu of on-site provision may be the most appropriate method to deliver open space.
- 7.4** The council recognises that in some instances on-site provision may not be the most practical or viable solution. For example, where a site is too small to accommodate useful open space on-site and where opportunities exist to provide additional or improved facilities nearby. Where the council agrees it is not possible or appropriate to provide open space on-site, new provision off-site will be sought to expand or improve existing open space, sport or recreational facilities nearby, normally through a financial contribution. Advice will be provided to developers during the planning application process. In some

circumstances, a combination of on-site provision and a financial contribution towards off-site provision or enhancement will be appropriate.

Table 4 Dwelling thresholds for on-site and off-site provision

Type of Open Space	Thresholds for On-Site Provision	Reason for On-Site Threshold	Thresholds for Off-Site Contributions
Parks & recreation grounds	500 dwellings	Scale of development generates the requirement for a small park/recreation ground	11 dwellings
Natural & semi-natural greenspace	200 dwellings	Scale of development required to create 1 ha on-site, including 50% woodland planting	11 dwellings
Amenity greenspace	11 dwellings	For amenity purposes and to achieve a well-designed scheme	Preference is for on-site provision
Allotments & community growing	500 dwellings	Dwellings required to provide 12 plots on site	50 dwellings (generates one plot)
Children & young people	11 dwellings	Size able to accommodate a Local Area of Play	11 dwellings
Outdoor sports pitches	700 dwellings	Scale of development generates the requirement for two pitches	11 dwellings

8 Step 5: Calculate the off-site financial contribution (if appropriate)

8 Step 5: Calculate the off-site financial contribution (if appropriate)

Calculating financial contributions

8.1 Where the Council considers it appropriate a financial contribution to be paid in lieu of on-site provision, towards new or enhanced provision off-site within the vicinity of the development, will be considered where the need arises directly from the development. The council must ensure financial contributions are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the proposed development. Financial contributions may be necessary for some or all types of open space required by the new housing development to ensure:

- open space is provided in lieu of on-site provision to address deficiencies in the quantity and/or accessibility of open space, sport and recreation facilities to meet the needs of the new development; and
- improvements are made to the quality of existing open space, sport and recreation facilities to accommodate the needs of residents.

8.2 The off-site financial contribution in lieu of on-site provision will be based on the size of the development and calculated in accordance with the costs per dwelling set out in Table 5 and include the following:

- Costs that are at least equal value to that of on-site provision.
- A 15% administration charge which is based on existing practice and average costs used to inform the spending of financial contributions for the design, implementation and delivery of off-site open space provision, such as costs to undertake community consultation, professional fees for Landscape Architects,

procurement and site supervision during construction, including project management costs. This means the council is able to provide certainty at the beginning of the development process and advise applicants up front what the cost will be for the implementation of the off-site public open space improvements.

- A commuted sum to cover a 15-year maintenance period.

Table 5 Costs (per dwelling) to provide new or improved open space

Type of Open Space	Open Space Standards sq.m per dwelling	Trigger	Cost of provision per dwelling (including admin @ 15%) ⁽¹⁾
Parks & recreation grounds	19.44	11+ dwellings	£555
Natural & semi-natural greenspace	48.6	11+ dwellings	£475
Amenity greenspace	14.58	11+ dwellings	£400
Allotments & community food growing	5	50+ dwellings	£50
Children & young people	13.4	11+ dwellings	See Table 6
Outdoor sports facilities	N/A	11+ dwellings	£355

1. These figures will be reviewed periodically if the value of land and/or costs change.

8 Step 5: Calculate the off-site financial contribution (if appropriate)

Provision for children and young people

8.3 Financial contributions for provision for children and young people in lieu of on-site provision will be encouraged where there is an existing play area or teen facilities nearby, within the accessibility standard set out in Table 2, that require additional provision to increase capacity and/or quality enhancements. Calculations will be based on the cost of the new provision of a size and scale set out in Table 3 with an additional sum for maintenance and inspections for a 15-year period.

Table 6 Costs (per dwelling) of equipped/designated play space

Type of Play Area	Cost per Dwelling
Local Area for Play (LAP)	£455
Locally Equipped Area for Play (LEAP)	£500
Neighbourhood Equipped Area for Play (NEAP)	£800
Multi-Use Games Area (MUGA)	£500

8.4 As smaller dwellings are less likely to be occupied by families, the occupancy levels of the proposed dwellings will also be taken into account in calculating the off-site financial contribution for provision for children and young people. A discount will therefore be applied for flats and apartments (25% for two-bedroom flats and 50% for one-bedroom flats) and a discount may apply for specialist residential provision for single occupancy (up to 75%). Housing for older people and student housing do not trigger contributions for children and young people.

8.5 Where the developer makes acceptable and appropriate provision on-site (including adequate management and maintenance of the provision) which fully or partially meets the assessed requirements,

financial contributions will be reduced accordingly, e.g. where the proposed development only provides some of the open space types or part of the open space requirement on-site.

Multi-use Game Area, Rashcliffe Recreation Ground



8 Step 5: Calculate the off-site financial contribution (if appropriate)

Planning Obligations (Section 106 Agreements)

8.6 Planning obligations in the form of Section 106 Agreements will be used to secure the types of open space necessary to make the development acceptable in planning terms, including provision of children's play space. The terms of a planning obligation will depend on the development proposal but may include financial contributions, requirements, development, management and maintenance.

How financial contributions will be spent

8.7 Existing council studies and strategies will help inform the spending of financial contributions, including the Kirklees Open Space Study, Playing Pitch Strategy and the council's greenspace appraisals which identify deficiencies in existing and future provision.

8.8 Since some off-site projects funded through financial contributions are not always ready to commence at the time the relevant contribution is received, the council would expect to retain contributions for a period of 5 years from the date of payment. In some instances where payments are phased over a number of years, such as for large or phased developments, or where there is extensive community engagement for open space, the 5-year period may need to be extended. The council will ensure that:

- financial contributions in lieu of on-site provision will be spent within the vicinity of the development, usually within the accessibility walking time/distance standards set out in Table 2 of this SPD, or if this is not practical then primarily within the ward boundary based on the facilities mostly likely to meet the needs of the development.
- financial contributions to improve the quality of existing provision will normally be used to enhance the nearest open space, usually within the accessibility walking time/distance standards set out in Table 2 of this SPD, which is identified through the council's

existing studies, strategies or green space appraisal as requiring or having opportunities for improvement. If this is not practical, consideration will be given to existing facilities within the ward boundary which are mostly likely to meet the needs of the development.

- financial contributions towards new or enhanced playing pitch provision will be considered in relation to existing needs and future demand identified in the council's Playing Pitch Strategy and other up-to-date information relating to facilities planning.
- appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community and local councillors post planning permission when Section 106 planning obligations are implemented to help shape and inform specific open space improvements.

9 Management and maintenance

9 Management and maintenance

- 9.1** The developer is responsible for securing acceptable means for the future management and maintenance of open space on-site and need to provide the council with full details of these arrangements before a planning application is determined for the lifetime of the development.
- 9.2** Open spaces on-site can be managed and maintained by management companies where responsibility is also shared between residents. The council expects the on-going management and maintenance arrangements to be sufficient to ensure that areas of open space remain high-quality in a good and decent state. This is intended to avoid open spaces becoming neglected and deteriorate to an extent that their appearance, public enjoyment and functionality is affected.
- 9.3** It is anticipated that on-site open space will be transferred to a management company for maintenance, future management and inspections as covered in the planning obligation Section 106 Agreement. The developer needs to ensure the costs imposed on residents are reasonable and remain so for the lifetime of the development.
- 9.4** In some circumstances the council may adopt and maintain open space within new housing developments subject to the provision of a commuted sum to cover maintenance costs.
- 9.5** Financial contributions towards off-site provision or enhancement to existing facilities will include a 15-year maintenance period to ensure that the costs will not lead to an increasing maintenance burden for the council in the short to medium term.

Empire Way, Slaithwaite



Appendix 1: Existing open space provision

Appendix 1: Existing open space provision

Kirklees Open Space Study (2016) Quantity Standards			
Parks & Recreation Grounds	Natural & Semi-natural Greenspace	Allotments	Amenity Greenspace
0.8 ha per 1,000 population	2.0 ha per 1,000 population	0.5 ha per 1,000 households	0.3 ha per 1,000 households

Area	Ward	Parks & Recreation Grounds (ha per 1,000 population)	Natural & Semi-natural Greenspace (ha per 1,000 population)	Allotments (ha per 1,000 households)	Amenity Greenspace (ha per 1,000 population)
Batley & Spen	Batley East	0.29	0.40	0.13	0.36
	Batley West	0.81	1.70	0.10	0.26
	Birstal & Birkenshaw	3.23	0.60	0.22	0.79
	Cleckheaton	0.65	2.86	0.12	0.08
	Heckmondwike	0.54	0.67	0.39	0.43
	Liversedge & Gomersal	1.02	0.17	0.09	0.33
	Area Totals	1.06	1.05	0.17	0.37
Dewsbury & Mirfield	Dewsbury East	1.00	0.74	0.19	0.58
	Dewsbury South	0.90	0.58	0.67	0.23

	Dewsbury West	0.80	4.16	1.13	0.27
	Mirfield	0.45	0.37	0.37	0.33
	Area Totals	0.78	1.50	0.56	0.35
Huddersfield	Almondbury	0.65	2.12	0.68	0.18
	Ashbrow	0.45	6.49	0.57	0.34
	Crosland Moor & Netherton	1.16	0.48	0.79	0.22
	Dalton	0.98	5.47	0.35	0.28
	Greenhead	0.88	1.22	0.87	0.13
	Lindley	1.15	1.74	0.68	0.20
	Newsome	0.35	4.56	0.78	0.36
Area Totals	0.80	3.15	0.68	0.24	
Kirklees Rural	Colne Valley	0.31	1.42	0.52	0.24
	Denby Dale	0.50	7.23	0.31	0.51
	Golcar	0.34	0.80	0.10	0.15
	Holme Valley North	0.69	0.80	0.23	0.01
	Holme Valley South	0.72	1.51	0.16	0.05
	Kirkburton	0.50	0.95	0.52	0.41
	Area Totals	0.51	2.06	0.30	0.22

Appendix 2: Design guidance

Appendix 2: Design guidance

Careful consideration should be given to the location and design of green open spaces and recreation facilities in order to achieve good quality spaces with multi-functional benefits. Additional guidance is provided in this appendix in relation to the provision of well-designed open spaces required in new housing developments, including play spaces.

The council will encourage well-designed green spaces, recreation facilities and provision for children and young people that:

- are a fundamental and integral part of the housing layout located to encourage maximum use by the whole community;
- are well located with good natural surveillance to feel safe and secure;
- are easily accessible and enjoyed by people regardless of visual and cognitive ability, mobility or age;
- are welcoming and attractive and include the infrastructure necessary, such as paths and furniture;
- incorporate opportunities for multi-functional benefits by linking to wider ecological, walking and cycling and green infrastructure networks, and canals and waterways;
- support net biodiversity gain - including retention of existing natural features and the creation of new habitats, such as new tree planting, greening streets and natural areas;
- provide a wide range of activities for different recreational needs, enjoyment and social inclusion and interaction, such as community gardens and growing areas;
- provide play spaces to ensure children of all ages can benefit from a variety of different experiences - including using existing natural landscape features, such as trees, hedgerows and changes in levels to enhance natural play experiences;
- include equipped facilities that encourage health and well-being, e.g. trim trails, green gyms;

- contribute to water management where appropriate, such as sustainable drainage systems, swales, wetlands and ponds;
- promote green infrastructure management to tackle the threats from climate change and flooding, improve air and landscape quality and reduce flood risk.



Secured by Design aims to improve the security of buildings and their immediate surroundings to provide safe places to live. It supports the principles of 'designing out crime' through adopting crime prevention measures, which have been proven to reduce the opportunity for crime and the fear of crime as well as creating safer, more secure and sustainable environments. This includes guidance about addressing security and crime prevention needs through the layout of public open spaces. Further information can be found on the Secured by Design website.

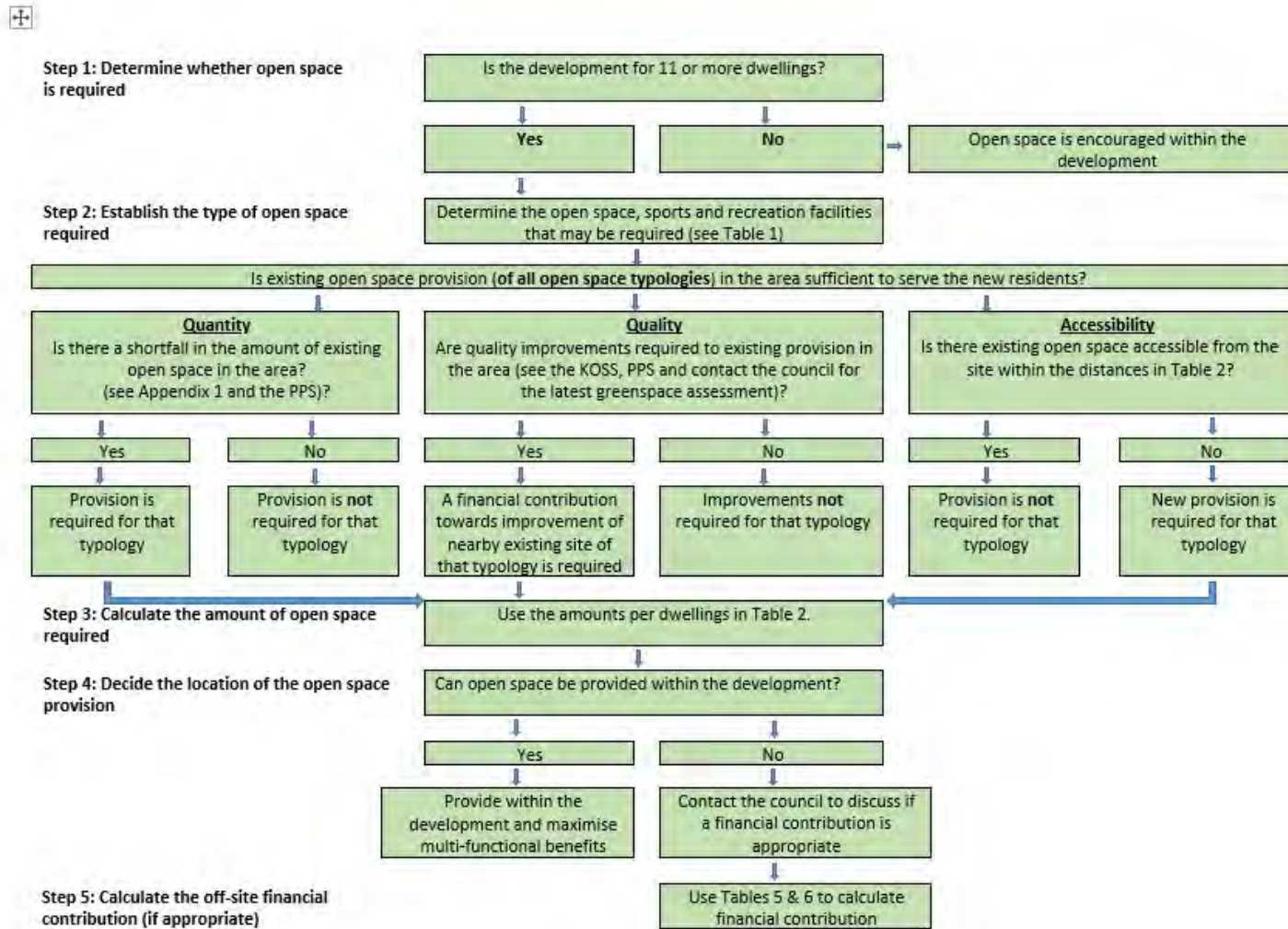
In order to minimise the risk of crime and maximise safety for the community, the council will encourage the design of public open spaces, play areas and amenity seating areas that:

- Allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go;
- Are carefully located to suit their intended purpose and form an integral part of the development to make a valuable contribution towards the quality of the development and the character of the neighbourhood;
- Do not immediately abut residential buildings;
- Ensure a lone dwelling will not be adversely affected by the location of amenity space;
- Avoid the positioning of amenity space and play space immediately to the rear of dwellings as this can increase the potential for crime and complaints arising from increased noise and nuisance;
- Ensure boundaries between public and private space are clearly defined and have features which prevent unauthorised vehicular access;
- Provide a safe clean play area fitted with appropriately specified equipment for the location (urban/rural) and for through age provision to cater for the widest range of participants. Defensible planting can be used as an effective alternative to fencing when used in the correct places and using the appropriate planted species, careful consideration for the location and number of access points for play facilities and playable spaces, with good natural surveillance and clear lines of sight;

- Consider the provision of informal association spaces for members of the community, particularly young people. These must be located in areas of good natural surveillance but sited so that local residents will not suffer from possible perceived nuisance from noise pollution. In addition, they should be sited in such a way that those using adjacent foot and cycle paths will not feel threatened;
- Include adequate mechanisms and resources to ensure satisfactory future management and maintenance.

Appendix 3: Flow chart process for determining open space

Appendix 3: Flow chart process for determining open space



Appendix 4: Worked example for 25 dwellings

An illustrative worked example for 25 market houses without any on-site open space and proposed within Colne Valley ward is set out below using the guidance and standards set out in this SPD. There is an existing recreation ground nearby and a well-used football pitch.

This example illustrates the five step approach used to determine the nature and amount of open space that the council would normally expect, including financial contributions in-lieu of on-site provision.

Step 1: Determine whether open space is required

As the development is for more than 11 dwellings Local Plan policy LP63 (New Open Space) is applicable and new and/or enhanced open space provision would normally be required.

Step 2: Determine the open space required

A development for 25 market houses would normally be expected to provide and/or contribute to provision for parks/recreation grounds; natural/semi-natural greenspace; amenity greenspace; children and young people and sports facilities (see Table 1). Provision would not be required in this instance for allotments/community growing.

Quantity – The KOSS 2016 shows existing deficiencies in the amount of parks and recreation grounds, natural and semi-natural greenspace and amenity greenspace in the Colne Valley ward when compared against the benchmark district quantity standards (see Appendix 1 and table below). The estimated population increase from this development is 61 residents (25 dwellings x 2.43 average Kirklees household) and whilst this would not

Step 2: Determine the open space required

materially affect the future standard of provision in the ward (see table below) the existing quantity deficiencies indicate additional provision in these types of open space is required.

Amount of open space within Colne Valley ward

Quantity Standard	Parks & Recreation Grounds (ha per 1,000 population)	Natural & Semi-natural Greenspace (ha per 1,000 population)	Amenity Greenspace (ha per 1,000 population)
Benchmark Standard (district)	0.8	2.0	0.3
Existing Standard	0.31	1.41	0.24
Future Standard	0.31	1.41	0.24

Quality – In this example, a nearby recreation ground (within the distance standard of a 15 minute walk) has been assessed as a high quality open space in the KOSS 2016. However, further information from a detailed green space quality appraisal undertaken by the Green Spaces Team shows the need for qualitative improvements to existing facilities and landscaping, including paths and seating. There is no requirement to enhance a nearby natural/semi-natural greenspace or amenity greenspace within the distance standard of a 10 minute walk.

Accessibility– The council's open space accessibility mapping shows that residents of the proposed development can access an existing recreation ground, natural and semi-natural greenspace and provision for children and young people within the required distance (15 minute walk) of the site. The accessibility standard for these types of open space is therefore met. The mapping, however, indicates there is no amenity greenspace within the required distance (a 10 minute walk).

Appendix 4: Worked example for 25 dwellings

Quantity, Quality & Accessibility Assessment for the example of 25 dwellings

Open Space Type	Quantity Standard (Colne Valley ward)	Quality Standard	Accessibility Standard	Standard amount (sq m) required per dwelling	Total amount (sq m) of open space required	Outcome
Parks and recreation grounds	Not met	Detailed information from the Green Spaces Team indicates quality improvements are required to a nearby recreation ground.	Met	19.44 sq m	486 sq m	Deficiencies indicate the need for usable recreation space. Explore opportunities to expand/improve existing provision or provide a financial contribution towards the enhancement of a nearby recreation ground.
Natural and semi-natural greenspace	Not met	Met	Met	48.6 sq m	1,215 sq m	Explore opportunities to retain/provide natural space on-site and achieve a biodiversity net gain, such as natural areas, tree planting and landscaping. New off-site provision can be provided within a 15 minute walk. A financial contribution towards the expansion of a nearby woodland may be appropriate.
Amenity greenspace	Not met	Not applicable - no existing provision within a 10 minute walk.	Not met	14.58 sq m	365 sq m	Provide amenity greenspace for new residents on-site. Consider how this can contribute to a biodiversity net gain.
Allotments	New allotment provision is not required as the development is below 50 dwellings.					
Children and young people	Not applicable - no quantity standard set to determine deficiencies	Existing facilities in the nearby recreation ground require additional equipment.	Met	6.1 sq m children's equipped play 7.3 sq m young people	335 sq m	Local Area of Play required (see table 3). Can be provided on-site or by a financial contribution towards the improvement of play facilities at the nearby recreation ground.
Outdoor Sports Facilities	The PPS identifies shortfalls in football, cricket and rugby league.	An existing football pitch in the area is poor quality and lacks capacity for additional match sessions.	Not applicable.	Not applicable.	Not applicable.	An off-site contribution would be required and could be used to improve the quality and playing capacity of an existing football pitch.

Appendix 4: Worked example for 25 dwellings

Step 3: Calculate the amount of open space required

The expected amount of new open space is calculated by multiplying the number of houses by the amount of open space required per dwelling (see table 2). In this example the amount of amenity greenspace required is:

$$25 \text{ dwellings} \times 14.58 \text{ sq metres per dwelling} = 365 \text{ sq m}$$

Step 4: Decide the Location of new provision

The most appropriate locations to provide new open space provision in this example are:

- **Parks and recreation grounds** - the closest existing facility within the walking distance standard of 15 minutes is a nearby recreation ground which has been identified as requiring quality improvements. A financial contribution is the most appropriate means of delivering this.
- **Natural/semi-natural greenspace** - consider the retention of existing on-site natural features, such as natural areas, trees, and provide new on-site provision, such as landscaping treatments, tree planting. Consider how this could help achieve a biodiversity net gain. Alternatively off-site provision could be considered.
- **Amenity greenspace** - provide on-site to meet the needs of the new residents.
- **Provision for children and young people** - there is an existing play area within the nearby recreation ground (within a 15 minute walk of the site) and it would be more appropriate to provide a financial contribution in lieu of on-site provision towards the expansion/improvement of this existing facility.
- **Outdoors sport facilities** - an off-site financial contribution is required to improve the quality of an existing football pitch in the area.

Whilst the preference is for new open space to be provided on site, the council has agreed that, in this example, it has not been possible on this development. Therefore, the developer will make a financial contribution towards expanding/improving existing open space and recreational facilities nearby.

Step 5: Calculate the off-site financial contribution

The financial contribution to be paid by the developer in lieu of on-site provision towards new or enhanced provision off-site for this example is shown in the table below. The contributions are based on the capital cost of providing each different type of open space multiplied by the number of proposed dwellings.

These calculations include an administration charge of 15% to cover costs, such as fees for planning, consultation and engagement, landscape architecture, procurement and site supervision during construction. The sum also includes for 15 years' maintenance for the lifetime of the facility. On-site public open space maintenance will most often be carried out through a maintenance company and the agreement will be achieved via a planning obligation in the form of a Section 106 Agreement with the council.

The following calculation determines the amount of financial contributions which may be required towards (a) improving the facilities at the nearby recreation ground and (b) the Local Area of Play, including management and maintenance.

Appendix 4: Worked example for 25 dwellings

Open space requirement	Contribution per dwelling (dwelling no. x cost per dwelling)	Total cost
Parks & recreation ground	25 x £555	£13,875
Natural & semi-natural greenspace	25 x £475	£11,875
Amenity greenspace	25 x £400	£10,000
Allotments	Not triggered	£0
Children & young people	25 x £455	£11,375
Outdoor sports facilities	25 x £355	£8,875
Total ⁽¹⁾		£56,000

1. A more detailed breakdown will be provided by the council

Appendix 5: Worked example of 75 dwellings

An illustrative worked example for 75 dwellings (market houses) with some public open space proposed within the site, including a Locally Equipped Area of Play, and located in Dalton ward is shown below using the guidance and standards set out in this SPD. This example illustrates the five step approach used to determine the required new open space provision and an indication of the expected amounts together with the financial contributions that may be acceptable in-lieu of on-site provision.

Step 1: Determine whether open space is required

As the development is for more than ten dwellings policy LP63 (New Open Space) is applicable and new and/or enhanced open space provision would normally be required.

Step 2: Determine what type/s of open space are required

A development for 75 market houses may be required to provide and/or contribute to provision for parks/recreation grounds; natural/semi-natural greenspace; amenity greenspace, allotments and for children and young people (see Table 1). Provision would not be required for outdoor sport facilities.

Quantity – The KOSS 2016 shows there are existing deficiencies in the amount of amenity greenspace and allotment provision in Dalton ward when compared against the benchmark district quantity standards (see Appendix 1 and below). The estimated population increase from this development is 182 residents (75 dwellings x 2.43 average Kirklees household) and and this whilst this would not affect the standard of provision

Step 2: Determine what type/s of open space are required

in the ward (see table below), the existing quantity deficiencies indicate additional provision in these types of open space is required. The provision of parks/recreation ground and natural/semi-natural greenspace in Dalton ward is above the benchmark standards and new provision for these types is not therefore required.

Amount of existing open space within Dalton ward

Quantity Standard	Parks & Recreation Grounds (ha per 1,000 population)	Natural & Semi-natural Greenspace (ha per 1,000 population)	Allotments (ha per 1,000 households)	Amenity Greenspace (ha per 1,000 population)
Benchmark standard (district)	0.8	2.0	0.5	0.3
Existing standard	0.98	5.47	0.35	0.28
Future standard	0.97	5.42	0.35	0.28

Quality - Nearby allotments have been identified in the Kirklees Open Space Study 2016 as requiring improvement.

Accessibility - The open space accessibility mapping shows there is no park, recreation ground or equipped facilities for children and young people nearby (within the accessibility distance standard of a 15 minute walk).

Appendix 5: Worked example of 75 dwellings

Quantity, Quality & Accessibility for the Example of 75 Dwellings

Open Space Type	Quantity Standard (Dalton ward)	Quality Standard	Accessibility Standard	Amount (sq m) required per dwelling	Total amount (sq m) of open space required per dwelling	Outcome
Parks and recreation grounds	Met	Not applicable - There is no existing provision within a 15 minute walk of the site.	Not met	19.44 sq m	1,458 sq m	Existing deficiencies indicate the need for useable recreation space. Explore opportunities to provide recreation space on-site within the development or off-site within a 15 minute walk.
Natural and semi-natural greenspace	Met	High value woodland nearby requires access improvements and signage	Met	48.6 sq m	Not required	Financial contribution required to improve nearby woodland.
Amenity greenspace	Not met	Met - The KOSS identifies a nearby site as a high value open space.	Met	14.58 sq m	1,094 sq m	Provide amenity greenspace on-site. Consider how this may contribute to biodiversity net gain.
Allotments	Not met	Not met - The KOSS identifies a nearby allotment site as medium quality.	Met	0.5 sq m	38 sqm	Explore opportunities to provide new allotments/community growing (on or off-site) and/or provide a financial contribution to enhance existing allotments nearby.
Children and young people	Not applicable - no quantity standard set to determine deficiencies	Not applicable - There are no existing facilities within a 15 minute walk of the site..	Not Met	6.1 sq m children's equipped play 7.3 sq m young people	1,005 sq m	A Locally Equipped Area of Play is required. This should could be provided on-site as there are no existing facilities within the area.
Outdoor sports facilities	The PPS identifies shortfalls in the provision of football, cricket and rugby to meet demand in the area.	Existing pitches in the area requirement improvements and some have no additional capacity for play.	Not applicable	Not applicable.	Not applicable.	A financial contribution would be required to improve existing pitches and help meet local demand.

Appendix 5: Worked example of 75 dwellings

Step 3: Calculate the amount of open space required

The expected amount of new open space is calculated by multiplying the number of houses by the amount of open space required per dwelling (see Table 2). In this example the amount of allotment provision required is:

$$75 \text{ dwellings} \times 5 \text{ sq m} = 38 \text{ sq m}$$

Step 4: Decide the location of new provision

The most appropriate locations to provide new open space provision in this example are:-

- **Parks & recreation grounds** - there is no existing provision nearby (within a minute walk of the site) and the council would therefore encourage useable recreation space to be provided on-site within the development.
- **Amenity greenspace** - provide on-site to meet the needs of the new residents and local community if possible.
- **Allotments** - can be provided on-site or a financial contribute to improve an existing allotment site nearby may be appropriate.
- **Provision for children and young people** – there is no existing play facilities nearby (within a 15 minute walk of the site) and the Locally Equipped Area of Play should therefore be provided on-site within the development.

Step 5: Calculate the off-site financial contribution

The financial contribution in lieu of on-site provision towards the improvement of an existing allotment nearby is shown in the table below. This includes an administration charge of 15% to cover costs and a fee for

Step 5: Calculate the off-site financial contribution

15 years' maintenance. Maintenance will most often be carried out through a maintenance company and the agreement will be achieved via a planning obligation in the form of a Section 106 Agreement with the Council.

Public open space to be provided on-site (sq m)	2500 sq m
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Open space requirements	Total open space required (sq m)	Total open space to be provided on-site (sq m)	Financial contribution in lieu of on-site provision
Parks & recreation grounds	1458	500	£23,799 (£27,369 with admin costs)
Natural & semi-natural greenspace	3645	0	£30,982 (£35,629 with admin costs)
Allotments	375	0	£3,259 (£3,748 with admin costs)
Amenity greenspace	1094	995	£2,348 (£2,700 with admin costs)
Children & young people	1005	1005	£0
Outdoor Sports Facilities	Not required on-site	0	(£26,625 with admin costs)
Total ⁽¹⁾	7,577	2500	£96,071 with admin costs

1. A more detailed breakdown will be provided by the council

Appendix 6: Worked example for 150 dwellings

Appendix 6: Worked example for 150 dwellings

An illustrative worked example for 150 dwellings proposed within Dewsbury South ward, including 25 one bed apartments and 25 two bed apartments and some on-site public open space, is shown below using the guidance and standards set out in this SPD. This example illustrates the 5 step approach used to determine the nature and amount of open space that the council would normally be expect, including reduced financial contributions for the proposed apartments.

Step 1: Determine whether policy LP63 applies to the proposed development

As the development is for more than 10 dwellings Local Plan policy LP63 (New Open Space) is applicable and new and/or enhanced open space provision would normally be required.

Step 2: Determine the open space required

Open space types - A development for 150 market dwellings would normally be expected to provide and/or contribute to provision for parks/recreation grounds; natural/semi-natural greenspace; amenity greenspace, allotments, children and young people and outdoor sports facilities (see table 1).

Quantity – The Kirklees Open Space Study 2016 shows there are existing deficiencies in the amount of natural and semi-natural greenspace and amenity greenspace in Dewsbury South ward when compared against the benchmark district quantity standards and the needs generated by the development would exacerbate these deficiencies (see table below).

Step 2: Determine the open space required

Provision of parks and recreation grounds and allotments in the ward is above the benchmark standards and there is sufficient quantity to meet current and future needs including those of the new residents (see table below).

Amount of existing open space within Dewsbury South ward

Quantity Standard	Parks & Recreation Grounds (ha per 1,000 population)	Natural & Semi-natural Greenspace (ha per 1,000 population)	Allotments (ha per 1,000 households)	Amenity Greenspace (ha per 1,000 population)
Benchmark Standard (district)	0.8	2.00	0.5	0.3
Existing Standard	0.9	0.58	0.67	0.23
Future Standard	0.88	0.57	0.65	0.23

Quality– In this example, a nearby park and play facilities have been identified by the Landscape/Park and Open Spaces team as requiring quality improvements.

Accessibility – The council's open space mapping shows that residents of the proposed development could access a nearby park, a village green and children's play facilities and the accessibility standards for these types of open space are therefore met. There are, however, no natural/semi-natural greenspaces or allotments nearby (within a 15 minute walk).

Appendix 6: Worked example for 150 dwellings

Quantity, Quality & Accessibility Assessment for the example of 150 dwellings

Open Space Type	Quantity Standard (Dewsbury South ward)	Quality Standard	Accessibility Standard	Amount (sq m) required per dwelling	Total amount (sq m) of open space required per dwelling	Outcome
Parks and recreation grounds	Met	Information from the Parks team indicates quality improvements are required to seating, paths and fencing in a nearby park.	Met	19.44 sq m	2916	A financial contribution may be required towards the enhancement of the nearby park which is within a 15 minute walk.
Natural and semi-natural greenspace	Not met	Not applicable. There is no existing provision within a 15 minute walk.	Not met	48.6 sq m	7290	Explore opportunities to retain/provide natural space on-site and achieve a biodiversity net gain, such as natural areas, tree planting and landscaping. New planting and off-site habitat creation can be provided within a 15 minute walk. A financial contribution towards new tree planting in the area may be appropriate.
Amenity greenspace	Not met	The Open Space Study identifies a nearby village green as high quality.	Met	14.58 sq m	2187	Provide amenity greenspace for new residents on-site. Consider how this can contribute to a biodiversity net gain.
Allotments	Met	Not applicable. There is no existing allotments within a 15 minute walk.	Not met	0.5 sq m	750	Explore opportunity to provide new allotments either on-site or off-site within a 15 minute walk. A financial contribution towards new allotment provision within the area (within a 15 minute walk) may be required.
Children and young people	Not applicable (no quantity standard set to determine deficiencies)	Local existing facilities require additional equipment.	Met	6.1 sq m children's equipped play 7.3 sq m young people	2010	A Locally Equipped Area of Play is required (see table 3). This can be provided on-site or through a financial contribution towards the enhancement of existing facilities nearby.
Outdoor sports facilities	The PPS identifies shortfalls in football, cricket and rugby to meet demand in the area.	Existing pitches in the area require improvement to help alleviate overplay and increase match play capacity.	Not applicable	Not applicable	Not applicable	A financial contribution is required towards new and improved pitch provision.

Appendix 6: Worked example for 150 dwellings

Step 3: Calculate the amount of open space required

The expected amount of new open space is calculated by multiplying the number of proposed dwellings by the amount of open space required per dwelling (see Table 2). In this example the amount of natural/semi-natural greenspace required is:

$$150 \text{ dwellings} \times 48.6 \text{ sq m} = 7290 \text{ sq m}$$

Step 4: Decide the location of new provision

The most appropriate locations to provide expected new open space provision in this example are:-

- **Parks & recreation grounds** - the closest existing facility within the walking distance standard of 15 minutes is a nearby park which has been identified as requiring quality improvements. A financial contribution is the most appropriate means of delivering this.
- **Natural/semi-natural greenspace** – consider the retention of existing on-site natural features, such as mature trees, and provide new on-site provision, such as a new natural area and additional tree planting. Consider how this could help achieve a biodiversity net gain. Alternatively off-site provision could be considered. e.g new tree planting nearby.
- **Amenity greenspace** – provide on-site to meet the needs of the new residents.
- **Provision for children and young people** – given the scale of development the Locally Equipped Area of Play could be provided within the development or it may be more appropriate to provide a financial contribution towards the expansion/ improvement of this existing local facility.

The Council has agreed that, in this example, a combination of on and off site provision is a likely outcome with some informal open space, an area of new tree planting and a small children's play space being provided on site. However, this is not sufficient to meet the requirements the council would normally expect and the developer will therefore make a financial contribution to improve the quality of a nearby park and provide new tree planting, enhanced allotment provision and improve existing equipped children's facilities, including the safety surface, off-site.

Step 5: Calculate the off-site financial contribution

The financial contribution to be paid by the developer in lieu of on-site provision towards new or enhanced provision off-site for this example is shown in the table below.

These calculations include an administration charge of 15% to cover costs, such as planning, landscape architecture, procurement, site supervision and construction, and a fee for 15 years maintenance. Maintenance will most often be carried out through a maintenance company and the agreement will be achieved via a planning obligation in the form of a Section 106 Agreement with the Council.

The following calculation determines the amount of financial contributions which may be required towards (a) improving the quality of a nearby park, (b) new tree planting in the area, (c) enhanced allotment provision and (d) improvement to existing play facilities.

Appendix 6: Worked example for 150 dwellings

Public open space area to be provided on-site (sq m)	12, 500 sq m
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Open space requirements	Total amount of open space required (sq m)	Amount of open space provided on-site (sq m)	Financial contributions in lieu of on-site open space
Parks & recreation grounds	2916	2500	£11,885 with admin costs
Natural & semi-natural greenspace	7290	6750	£5,278 with admin costs
Allotments	750	0	£7,495 with admin costs
Amenity greenspace	2187	2500	£0
Children & young people	1675	750	£37,670 with admin costs
Outdoor Sports Facilities	Not required on-site	0	£53,250
Total ⁽¹⁾	14,818	12500	£115,578 with admin costs

1. A more detailed breakdown will be provided by the council

APPENDIX 4 Biodiversity Net Gain Technical Advice Note

Draft June 2021



Kirklees Council

Biodiversity Net Gain in Kirklees

Technical advice note on Biodiversity Net Gain requirements for
developments within Kirklees

1. Introduction

1.1 Biodiversity and Development

1.1.1 The natural environment provides vital benefits for our health, society and economy, known as 'ecosystem services'. The strength of these beneficial services is determined by the quality of the natural world and the biodiversity of the ecosystems within it. Biodiversity is defined as the variety of plant and animals living within an area or habitat, with different habitats contributing different functions or services for our environment. However, the UK has suffered a considerable decline in biodiversity over recent years, in turn causing a reduction in ecosystem service provision.

1.1.2 In order to conserve our remaining biodiversity and reverse the recorded decline, the UK as a whole is moving towards enshrining a measurable Biodiversity Net Gain throughout the planning process. The Government intends to mandate a requirement for all new development to deliver Biodiversity Net Gains through the introduction of the new forthcoming Environment Bill (currently a draft bill). This will ensure important ecosystem services are maintained and improved, as future developments look to not only conserve valuable habitats and species but enhance biodiversity via demonstratable measurable net gains.

1.2 Purpose of the Technical Advice Note

1.2.1 The purpose of this technical advice note is to provide guidance on how Biodiversity Net Gain should be achieved by development within Kirklees in accordance with Local Plan policy LP30 (Biodiversity and Geodiversity) in the intervening time prior to the introduction of the Environment Bill. Policy LP30 of the Kirklees Local Plan requires development proposals to "provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation".

1.2.2 This Technical Note is split into two main sections:

- Section A: General Guidance for Developers
An explanation of how the Biodiversity Net Gain Process is integrated into the planning process including an overview of how to utilise the Biodiversity Metric 2.0, the situations it will be required and options to achieve a Biodiversity Net Gain post-development.
- Section B: Guidance for Ecologists
An explanation for the application of the metric within Kirklees including how strategic significance is to be scored, the level of information required and realistic goals for biodiversity enhancements.

1.2.3 The intention is that this guidance will be periodically reviewed in light of legislative and national policy drivers to ensure no conflict with future legislation and that this guidance remains consistent with policy.

1.3 National Planning Policy and Legislative Context

- 1.3.1 Paragraph 175 of the [National Planning Policy Framework 2019](#) (NPPF) requires development to secure measurable net gains for biodiversity (Ministry of Housing, Communities & Local Government, 2019a). Paragraph 22 of the National Planning Practice Guidance (NPPG) on the natural environment confirms the definition of Biodiversity Net Gain as an approach that *“delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development”* (Ministry of Housing, Communities & Local Government, 2019b). Paragraph 25 of the same guidance also identifies the use of a biodiversity metric as a pragmatic way to calculate changes in biodiversity value.
- 1.3.2 Following the Department for Environment, Food & Rural Affairs (Defra) Consultation Response, proposals to mandate most developments to demonstrate a 10% net gain for biodiversity were announced in July 2019 (Department for Environment, Food & Rural Affairs, 2019). The intention to use the (currently draft) Environment Bill to enact this change was included in the latest Queen’s speech (Prime Minister's Office, 2019). In order to measure Net Gain for Biodiversity through development, the use of a Biodiversity Metric (the latest version of the Biodiversity Metric) will be required. The Biodiversity Metric 2.0 is the successor to the metric published by Defra in 2012 and has been co-developed with the input of industry, environmental non-governmental organisations, planners and land managers and therefore is regularly updated and reviewed in line with relevant practice. Its use provides a national standard by which biodiversity gains and losses may be calculated.
- 1.3.3 Paragraphs 22 to 27 of the NPPG on the [Natural Environment](#) (Reference ID: 8-022-20190721 to 8-027-20190721) provide further information on Biodiversity Net Gain.
- 1.3.4 NPPG states that net gain is an approach to development that leaves the natural environment in a measurably better state than it was beforehand. It notes that using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved.

1.4 Local Policy

- 1.4.1 All development in Kirklees will be expected to avoid significant loss or harm to biodiversity through protection, mitigation and compensatory measures and seek opportunities to enhance biodiversity value and ecological links. As set out in Local Plan policy LP30, development proposals should provide biodiversity net gains through good design including specific habitat creation and biodiversity enhancements. As per LP30 development proposals will be required to (see Appendix 1 for an extract of the full policy from Kirklees Local Plan):
- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;
 - (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;
 - (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its

functional role within the network can be fully maintained or compensated for in the long term;

- (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and
- (v) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone

1.4.2 Regard will need to be given to the relevant Biodiversity Opportunity Zone in which the proposed development is located, and biodiversity enhancement measures will be sought which reflect the priority habitats and species identified for each zone. The purpose of the Biodiversity Opportunity Zones and associated tables of species is to guide developers in providing appropriate compensation and enhancements of maximum benefit for nature conservation. The Biodiversity Opportunity Zones within Kirklees map and associated tables can be viewed within the [Other Policies and Strategies section on the council's website under Biodiversity](#). The UK Habitats of Principal Importance relevant to Kirklees are included in Table 1 which identifies their associated Biodiversity Opportunity Zone. Habitats included within this table are considered of higher local ecological value and should be considered for retention, enhancement or creation within developments located in the associated Biodiversity Opportunity Zone.

Table 1 Habitats of Principal Importance within Kirklees and their respective Biodiversity Opportunity Zone.

UK Biodiversity Action Plan Habitat	Key geographical areas in Kirklees (biodiversity opportunity map category)					
	Uplands	Mid-Altitudinal Grasslands	Valley Slopes	Floodplain and Riverine Corridors	Pennine Foothills	Urban Areas
Arable Field Margins						
Blanket Bog						
Hedgerows						
Inland Rock Outcrop and Scree Habitats	Quarries in any area			Quarries in any area		
Lowland Dry Acid Grassland						
Hay Meadows						
Lowland Mixed Deciduous Woodland						

Open Mosaic Habitats on Previously Developed Land						
Ponds	Relevant to occurrence of protected species (white clawed crayfish, great crested newt, water vole, <i>L. natans</i>)					
Reedbeds						
Rivers						
Traditional Orchards						
Upland Flushes, Fens and Swamps						
Upland heathland						
Upland Mixed Ashwoods						
Upland Oakwoodland						
Wet Woodland						
Wood-Pasture and Parkland						
Local Biodiversity Action Plan Habitat						
Scrub						
Other semi-natural grassland						
Riverine						

1.4.3 In addition to Biodiversity Opportunity Zones, the NPPF requires local planning authorities to identify local ecological networks, which in Kirklees is undertaken through mapping of the Kirklees Wildlife Habitat Network. In order to safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network, the council will also seek to ensure that development proposals do not result in the fragmentation of the network and provide improved ecological links, particularly to the Kirklees Wildlife Habitat Network, where opportunities exist. Enhancement of ecological networks should be a priority within development schemes to repair and re-connect habitats, buffer sensitive sites and aid biodiversity resilience to development and climate change pressures.

Section A: Guidance for Developers

2. Biodiversity Net Gain Approach

2.1 The Biodiversity Metric 2.0

2.1.1 The Biodiversity Metric 2.0 is a means of calculating losses and gains resulting from a proposed development, or other land use changes. The metric is based on habitats and incorporates separate modules for habitats measured in area (such as woodland and grassland) and linear habitats measured in length (such as hedgerows and rivers). In addition to area or length, the metric uses a function of distinctiveness, condition, strategic significance and connectivity to calculate value. The metric is based on the UK Habitat Classification system however a conversion tool allows translation from Phase 1 JNCC habitats. The metric is accompanied by a user guide that describes in detail how each of the attributes is determined and can be accessed at the [Natural England Publications Website](#).

2.1.2 The outcome of these value calculations is expressed as ‘biodiversity units’ which, by measuring the number of baseline units on the site pre-development, can be used to determine the net loss or net gain in biodiversity units post-development. The change in biodiversity value is determined by subtracting the value before development from the value after development. A Biodiversity Net Gain will be achieved where a positive change occurs. If a positive change cannot be achieved within the application area, the net gain approach requires developers to secure off-site compensation. Habitat creation and enhancement also takes into account the difficulty, time and ‘spatial risk’ (i.e. the geographical risk associated with off-site compensation). A simplified guide to how the Biodiversity Metric 2.0 calculations are made is provided below, in **Figure 1**. For an in-depth explanation of the metric see the Biodiversity Metric 2.0 User Guide (Currently beta version).

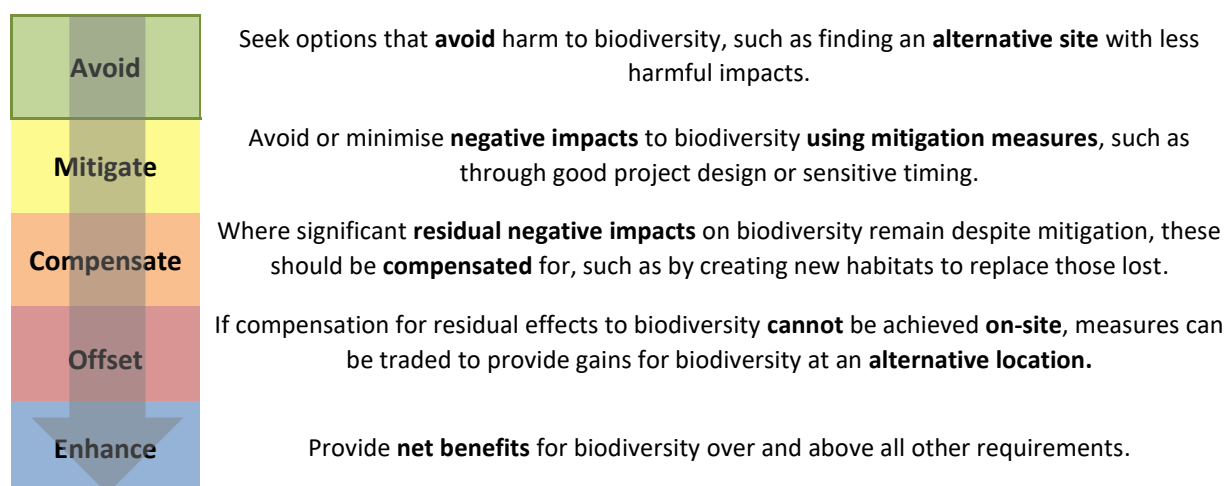
Figure 1. Example of calculations using the Biodiversity Metric 2.0

Size of habitat parcel	X	Habitat Distinctiveness	X	Habitat Condition	X	Strategic location	X	Connectivity	=	Baseline Biodiversity Units
Size of habitat parcel	X	Habitat Distinctiveness	X	Habitat Condition	X	Strategic location	X	Connectivity	X	
Difficulty	X	Time to target condition	X	Spatial risk	=	Future Biodiversity Units				
Future Biodiversity Units	-	Baseline Biodiversity Units	=	Biodiversity Net Gain (+) or loss (-)						

2.2 The Mitigation Hierarchy

2.2.1 The use of the Biodiversity Metric 2.0 does not remove the requirement to follow the mitigation hierarchy. The NPPF and policy LP30 both require development proposals to apply the ecological mitigation hierarchy in order to result in no significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for only as a last resort. The mitigation hierarchy is outlined below in **Figure 2**.

Figure 2. Applying the Mitigation Hierarchy



2.2.2 The mitigation hierarchy complements and works with the metric and a Biodiversity Net Gain will be easier to achieve following its application.

2.3 Exceptions

2.3.1 This Biodiversity Net Gain approach does not replace existing protection for habitats and species that exists within planning policy and legislation. This includes the legal protections afforded to species and sites, which are separate from the planning process, and the policy requirements that relate to priority habitats and species, irreplaceable habitats and protected sites, whether these be through direct or indirect impacts. If present within or near to a development, impacts to these features will continue to be considered in accordance with the policy requirements, and in line with the legal responsibilities of the Local Planning Authority.

2.3.2 Losses to irreplaceable habitats, including habitats within Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC) or Local Wildlife Site (LWS, Ancient Semi-natural woodland, Plantations on Ancient Woodland sites and other habitats considered to be of high distinctiveness (such as blanket bogs, upland hay meadows, etc.) cannot be accounted for within the metric and in all such cases the requirement for bespoke compensation will need to be discussed with all relevant bodies, including the Local Planning Authority.

3. Kirklees Approach

3.1 Objective

3.1.1 Within Kirklees, development inside the scope of this guidance will be expected to deliver a measurable biodiversity net gain. At this time, in the absence of legislation, a minimum of 10% net gain in biodiversity is required. A net gain of 10% is the proportion of increase proposed by central government, following the introduction of the Environment Bill (Likely to be late 2020). The change in biodiversity value will be calculated and demonstrated using the Biodiversity Metric 2.0 and must apply to both baseline habitat and linear feature units on the site.

3.2 Scope

3.2.1 The following approach to demonstrating a biodiversity net gain will be applied to all 'major development' as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015.

3.2.2 Major development (includes minor majors) within Kirklees can be defined as the following:

- Residential developments of 10+ dwellings or over 0.5ha in size;
- Office/light industry of +1,000 sqm or over 1ha in size;
- Retail of +1,000 sqm or over 1ha in size;
- All other small-scale major or major developments.

3.2.3 Minor developments are still subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity, however under current guidance this will not normally need to be quantified via the use of the Biodiversity Metric 2.0. Further clarifications for biodiversity net gains by minor developments are provided within Chapter 4.3.

3.3 Guidance

3.3.1 The application of the mitigation hierarchy and the integration of Biodiversity Net Gain will require consideration from an early stage of the development. Ideally an ecological consultant should be engaged at the earliest opportunity, prior to the design phase of the development, this will ensure sites selected are suitable for development and that a net gain on the site is feasible.

3.3.2 In order to demonstrate a Biodiversity net Gain, planning applications within the scope of this guidance will need to be supported by appropriate information. The current validation checklist at the time of writing requires all major applications to be supported by an Ecological Impact Assessment (EclA) produced in accordance with national good practice guidance (CIEEM, 2018). In addition to drawings showing the existing habitats and those to be created, the EclA should include an accurate summary of the Biodiversity Net Gain calculation to demonstrate how the policy requirements are met. However, in all cases, the calculation spreadsheet and any GIS files of habitat maps should also be supplied to enable the Local Planning Authority to verify the calculations. Survey data used to populate the metric will need to be up-to-date, with time

limits to be in accordance with relevant guidance (CIEEM, 2019). For further detail of the level of information required to support applications see the Biodiversity Validation Guidelines.

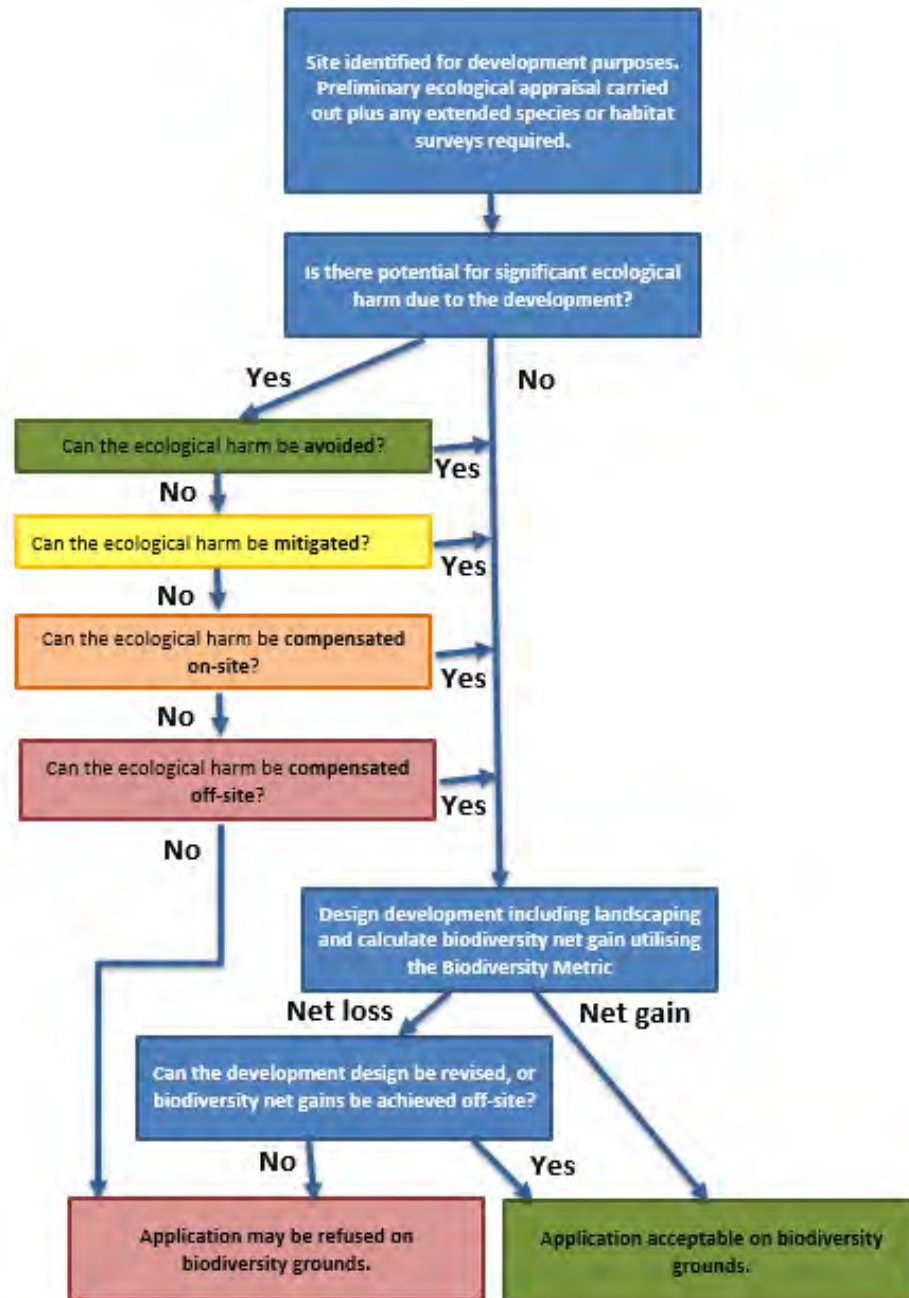
3.3.3 The following stages to be followed by major developments in the application process are outlined below, in **Table 2**.

Table 2: Stages of submitting major development applications within Kirklees

Stage 1:	Site Baseline Pre-development
	<ol style="list-style-type: none">1. Assess the selected site for the level of potential ecological harm (desk-based feasibility surveys may be used to establish this see Section B of this document for guidance on Biodiversity Net Gain within Kirklees for Ecological Consultants).2. Undertake ecological surveys starting with a Preliminary Ecological Appraisal (PEA) using UKHab to classify habitats, followed by any required extended surveys for habitats and protected species.3. Establish the site's baseline biodiversity value utilising the Biodiversity Metric 2.0
Stage 2:	Development design
	<ol style="list-style-type: none">4. Use the information collected during baseline surveys to design the site layout, applying the mitigation hierarchy (avoid, mitigate, compensate)5. Use the Biodiversity Metric 2.0 to explore a variety of options considering how these impact upon biodiversity on the site.6. Design the development, including a landscaping plan, based on the opportunities for habitat retention, enhancement and creation.
Stage 3:	Masterplan and Ecological Impact Assessment
	<ol style="list-style-type: none">7. Produce a master plan and calculate final results of the Biodiversity Net gain metric (see Appendix 2 for a worked example).8. Undertake Ecological Impact Assessment (EiA) based on results of previous surveys and include an accurate summary of the biodiversity net gain calculation to demonstrate how the policy requirements are met.9. If sufficient measurable Biodiversity Net Gain cannot be achieved on-site, provide evidence and determine best option to achieve Biodiversity Net Gain off-site (See Paragraph 3.4.5).
Stage 4:	Submit for validation
	<ol style="list-style-type: none">10. Submit application along with all ecological survey data, ecological impact assessment and stand-alone Biodiversity Metric 2.0 calculation excel spreadsheet and GIS layer of habitat maps to LPA.11. Planning application will be determined with conditions based on submitted evidence of net gain (see Figure 3. for determination process by Local Planning Authority).
Stage 5:	Discharge of Conditions and Post-Development Monitoring
	<ol style="list-style-type: none">12. Formulate Construction Environmental Management Plan (CEMP) and Landscape & Ecology Management Plan (LEMP) in accordance with conditions.13. Monitor on-site and off-site biodiversity net gain features to ensure habitats are managed effectively and achieve target condition for a minimum 30-year period from the date they are created, or development works completed. Monitoring reports will need to be submitted to the organisation responsible for the Local Biodiversity Recovery Strategy and any changes in management required to meet the agreed biodiversity unit value agreed in writing.

3.3.4 The process followed by the Local Planning Authority to determine applications based on submitted ecological evidence is illustrated below in **Figure 3**.

Figure 3: Validation process when determining applications relating to biodiversity matters



3.4 Offsetting Biodiversity Net Gain

3.4.1 A Biodiversity Net Gain achieved within the development site is the preferred option within Kirklees. The method of achieving a biodiversity net gain should be integrated early into the design process and the mitigation hierarchy followed to assist in this.

- 3.4.2 In exceptional circumstances, where it can be demonstrated that on-site compensation methods have been exhausted, it will be necessary to secure Biodiversity Net Gain off-site. In these circumstances, applicants will need to demonstrate that sufficient offsite habitat creation or enhancement has been secured to achieve a minimum 10% Biodiversity Net Gain. Details of off-site compensation must also be demonstrated in a measurable way, following the same methodology as for onsite creation and enhancement.
- 3.4.3 Off-site compensation will need to be secured through an appropriate legal agreement for a minimum period of 30 years, or for the lifetime of the development.
- 3.4.4 Off-site compensation schemes that involve land allocated for development within the Kirklees Local Plan, including safeguarded land, or within protected sites will not be considered appropriate compensation for development impacts occurring within the district.
- 3.4.5 Off-site compensation can be secured through one, or a combination of, the following.
- Management of land within the control of the developer;
 - Purchase of the required compensation value from a Habitat Bank;
 - Payment of a commuted sum to the Local Planning Authority; or
 - A combination of all or some of the above.
- 3.4.6 Applicants are encouraged firstly to source and bring forward appropriate sites on which their biodiversity offsetting can occur. These should be reasonably close to the development site and have the potential to establish or enhance in-kind habitats to those due to be lost. If the applicant is unable to secure a site where adequate biodiversity offsetting can occur then a financial payment to Kirklees Council, for use to enhance biodiversity on council managed land, will be required.
- 3.4.7 Payment of a commuted sum is likely to be the costliest option as, in order to demonstrate a Biodiversity Net Gain, Kirklees Council will charge a precautionary cost that enables suitable land to be identified, secured and managed in perpetuity.
- 3.4.8 The final sum will also include a 15% admin fee on top of the calculated financial contribution to cover the cost of habitat survey, calculation using the metric, monitoring and reporting, whether this is undertaken by council staff or an external consultant.

3.5 Ongoing Management, Maintenance and Monitoring

- 3.5.1 Habitat creation and enhancement measures that are included in the metric calculation as compensation, whether on-site or off-site, will need to be secured for a period of at least 30 years. This is in line with central government's proposals for a mandatory net gain approach and is to ensure that the compensation is provided for a sufficiently long-term period to permit habitats to mature and contribute to the maintenance of biodiversity. Therefore, any proposed habitat creation or enhancement which is predicted by the metric to take longer than 30 years to reach the target condition will not usually be accepted for Biodiversity Net Gain purposes.
- 3.5.2 The metric calculation, whether undertaken for on-site or off-site areas, will specify a habitat type and target condition for each habitat 'parcel'. In order to ensure these targets are met,

and that a genuine net gain is achieved, periodic monitoring and reporting will be necessary. This reporting will be secured through a section 106 Agreement for on-site and off-site areas.

- 3.5.3 Reporting will be undertaken every 5 years up to and including year 30 and will include a survey of the relevant areas using the UK Hab classification, together with an assessment of the condition of all habitat parcels entered into the metric calculation for the post development site. Condition will be defined with reference to the technical guidance supporting the Biodiversity Metric 2.0. The monitoring of sites should utilise the same version of the metric as accompanied the planning application
- 3.5.4 Reports will be submitted to Kirklees planning department at specified intervals and, remedial measures will be required where reports show that required targets are not being met else appropriate enforcement action may be taken. Revisions may be required to original management accompanying the planning application in this instance and this should be accompanied by adequate evidence and justification for the proposed changes.

4. Other Clarifications

4.1 Outline and Reserved Matters

- 4.1.1 Outline applications, where layout is not to be decided, will need to be supported by a full description of the ecological baseline of the site, which will include a calculation of the pre-development biodiversity value using the Biodiversity Metric 2.0. Outline applications where layout is to be decided, will need to be supported by a full calculation using the metric, assuming a worst-case scenario, unless the landscaping details are also to be decided.
- 4.1.2 Please note that any reserved matters applications pertaining to outline applications which were approved prior to 1st January 2020 will not be subject to evaluation utilising the Biodiversity Metric 2.0. However, these applications must still demonstrate a biodiversity net gain in accordance with the NPPF and Kirklees Local Plan Policy LP30.

4.2 Baseline Values

- 4.2.1 It is hoped that developers and landowners will engage positively with the biodiversity net gain approach, and Kirklees Council anticipates that this will be the case in the vast majority of cases. However, it is recognised that there are instances where activities undertaken within a proposed development site, such as tree felling or soil stripping, could artificially reduce the baseline biodiversity value of the site. Using an artificially low baseline could otherwise result in calculations indicating a false net gain.
- 4.2.2 To reverse any incentive to deliberately damage habitats and counteract any additional negative effects where damage has occurred, any damaging actions will be disregarded unless it can be satisfactorily demonstrated that this was necessary in connection with a legitimate prior land use.
- 4.2.3 The baseline for calculating Biodiversity Net Gain will normally be the date at which planning permission is applied for. However, in cases of apparent deliberate damage the available evidence will be used to predict the habitat types previously present as of 1st January 2020. In

such cases the condition of the affected habitats will be assumed to be 'good'. All other attribute values will be determined as per the Biodiversity Metric 2.0 guidelines.

4.3 Minor Planning Applications

- 4.3.1 In the absence of legislation, applications defined as minor development will not normally be required to demonstrate a biodiversity net gain with the use of the Biodiversity Metric 2.0. Exceptions to this may include applications located in sensitive locations, such as entirely within the Kirklees Wildlife Habitat Network. This guidance is subject to change following the release of a simplified Biodiversity Metric currently under production by Natural England and DEFRA (expected December 2020) and will be updated accordingly.
- 4.3.2 As with all major developments, minor developments will still be expected to provide adequate ecological information, apply the mitigation hierarchy and demonstrate a Biodiversity Net Gain in accordance with the NPPF and Kirklees Local Plan Policy LP30.

Section B: Guidance for Ecological Consultants

5. Introduction

5.1 The Biodiversity Metric within Kirklees

5.1.1 The application and utilisation of the Biodiversity Metric 2.0, including methods to determine habitat distinctiveness, condition and connectivity scores, should follow the associated guidance (The Biodiversity Metric 2.0 – User Guide & The Biodiversity Metric 2.0 – Technical Supplement). Although the guidance accompanying the metric and the methods above are consistent throughout different local authority areas, Section B of this guidance is intended to consolidate expectations in terms of the level and extent of information required for planning applications within Kirklees.

5.1.2 The Kirklees local development documents, including the Local Plan, have not been developed with the specific aim of facilitating the biodiversity net gain approach described in this guidance. The net gain approach has been given greater emphasis in national planning policy subsequent to publication of the Kirklees Local Plan. For development within Kirklees, and in the absence of clear guidance elsewhere, the following definitions should be used to determine the strategic significance scores used in the metric calculation.

- High strategic significance
Any habitat parcel within a statutory designated wildlife site, a Local Wildlife Site or the Kirklees Wildlife Habitat Network. Any Habitat of Principal Importance within Kirklees located within the associated Biodiversity Opportunity Zone (As seen within Table 1).
- Medium strategic significance
Any habitat parcel not designated as above but directly adjoining such a habitat.
- Low Strategic Significance
Habitat parcels not within or adjacent to a statutory designated wildlife site, a Local Wildlife Site or the Kirklees Wildlife Habitat Network.

5.2 Relevant Guidance

5.2.1 The following guidance is of relevance in delivering Biodiversity Net Gain through development and should be utilised when applying the principals of biodiversity net gain to development proposals:

- [Biodiversity Metric 2.0, and associated guidance](#) (Natural England, 2019).
- [Biodiversity net gain: Good practice principles for development](#) (CIEEM, et al., 2016).
- [Biodiversity Net Gain: Good practice principles for development](#) – A practical guide (CIEEM, et al., 2019a).
- [Biodiversity Net Gain: Good practice principles for development – Case studies](#) (CIEEM, et al., 2019b).
- BS 42020:2013 Biodiversity. Code of practice for planning and development (BSI, 2013).

6. Level of Information Required

6.1 Desk Based Study

6.1.1 Prior to undertaking a full ecological assessment, evidence may be collected to assess the feasibility of achieving Biodiversity Net Gain on the project. This stage is particularly valuable for large scale developments or developments located in ecologically sensitive areas, when considerations for biodiversity will require inclusion within the Design and Access Statement at a pre-planning stage. This high-level assessment involves carrying out a desk-based study utilising reliable resources including but not limited to:

- Existing habitat or species survey data
For example: designated site data, previous consultancy reports for the site or neighbouring areas, data from the Local Environmental Records Centre and records from the local wildlife protection groups;
- The UK government's MAGIC website;
- Aerial imagery or street view data;
- OS maps or other topographical mapping services.

6.1.2 The above resources will allow information to be gathered as far as possible, prior to detailed ecological surveys, and enable the risks and opportunities of achieving a Biodiversity Net Gain to be assessed. Establishing high-level constraints at this stage will reduce the risk a project will become unfeasible at a later stage due to biodiversity and demonstrate that the mitigation hierarchy has been applied from the start.

6.1.3 Utilisation of desk-based feasibility studies will also illustrate where habitat degradation has occurred prior to development (See Chapter 4.2) and will establish the true biodiversity value of the site to be inputted into the metric.

6.1.4 Access and usage of all ecological data sources should follow Guidelines for Accessing and Using Biodiversity Data in the UK (CIEEM, 2020).

6.2 Ecological Assessment Reporting

6.2.1 It is currently expected that the majority of applications will be supported by an Ecological Impact Assessment (EclA) as outlined within the current validation check list. The standardised content and format of an EclA is defined in guidance by CIEEM (2018), and if followed will provide sufficient information to enable planning officers to understand if the proposals are in line with biodiversity policies. Exceptions to this are on sites determined to have very low ecological value during the Preliminary Ecological Appraisal (PEA) and where it can be determined that the proposals would have no significant ecological effects, no mitigation is required, and no further surveys are necessary. In this case a Preliminary Ecological Appraisal Report (PEAR) is likely to provide sufficient information to enable planning officers to assess the proposals against the biodiversity policy (CIEEM, 2017a). In all other cases, particularly when referring to major applications, submission of a PEAR in support of an application is likely to be insufficient.

- 6.2.2 As direct effects on protected species and indirect effects on habitats and species are not considered within the Biodiversity Metric, full assessment of the potential impacts of the proposed development will still need to be addressed as part of the EclA. Bespoke compensation or mitigation required for impacts to designated sites and irreplaceable habitats must be determined prior to application of the metric, which is considered to be additional.
- 6.2.3 Final Biodiversity Metric 2.0 calculations are to be included within the EclA report. Evidence should be clearly presented to demonstrate how each of the habitats on-site have been assessed utilising the metric, including justification for assessments of condition, connectivity and strategic significance. This will require each habitat 'parcel' on the site as assessed by the metric to be clearly labelled on scaled maps of the site both pre and post development to allow identification of the distribution of habitat units. In all cases survey data used to populate the metric will need to be in accordance with time limits set out in relevant guidance (CIEEM, 2019).
- 6.2.4 Habitat type identification during ecological surveys should be completed through the use of UK Habitat Classification System to allow direct input into the metric. This removes the need to translate habitats from alternative habitat recording systems such as Phase 1 JNCC, which may not be directly comparable, and ensures data is directly comparable on a national scale.
- 6.2.5 To facilitate future on-going monitoring and strategic biodiversity enhancement plans, all data used to populate the metric should be lodged with the Local Ecological Records Centre and made freely available.

7. Habitat Creation and Enhancement

7.1 Realistic Goals and New Habitat Creation

- 7.1.1 As set out by Rule 3 of the Biodiversity Metric 2.0 User Guide, habitats lost from the development site must not be traded down when replacement habitats are proposed post-development. For example, an area of neutral grassland with moderate distinctiveness should not be traded down for modified or amenity grassland with low distinctiveness. In addition, where trading up, sound justification and evidence that significant changes upwards (i.e. increases of over one category) can be achieved will be required and will require discussion with Local Planning Authority prior to agreement.
- 7.1.2 As highlighted by Principal 5 of the Biodiversity Metric 2.0 User Guide "*The metric design aims to encourage enhancement, not transformation of the natural world*". Therefore, where new habitats are to be created to compensate for a loss of habitat these should be 'in-kind'. For example, a loss of plantation woodland could be replaced with semi-natural broadleaved woodland but not with a new wildflower meadow. The exception to this is where the accelerated succession is to be used to facilitate natural regeneration of grassland to woodland or where sound justification for an 'out of kind' habitat is provided.
- 7.1.3 New proposed habitats and target conditions of habitats post development must be realistic and achievable, for example it is unlikely that an upland hay meadow of good condition could be established at the edges of a proposed sports field in a suburban location however, with a good management regime, it may be feasible to create a neutral grassland wildflower meadow of moderate condition in the same location. Significant increases in condition of retained habitats via ecological enhancement and management regimes (i.e., increases of over one

category) will also need to be justified with evidence based on the habitat condition assessments provided alongside the Biodiversity Metric 2.0 and will also require discussion with the Local Planning Authority prior to agreement.

7.1.4 In addition to a 10% biodiversity net gain overall on the site (in both habitat units and linear features, depending on the ecological baseline of the site), a 10% gain should be achieved in each broad habitat type identified on the site with a distinctiveness of medium or above.

7.1.5 Where temporary habitat losses are set to occur as a result of the proposals, these must be classed as permanent and any reinstated habitats recorded as newly created within the metric. This is to account for the time taken for habitats to re-establish following damage and the risk of failure.

7.2 Woodland Cover

7.2.1 When facilitating biodiversity net gain on a development site via biodiversity units, the final scheme should also achieve no losses in the extent of woodland cover. Where areas of woodland are to be lost due to development, in the first instance the creation of new woodland of the same size (whether on- or off-site) is the priority. Where new woodland creation is unfeasible on-site, net gains may then be achieved by enhancing existing or retained areas of woodland.

7.3 Garden Curtilages

7.3.1 Retained habitats or habitats created to contribute to biodiversity net gains should not be included within the curtilage of residential gardens. Although it is encouraged that new private gardens be designed to be “wildlife friendly”, due to the uncertainty of future management it is not acceptable for any habitats included within a residential garden to be classified as anything other than “Urban – Amenity Grassland” or “Urban- Vegetated Garden”. If any habitat enhancements within domestic curtilages are to be included, these will require methods to ensure long term monitoring and management which is legally enforceable by the planning authority.

7.4 Linear Habitat Features

7.4.1 As per Rule 4 the Biodiversity Metric 2.0 guidance, linear habitats, including hedgerows and rivers, are to be calculated differently to area habitats and these values cannot be summed together or exchanged in order to achieve a Biodiversity Net Gain on the site. Similarly, the metrics used to calculate hedgerow or river units also need to be accounted for individually. In addition, a 10% net gain must be achieved in each individual habitat type contributing to the baseline value of the site.

7.5 Ecological Function

7.5.1 The Biodiversity Metric 2.0 only considers the biodiversity unit value of habitats and does not assess the functional role these habitats play on the site and in the context of the local landscape. Therefore, it will be expected that the ecological functions of habitats on-site be assessed pre-development and maintained post-development. A loss in a critical ecological function of a site is unlikely to be acceptable even when a 10% Biodiversity Net Gain has been

demonstrated through the metric. The following sets an example of how a functional role may be presented by a habitat on a site:

7.5.2 *“A residential development is proposed on the site of an old factory in a suburban neighbourhood. The factory buildings were demolished circa 10 years ago, and the site has since been colonised by immature saplings and dense bramble scrub. The site is constrained by residential developments to the east, west and north. To the south boundary of the site, is the edge of a semi-natural woodland and to the north a significant corridor of mature trees connects to the site between the residential dwellings. Initially a net gain utilising the Biodiversity Metric 2.0 is proposed by replanting an area of trees to the south of the site with a buffer zone of native mixed scrub. However, the habitats on-site currently function as a stepping stone for the local bat population to cross from the corridor of trees to the north to forage in the woodland to the south. Therefore, although a numerical Biodiversity Net Gain may be achieved by replanting trees and scrub towards the south boundary, the ecological function of the site as a stepping stone for bats is diminished and the application is likely to be refused on biodiversity grounds”*

7.6 References

BSI, 2013. *BS 42020:2013: Biodiversity — Code of practice for planning and development*. London: British Standards Institution.

CIEEM, 2018. *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Winchester: Chartered Institute of Ecology and Environmental Management.

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Natural England, 2019. *The Biodiversity Metric 2.0 (JP029)*. [Online]

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Policy LP30

Biodiversity & Geodiversity

The council will seek to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network.

South Pennine Moors

Proposals which may directly or indirectly compromise achieving the conservation objectives of a designated or candidate European protected site will not be permitted unless the proposal meets the conditions specified in Article 6 (3) - (4) of the Habitats Directive.

Statutory Designated Sites

Statutory designated sites, including the South Pennine Moors Special Protection Area (SPA) and Special Area for Conservation (SAC) and Sites of Special Scientific Interest, are already highly protected through existing laws and legislation. In accordance with legislation, the Council will seek to ensure that harmful impacts to these areas as a result of development proposals are avoided. Development proposed within or outside a designated Site of Special Scientific Interest, likely to have an adverse effect on the site's special nature conservation features, will not normally be permitted. Exceptionally development will be allowed where the benefits of the development clearly outweigh the impacts on the site's special conservation features and measures are provided to mitigate harmful impacts.

The Dark Peak Nature Improvement Area

Proposals that contribute to the aims and objectives of the Dark Peak Nature Improvement Area will in principle be supported, subject to other policies in this plan. Development likely to have an adverse impact on the aims and objectives of the NIA will not be permitted.

Local Designated Sites & Important Local Ecological Features

Proposals having a direct or indirect adverse effect on a Local Wildlife Site or Local Geological Site, Ancient Woodland, Veteran Tree or other important tree, will not be permitted unless the benefits of the development can be clearly shown to outweigh the need to safeguard the local conservation value of the site or feature and there is no alternative means to deliver the proposal. In all cases, full compensatory measures would be required and secured in the long term.

Habitats and Species of Principal Importance

Proposals will be required to protect Habitats and Species of Principal Importance unless the benefits of the development clearly outweigh the importance of the biodiversity interest, in which case long term compensatory measures will need to be secured.

Biodiversity and Development

Development proposals will be required to:

- (i) result in no significant loss or harm to biodiversity in Kirklees through avoidance, adequate mitigation or, as a last resort, compensatory measures secured through the establishment of a legally binding agreement;
- (ii) minimise impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist;
- (iii) safeguard and enhance the function and connectivity of the Kirklees Wildlife Habitat Network at a local and wider landscape-scale unless the loss of the site and its functional role within the network can be fully maintained or compensated for in the long term;
- (iv) establish additional ecological links to the Kirklees Wildlife Habitat Network where opportunities exist; and
- (iv) incorporate biodiversity enhancement measures to reflect the priority habitats and species identified for the relevant Kirklees Biodiversity Opportunity Zone.

Appendix 2: Worked example of a development proposal utilising the Biodiversity Metric 2.0 to demonstrate achievement of a measurable biodiversity net gain on a site.

Please note that this example has been simplified and is purely for demonstrative purposes to give clarity on how the metric may be applied. Each application will need the input of a qualified ecologist and will be determined on a case by case basis based on the individual merits and constraints particular to the site

An application for a residential development is proposed on an 8ha area of land which currently consists of:

- 1ha of broadleaved woodland (a habitat of principal importance),
- 4ha of agricultural cropland,
- 3ha of modified grassland,
- a species poor hedgerow 0.6km in length dividing the two fields.

When these are inputted into the Biodiversity Metric 2.0 (as shown in Figure 1 below) the site has a total site baseline of 18.40 Habitat Units plus 1.20 Hedgerow Units.

Figure 1: Extract of Habitat Baselines from the Biodiversity Metric 2.0

Ref	Habitats and areas			Suggested action to address habitat losses	Ecological baseline
	Broad Habitat	Habitat type	Area (hectares)		Total habitat units
1	Woodland and forest	Woodland and forest - Other woodland; broadleaved	1	Same broad habitat or a higher distinctiveness habitat required	4.40
2	Cropland	Cropland - Cereal crops	4	Same distinctiveness or better habitat required	8.00
3	Grassland	Grassland - Modified grassland	3	Same distinctiveness or better habitat required	6.00
4					
5					
6					
7					
8					
Total site area ha			8.00	Total Site baseline	18.40

Following application of the mitigation hierarchy, the woodland and majority of the hedgerow are to be retained post-development, with a section of hedgerow requiring removal to facilitate access into the site. Therefore, post-development the site will be composed of 4.4ha of developed land and residential gardens, 2.6 ha of amenity grassland included for open space, 1ha of retained woodland and 0.4km of retained hedgerow. The overall habitat units delivered post-development are 14.05 plus 0.8 Hedgerow Units (as shown in Figure 2 and 3). This results in a negative net change of biodiversity of -23.64% habitat units and -35.48% in hedgerow units (as shown by the headline results in Figure 3).

Figure 2. The proposed new habitats to be created on-site post development

Proposed habitat	Area (hectares)	Habitat units delivered
Urban - Vegetated garden	2.4	4.63
Urban - Amenity grassland	2.6	5.02
Urban - Developed land; sealed surface	2	0.00
Totals	7.00	9.65

Figure 3. Headline results of the development as calculated with the metric

On-site baseline	<i>Habitat units</i>	18.40
	<i>Hedgerow units</i>	1.24
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	14.05
	<i>Hedgerow units</i>	0.80
	<i>River units</i>	0.00
Off-site baseline	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Total net unit change (including all on-site & off-site habitat retention/creation)	<i>Habitat units</i>	-4.35
	<i>Hedgerow units</i>	-0.44
	<i>River units</i>	0.00
Total net % change (including all on-site & off-site habitat creation + retained habitats)	<i>Habitat units</i>	-23.64%
	<i>Hedgerow units</i>	-35.48%
	<i>River units</i>	0.00%

As the development is required to achieve a minimum of 10% gain in biodiversity to accord with national and local policy, the plans are revised. The revisions include a new pond which also functions as a sustainable drainage system (SuDS), areas of wildflower meadow to complement the open space, a new length of species rich hedgerow at the boundary of the site and 25 street trees. Following the revision of the design layout, the site provides a total of 20.89 Habitat Units and 1.70 Hedgerow Units. This totals a percentage biodiversity net gain of 13.54% in Habitat Units and 36.86% in Hedgerow units (as shown below in Figure 4). The development is now in accordance with national and local policy in terms of providing a net gain, provided the new features are managed appropriately for a minimum of 30 years.

Figure 4: Headline results of the development as calculated with the metric following revision of the site layout

On-site baseline	<i>Habitat units</i>	18.40
	<i>Hedgerow units</i>	1.24
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	20.89
	<i>Hedgerow units</i>	1.70
	<i>River units</i>	0.00
Off-site baseline	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Total net unit change (including all on-site & off-site habitat retention/creation)	<i>Habitat units</i>	2.49
	<i>Hedgerow units</i>	0.46
	<i>River units</i>	0.00
Total net % change (including all on-site & off-site habitat creation + retained habitats)	<i>Habitat units</i>	13.54%
	<i>Hedgerow units</i>	36.86%
	<i>River units</i>	0.00%

APPENDIX 5

Kirklees Council Housebuilders Design Guide Supplementary Planning Document (SPD)

Consultation Statement – June 2021

1. Introduction

- 1.1 The Housebuilders Design Guide SPD provides detailed guidance on how Local Plan policy LP24 (Design) should be implemented in determining planning applications. This Consultation Statement sets out the early engagement and public consultation carried out to inform the preparation of the Housebuilders Design Guide Supplementary Planning Document (SPD).
- 1.2 The Consultation Statement has been prepared in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 to support the adoption of the Open Space SPD and the council's Statement of Community Involvement (SCI). The SCI outlines how the council will work with local communities and stakeholders in developing planning policy documents, including SPDs.
- 1.3 In accordance with the Regulations, this consultation statement sets out:
 - who was consulted during the preparation of the SPD,
 - how they were consulted,
 - a summary of the main issues raised during the consultation,
 - how those issues have been addressed in the adopted SPD.

2. Background

- 2.1 The Housebuilders Design SPD aims to promote high standards of design for residential developments in Kirklees that reflects national guidance and supports Local Plan Design Policy LP24. The guidance is to raise the place making agenda and be clear and precise about what the council would expect for well-designed residential development. The guidance is designed to support applicants, developers, design professionals and agents in preparing proposals for residential development.
- 2.2 The purpose of the SPD is to inform prospective applicants, agents, architects, members of the public with an interest in an application, elected members of the Council and other decision-making bodies what the council considers to be good residential design and how to ensure the district's future housing development has the required high quality and inclusive design to help deliver better places. This SPD provides detailed guidance and additional information about the implementation of Kirklees Local Plan policy LP24 'Design' and will be a material consideration in the determination of planning applications.

- 2.3 The draft Housebuilders Design SPD provides detailed advice on the implementation of Kirklees Local Plan policy LP24 ‘Design’ and other relevant Local Plan policies. The SPD will also reflect how good design can help in adapting locally to a changing climate to address the council’s Climate Emergency.
- 2.4 The policy was subject to public consultation undertaken on the Kirklees Local Plan and the Statement of Public Consultation and Summary of Main Issues (April 2017) sets out the issues covered. Modifications were made to policy LP24 as requested by Local Plan Inspector to clarify the requirements of design criteria to be applied in relation to policy LP24, specifically with regard to sustainability.
- 2.5 The council is committed to improving the design of residential development. The aim is to ensure that the districts future housing development has the required high quality and socially inclusive design to help deliver quality places. This commitment is established through the Kirklees Local Plan and is further advocated through the draft *Housebuilders Design SPD*, which aims to create high quality buildings and places.

3. Timetable of SPD production

- 3.1 The SPD was prepared by a project team led by the council’s Planning Policy team, including input from Development Management, Conservation & Design, Highways DM, Flood Management and Drainage, Public Health, Landscape Architect, Police liaison officer and Waste liaison officer.
- 3.2 The production of the Housebuilders Design Guide SPD has followed a number of stages. The timetable for the production of the SPD is set out below.

Table 1: SPD Timetable

Dates	Stage or Consultation Topics/Event
January – August 2020	Evidence gathering and early internal stakeholder engagement
July – August 2020	Strategic Environmental Assessment screening and consultation
1 st April 2020	Early Engagement Workshop (cancelled)
March – May 2020	Early Engagement Design Questionnaire
19 th October 2020 – 14 th December 2020	Public consultation on the Housebuilders Design Guide SPD

4. Early Engagement on the preparation of the SPD

- 4.1 Early engagement on the preparation of the Housebuilders Design Guide SPD was undertaken with internal and external stakeholders to understand their expectations and priorities to help inform the scope and content of the SPD. This period of internal officer engagement was held from March 2020 until August 2020.

4.2 The following council specialisms were consulted as part of the preparation and initial drafting of the SPD:

- Climate Change Officer
- West Yorkshire Police Planning Liaison Officer
- Client Design Advisor
- Highways Engineer
- Waste & Recycling Operations Planning Coordinator

4.3 Early engagement with the project team and wider internal specialisms identified several issues which are set out in the tables below together with the council’s response on how the draft SPD has dealt with this issue. This included drop-in sessions.

Table 2: Draft Housebuilders Design Guide SPD: Internal Early Engagement

Main Issue	How Issue Dealt with in the SPD
<p><i>Crime</i></p> <p>Specific section required in relation to designing out crime to accord with NPPF (sections 8 and 12) and the National Design Guide.</p> <p>Incorporate the ‘Crime Prevention Through Environmental Design’ 5 principles developed by Huddersfield University.</p> <p>Relate to the Secured by Design Guidance in terms of walking permeability to avoid leaking cul-de-sacs and consider mitigation measures.</p>	<p>Principles incorporated into the SPD relating to surveillance, movement control, management and maintenance, defensible space and physical security.</p>
<p><i>Climate Change</i></p> <p>Maximise fabric-first approach to ensure energy efficiency and minimise energy requirements. Suggest or signpost to standards/principles to consider, e.g. Passivhaus and state that these approaches would be welcome.</p> <p>Consider mechanical ventilation/cooling.</p> <p>Include sources of energy and a hierarchy approach relating to different scale of development from micro-renewables to larger development sites.</p>	<p>Principles incorporated into the SPD relating to fabric first. Reference made to density, maximising solar gain and green roofs.</p>

<p>Balance density requirements with ability to achieve high energy efficiency standards. Encouraging developments that maximise solar gain (such as Passivhaus) for reasons of orientation may make it difficult to achieve 35 dwellings per hectare.</p> <p>Green roofs and walls can have a beneficial heat regulating effect and materials should be considered carefully.</p>	
<p>Waste Management</p> <p>Incorporate changes emerging from the new national Resources and Waste Strategy and the forthcoming council strategy.</p> <p>Consider management of waste on-site/ dwelling sorting.</p> <p>Refer to the council's 'Waste Management Design Guidance for New Developments'</p> <p>Refer to Building Regulations Part H6 and British Standard for waste management</p> <p>Sufficient space required adjacent houses for bins as can conflict with on-plot parking.</p> <p>Recommendations for screening for bins and design of bin stores, including green roofs</p> <p>Density – getting the balance right between high density and highways to an adoptable standard for collection vehicles (Link to Highways Design SPD)</p> <p>Conversion of town centre buildings and issues with lack of space and waste appropriate facilities</p> <p>Communal bins should be supported provided they can be accessed by refuse collection vehicles</p>	<p>The SPD refers to the storage of bins and appropriate reference from the Highways Design Guide SPD regarding storage for waste. Reference made to Council's Waste Collection Guidance.</p> <p>Refer to guidance document NHBC 'NF60 Avoiding Rubbish Design'</p>

<p>Parking – need to plan for tandem parking as this can impact on RCVs</p> <p>the SPD should not be over prescriptive on distances in relation to bin drag and carry distances</p>	
<p>Highways</p> <p>Adoptable highway layouts should be considered early in the design process.</p> <p>Private drives can have implications in terms of maintenance and length can create difficulties.</p> <p>Standardised design types limit scope for creative highway design solutions.</p> <p>Greening the street – soft landscaping should be encouraged, e.g. along verges and build-outs.</p>	<p>Principles considered reference to Green Streets included.</p> <p>The SPD references the relevant information from the Highways Design Guide SPD in the document. The highways Design Guide SPD will still be a material planning consideration for determining planning applications.</p>
<p>Parking</p> <p>Getting provision right. Consequences of low parking standards can lead to on-street parking which can create accessibility problems.</p> <p>Communal parking – small high density schemes work well if safety issues can be overcome, i.e. safe and well lit.</p> <p>Car parking is important but avoid hard landscape. Need to future proof, such as access to electrical charging points.</p>	<p>Reference made to the standards set out in the Highways Design SPD.</p> <p>Principles incorporated into the SPD.</p>
<p>Design</p> <p>Definition of terms required for ‘good design’ and ‘green design’</p> <ul style="list-style-type: none"> • Sign post to Building Regulations Part L and Part Q and Part M (4) • Ensure homes have access to fresh air, natural light and are well ventilated • Design guidance and architectural support should be offered early in the design process 	<p>Principles incorporated within the SPD.</p>

<ul style="list-style-type: none"> • Maintenance needs to be considered in relation to materials and communal areas • Important to consider site circumstances, e.g. work with site topography • Prioritising people 	
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4.4 A targeted workshop with external stakeholders, developers and interested organisations was to be held on 1st April. This was cancelled due to the Covid-19 situation and design questionnaires were subsequently sent to all invitees (see Appendix 1 for list of Stakeholders) to seek their comments on:

- **Good design** - How successful have Kirklees been in securing good design in new housing developments? Are there any examples of good design in Kirklees or from elsewhere and what are the qualities that make these examples successful?
- **Barriers** - What are considered the main barriers to achieving good design in new housing developments or for extensions and alterations to existing residential properties. Are there any barriers to achieving good design in Kirklees which have been successfully overcome in other local authorities and can you provide examples of these?
- **Design Guidance in the SPD** - What key principles and elements of good design should be included in the Residential Design SPD and what guidance would be helpful to achieve this.

4.5 Questionnaires were received from five respondents. The main issues raised were:

- West Yorkshire Combined Authority: No specific comments on good design in Kirklees. Barriers to good design include the lack of design resource in local authorities, link between planning and highway authorities, under-funding of parks / landscape maintenance, lack of clear guidance, developers relying on standard house types and the rare take up of design review. Design guidance should include inclusive design, reduction of car dominance, addressing the climate emergency, distinctive and contextual design, design of streets and spaces and density.
- Environment Agency: All residential developments should take appropriate measures to reduce flood risk and include flood resilience and include a requirement for residential developments to result in measurable net gains for biodiversity. Distinctiveness and Density were identified as
- Historic England: No specific comments on good design and barriers to good design in Kirklees. Comments on design guidance referred to Historic England's advice notes and sought further detail to be added to policies in the Local Plan,
- Barratt David Wilson: Good design is often iterative and requires compromise and detailed collaborative conversations with officers. Barriers to good design include deliverability and market conditions as well as inconsistent messages from the

Council. Key design principles used by Barratt David Wilson align with Building for Life (BfL 12) principles.

- Farrar Bamforth: Good design must be relative to context of the surrounding area, instead of a one size fits all formula, including respecting topography and building materials, working with local developers and seeking to avoid car dominated layouts. Barriers identified as managing conflicts between requirements for density against context, highways and drainage considerations, with house design seen as a secondary consideration. Required design guidance is one that gives flexibility for creativity, it is considered that meeting all policy requirements in full would not necessarily achieve an attractive place to live.

5 Consultation on Strategic Environmental Assessment Screening

- 5.1 As part of the process for developing the Open Space SPD, an assessment of the requirement for a Strategic Environmental Assessment (SEA) was needed. Consultation on the SEA Screening statement started on 13th July 2020 and finished 31st July 2020.
- 5.2 The council notified the following specified bodies of the SEA screening statement by email inviting comments in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004:
- Environment Agency
 - Historic England
 - Natural England
- 5.3 Responses were received from all three of the consulted bodies. A full summary of the responses received for the SEA consultation can be seen SEA determination statement.
- 5.4 The responses received confirmed the council's position that a further SEA was not required as the SPD will not change or introduce new planning policy over and above the Local Plan and, whilst there may be some environmental effects, these have already been covered in principle in the Sustainability Appraisal of the Local Plan.

6 Public Consultation on the Housebuilder's Design Guide SPD

- 6.1 Public consultation on the draft Housebuilders Design Guide SPD took place initially for a 6 week period from 19th October to 30th November 2020. This was extended for an additional two weeks to the 14th December 2020 (8 weeks in total). The consultation was available on-line and through email and postal comments.
- 6.2 In compliance with regulations 12, 13 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the following actions were undertaken:

- The draft Housebuilders Design Guide SPD, SEA screening statement and SEA determination statement was published on the council’s online consultation portal.
- Details of the consultation and details of how to obtain hard copies of the documents was displayed in the windows of the customer service centres in Huddersfield and Dewsbury, on the council’s web page and on the council’s social media platforms.
- Statutory consultees, organisations and private individuals that expressed an interest in planning policy and future publication of SPDs (see Appendix 2) were contacted directly by letter or email with details about the consultation, where to view the document, how to obtain hard copies and how to comment.
- A press notice was published in the Huddersfield Examiner on 23rd October 2020 and the Dewsbury Reporter on 22nd October 2020 highlighting the consultation process.
- A feature space was placed on the council website on 19th October 2020 advertising the consultation.
- A press release was posted on Kirklees Together on 19th October 2020 and on the Council’s social media platforms from 19th October 2020.
- A notification email was sent to all councillors on 16th October 2020 detailing the start of the consultation.

6.3 During the public consultation the council also held two presentations to the Agents Forum on 3rd November and PLC developers/Registered provider Tuesday 3rd November 2020 to raise awareness of the SPDs and the consultation process.

7 Main Issues Raised and The Council’s Response

7.1 A total of 162 comments (from 26 consultees) were received to the public consultation on the Housebuilders Design Guide SPD. Comments were received from: (insert list below in alphabetical order)

Table 3: Number of Consultees

Consultee Group	Number of Consultees
Residents/Individuals	7
Developers/Planning Agents	3
National Organisations	5
Town/Parish Councils	1
Regional/Local Organisations	8
Local Planning Authorities/Councils	2

7.2 Comments were received from the following:

- Barratt and David Wilson Homes Yorkshire West
- Canal and Rivers Trust
- Coal Authority

- Environment Agency
- Historic England
- Holme Valley Parish Council
- Holme Valley Vision Network
- Huddersfield Civic Society
- Natural England
- Persimmon Homes (West Yorkshire) Ltd
- Redrow
- Spen Valley Civic Society
- Sustrans
- Trans Pennine Trail
- Upper Dearne Valley Environmental Trust
- Wakefield Council
- West Yorkshire Archaeological Advisory Service
- West Yorkshire Combined Authority
- West Yorkshire Ecology Service
- Private Individuals (x7)

7.3 A full list of public consultation comments received and the council’s responses to these can be found in Appendix 3. A summary of the main issues raised during consultation, including those from internal stakeholders, is set out below. It summarises the main points and the council’s response to how these issues have been addressed in the SPD.

Table 4: Summary of Main Issues and Council Response

Summary of Main Issue	Council Response
Several respondents made comments regarding the directness of wording. This has led to several changes being made to the text, where changes to wording (e.g. “must” instead of “should”) would accord with Local Plan policy.	There has been several wording changes throughout the document to make it read better
The Planning White Paper consultation and Building Better Building Beautiful Commission report has been raised and stated that the language should be amended to reflect this.	The Building Better Building Beautiful commission report has been included in relevant document in section 2, as it is likely to influence the direction of future policy. The National Model Design Code that has been subsequently published is now included within the document.
Comments received asked how the Council would encourage the use of Nationally Described Space Standards	The wording of Principle 16 has been revised to better link it to Local Plan policy LP24 and the

	Council's design aspirations and reflects that these are now necessary for change of use to residential granted under permitted development rights.
Concerns were raised about the wording of Principle 16 requiring homes to meet Accessible Homes standards set out in Part M4(2) of Building Regulations – which are optional requirements.	The wording has been changed to link the wording better with Local Plan Policy LP11 and securing accessible and adaptable homes as part of the overall housing mix.
Concerns were raised that concerns that the separation distances set out in para 7.16 do not cover side-to-side or rear-to-side distances	Further text has been added in to explain these distances, but there is an issue that these distances are in the extensions and alterations SPD
Comments were made on the Pre-app process including the scope to involve statutory consultees, community engagement and what information is required at this stage.	The text has been amended to identify the role that statutory consultees can have in the development process, with references included in the document to the Council's Development Management Charter and Pre-application guidance.

7.4 All comments on to the public consultation have been considered in preparing the final SPD. None of these require significant changes to the overall approach. A number of comments supported the preparation of the SPD and specific guidance.

7.4 The main changes to the SPD as a result of comments received are summarised as follows:

- Amendments to ensure that the SPD better reflects policy wording as set out in the Local Plan and national policy, including making the wording of the SPD more direct where appropriate.
- Changing to wording to ensure that there is more clarity as to how the design of development meets wider development challenges.
- Further guidance on advisory separation distances between buildings
- Clarity regarding the use of Nationally Described Space Standards and the provision of adaptable and accessible homes.

7.5 The council has also taken the opportunity to make some minor additional changes to the SPD to provide clarification, corrections, or minor up-dates to text. The key changes are set out in Appendix 4 (please note Appendix 4 does not include changes that are de minimis in nature).

Appendix 1: List of Stakeholders Invited to Workshop and Sent a Design Questionnaire

National Organisation	Regional/Local Organisation	Planning Agents/Developers	Kirklees Network
Age UK CPRE Environment Agency Friends of the Earth Historic England Homes England Home Builders Federation Natural England Sport England Sustrans Yorkshire Sport	Batley & Birstall Civic Society Dewsbury Matters Huddersfield Civic Society Huddersfield Society for the Blind Huddersfield University Kirkburton and District Civic Society Onetel Spen Valley Civic Society West Yorkshire Combined Authority	Acumen Architects Barratt Homes Conroy & Brook Darren Smith Homes Emerson Farrar Bamforth Harron Homes Heppendsalls ID Planning Jones Homes Martin Walsh NLP Planning PB Planning Persimmon Redrow SB Planning Spawforths Storrie Planning Strata	Black Minority Ethnic Network Dementia Engagement & Empowerment Group Disabled Employee Network Green Employee Network Kirklees Neighbourhood Housing Kirklees Visual Impairment Network LGBT Network Well-being User Group Working Carers Support Network Young Employee Network

Appendix 2: Consultee List

Adjoining Authorities	
Barnsley Metropolitan Council Bradford Metropolitan District Council Calderdale Council City of York Council High Peak Borough Council	Leeds City Council Oldham Council Peak District National Park Authority Wakefield Council
Town & Parish Councils	
Cawthorne Parish Council Denby Dale Parish Council Dunford Parish Council Gunthwaite and Ingbirchworth Parish Council High Hoyland Parish Council Holme Valley Parish Council Kirkburton Parish Council	Meltham Town Council Mirfield Town Council Morley Town Council Ripponden Parish Council Saddleworth Parish Council Sitlington Parish Council Tintwistle Parish Council West Bretton Parish Council
Organisations	
Age UK BL Ecology British Telecom Brooks Ecological Calderdale and Huddersfield NHS Canal & River Trust Coal Authority Crestwood Environmental Environment Agency Environment Kirklees FCS Consultants Fields in Trust Foundation Trust Connect Housing CPRE Dewsbury Matters England Hockey English Cricket Board Forestry Commission England Greater Huddersfield Clinical Commissioning Group Highways England Historic England Holme Valley Vision Network Homes and Communities Agency	Mab Environment and Ecology Ltd Metro Middleton Bell Ecology Mid Yorkshire Hospitals NHS Trust Natural England National Grid National Trust Network Rail Newsome Ward Community Forum NHS Property Services Northern Gas Network North Kirklees Clinical Commissioning Group NTL Group Ltd Quants Environmental RDF Ecology Rugby Football League Rugby Football Union Sheffield Football Association Spen Valley Civic Society Sport England South West Yorkshire Foundation Trust Sustrans Trans Pennine Trail UDVET UK Active Unity Housing Association

House Builders Federation Huddersfield and District Archaeological Society Huddersfield Birdwatchers Club Huddersfield Civic Society Huddersfield University JCA Ltd Keep Our Rural Spaces Kirkheaton Future Kirklees Active Leisure Kirklees Badger Group Kirklees Neighbourhood Housing Locala Local Enterprise Partnership Leeds City Region	West Riding Football Association West Yorkshire Archaeology Advisory Service West Yorkshire Bat Group West Yorkshire Combined Authority West Yorkshire Ecology West Yorkshire Police Authority Yorkshire Water Services Yorkshire Wildlife Trust Whitcher Wildlife Ltd Wildscenes Woodland Trust WYJS Yorkshire Housing
Planning Agents & Developers	
Acumen Architects AHJ Architects A N Designs Avant Homes Yorkshire Avison Young Bailey Smailes Solicitors Bamford Architectural Barratt Homes Bartle & Sons Barton Willmore Bellway B K Designs BNP Paribas Real Estate UK Bradley Stankler Planning Bramleys Carter Jonas Chris Thomas LTD Conroy Homes Dacre, Son & Hartley Darren Smith Homes Deloitte Design Line Architectural DK Architects ELG Planning Fairhurst Farrar Bamforth Associates Ltd F M Lister & Sons Gladmans Hallam Design Associates	Kirkwells K Rouse Malcolm Sizer Planning Limited Martin Walsh Architectural MD Associates MWP Planning NLP Planning NJL Consulting One17 Chartered Architects Paul Butler Planning Paul Matthews Architectural Persimmon Homes Peacock and Smith QUOD Rapleys LLP RG P LTD Riva Homes Robert Halstead Chartered Surveyors & Town Planners Robertshaws Chartered Surveyors Rouse Homes Sanderson Weatherall LLP Savills SB Homes Limited Spawforths SSA Planning Limited Steven Abbott Associates LLP Strata Storrie Planning

Harron Homes Hawdon Russell Heppendsalls Hourigan Connolly Iain Bath Planning Ian Baseley Associates I D Planning Indigo Planning JWPC Chartered Town Planners	Taylor Wimpey Tetlow King Planning Limited Turley Associates Vernon and Co Wake Architects Walton and Co Planning Lawyers Yorkshire Country Properties Younger Homes
Private Individuals	
Approximately 580 individuals were invited to comment.	

Appendix 3: Full list of comments received on the public consultation and the council's response.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB56	The Coal Authority	All document	Having reviewed the SPD, the Coal Authority has no specific comments to make.	Having reviewed the SPD, the Coal Authority has no specific comments to make.	No change. Comment noted.
SPD_HB63	Trans Pennine Trail	All document	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors.	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors.	No change. Support noted.
SPD_HB4	Private Individual	1.1	How much notice does the council take of local communities who know the area very well? I am particularly thinking of developing on known flood plains.	Listen to people.	No change. Comment noted.
SPD_HB10	Private Individual	1.1	it is my suggestion that at the planning stage that plans for houses should contain a greener solution to help with the sustainability of the planet and its resources and should include solar panels integrated into the Roofs. Also should contain water butts for using rain water capture for watering plants and for flushing of toilets and washing of cars etc	solar panels for energy and water butts for reducing water consumption	Proposed change. Amend Principle 18: "New proposals should contribute to improving the environmental sustainability of the development, by ensuring the fabric and siting of homes reduce their reliance on sources of non-renewable energy. <i>Proposals should seek to design water retention into proposals.</i> " Add new paragraph at end of section of 9.3: <i>"The design of homes should look to include measures which increase the retention of water, and are efficient in their use of water by considering elements such as rainwater harvesting, greywater recycling, the use of water butts"</i>
SPD_HB19	Natural England	1.1	Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance. Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.		No change. Comment noted.
SPD_HB26	Wakefield Council	1.1	Wakefield Council have no specific comments on this document. The Council supports and welcomes its introduction.		No change. Support noted
SPD_HB73	West Yorkshire Combined Authority	1.1	<ul style="list-style-type: none"> We are pleased that our comments provided in September have been incorporated into this version which is welcomed. 		Proposed Change. Amend para 4.1 Masterplanning:

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<ul style="list-style-type: none"> The editing of the documents needs to be checked to avoid jargon like 'connectivity' and 'modal filter' – where there is no alternative wording then there needs to be a glossary. There is a lot of emphasis in the document about encouraging solar gain. Increased levels of insulation and south facing windows will quickly lead to overheating – and this problem is becoming worse with climate change. Passive solar construction only works where the extra heat gain can be balanced with thermal mass and solar shading – if you are encouraging solar gain then this needs to be qualified with some text about how to avoid overheating. It would be useful to look at all the uses of the word 'should' to see whether they can be replaced with 'must'. Especially where the phrase 'should consider' is used – this language will not be enough to persuade some developers to act. 		<p><i>"Local Plan Policy LP5 sets out the expectations for site masterplans, which will be sought where feasible and appropriate. This may be including where there are multiple landowners, several sites in a focused area or a large site that will take a number of years to build out. A masterplan should <u>must</u> be developed at an early stage and form the basis of subsequent planning applications on the site. A masterplan should <u>for larger sites will be prepared by a multi-disciplinary team and larger sites could benefit from the input of a team of architects and consider using use design competitions to promote new ideas and innovation.</u>"</i></p> <p>Amend para 4.1 Design and Access Statements</p> <p><i>"These should <u>are required to accompany major applications...</u>"</i></p> <p>Amend para 4.1 Design review:</p> <p><i>"design review should be undertaken by an independent body and provides <u>can provide advice to applicants...</u>"</i></p> <p>Amend para 4.1 Health Impact Assessment:</p> <p><i>"<u>Health Impact Assessments can identify measures to maximise the health benefits of the development and avoid any potential adverse impacts. As well as considering impacts on health infrastructure and/or the demand for health care services, this can also influence the design of the proposal. A Health Impact Assessment will be required for all proposals likely to have a significant impact on health and wellbeing.</u>"</i></p> <p>Amend Principle 2:</p> <p><i>"New residential development should <u>proposals will be expected to respect and enhance the local character of the area by...</u>"</i></p> <p>Amend Principle 3:</p> <p><i>"Development Site Framework should <u>will identify the purpose of each part of the site and help guide the site's development, setting the development parameters early in the planning process.</u>"</i></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>Amend para 6.11:</p> <p>Replace “connectivity” heading with “walking and cycling connections”</p> <p>Amend Principle 4: <i>“Net development density is expected to achieve at least 35 dwellings per hectare, though higher densities are supported in areas in or adjacent to town centres with a high level of <u>which are well served by public transport connectivity</u> and to secure more sustainable forms of development...”</i></p> <p>Amend para 7.14:</p> <p><i>“The direction of prevailing winds and sunlight influence the microclimate of outdoor spaces, the amount of light homes received, the capacity of homes to be optimised for <u>passive solar construction</u> solar gain and the capability of a site to deal with extreme weather events.”</i></p> <p>Amend Principle 5 Design and Access Statement Prompt:</p> <p><i>“Are buildings on the site orientated to take account of prevailing winds and to maximise for solar gain <u>allow for passive solar construction</u>”</i></p> <p>Amend Principle 7:</p> <p><i>“The integration of green infrastructure and <u>accessible open space</u> should <u>must be considered early in the design process by assessing:</u></i></p> <ul style="list-style-type: none"> • <i>the site’s context;</i> • <i>connectivity with <u>the ability to make connections with wider green infrastructure networks</u> and</i> • <i>the multi-functional role green infrastructure can perform”</i> <p><i>Assess and consider the viable retention of <u>Proposals should retain</u> existing features within the site, such as valuable trees, natural wildlife habitats and landscape features.</i></p> <p>Green infrastructure can be provided through building features such as green roofs and green walls and through the design of streets to include street trees, <u>and trees within residential plots and open spaces.</u></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>Open Space, particularly for recreation, should be located at the heart of the site and designed to help create identity.”</p> <p>Amend 2nd sentence paragraph 7.26:</p> <p><i>“Open Space for recreation should be located within easy reach of all residents on the site and should be designed to be, forming an accessible space at the heart of new development. with good connectivity.”</i></p> <p>Amend Principle 8:</p> <p><i>“For all sites in elevated areas, the appearance in the wider landscape should be considered and with applicants should show demonstrating how development respects the topography of the site and its surroundings.”</i></p> <p>Amend Principle 9:</p> <p><i>“Proposals should are required to provide for a measurable net gains in biodiversity and, with ecological enhancement should be integral to the design of the development. At the outset of the design process the wildlife habitat network and Habitats of Principal Importance should be considered in addition to protected species.”</i></p> <p>Amend Principle 10:</p> <p><i>“Site access should will recognise the different needs of people walking, cycling and using cars and prioritise the needs of people walking and cycling, <u>to encourage sustainable modes of travel.</u>”</i></p> <p>Amend last sentence of para 7.39:</p> <p><i>“Modal filters, barriers that restrict could be used to reduce access in existing streets for vehicular traffic but still maintain access for walking and cycling, <u>can be used to reduce the impact of through-traffic and make residential streets a more pleasant environment.</u>”</i></p> <p>Amend Principle 11:</p> <p><i>“Streets should must be able to serve emergency and service vehicles, maintain low vehicular speeds and successfully integrate on-street car parking.”</i></p> <p>Amend Principle 12:</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>...and where appropriate working with bus operators to improve bus connectivity <u>facilitate bus services through the site; and seeking enhancements to existing bus services.</u></p> <p>Amend Principle 14:</p> <p><u>"The design of windows and doors should is expected to relate well to the street frontage and neighbouring properties and reflect local character in style and materials. Innovation for energy efficiency is encouraged, particularly for maximising solar gain to allow for passive solar construction."</u></p> <p>Amend Principle 19:</p> <p><u>"Provision for waste storage and recycling should must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development."</u></p>
SPD_HB64	Trans Pennine Trail	1.1	Good design should also include 'fully accessible'	Good design should also include 'fully accessible'	<p>No change.</p> <p>The definition is from the National Design Guide.</p>
SPD_HB72	West Yorkshire Combined Authority	1.1	<p>Section 1 - The introduction could include a vision statement setting out why design is so important to Kirklees – what is special about the district in terms of architecture, built and natural environment. It could talk about the climate emergency and Kirklees' targets and ambitions for walking and cycling, as well as the health crisis of physical inactivity which can be addressed by changes to the physical environment.</p>		<p>Proposed change.</p> <p>Amend paragraph 1.1:</p> <p><u>"The purpose of this supplementary planning document (SPD) is to set out what the Council considers to be good residential design, to raise the quality of housing that is delivered in the district, supporting the Local Plan Vision. The main aim is to ensure that the district's future housing development has the required high quality and socially inclusive design to help deliver quality places. The publication of the SPD provides the Council's response to the Government's emphasis on design quality being embedded within the planning system, following the publication of the National Design Guide. The document seeks to support the delivery of residential development in Kirklees that supports the Council's Climate Emergency Action Plan, for Kirklees to be completely carbon neutral by 2038."</u></p> <p>Amend paragraph 1.2:</p>

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					<p><i>"The SPD provides applicants and developers with detailed guidance about the implementation of Kirklees Local Plan policy LP24 'Design' and other relevant Local Plan policies within the context of national planning guidance to create high quality buildings and places. The document considers how the distinctive built and natural environment in Kirklees can help shape high quality residential development. The guidance will be a material consideration in the determination of planning applications for all residential development, including proposals for apartments and student housing."</i></p>
SPD_HB57	Trans Pennine Trail	1.1	Good design should also include 'fully accessible'.	Good design should also include 'fully accessible'.	<p>No change.</p> <p>The definition is from the National Design Guide.</p>
SPD_HB37	Upper Dearne Valley Environmental Trust (UDVET)	1.1	<p>We would like to put forward the following suggestions for change:-</p> <ol style="list-style-type: none"> In line with the current national move to 'planning rules', the document should not be termed a 'Guide' – these should be 'Requirements'. Unfortunately, for developers intent on getting their own way, 'Guide' implies 'optional'. We feel the Council will not achieve its 'Purpose Statement' without this change of emphasis. Additionally, a document about 'Requirements' provides better on-the-job support to Planning Officers. 	<p>In line with the above, there is scope to tighten up wording to be more directive. i.e. 'will' not 'may', 'must' not 'should' etc. The argument for 'flexibility' is often promulgated, but often this is taken too far and focus is lost. We implore the Council not to retreat from being more directive, giving developers 'wriggle room' to avoid what is required, best practice and truly quality outcomes.</p>	<p>Comment noted.</p> <p>The SPD is unable to introduce new policy and so must reflect local plan and national policy, however the wording of the document has been reviewed to ensure it is consistent with national and local policy and that it can provide more direct wording.</p>
SPD_HB70	Sustrans	1.1	<p>Intro</p> <p>About Sustrans</p> <p>Sustrans is the charity making it easier for people to walk and cycle. We connect people and places, create liveable neighbourhoods, transform the school run and deliver a happier, healthier commute.</p> <p>We believe Initiatives should focus on changing streets and places to make walking and cycling the most attractive option for short, everyday journeys in urban areas – creating more liveable neighbourhoods. Support should be provided around this to help people change their behaviour. Therefore, there needs to be a mix of policy interventions (that make driving less attractive), infrastructure, and behaviour change projects to create real modal shift.</p> <p>Sustrans, in coalition with a number of other cycling and walking organisations a network consisting of leading walking and cycling organisations such as British Cycling, Living Streets, The Ramblers, and Cycling UK and Bicycle Association, are calling for 5% of the transport budget to be spent on walking and cycling, rising to 10% over the five years of the next spending round (from 2020/1 to 2024/5) to support a new CWIS.</p>		<p>Proposed change.</p> <p>Add reference to the Government's Gear Change Walking and Cycling Vision (2020) in Section 2.</p> <p>Add text to para 7.39: <i>"In West Yorkshire and York, the City Connect programme works in partnership with a range of organisations to support the provision of new active travel routes to ensure that walking and cycling opportunities are accessed by a range of communities, applicants should ensure proposals complement the provision of new walking and cycling infrastructure."</i></p> <p>The SPD, as Section 3 identifies, seeks to ensure the design of proposals satisfies a range of drivers.</p> <p>Principle 12 requires new schemes to ensure that anti-social car parking is discouraged.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>We are also asking for the following:</p> <p>Speed > reduced speed limits</p> <p>Space> adopt and implement best design practice</p> <p>Safety> Revise Highway the code to improve safety for cyclists and walkers, particularly at junctions</p> <p>Priority> prohibit pavement parking, make streets more accessible</p> <p>Culture> provide training and behaviour change programmes to create active travel behaviour</p> <p>How do the documents align with National Policy, Regional and local context</p> <p>It's important to recognise that planning documents reflect ways to achieve national targets and incorporate the key recommendation specified in the Cycling Walking Infrastructure Strategy (CWIS) and help to make cycling and walking the natural choice for shorter journeys, or as part of a longer journey. The CWIS target of doubling the amount of journeys made by walking and cycling by 2025 will ever be achieved if cycling is not prioritised and embedded within policy, key strategies, and documents.</p> <p>How will the documents support wider regional aims of the City Connect Programme, who having just delivered big ticket infrastructure schemes such as Cycle Superhighway 1 and 2, are trying to prioritise and elevate the region as a place which is progressive and cycle friendly.</p> <p>The impact on air quality caused by building new roads also needs some serious consideration, reference and acknowledgement. Modelling results would demonstrate this and should be an elementary component of all future proposals. Air Quality is an increasingly potent threat attributable to 36000 premature deaths which documents need to consider.</p> <p>How do current documents support and facilitate the delivery of Local Cycling Walking Infrastructure Plans for Kirklees. Do documents align and reflect the walking and cycling strategy for Kirklees?.</p> <p>Are the benefits of safe and prioritised walking and cycling infrastructure fully realised in the documents? Through prioritising local cycle and walking routes and emphasising their role in transforming the way in which we plan, travel, live and spend our leisure time, we can seriously start to tackle existing and future challenges of poor air quality, congestion, health inequality, and over population.</p> <p>Sustrans are working with stakeholders across the nation to ensure design standards are consistent, embedded in policy and universally applied. We value planning documents which recognise this and keen to support local authorities through offering training packages which give officers and members the opportunity to learn about the importance of good design standards and cross sector collectivism.</p> <p>Closing remarks</p> <p>Planning and design documents which support Infrastructure improvements that embed active travel, is an important part of a strategy for achieving significant physical activity, environmental, and health gains in the population.</p>		

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>Public transport and active travel themes should be integrated into documents.</p> <p>Good, safe pedestrian and cycle access and routes along specified corridors will also increase likelihood of multi modal journeys for residents and visitors. Some changes, e.g. improving pedestrian routes, may promote walking but not reduce car trips. Other measures such as changing parking provision, may be more effective in reducing car trips. This is also important when considering impacts on congestion and air quality.</p> <p>Travel behaviour is complex, so it is unlikely that small scale environmental changes alone will result in substantial increases in walking and cycling, but it's an excellent place to start!</p> <p>It does not necessarily follow that solutions have to be complex, as long as they are part of a more comprehensive public health strategies that address many wider factors such as housing, planning and employment policy.</p>		
SPD_HB92	Historic England	1.1	<p>We consider that there as a whole the document may be made more relevant to Kirklees by aiming to provide specific commentary on particular points that may be relevant to parts of the district under each individual section. This could highlight the high density of terraced housing in some locations, the topography,</p>		<p>No change.</p> <p>Comment noted.</p> <p>Section 5 directs applicants to demonstrating how a proposal responds to the local character and context.</p>
SPD_HB127	Holme Valley Vision Network	1.1	<p>SUMMARY</p> <p>“We make recommendations regarding the use of design review, arguing that it should be based in empirical data on the links between built form and well-being, on a full understanding of the local natural and built environments and on clear evidence of local preferences emerging from the creation of local plans and supplementary planning documents.</p> <p>We also see the potential for an adjusted, more community-engaged design review process to be applied at the policy stage whether it be local plan or supplementary planning document.”</p> <p>Living with Beauty</p> <p>Building better Building Beautiful Commission 2020</p> <p>The production of supplementary planning documents gives councils the opportunity to build on local plans and, in conjunction with local people, the chance to influence future development in ways that enhance place and the well-being of citizens. Our comments below are based on this premise and our feedback is intended to help Kirklees Council improve its draft documents.</p> <p>There are several areas where improvements, in our view, could be made to the documents, particularly the Housebuilders Design Guide which attracted the bulk of comments. These relate in particular to the consultation process and the ways in which people could be better placed at the centre of the planning process, to wider understanding of the placemaking concept and to enhance the actions needed to respond to the climate change emergency.</p> <p>The better definition of terms used in the documents would also help the use and understanding of the document's intent.</p> <p>To ground our comments on current practice, we have carried out surveys of local developments, using criteria drawn from the Housebuilders Design Guide. The four reports, compiled by individuals working independently, and comments from three others are appended.</p>		<p>The SPD is unable to introduce new policy and so must reflect local plan and national policy, however the wording of the document has been reviewed to ensure it is consistent with national and local policy and that it can provide more direct wording and to add further clarification.</p> <p>The Government's response to the Planning White Paper will be reviewed when its published.</p> <p>Proposed change.</p> <p>Appropriate changes have been made to provide more direct wording and further clarification. See comment HB73.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>We would be interested to know how the Council intends to move from the current standards, which leave a lot to be desired, to the higher standards contained in the Guide. How will the Council persuade or compel developers to comply?</p> <p>To help the Council with enforcement we make the following pleas:</p> <ul style="list-style-type: none"> ➤ Be ambitious and aim for the highest standards. Local people deserve beauty ➤ Be assertive in applying these standards ➤ Be serious about the climate change ➤ Be confident and know the Council has the support of local people in delivering these imperatives <p>General comments</p> <p>There is no reason for us to question the technical accuracy of the documents. They are what we have come to expect from Kirklees Council's Planning Department during the long drawn out process of developing the Local Plan.</p> <p>While we accept that planning has to operate under the rules and regulations currently in force, this does not mean that documents such as these should not look forward and anticipate foreseeable changes. We find the documents reactive not forward looking.</p> <p>We appreciate that things have changed considerably over the five years it has taken to get this far and there are now different imperatives. The most important change to have taken place in this time is the recognition of the dangers climate change presents not least from flooding, air pollution, and adverse weather incidents. Being in the Pennines, some of the Kirklees settlements are at high risk. It is therefore regrettable that the design documents do not grasp the opportunity to add to developers' and others in the construction industry's understanding of these impacts and show them how to make changes to their practice to reduce carbon emissions and mitigate the risks.</p> <p>While the documents overall may be technically correct, it is not what they contain that causes concern but what else is omitted.</p> <p>Relying as they do on the existing modes of thinking, the documents do not reflect the developing thinking as outlined in the 2020 White Paper 'Planning for the Future' and the work of organisations such as the Building Better Building Beautiful Commission. It is also a shame that greater use has not been made of the Design Council's ten principles of design review. Rather than just cite the characteristics, they would have provided a useful framework and would have prevented the omission of some key factors.</p> <p>The documents place their focus on places for things not places for people. They discuss building houses not creating homes and while they outline considerations for streets and estates, they do not aim to develop neighbourhoods and communities.</p> <p>There are a few references to place shaping and place making but there appears to be a misunderstanding of these terms. Placemaking is not about constructing buildings and places. It is about creating spaces for people to live and work in and to visit. Places where they want to be, be with others, thrive and enjoy themselves.</p> <p>People are missing from the documents. This is evidenced in the Housebuilders Design Guide which places the site at the centre of the drivers of site design; not people, not the community.</p>		<p>No change.</p> <p>The suite of Quality Places SPDs and guidance aims to improve the quality of residential development in Kirklees through good design, including responding to the climate change emergency.</p> <p>No change.</p> <p>The Government's response to the Planning White Paper will be reviewed when its published.</p> <p>The purpose of the SPD is to set out what the Council considers to be good residential design, to raise the quality of housing that is delivered in the district, supporting the Local Plan Vision. The SPD provides further guidance on local and national policies to achieve this and should be viewed in the context of other Local Plan and other national planning policies. Sites have been allocated through the Local Plan process, so it's important that they are put at the centre of the</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>Their written style is bureaucratic which reduces their accessibility. But this is not surprising as they are aimed at professionals operating in the planning and construction sectors. Despite a more popular presentation style of the Housebuilder Design Guide, its stated purpose is 'to guide developers' and to acts as 'a material consideration in the determination of planning applications'. It is not intended to help members of the public understand and influence the sorts of development that will take place in their communities. This is regrettable.</p> <p>This and the other documents could do with some tight editing. They are verbose, contain significant amounts of duplication and their use of generalised and conditional language makes interpretation difficult. In places they are over-prescriptive; in others ambiguous.</p> <p>They are littered with imprecise and highly subjective terms such as 'good design', 'high quality' 'accessible' 'inclusive', 'quality' and 'fit for purpose'. They are bland and repeatedly use conditional phrases such 'considering the use of', 'encouraged to' and 'where practicable'. These words create loop holes and miss the opportunity to improve standards of design. For example, the Housebuilders Design Guide says; "The Council will encourage the use of the Nationally described space standards to ensure new dwelling have sufficient internal floor space to meet basic lifestyle needs". Paragraph 130 of the National Planning Policy Framework says "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents." Why is the Council afraid to use the powers it has to influence and to drive up standards?</p> <p>It is accepted that 'good design' is a term used by planning professionals and is used in the Nation Design Guide but its use in documents such as these be qualified by the identification of who is making the judgement. These terms all have different meanings depending on who is using them.</p> <p>There are many architectural awards for buildings deemed to be of 'good design'. For example the Park Hill Flats in Sheffield won accolades only to be pilloried in later years. A house may be of wonderful design, and fit for a builder's purpose and bring 'delight' by returning a high profit but for the householder it may be a disaster as faults and failures resulting from poor quality materials and work methods show themselves over the years.</p> <p>There is a difference between 'good design' and well-designed.</p> <p>The Building Better Building Beautiful Commission has moved away for the use of such vague terms and in 'Living with Beauty' prefers to use 'beauty' as an alternative construct. It also recommends that there should be a re-discovery of civic pride in architecture and that the people who live in the places be involved in the design process and awarding the prizes for the most popular and beautiful buildings. Kirklees Council would be well advised to look to the soon to be formed Design Body for guidance on how to develop design codes and guides such as these that are forward looking and ambitious. This work is being led by Nicholas Boys Smith of Create Streets with whom we already have a good working relationship.</p> <p>The consultation statement, perhaps, explains why the documents have developed in the way they are now presented. It states; "the purpose of the SPD is to inform prospective applicants, agents, architects, members of the public with an interest in an application, elected members of the Council and other decision-making bodies". There is no place for neighbours, interested local groups or others who are concerned about the impact developments have on their wider community. In future, It is possible that each locality in Kirklees will be required to have its own design code similar to the Neighbourhood Development Plan produced by the Holme Valley Parish Council in partnership with local groups and extensive public consultation. The production of these guides along these lines will give the Council the chance to be ahead of the curve.</p> <p>The Council claims to have engaged with internal and external stakeholders to "understand their expectations and priorities to help inform the scope and content of the Housebuilders Design SPD". The list of those sent a questionnaire is a clear indication of the Council's thinking about the identity of stakeholders. Of</p>		<p>'Drivers of Site Design' – however this acknowledges all the social, economic and environmental impacts that influence design.</p> <p>Proposed change.</p> <p>Amend Principle 16:</p> <p>"All new homes will be expected to be compliant with the government's technical housing standards for <u>should aim to be</u> accessible and adaptable homes to meet the changing needs of occupants over time as set out in part M4 (2) of the <u>in accordance with</u> Building Regulations. <u>The provision of homes that meet these standards should be considered within the housing mix of the wider site in line with Local Plan policy LP11 (Housing Mix and Affordable Housing)."</u></p> <p>The council will encourage the use of the Nationally Described Space Standards to ensure new dwellings <u>All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers</u> have sufficient internal floor space to meet basic lifestyle needs. <u>Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan. The council will seek to adopt such a policy in the future in accordance with evidence and in the meantime will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design)."</u></p> <p>Comments noted.</p> <p>Changes have been to the SPD to reflect comments received on the public consultation.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>the 24 listed 5 appear to be local community groups but 9 are developers.</p> <p>The Design Council states; “Local planning authorities are expected to effectively engage their local community when developing design policies, as set out in paragraph 125 of the Framework.” It is hard to see how this guidance has been followed.”</p> <p>No groups from the rural parts of Kirklees were invited to take part. This is a serious omission and begs questions about the effectiveness of the Council’s consultation process. The one used here has inevitably resulted in the documents being skewed in favour of developers and urban issues. It is difficult to see, therefore, how the design guides can be inclusive when significant stakeholder groups have been excluded for the process of developing them.</p>		
SPD_HB65	Huddersfield Civic Society	1.1	<p>Huddersfield Civic Society (HCS) welcomes the opportunity to comment on four guidance documents published by Kirklees Council in October 2020 as Supplementary Planning Documents (SPD), which it hopes “will encourage a higher standard of design of residential developments in the area”, these being:</p> <ul style="list-style-type: none"> • Open Space SPD • Housebuilders Design Guide SPD • House Extensions and Alterations SPD • Biodiversity Net Gain in Kirklees Technical Advice Note <p>We note a government summary of the purpose of SPDs at https://www.gov.uk/guidance/plan-making:</p> <p><i>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”</i></p> <p>Introduction and Comments applying to all documents</p> <p>HCS applauds the intentions underlying many of the proposals contained in the SPDs regarding how national and local planning policies, as stated in the Local Plan, should be interpreted in Kirklees. However, we are concerned that, in their current – or similar - form, we believe they may well fail to achieve their objectives.</p> <p>There is much general or introductory text which may fit better in a planning textbook rather than in an SPD, eg “Food Growth: Green space on the site can be used to grow food and could form part of a wider urban agriculture scheme” and “a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for a rich diversity in architectural styles”.</p> <p>Whilst some text is specific to Kirklees much is not, so does it belong in a Kirklees SPD? Also, some important items are omitted, eg a requirement for consultation on major residential developments with affected residents in neighbourhoods nearby and to state how this should be done.</p> <p>In attempting to cover the application of policies to many different development circumstances it becomes difficult to follow what does, or does not, apply in any one specific circumstance, eg in a conservation area or in a space-constrained site. Which advice items here can be ignored if they conflict with a requirement stated in the relevant Conservation Area Appraisal? What happens if the shape or slope of a site does not allow 35+ dwellings per hectare?</p>		<p>No change.</p> <p>Comments noted.</p> <p>No change.</p> <p>The purpose of the SPD is to provide detailed guidance to developers, members of the public and interested parties on the implementation on policies set out in the Local Plan.</p> <p>The council’s Development Management Charter sets out the process for consulting on planning applications.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>The coverage of a large number of local and national policy items, many of which are imprecise as well as advisory, potentially results in a higher level of subjectivity in how many of these advisory items might be interpreted – and therefore assessed - for approval or rejection. This may result in an increase in the number of Planning disputes and appeals. We also note several advisory items have examples which appear to ‘water down’ NPPF policy statements.</p> <p>HCS also finds it hard to see what, in some of these items, might help and inspire an individual, business or hoped-for Developer to come to Kirklees and improve our built and natural environment, rather than go to another district that might offer either greater simplicity of guidelines or more certainty of outcome. Many of the images that accompany sections of the guide refer to commendable developments outside Kirklees, e.g. by CITU in Leeds, but do not necessarily map clearly to a specific requirement for a developer to include in a typical development in Kirklees.</p> <p>It is also unclear how these SPDs might fit with possible changes that may be proposed along the lines of the government’s recent “Planning for the Future” White Paper and whether time might be better spent now on matters such as preparing the type of Design Guide mentioned in the White Paper.</p> <p>HCS sees three possible approaches to address these concerns:</p> <ul style="list-style-type: none"> • Specifying requirements in more detail and with precision – an applicant then knows exactly what it will have to do and can therefore be more certain what will, or will not, be approved. Example: an applicant must show how new housing will be oriented so that xx% of the volume of houses will be supplied from onsite renewable energy, stating how this percentage will be met. • Covering a much smaller number of key local plan policy items of specific importance in Kirklees, stating clearly which will be the key factors when a submission is assessed. • Removing the duplication with other documents, retaining text that points to the relevant clauses in those documents and then making clear the clarifications specific to Kirklees. <p>We appreciate that these alternative solutions might themselves introduce further complications, the first because care would be needed not to fall foul of the legal requirement (referenced previously) for an SPD not to “introduce new planning policies” and the second because of there possibly not being an agreed single set of priority items that covers all common planning applications. The third, while meaning there needs to be more cross referencing, would potentially mitigate some of the issues with the first two and could provide a more focused approach to Kirklees requirements. However, this only goes to show why we think an attempt to use SPDs to provide an additional layer of guidance across the full scope of the approved Local Plan policies leaves the door open to ambiguity.</p>		<p>No change.</p> <p>The Government’s response to the Planning White Paper will be reviewed when its published.</p> <p>No change.</p> <p>Comments noted.</p>
SPD_HB135	Holme Valley Parish Council	1.1	<p>The Parish Council welcomes a number of elements within the proposal.</p> <p>→ Socially inclusive design</p>		<p>No change.</p> <p>Support noted.</p>
SPD_HB126	Environment Agency	1.1	<p>General point</p> <p>We found the section and paragraph numbering confusing as they are duplicated in places, for example there is both a Section 5.1 and a paragraph 5.1, which makes it difficult when referring to particular parts of the document. It may lead to less confusion if you could consider changing the paragraph numbers to 5.1.1, etc.</p>		<p>Proposed change.</p> <p>Correct formatting issue.</p>
SPD_HB134	Holme Valley Parish Council	1.1	<p>The Housebuilder Design Guide SPD adds little clarity in terms of Kirklees’ specific requirements to what is already available in the National Design Guide.</p> <p>It is important that the SPD requirements are clear and additional to the documents above the SPD in the hierarchy. The Parish Council believe that the Housebuilder Design Guides SPD needs to be both clearer and more direct, detailing instructions and „must dos” rather than guidelines which can be ignored.</p>		<p>Proposed change.</p> <p>Appropriate changes have been made regarding direct policy wording. See comment HB73.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			It is important that developers properly understand their obligations to those living in the area affected by their development and know what they must do in every circumstance.		
SPD_HB149	Redrow	1.1	<p>General Comments</p> <p>In our view the guide is overly focussed on urban, high density schemes with much of the supporting photographic examples including terraced, town-house and apartment developments. More balance should be provided through examples of high quality lower density schemes, including detached dwellings and more sub-urban or semi-rural settings. Many of the design principles advocated in these examples could not be reasonably applied to non-urban sites and the guide should reflect this.</p> <p>We have focussed our other comments on the 19 Principles which underpin the SPD.</p>		<p>No change.</p> <p>Comment noted.</p>
SPD_HB146	Holme Valley Parish Council	1.1	<p>Overall</p> <ul style="list-style-type: none"> • Welcome the issuing of these documents, which supply greater detail to supplement the provisions of the Local Plan. • Welcome being given the opportunity to comment on the documents. • Welcome the clarity of presentation • Welcome the frequent references to climate change / sustainability / biodiversity in the texts of all documents but there is no sense of urgency, given that Kirklees and HVPC have declared a climate emergency. Section 4.4 Sustainable design in SPD Extensions and alterations is noted. <p>General Response:</p> <p>Overall, the SPDs which are generally clearly laid out and provide a useful guide for applicants across the topics covered.</p> <p>They are in many ways aligned with the more detailed information within the Holme Valley Neighbourhood Development Plan which articulates more specifics about elements such as our landscape and built character and gives the views of our community. This is important as the SPDs are written from a developer's perspective so we hope that they can be used in conjunction with the NDP to better understand the relationship between buildings and the community they sit within.</p> <p>Climate change and the need to act on the climate emergency is reflected in the SPDs but not expressed in the strong terms required to drive real action. For example, the Householders Design Guide only encourages or supports renewable technologies / shared energy projects rather than requiring these things to be considered as standard and only not applied if rationale is provided.</p> <p>It is important that new houses are built with solar panels, ground source heating etc. considered seriously from the start, not left to individual homeowners to add later. Many of the new developments in the valley do not seem to include these and indeed, utilities often appear to be added to and put under considerable pressure thereby causing problems for existing residents. The utilities should be enhanced, and recent problems have been visible such as recent flooding at the new housing in Scholes and lack of sufficient electrical supplies to support the promised car charging provision in Hade Edge.</p> <p>The House Extensions and Alterations SPD is an extremely useful document providing a full range of positive and negative examples and we welcome this clarity which should be very helpful to those seeking to extend or alter their homes.</p> <p>Overall, we welcome the opportunity to contribute to these SPDs and the additional clarity they bring. Many</p>		<p>No change.</p> <p>Comments noted and welcomed.</p> <p>No change.</p> <p>Comments noted and welcomed.</p> <p>No change.</p> <p>The suite of Quality Places SPDs and guidance aims to improve the quality of residential development in Kirklees through good design, including responding to the climate change emergency.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>terms within the SPDs are subjective such as referencing character, distinctiveness and public views and we recognise that this challenge of balancing specificity with the general values of an area is a challenge for all planning documents.</p> <p>However, we hope that together with the Holme Valley specifics of the NDP, these SPDs will provide a clearer articulation of what is acceptable in the future.</p>		
SPD_HB136	Holme Valley Parish Council	1.2	<p>The Parish Council welcomes a number of elements within the proposal.</p> <p>→ SDP guidance will be a material consideration in determining planning applications</p>		<p>No change.</p> <p>Support welcomed.</p>
SPD_HB147	Redrow	1.2	<p>The SPD potentially has significant implications for housebuilders in Kirklees. Redrow have developed a number of successful housing schemes in the Borough, including most recently at Scissett and Thongsbridge. We have included images of these schemes to assist with our representations (Annex B).</p> <p>The SPD is structured around a number of design principles and seeks to supplement key policies within the Local Plan which impact on housing development design. Redrow welcome the approach to providing greater clarity and guidance on the Council's interpretation and application of these policies. This should result in improved design quality alongside faster decision making on planning applications.</p>		<p>No change.</p> <p>Support welcomed.</p>
SPD_HB5	Private Individual	What is good design?	<p>Some new developments do not bring delight! They bring fear and anxiety about further flood damage.</p>	Do not plan to build on flood plains	<p>No change.</p> <p>All proposals are subject to national and local policies on flood risk and drainage.</p>
SPD_HB71	Spen Valley Civic Society	What is good design?	<p>Our main interest is in the impact of planning regulation on the environment – both natural and built. The entire world is at a critical juncture with regards to climate change/damage to the environment and it is incumbent on all of us to ensure that nothing we do has a detrimental impact. So planning at a local level is just as important as national or global decision making.</p> <p>Translating this to the local scene, we consider that in all planning development there should be a presumption in favour of retention of existing green infrastructure – trees, hedges, water courses etc, unless the developer can demonstrate it is not viable, so that the natural environment which is in place prior to development is retained. In those cases where it is clearly demonstrated that it is not possible, environmental replacement should be required. There are too many cases currently – we would cite Merchant Fields in Cleckheaton as an example – where sites are cleared of trees and hedges prior to application, which with a modicum of decent planning could have been retained and have enhanced the development. This mainly concerns sites which were previously designated green belt or urban green space, but is also relevant to many derelict sites where natural regeneration has taken place over the many years that a site has remained derelict. The required standard for natural feature replacement needs to be raised. Currently you seem to be too easily satisfied by proposals which are clearly inferior in terms of quality and quantity – one mature tree being replaced by one sapling being a classic example.</p> <p>We consider that Kirklees Council is ideally placed to provide an exemplar of good design and planning by working with a partner in social housing provision to construct a 'model' development on a site currently in Council ownership. This would incorporate the standards/requirements/recommendations in respect of design and build, alongside environmental protection/enhancement. In one of our many submissions to the Local Plan we suggested a number of sites in the Spen Valley owned by the Council which could be suitable for this kind of initiative. We have also visited a number of housing developments across the region which have built housing incorporating innovation, good design, and high environmental standards, and know it can be done. Kirklees Council is in an ideal position to lead by example.</p>		<p>Proposed change.</p> <p>Wording has been amended to ensure that the SPD reflects criterion I of Local Plan Policy LP24 and NPPF para 170.</p> <p>Paragraph 6.9 add: <u>Existing tree and landscape features should be incorporated into a scheme at the concept or initial design stage and sites should show a net gain in tree coverage.</u></p> <p>Amend Principle 7: The integration of green infrastructure and <u>accessible</u> open space should <u>must be</u> considered early in the design process by assessing:</p> <ul style="list-style-type: none"> • the site's context; • connectivity with <u>the ability to make connections with wider green infrastructure</u> networks and • the multi-functional role green infrastructure can perform <p>Assess and consider the viable retention of <u>Proposals should retain</u> existing features within the site, such as valuable trees, natural wildlife habitats and landscape features.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>Green infrastructure can be provided through building features such as green roofs and green walls and through the design of streets to include street trees, <u>and trees within residential plots and open spaces.</u></p> <p>Open Space, particularly for recreation, should be located at the heart of the site and designed to help create identity.”</p> <p>Amend paragraph 7.23: Careful consideration should be given to the multi-functional role that green infrastructure can perform within the development, including:</p> <ul style="list-style-type: none"> - Flood mitigation - Improving urban biodiversity, through street trees, woodland creation and wetlands - Tree planting <u>A net gain of tree coverage</u> to provide shelter from rainfall, shade and to minimise impact of high winds - Providing a setting for walking and cycling connections - Natural playable spaces
SPD_HB144	Holme Valley Parish Council	What is good design?	<p>Questions and concerns</p> <p>→ The Housebuilder Design Guide SPD adds little clarity in terms of Kirklees’ specific requirements to what is already available in the National Design Guide.</p> <p>→ It is unclear how the document can be appraised and scored exactly against the planning and SPD requirements given so many imprecise requirements.</p> <p>→ To establish high quality environments, it is important that developers properly understand their obligations to those living in the area affected by the planned development.</p>		<p>No change.</p> <p>Comments noted.</p> <p>The SPD will be a material consideration when determining planning applications.</p>
SPD_HB74	West Yorkshire Combined Authority	2.1	<p>Section 2 – The policy context should incorporate the importance of design in national policy and describe the most recent changes that support this – e.g. the National Design Guide, the forthcoming National Model Design Code (which we expect will be out to consultation soon), the Building Better Building Beautiful report etc. If nothing further is to be written on national policy, then the list as it stands could go in an appendix.</p>		<p>Proposed change.</p> <p>Amend paragraph 2.1 to read:</p> <p>“There are several national and local strategies and policies that form the policy context for the Residential Design SPD <u>at the time of adoption</u>, these are listed below.”</p> <p>Amend national policy bullet points add:</p> <p><u>“Living with Beauty (Building Better Building Beautiful Commission) 2020 .”</u></p>
SPD_HB93	Persimmon Homes (West Yorkshire) Ltd	2.1	<p>It would be helpful if it was noted which of the policies and documents are currently adopted and which are emerging</p>	as above	Proposed change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					Amend paragraph 2.1 to read: “There are several national and local strategies and policies that form the policy context for the Residential Design SPD <i>at the time of adoption</i> , these are listed below.”
SPD_HB86	Historic England	2.1	We would suggest that documents relating to the conservation and enhancement of the historic environment that have been prepared locally are of importance to this SPD. These include the Huddersfield Blueprint, the various conservation area appraisals for conservation areas within Kirklees, and neighbourhood plans which may have been or may be made over the lifetime of this document.	Insert reference to Huddersfield Blueprint, conservation area appraisals including those which have been adopted and a general reference to those which may be prepared as well as neighbourhood plans.	Proposed change. Amend ‘Local’ bullet points to add: <ul style="list-style-type: none"> • <i>Kirklees Conservation area appraisals</i> • <i>Huddersfield Blueprint 2019</i> • <i>Dewsbury Blueprint 2019</i>
SPD_HB18	Natural England	3.1	Other design considerations The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 180).		No change. The SPD recognises biodiversity as a driver of site design in paragraph 3.1. Specific design principals related to biodiversity are included under Principle 9 which includes measures such as lighting.
SPD_HB27	Upper Dearne Valley Environmental Trust (UDVET)	3.1	We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines. We feel there are many things in this document to be welcomed, particularly:- <ul style="list-style-type: none"> • That any development meets the type of homes needed in that particular locality. 		No change. Comment noted.
SPD_HB76	West Yorkshire Combined Authority	3.1	‘The design of all development should consider how the design of development...’ needs to be made clearer ‘live and work’ could be ‘live, work and play’ and the sentence that begins ‘This will ensure that developments, recognise...’ is hard to understand.		Proposed change. Paragraph 3.1 amended – see SPD_HB75 response.
SPD_HB75	West Yorkshire Combined Authority	3.1	Section 3 – Drivers of site design in Kirklees – this section could be clearer and again set out more of a vision. These are the headlines of why Kirklees needs good design and what it hopes to achieve. The diagram could be explained more clearly – at the moment there are no headings for any of the paragraphs, there is some repetition (especially in section 3.4).		Proposed change. Paragraphs 1.1 and 1.2 have been amended to set out the purpose of the SPD. See comment SPD_HB75 response. Paragraphs 3.1 and 3.2 have been amended to better explain the diagram and remove repetition. Amend para 3.1

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>“The drivers of site design in Kirklees are set out in the diagram below. Designs should be informed by a thorough analysis of the broader context of the site and the landscape, heritage, cultural and natural character of the places which make up Kirklees, using the tools set out in Principle 1 and following the advice set out in Principle 2. The design of all development should consider how the design of development can help respond to wider policy challenges, <u>with development expected to: relating to climate change, biodiversity, housing need and quality, health and wellbeing, transport, inclusive growth, and flood risk and drainage.</u>”</p> <ul style="list-style-type: none"> • <u>“Be resilient and adaptable to the impacts of Climate Change and minimise greenhouse gas emissions, in the design of both the site and the homes within it, reflecting the factors listed in the box below.</u> • <u>Protect and enhance the district’s Biodiversity and integrity of the natural environment and the locally distinctive qualities that contribute to its character. This helps strengthen the beneficial services provided by the natural environment and makes a positive contribution to the health and well-being of existing and future residents.</u> • <u>Provide the amount, type and tenure of homes that help meet the district’s Housing Need and ensuring homes are well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged.</u> • <u>Ensure that Housing Quality is at the forefront of housing need, supporting innovative designs that are built to modern sustainable standards adaptable to the changing demands of society and the climate.</u> • <u>Support a positive impact on Health and Wellbeing. The design of residential developments affects health in terms of its accessibility, living space, access to outdoor space and the environment in which the house is located. This also includes access to well-connected multi-modal transport, physical activity,</u>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p><i>employment and services, community safety, green space, to healthy and affordable food choices and environmental quality.</i></p> <ul style="list-style-type: none"> • <i>Support sustainable Transport choices by being well connected to the existing network of streets, have good levels of connectivity and ease of movement throughout the site itself. New development should have good links to local services and both existing and proposed public transport facilities to achieve sustainable movement patterns, reducing the reliance on cars and promoting sustainable travel.</i> • <i>Contribute to the Council's Inclusive Growth aspirations by supporting the delivery of homes for all sectors of society and ensuring that development supports the Kirklees economy through supporting learning and skills in construction; and</i> • <i>Support Flood Risk and Drainage policies by incorporating natural features such as tree planting and wetlands, that form part of an integrated multifunctional green infrastructure network."</i> <p>Amend paragraph 3.2:</p> <p><i>"Development design in accordance with the Design Principles set out in sections 6 to 9 will support well well-designed developments relate well to their immediate surroundings and the site's broader context by responding to landscape, heritage, cultural and natural characteristics. New development should will be integrated into the surrounding context, should and respond positively to local character, whilst being and be sensitive to its surroundings. whilst making a positive response to the Council's climate emergency declaration and other key policy drivers. The delivery of development in accordance with the principles set out in the SPD, along with Local Plan policies and relevant SPDs can ensure that the design and quality of new homes in Kirklees will make a positive contribution to the towns and villages of the district and play a critical role in addressing the Climate Emergency declared in Kirklees."</i></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					Delete paragraph 3.3 in its entirety. Delete paragraph 3.4 in its entirety.
SPD_HB87	Historic England	3.1	We support the references made within this section to the historic environment.	No change	No change. Support welcomed.
SPD_HB148	Redrow	3.1	The drivers of site design identified in Chapter 3 are supported and are consistent with our approach to place-making, known as the Redrow 8 (extract attached.) The principles of the Redrow 8 have been employed for many years, however the document provides a framework to ensure that each of those principles are applied to each of our sites going forward. The table below demonstrates the synergy with the principles in each document. Climate change and flood risk are also embedded into the technical design and delivery of schemes.		No change. Comment noted
SPD_HB6	Private Individual	3.3	Does this mean it is OK to build on a flood plain?		No change. All proposals are subject to national and local policies on flood risk and drainage.
SPD_HB8	Private Individual	3.3	It is significant that a photograph of a Kirklees development wasn't used		No change. Comment noted.
SPD_HB131	Holme Valley Vision Network	3.3	Local consultation and involvement of people in the development of plans would provide far better insight into the local housing needs than the methods used during the development of the Local Plan which were heavily weighted in favour of developers and their vested interests. Better understanding of local people's views would also beg questions about some of the assumptions made in the documents. For example, why should homes and work places be separated? Closer integration enables more homeworking and working closer to home. It facilitates greater human interaction, reduces loneliness and is good for local businesses. It also reduces reliance on private car. New developments tend towards a grouping of housing estates, attached to a business park and a shopping centre, each zone connected to the others by roads designed solely for cars. In such a development, residents must drive out of their neighbourhood for almost everything. The negative effects this has on health and the environment are well-attested, but it also feels strangely inert, as though the separate zones have no real connection with each other, and as though life stagnates within their boundaries." Living with Beauty		No change. Neither the policy nor the SPD stipulate that land uses should be kept separate. Comments on community engagement are included in paragraph 4.1.
SPD_HB137	Holme Valley Parish Council	3.3	The Parish Council welcomes a number of elements within the proposal. " Developments that are adaptable to climate change are essential to make sure our communities remain desirable places to live and work. Where appropriate developers will be encouraged to produce innovative designs that are built to modern sustainable standards adaptable to the changing demands of society and the climate."		No change. Support welcomed.
SPD_HB9	Private Individual	3.4	It is significant that a photograph of a Kirklees development wasn't used		No change. Comment noted.
SPD_HB38	Upper Dearne Valley Environmental Trust (UDVET)	3.4	We would like to put forward the following suggestions for change:-		

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<ol style="list-style-type: none"> 1. Section 3.4 – add the word ‘heritage’ to the second sentence. In addition, there is scope to say more and require more in Kirklees Rural regarding use of architecture and materials which have close links to the Pennine heritage. Over the past 20+ years this seems to have been forgotten and we are now seeing new developments completely at odds with the local character and indeed are aesthetically offensive. National developers ‘bog standard’ designs and materials should not be tolerated. A real design gain is now needed, not developers simply using the mistakes of the past (of which there are many) to promote cheap, poor design and materials. There is scope to include more photographs of good design which reflect links to the traditional architectural character of Kirklees Rural in particular. 2. Section 3.4 – Addressing the Climate Emergency Box – Public Transport Bullet. The Council need to consider how its Roads and Highways Guidance conflicts with extending bus routes around large developments. The latter Guidance allows ridiculously narrow roadways (often getting progressively narrower deeper into a development) quite unsuitable for public transport use. There appears to be a need to consider making provision to permit bus route extension and bus stops within large, new developments if the Council is serious about getting people out of their cars. Most people will not walk 800ms. 3. Section 3.4 – Addressing the Climate Emergency Box –Food Growth Bullet. Whilst we welcome this suggestion, we believe the Council should be more actively procuring allotment space within or close to large developments. There are huge waiting lists in our area owing to poor policies in the past. 4. Section 3.4 – Addressing the Climate Emergency Box – Density Bullet. We wonder from where the evidence for this statement emanates. It appears to be based on supposition and hope rather than fact. Our experience in the Dearne Valley, and particularly Skelmanthorpe, is that local facilities have decreased as the population has increased! Sadly the trend is still towards increasing centralisation of community facilities and services necessitating car use. 		<p>Proposed change.</p> <p>Para 3.4 has been deleted as part of a wider change, but heritage is included in paragraph 3.1, and considered further in the document.</p> <p>No change.</p> <p>The Highway Design Guide SPD sets out street types where bus routes are appropriate, and this is covered in Principle 12 of this SPD.</p> <p>No change.</p> <p>The Open Space SPD seeks open space provision for new housing developments, including the provision for allotments where there are existing deficiencies and identified needs.</p> <p>No change.</p> <p>Comment noted.</p>
SPD_HB129	Holme Valley Vision Network	3.4	<p>There is a failure to grasp the opportunity of influencing thinking and behaviour about car ownership. Even though we consider every house should be able to charge an electric vehicle, we also consider that more should be done to actively discourage private vehicle ownership by making car journeys unnecessary and alternative modes of travel easy</p> <p>Reference is made to the importance of public transport. The reduction in private car use will in part be dependent on the availability of better and different modes of transport. It is accepted that this is outwith the scope of the Housebuilders Design Guide but at least some reference should be made about how better public transport provision will be secured.</p>		<p>No change.</p> <p>Principle 12 recognises the need to reduce private-car use, though this is limited in the context of the SPD.</p>
SPD_HB132	Holme Valley Vision Network	3.4	<p>There is some limited acknowledgement of local landscape characteristics but nothing about the importance of respecting local cultural and community characteristics though the Local Plan makes great play on the need to take account of the distinctive features of the different parts of the district.</p>		<p>No change.</p> <p>Comment noted.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB7	Private Individual	How good residential design can address the climate emergency:	Why plan to build more homes where there is no suitable transport link? Where there is inadequate space for people to use bikes? Where the nearest shops are not within walking distance for many people?		No change. Principle 12 recognises the need to reduce private-car use, though this is limited in the context of the SPD.
SPD_HB33	Upper Dearne Valley Environmental Trust (UDVET)	How good residential design can address the climate emergency:	We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines. We feel there are many things in this document to be welcomed, particularly:- <ul style="list-style-type: none"> • The encouragement to include food growing areas within developments. • The orientation of homes and windows to make the maximum use of natural sunlight, whilst avoiding weather and microclimate impacts. 		No change. Comments noted.
SPD_HB138	Holme Valley Parish Council	How good residential design can address the climate emergency:	The Parish Council welcomes a number of elements within the proposal. → The entire section on How good residential design can address the climate emergency		No change. Support welcomed.
SPD_HB14	Private Individual	Principle 1	If a development is perceived to be small (say 1 to 18 properties) does this mean that it doesn't need to go before the Council for approval? If this is the case then it becomes extremely difficult to object to a company building a development right in front of other properties that have had an outlook for a long time. The "development" could in theory block the outlook and light / sunlight from its neighbours and encroach right up to the boundary (building garages on the boundary if necessary to maximise the use of land). If the neighbours are bungalows this could have a serious detrimental effect on the owners losing heat (from the sunshine) and ultimately making neighbouring properties cold.		No change. Planning applications are determined in line with the council's Development Management Charter.
SPD_HB77	West Yorkshire Combined Authority	Principle 1	Section 4 – This is a very useful section with some pointers for the process to follow in developing and submitting a planning application. The reference to the Place Standard could be more clear – is the meaning that this is a useful tool? Or that the local insight gathered can be shared in some way? The 'Implementing the planning permission' is listed as a tool, but it isn't one – perhaps the heading should say 'preparing a masterplan' or 'preparing a masterplan framework'?		Proposed change. Amend paragraph 4.1 "Community Engagement: Developers should agree what engagement will be undertaken with the local community and elected members and work as early as possible. Community engagement should be undertaken in conjunction with the council, or agreed with the council prior to being undertaken. Particular attention should be paid to how the development can make a positive contribution to placemaking, with an understanding of the aspirations and needs of the community. Kirklees have used the Place Standard tool to gain local insight from citizens in different settlements within the district, <u>the evidence</u>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p><i>from this is available on the Kirklees website (add footnote) and can ensure that applicants respond to any significant local issues.</i> The Kirklees Public Art policy considers the role that public artists can have in the community engagement process. <i>The Development Management Charter (add footnote) sets out further advice on community engagement.</i>"</p> <p>Amend paragraph 4.1:</p> <p>Implementing the planning permission Agreeing details early: Working with the Council from an early stage and preparing detailed site masterplans can help ensure that details are responses to site constraints and detailed highways designs are agreed when a site receives planning permission and that details are not left to planning conditions. <i>This will provide more certainty and it will support the Council's aim in swiftly dealing with Discharge of Conditions applications. The Kirklees Validation Checklist sets out what information is required to accompany planning applications to ensure that sufficient information is provided at an early stage to support good design in proposals.</i></p>
SPD_HB66	Huddersfield Civic Society	Principle 1	<p>The Housebuilder Design Guide SPD adds little clarity in terms of Kirklees' specific requirements to what is already available in the National Design Guide. As we highlighted earlier, it is important that the SPD requirements are clear and additional to the documents above the SPD in the hierarchy. We believe this <i>SPD is not robust</i> in giving clear 'material requirements' as to what the Authority expects as mandatory from a developer and whether requirements are mandatory at certain sizes of development or other parameters.</p> <p>Principle 1 states 'Developers are expected to...', unfortunately the legitimate expectation appears to be lacking clarity and rigour in the specific requirements of expectation. It is unclear how the document can be appraised and scored against the planning and SPD requirements given so many imprecise requirements. An SPD is not an 'ask' document, a conflict shown in the following examples:</p> <ul style="list-style-type: none"> LP5 in the Local Plan states: A management plan must be produced as part of the master-planning process to demonstrate how infrastructure and community assets will be maintained and managed following completion of development. <p>Unfortunately, LP5 does not clarify which sites need a masterplan and to what degree masterplan detail is required to satisfy the Authority. Confusion arises because the legitimate expectation of LP5 is that a site will have master planning: 'Masterplans will be developed in consultation with the council prior to the submission of a planning application. Masterplans would only be sought where feasible and appropriate.'</p> <p>What is feasible and appropriate? This statement is subjective and unquantified. Isn't it the role of the SPD to make clear, while using broad parameters, when a masterplan <i>must</i> be provided and what is appropriate? <i>The opportunity to have clarity on when such a masterplan is required appears to have been missed.</i></p>		<p>No change.</p> <p>Comments noted.</p> <p>Appropriate changes have been made regarding direct policy wording. See comment HB73. Local Plan paragraph 6.23 sets out where a Masterplan would normally be required.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<ul style="list-style-type: none"> To establish high quality environments, it is important that developers properly understand their obligations to those living in the area affected by the planned development(s) and using their properties. Therefore, we would like to see more mandatory consideration and evidence when planning applications are submitted, with less reliance on S106 conditions being made as these can often be whittled down in subsequent negotiations or just not complied with. <p>Example, cl 5.12 discusses the Urban Grain but only has a 'should have regard to the existing urban grain'. A fundamental issue of the Context of a development is its surroundings. We would expect there to be a 'must' or 'shall' consider and then spell out the areas that the Authority needs considering. This should not add any additional onus on a developer worth their salt, as it is part of the design process, as the National Design Guide makes clear. If the Council is concerned about the impact on small developers, then minimum house volume thresholds could be introduced.</p> <p>The above are just two example of many that we could highlight using the same principles for this SPD.</p>		
SPD_HB1	Canal & River Trust	4.1	Feedback from Statutory Consultees affected by development, including the Canal & River Trust, can have an impact on the final design of development. We therefore consider that reference should be given in this section to the role of Statutory Consultees to make this document more effective. For example, development alongside our canal network could impact our network by affecting public access to our towpaths, the attractiveness of our network for public use, the stability of the canal structure, or the management of water flows to and from our waterways. Feedback from consultees such as ourselves could have a significantly impact on the final design of the development. Consideration of these matters as part of the development process is therefore vital to inform the final development. The Trust, for example, offer a (presently) free pre-application process, that would enable developers to identify matters prior to the submission of an application.	<p>A new bullet point for 'Engagement with Statutory Consultees' - Suggested text is below:</p> <p>"Developers should identify which Statutory Consultees may be affected by the proposed development and should undertake relevant engagement with affected Consultees as early as possible. Developers should work with Statutory Consultees to ensure that the built form is appropriate to the site".</p>	<p>Proposed change.</p> <p>Amend paragraph 4.1 to include new bullet point:</p> <ul style="list-style-type: none"> <i>“Statutory Consultees Advice: Developers should identify which Statutory Consultees may be affected by the proposed development and should undertake relevant engagement with affected Consultees as early as possible. Developers should work with Statutory Consultees to ensure that the built form is appropriate to the site.”</i>
SPD_HB78	West Yorkshire Combined Authority	4.1	Community engagement 'Developers should agree...and work as early as possible' isn't clear – 'work together', perhaps? Under Management and Maintenance, 'the street' could be better replaced by 'streets and spaces' to be more comprehensive, and it could also say 'challenges such as those presented by car parking' to encompass other challenges such as maintaining landscaping.		<p>Proposed change.</p> <p>Amend paragraph 4.1 to read:</p> <ul style="list-style-type: none"> <i>“ Community Engagement: Developers should agree what engagement will be undertaken with the local community and elected members and work together as early as possible involving them in preparing plans.”</i>
SPD_HB58	Trans Pennine Trail	4.1	Management and maintenance – section should include reference to securing budget for future management or maintenance to ensure Kirklees Council or residents are not left with unexpected costs.	Management and maintenance – section should include reference to securing budget for future management or maintenance to ensure Kirklees Council or residents are not left with unexpected costs.	<p>No change.</p> <p>The Open Space SPD provides guidance on the future management and maintenance of open spaces.</p>
SPD_HB35	Upper Dearne Valley Environmental Trust (UDVET)	4.1	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p>		<p>No change.</p> <p>Comment noted.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<ul style="list-style-type: none"> The use of independent Design Reviews but it is important its recommendations 'have some teeth'. 		
SPD_HB59	Trans Pennine Trail	4.1	Section 4 should also include defining links to existing sustainable transport routes or potential new routes that can be secured as part of the planning process.	include defining links to existing sustainable transport routes or potential new routes that can be secured as part of the planning process.	No change. A Travel Plan and Transportation Requirements are included in the pre-application advice section and covered in para 6.11 as part of an assessment of connections to the walking and cycling network.
SPD_HB94	Persimmon Homes (West Yorkshire) Ltd	4.1	A reference to the page overleaf where it states 'Design and access Statements should address the ten characteristics set out in the National Design Guide'		Proposed change. Amend paragraph 4.1 to read: <ul style="list-style-type: none"> "Design and Access Statements should address the ten characteristics set out in the National Design Guide, <u>shown in figure 1.</u>" Amend document to include figure numbers.
SPD_HB49	West Yorkshire Ecology Service	4.1	This needs to include the Biodiversity Net Gain Technical Advice Note. Biodiversity habitats need to be considered from site selection and start of the design process right through to the on-going management of land retained for enhancement.	Add the above as an extra bullet point	The Biodiversity Net Gain Technical Advice Note is referred to in Section 2. Proposed change. Amend paragraph 4.1: <ul style="list-style-type: none"> "Pre-Application Advice: Setting the parameters and environmental constraints <u>and opportunities including habitats</u>, understanding developer contributions and viability issues, travel plan and transportation requirements, getting the right amount and mix of homes, conformity with local and national policy, how the site will be serviced. Further information is available on the Council website(1)."
SPD_HB39	Upper Dearne Valley Environmental Trust (UDVET)	4.1	We would like to put forward the following suggestions for change:- <ol style="list-style-type: none"> Section 4.1 – Community Engagement – There should be an explicit and genuine model of required 'public engagement', starting right at the beginning of the process before any plans are drawn up. The current system of 'produce a plan and then defend' type consultation exercise is bad practice (and currently outlawed in terms of Neighbourhood Plan development). KMC should be supporting a 'best practice model' of public involvement and consultation to rebuild public support and credibility. Simply having a local Councillor involved in early discussions is not enough – it needs a proper workshop with a cross section of the local community and its interests. The notion of 'public buy-in' needs to be embraced. 		Proposed change. Amend paragraph 4.1 to read: <ul style="list-style-type: none"> "Community Engagement: Developers should agree what engagement will be undertaken with the local community and elected members and work <u>together</u> as early as possible <u>involving them in preparing plans.</u>"

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>2. Section 4.1 – Design Codes – given the unique, historic and heritage characteristics of many areas and habitations in Kirklees, especially in Kirklees Rural, a ‘rich diversity of architectural styles’ will be particularly inappropriate and , indeed, ugly and jarring to the eye, if the photographs contained in this document are anything to go by. We feel more emphasis needs to be placed on the requirement for historic/heritage linked architectural features. This was often the case in new housing in the 1980s/1990s but seems to have been forgotten in the past 20 years with the growing influence of large, national builders. Sadly, this has resulted in many truly ugly, identikit housing developments throughout the Borough with inappropriate styling and materials.</p>		<p>Proposed change.</p> <p>Amend paragraph 4.1 to read:</p> <ul style="list-style-type: none"> • “Design Codes: Where sites are likely to have multiple owners and where opportunities for self-build and custom-build houses are made available, a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for a rich diversity in architectural styles <i>in accordance with the site’s context, as assessed according to Principle 2. The Government Published the National Model Design Code in January 2021, which provides detailed guidance on the production of design codes, guides and policies to promote successful design.</i>
SPD_HB88	Historic England	4.1	<p>Historic England is particularly keen to work with developers at the pre-application stage to ensure that it has the best opportunity for new development to conserve and where possible enhance the significance of heritage assets and their settings. A brief sentence on developers working with partner organisations at an early stage would be beneficial here. More information on Historic England’s pre-app service may be found here https://historicengland.org.uk/services-skills/our-planning-services/charter/our-pre-application-advisory-service/</p>	<p>Insert sentence for example</p> <p>“Applicants are encouraged to work with partner (footnote) organisations at an early stage to ensure new development reflects the needs of the site whilst maximising opportunities for placemaking.”</p> <p>Footnote – Partners organisations may include Historic England, Environment Agency, Natural England, Sport England etc.</p>	<p>Proposed change.</p> <p>Amend paragraph 4.1 to include new bullet point to read:</p> <ul style="list-style-type: none"> • “Statutory Consultees Advice: Developers should identify which Statutory Consultees may be affected by the proposed development and should undertake relevant engagement with affected Consultees as early as possible. Developers should work with Statutory Consultees to ensure that the built form is appropriate to the site.”
SPD_HB133	Holme Valley Vision Network	4.1	<p>PLACE SHAPING AND SUSTAINABILITY</p> <p>There seems to be a poor understanding of the concepts of ‘Placemaking’ and ‘Sustainability’. Breaking the terms down into specific topics misses the overarching meaning of the concepts and the importance of integrating those topics in the cohesive whole of what a place means to the people who live in it and use it. The Place Standards tool is a good start but it is superficial. Its use demands follow-up and further research to gain insight into the reasons why people see their places in the ways they do. Far better ways of listening to and working with local people are available and should be used.</p> <p>Quality of place needs to be understood in terms not of ‘good design’ but of provable relationships between urban form with health, well-being and sustainability, as well as empirical data on what local people like.”</p> <p>Living with Beauty</p> <p>The RTP1 says; “From the community’s and stakeholders’ perspectives alike the earlier the engagement the better.”</p> <p>If people have been listened to and they have evidence to show that their views have been taken into account in the planning and development process they will have a greater sense of ownership over the places in which they live. They will value their places, look after them and sustain them.</p> <p>The planning processes are lacking in transparency, bureaucratic, difficult to understand and use and are</p>		<p>Proposed change.</p> <p>Amend paragraph 4.1</p> <ul style="list-style-type: none"> • “Community Engagement: Developers should agree what engagement will be undertaken with the local community and elected members and work as early as possible. Community engagement should be undertaken in conjunction with the council, or agreed with the council prior to being undertaken. Particular attention should be paid to how the development can make a positive contribution to placemaking, with an understanding of the aspirations and needs of the community. Kirklees have used the Place Standard tool to gain local insight from citizens in different settlements within the district, <i>the evidence made available from this is available on the Kirklees website (add footnote) and can ensure that applicants</i>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>adversarial in nature. Local people are invited to take part in difficult to access processes and often made to feel that their comments are not welcomed.</p> <p>We appeal for far better public consultation and involvement. We accept that local officers have done the best they can and recognise, as has been done nationally, there is a significant learning need amongst planning professionals, generally.</p> <p>The Building Better Building Beautiful Commission recommends that “The government should also encourage planning officers and inspectors to take mid-career postgraduate qualifications in urban design ... and providing a short course on the impact of urban design for local councillors who sit on planning committees.”</p> <p>We are also fortunate to have easy access to Manchester Metropolitan University which runs courses on placemaking.</p>		<p><i>respond to any significant local issues.</i> The Kirklees Public Art policy considers the role that public artists can have in the community engagement process. <i>The Development Management Charter (add footnote) sets out further advice on community engagement.</i>”</p> <p>Amend paragraph 4.1:</p> <ul style="list-style-type: none"> • <i>“Implementing the planning permission Agreeing Details Early: Working with the Council from an early stage and preparing detailed site masterplans can help ensure that details are responses to site constraints and detailed highways designs are agreed when a site receives planning permission and that details are not left to planning conditions. This will provide more certainty and it will support the Council’s aim in swiftly dealing with Discharge of Conditions applications. The Kirklees Validation Checklist sets out what information is required to accompany planning applications to ensure that sufficient information is provided at an early stage to support good design in proposals.</i>”
SPD_HB121	Environment Agency	4.1	<p>Paragraph 4.1 – Pre-application advice</p> <p>This section highlights the Kirklees pre-application advice service. For information, we also offer a pre-application advice service to developers and we would welcome a signpost to our service (either in this paragraph or on your website if that is considered appropriate) to encourage early discussions with us where environmental constraints are present on a site. Our pre-application service extends to all matters within our remit and aims to provide developers with the opportunity to discuss and resolve any environmental issues prior to formal application.</p>		<p>Proposed change.</p> <p>Amend paragraph 4.1 to include new bullet point to read:</p> <ul style="list-style-type: none"> • <i>“Statutory consultees advice: Developers should identify which Statutory Consultees may be affected by the proposed development and should undertake relevant engagement with affected Consultees as early as possible. Developers should work with Statutory Consultees to ensure that the built form is appropriate to the site.”</i>
SPD_HB145	Holme Valley Parish Council	4.1	<p>Questions and concerns</p> <p>→ Pre-application advice. Why does this seem to have been accessed so infrequently for planning applications in the Holme Valley?</p> <p>→ Community Engagement: Could there be a clear role for HVPC here? Is this something valuable which we can bring to the process?</p>		<p>No change.</p> <p>The Development Management Charter sets out advice to engage in pre-application discussions at an early stage and there are a range of pre-application enquiry options depending on the scale of development.</p> <p>The Council notify the Parish or Town Council to seek comments on planning applications.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB79	West Yorkshire Combined Authority	Principle 2	Section 5 – Context: It would make more sense to swap the order of this section with the next, ‘Setting Design Parameters’, to keep the process elements and the urban design elements together.		No change. The order of the document reflects the hierarchical nature of going from site surroundings, to the site itself and then to the design of homes.
SPD_HB40	Upper Dearne Valley Environmental Trust (UDVET)	Principle 2	We would like to put forward the following suggestions for change:- 1. Principle 2 – the wording of this section needs to be amended as in its present form, we fear it will permit the building/planning permission mistakes of the past to be repeated. It does nothing to better the built environment e.g. if stone is the natural, heritage and historic building material of an area, then new housing should be required to follow the best. Time and time again developers use photographs of past design/materials mistakes to perpetuate cheap builds and use of their own convenient pattern books. Nasty bricks, render and red tiled roofs are offensive to the eye, the landscape and general Pennine environment. On our hillsides, these buildings are visible for miles and are truly ‘carbuncles’ on the beautiful landscapes of Kirklees Rural in particular e.g. the recent Redrow development at Highburton.		Proposed change. Amend Principle 2: “New residential development should proposals <u>will be expected to</u> respect and enhance the local character of the area by...”
SPD_HB165	Private Individual	5.1	a it should have modern design an diverse b dose not have to me same as that area different material can be used stone to bricks giving even colour full design from outside and other ideas available.		No change. Comment noted.
SPD_HB80	West Yorkshire Combined Authority	5.2	The word ‘property’ would be better replaced by ‘building’ or ‘dwelling’		Proposed change. Amend heading above paragraph 5.9: Types Size of property dwelling Amend first sentence of paragraph 5.9: “The type and size of property dwelling will influence the built form. Amend 3 rd bullet of principle 12: • “Where car parking is included within the curtilage of a property dwelling ...”
SPD_HB95	Persimmon Homes (West Yorkshire) Ltd	5.4	Paragraphs 5.4-5.7 are on page 11, though it should be page 9		Proposed change. Correct page numbering.
SPD_HB89	Historic England	5.4	We consider it may be necessary to provide some further explanation to this paragraph through more detailed narrative for those who may not have in depth local knowledge of the area. For example being more specific on the definition of a laithe house or linear farmhouse. Furthermore we would emphasise the importance of historic field boundaries in shaping the form of new developments and therefore suggest stronger wording in this regard.	5.4. There are several settlements in the district that have medieval origins, though the textile industry is the main influence of the built form in the district, in the form of weavers’ cottages, mills, workers’ stone terraced	Proposed change. Amend paragraph 5.4: “There are several settlements in the district that have medieval origins, though the textile industry is the main influence of the built form in

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				<p>housing; and municipal and commercial buildings. Kirklees has a wealth of historic farmsteads, the laithe house (a dual-purpose dwelling, comprising house and agricultural building in one range), a linear farmhouse and barn is a locally distinctive form of building commonly found in upland farmsteads of West Yorkshire. Historic field boundaries make an important contribution to local character and should have an active role in shaping the form of new developments</p> <p>Delete - can shape the form of new developments.</p>	<p>the district, in the form of weavers' cottages, mills, workers' stone terraced housing; and municipal and commercial buildings. Kirklees has a wealth of historic farmsteads, the laithe house (<i>a dual-purpose dwelling, comprising house and agricultural building in one range</i>), a linear farmhouse and barn is a locally distinctive form of building <i>commonly found in upland farmsteads of West Yorkshire</i>. Historic field boundaries make an important contribution to local character and <i>should have an active role in shaping the form of new developments</i> can <i>shape the form of new developments.</i>"</p>
SPD_HB21	West Yorkshire Archaeology Advisory Service	5.5	<p>According to the NPPF, Conservation Areas are designated heritage assets and great weight should be given to a designated heritage assets's conservation (para193 NPPF). Therefore a carefully considered design should be required for any development within a Conservation Area or within the setting of a designated heritage asset (whether Listed building, Conservation Area or Scheduled Monument).</p>	<p>The Design Guide should widen the scope of its requirements to the settings of designated heritage assets and make it clear that not just "high value" parts of Conservation Areas should require application of the Design Guide.</p>	<p>Proposed change.</p> <p>Amend paragraph 5.5:</p> <p><i>"Contemporary designs and high quality modern interpretations of distinctive local characteristics would be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment. A particularly carefully considered design approach will be required where the proposed development impacts on designated heritage assets and is within the curtilage of a Listed Building or within a high significance part of a Conservation Area.</i></p> <p>Great weight will be placed on the importance of good design where a proposed development may impact on a designated heritage asset or its setting. In conservation areas, it will be of great importance that development is sympathetic and responds to the context."</p>
SPD_HB90	Historic England	5.5	<p>Whilst we support the inclusion of the historic environment within this section we consider amended wording is necessary that is more aligned with national policy, Paragraph 193 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."</p> <p>The term curtilage is a legal term describing an area around a building. The setting of a heritage asset will include, but generally be more extensive than, its curtilage (if it has one). Setting is defined as the surroundings in which a heritage asset is experienced. This term setting is therefore appropriate when considering design of new development.</p> <p>In terms of conservation areas, it is important that development is sympathetic and contextual in all circumstances rather than just where it may affect a part of it where there is high significance.</p>	<p>5.5. Contemporary designs and high quality modern interpretations of distinctive local characteristics would be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment. Great weight will be placed on the importance of good design where a proposed development may impact on a designated heritage asset or its setting. In conservation areas, it will be of great importance that development is sympathetic and responds to the context.</p>	<p>Proposed change.</p> <p>Amend paragraph 5.5:</p> <p><i>"Contemporary designs and high quality modern interpretations of distinctive local characteristics would be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment. A particularly carefully considered design approach will be required where the proposed development impacts on designated heritage assets and is within the curtilage of a Listed Building or within a high significance part of a Conservation Area.</i></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
				Delete - A particularly carefully considered design approach will be required where the proposed development impacts on designated heritage assets and is within the curtilage of a Listed Building or within a high significance part of a Conservation Area.	Great weight will be placed on the importance of good design where a proposed development may impact on a designated heritage asset or its setting. In conservation areas, it will be of great importance that development is sympathetic and responds to the context."
SPD_HB139	Holme Valley Parish Council	5.5	The Parish Council welcomes a number of elements within the proposal. → Contemporary designs and high-quality modern interpretations of distinctive local characteristics would be welcomed where they are demonstrably appropriate to the site context and make a positive contribution to the wider environment		No change. Comment noted.
SPD_HB96	Persimmon Homes (West Yorkshire) Ltd	5.6	a source link to the 'range of resources about the historic environment of Kirklees' or a few references would be helpful		Proposed change. Amend Paragraph 5.6: "Kirklees has a wealth of heritage assets which help define the district's distinctive character and special interest. Conservation area appraisals, list entries and the Historic Environment Record provide detailed information about character and distinctiveness. New residential development will be expected to be informed by the relative significance of the place in order to positively complement the place. There is a range of resources that provide a wealth of information about the historic environment in Kirklees. Applicants should have regard to the range of resources listed above, agreeing relevant heritage assets with the Council at an early stage. "
SPD_HB81	West Yorkshire Combined Authority	5.12	The phrase 'figure ground diagrams' needs some explanation		Proposed change. Amend paragraph 5.12: "New development should have regard to the existing urban grain this is the pattern presented by buildings and the spaces between them <i>and how the spaces enable people to move between the buildings</i> . Streets with fine urban grain <i>tend to be in the centre of towns and where development is of a higher density. Places defined by a finer urban grain</i> can add character and interest and can assist with accommodating challenging topography with good examples including the borough's streets of short traditional terraces. Larger footprints and massing may be more appropriate for the borough's flatter valley-bottom sites where similar scale and character already exists. <u>A</u>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					Figure ground diagrams, <i>which depicts buildings in black and unbuilt space in white</i> , can be useful for understanding urban grain as shown in the accompanying image.”
SPD_HB34	Upper Dearne Valley Environmental Trust (UDVET)	5.13	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> • That development should respect the topography of the site. • Avoidance of standard house types separated by the use of high retaining walls on steep sites. • The use of more creative street design and the avoidance of bland, uninspiring and depressing street scenes. 		No change. Comment noted.
SPD_HB140	Holme Valley Parish Council	5.13	<p>The Parish Council welcomes a number of elements within the proposal.</p> <p>→ The treatment of steep slopes</p>		No change. Support welcomed.
SPD_HB82	West Yorkshire Combined Authority	Principle 3	<p>Section 6 – It would be worth setting out here, or in section 4, the drawings and documents that the LPA expects to see at each stage of the planning process – pre-app, outline, reserved matters, etc. The phrase ‘development framework’ needs explanation, as it is usually used in the context of a Local Plan and means something different in that context. Perhaps a useful alternative would be ‘concept masterplan’? Elsewhere in the document the phrase ‘site framework’ is used. Whatever phrase is used, it needs explanation and consistency. Under the heading ‘Slopes’, the emphasis needs to be that the developer should exploit/respond to the topography, rather than simply saying that it needs to be shown – it should be expected that sections and other drawings showing topography would be included with a planning application.</p>		<p>Proposed change.</p> <p>The pre-application advice on the council’s website includes information that would be required.</p> <p>Amend Principle 3: Replace “Development Framework” or “Site Framework” throughout the document with “Site Framework” to ensure consistency. The use of “Masterplan Framework” may imply that this only applies to where sites require a Masterplan.</p> <p><i>“Developers are expected to clearly identify and map out site constraints in the Design and Access Statement. This can help understand what constraints impact upon the developability of the site and ensure that they are fully embedded into the design of the site and that the site can be developed to make the efficient and effective use of land. A Development Site Framework <u>should will identify the purpose of each part of the site and help guide the site’s development, setting the development parameters early in the planning process.</u></i></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					Amend para 5.13: <i>"The influence of the topography of a site and how the development responds should be clearly set out in the Design and Access Statement. <u>Opportunities to utilise Applicants should demonstrate how the topography of the site has been utilised to create well-designed and distinctive places, should be considered including bespoke house types and using the topography to provide under-croft car parking. On steep sites standard house types separated by high retaining walls should be avoided and a high-quality street scene should be maintained. The topography of the site is likely to impact on the access arrangements and the development density of the site and this should be clearly identified in Design and Access Statements.</u>"</i>
SPD_HB97	Persimmon Homes (West Yorkshire) Ltd	Principle 3	We believe the principle should make reference to site opportunities, not just constraints.		Proposed change. Amend Principle 3 to read: <i>"Developers are expected to clearly identify and map out site <u>opportunities and</u> constraints in the Design and Access Statement."</i>
SPD_HB2	Canal & River Trust	6.1	<p>We believe that the SPD should refer to the need for developers to consider waterfront design.</p> <p>Waterside locations are unique and new development needs to fully reflect their settings in terms of heritage, environmental and infrastructure impacts. With regards to decision making, we believe that there is a need for the SPD to provide a more precise guide as to how development should address the borough's waterways. Without this, decision makers will be unable to determine how best to guide development next to waterways such as the Huddersfield Broad and Narrow Canals, or the Aire & Calder Navigation.</p> <p>Considerations for 'landscape' or the 'Relationship with neighbouring Land or buildings' are broad topics, and would fail to maximise the potential for the SPD to enhance the setting of the borough's waterways. This is a pertinent issue in Kirklees, where the canal network flows through key Urban Areas in the borough liable for future regeneration. We are concerned that draft document does not include wording that would directly promote access to waterways, make reference to surveillance of waterway spaces, nor cover matters concerning the optimisation of views towards or along the waterways; which all would assist in making the borough's waterways more attractive and enhancing the potential of the Blue Infrastructure Network as a leisure and recreational asset.</p>	<p>We consider that an additional constraint chapter should be included in the text:</p> <p>"Waterfront Design" - Proposals should consider how development will integrate with and improve access to, along and from adjacent canals and rivers.</p>	<p>Proposed change.</p> <p>Amend paragraph 6.6: <i>"The relationship of the site with neighbouring buildings and the suitability of different parts of the site for different uses in the case of mixed use allocations can determine its layout. This may include heritage assets, employment uses or other sensitive uses that may require buffer zones, stand-off distances and for development to respect the neighbouring buildings privacy and amenity. <u>Where a proposal is adjacent to a canal or river, consideration should be given to how the development will integrate with them and, where appropriate, provide a safe access. For those sites around main rivers, an Environmental Permit will be required from the Environment Agency under certain circumstances, this should be identified in early discussions with the Environment Agency as advised in paragraph 4.1.</u>"</i> </p>
SPD_HB122	Environment Agency	6.2	<p>Paragraph 6.2 – Flood Risk and Drainage</p> <p>We welcome and support the inclusion of this paragraph which highlights flood risk and drainage as key</p>		Proposed change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>considerations for the design and layout of developments. However, the first part is missing some wording from the policy.</p> <p>“The approach for flood risk is set out in Local Plan policy LP27. This policy states that development will not be permitted on any part of the site identified through a site-specific flood risk assessment as performing a functional floodplain role.”</p>		<p>Amend paragraph 6.2 flood risk and drainage to read: “The approach for flood risk is set out in Local Plan policy LP27. This policy states that development will not be permitted on any part of the site identified through a site-specific flood risk assessment <i>as performing a functional floodplain role.</i>”</p>
SPD_HB17	Natural England	6.7	<p>The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might makes a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.</p>		<p>No change to paragraph 6.7.</p> <p>Proposed change.</p> <p>Amend Principle 8:</p> <p>“The transition from urban to open land should be carefully considered where development is located on the edge of the urban area.</p> <p><u>Proposals should demonstrate how the new development makes a positive contribution to the character and function of landscape through sensitive siting and good design.</u></p> <p>For all sites in elevated areas, the appearance in the wider landscape should be considered and <u>with applicants should show demonstrating</u> how development respects the topography of the site <u>and its surroundings.</u>”</p> <p>Proposed change.</p> <p>Amend paragraph 7.27:</p> <p><u>“Where a site has a boundary on to open countryside or open space, or adjoins a major road, hard edges dominated by rear fences, gable ends, and outbuildings should be avoided. Houses should front on to such edges of the site; to minimise the risk of crime arising from the exposure of vulnerable areas such as rear gardens to open land. Service roads can form the edge of the site to help create a gentler transition to the edge of the development; with appropriate planting used to soften the edge. Where open space and landscaping are adjacent to service roads on the site edges, well-designed measures should be put in place to ensure the spaces are not used for car parking. Links to the Public Right of Way network at the edges of the site should be provided in context with the local setting. Where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature</u></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<i>trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die."</i>
SPD_HB22	West Yorkshire Archaeology Advisory Service	6.7	The West Yorkshire Historic Environment Record includes details of Kirklees' Historic Landscape Character and this assessment and analysis covers the whole of the District.		Proposed change. Amend paragraph 5.6: "Conservation area appraisals, list entries and the <i>West Yorkshire</i> Historic Environment Record provide detailed information about character and distinctiveness"
SPD_HB41	Upper Dearne Valley Environmental Trust (UDVET)	6.11	We would like to put forward the following suggestions for change:- Section 6.1.1 – Connectivity – this section needs to stress 'realistic' and 'achievable' walking and cycling routes. Perhaps the recommendation for reasonable walking and cycling distances appearing later in this document should be stressed here. However, most people would not walk 800m to access local services these days. However, the latter definitions only serve to illustrate the truly bad planning decisions made in the Dearne Valley (Scissett and Skelmanthorpe) where large estates are being built/planned in a car dependent area.		No change. This policy is seeking to provide guidance to developers on assessing the suitability of how connections to the existing walking and cycling network can be made, to give priority to these modes in line with national and local planning policy.
SPD_HB23	West Yorkshire Archaeology Advisory Service	6.12	WYAAS would suggest substituting "designated heritage asset" for "Conservation Area" in this paragraph. Listed buildings and Scheduled Monuments (such as Castle Hill, Almondbury for instance) have settings according to the NPPF and key views that need to be respected (both to and from the heritage asset).		Proposed change. Amend paragraph 6.12: "Any development proposal should consider views from public vantage points to important landmarks, the scope of a development to open-up and frame new views; and the impact of development on long distance views. In the case of development within or adjacent to a conservation area, views to and from the conservation area must be considered. Proposals for taller residential buildings should consider their visual impact in terms of long-distance views, as well as the townscape <i>and the impact on the setting of heritage assets."</i>
SPD_HB24	West Yorkshire Archaeology Advisory Service	Design and Access Statement Prompts	The prompts should include "heritage" as a possible reason that precludes development (see the NPPF historic environment chapter).		Proposed change. Add new bullet point: <ul style="list-style-type: none"> • <i>"Are heritage assets within or adjacent to the site identified; and the measures that would help safeguard their setting clearly identified?"</i>
SPD_HB42	Upper Dearne Valley Environmental Trust (UDVET)	Principle 4	We would like to put forward the following suggestions for change:-		No change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			Principle 4 – In village and small community situations, density should be consistent with the existing average density of buildings in that area. Highly dense, large poor quality estates on the edge of villages create an aesthetically offensive ‘blot on the landscape’ and should not be permitted. We welcome the proposal to screen/soften the boundaries of developments with trees, tall hedges and other vegetation.		Paragraph 7.4 sets out circumstances where lower densities may be necessary.
SPD_HB98	Persimmon Homes (West Yorkshire) Ltd	Principle 4	Somewhere within this section, net developable density should be more clearly defined. Can established constraints justify lower densities?		No change. Paragraph 7.1 identifies areas of the site that should not be included in the site density. Paragraph 7.6 sets out where low densities may be necessary.
SPD_HB130	Holme Valley Vision Network	Principle 4	There is a failure to grasp the opportunity of influencing thinking and behaviour about car ownership. Even though we consider every house should be able to charge an electric vehicle, we also consider that more should be done to actively discourage private vehicle ownership by making car journeys unnecessary and alternative modes of travel easy Reference is made to the importance of public transport. The reduction in private car use will in part be dependent on the availability of better and different modes of transport. It is accepted that this is outwith the scope of the Housebuilders Design Guide but at least some reference should be made about how better public transport provision will be secured. Defensible space is important and external space is used as a means of achieving this but its provision comes after on-site car parking. In addition, the Housebuilders Design Guide says “External space should be able to accommodate activities such as playing, drying clothes, cycle, waste and recycling storage.” Though gardens are mentioned there is no reference to gardening. Allotments and community food growing attracts three lines in the Open Spaces Guide.		No change. Design advice set out in Principle 10-12 seeks to minimise the impact of the private car and support the use of active travel and public travel.
SPD_HB150	Redrow	Principle 4	This principle reflects the requirement for a minimum net density of 35dph within Local Plan Policy LP7. The guidance should also however state that, whilst this density should be sought where practicable, density is ultimately an outcome of the design process which in many local contexts would not justify this minimum DPH.		No change. Paragraph 7.4 sets out circumstances where lower densities may be necessary.
SPD_HB99	Persimmon Homes (West Yorkshire) Ltd	7.1	The definition of what is not part of the net developable site areas should be broadened to include ground conditions, particularly in coal mining high risk areas where there may be known or discovered mine shafts that have to be avoided. It should also include infrastructure, existing flood routes and existing services that have to be avoided. Essentially this principle should be complicit with section 6. Setting Design Parameters		Proposed change. Amend paragraph 7.1: “The Site Framework should be used to establish and clearly identify the developable area of the site as well as areas unable to form part of the net developable area; and in the case of mixed use allocations those areas of the site that are designated for other uses. The net developable site area should not include areas that: are at high risk of flooding <i>and existing flood routes and drainage infrastructure</i> ; are priority habitats; contain protected and important trees; are unable to be developed because of <i>ground conditions and</i> land stability issues; and affect the setting of heritage assets. Areas of open space provided in accordance with LP63, streets and car parking are within the net area of the

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					site. Detailed site analysis will provide more in-depth information to inform the net developable area.”
SPD_HB91	Historic England	7.1	We would suggest that excluding areas that affect the setting of heritage assets may not always be appropriate as development may offer the opportunity to enhance the setting. We would instead suggest that additional wording is provided within Section 7 that requires applicants to ensure that the density new development positively responds to the local context and conserves and enhances heritage assets and their setting.	Suggest new paragraph “Density should positively respond to the scale, form and massing of the surrounding locality. It will be important that new development ensures the conservation and where possible enhancement of heritage assets and their settings. In conservation areas, conservation area appraisals can provide useful guidance”	Proposed change. Amend Paragraph 7.1 to read: “The Site Framework should be used to establish and clearly identify the developable area of the site as well as areas unable to form part of the net developable area; and in the case of mixed use allocations those areas of the site that are designated for other uses. The net developable site area should not include areas that: are at high risk of flooding; are priority habitats; contain protected and important trees; <i>and</i> are unable to be developed because of land stability issues.; and affect the setting of heritage assets” New paragraph underneath: “ <i>Density should positively respond to the scale, form and massing of the surrounding locality. It will be important that new development ensures the conservation and where possible enhancement of heritage assets and their settings. In conservation areas, conservation area appraisals can provide useful guidance”</i> ”
SPD_HB123	Environment Agency	7.1	Paragraph 7.1 – Net developable Area We welcome and support the exclusion of areas that are at high risk of flooding from the net developable area identified in paragraph 7.1.		No change. Support welcomed.
SPD_HB43	Upper Dearne Valley Environmental Trust (UDVET)	7.3	We would like to put forward the following suggestions for change:- Section 7.3 – should be specifically stating front of house parking, ‘must be avoided’ and front gardens/green areas included to promote ‘greening’ of any development. We need to avoid at all costs, street scenes looking like a car dealer’s forecourt as is happening at present.		No change. Parking arrangements are covered in Principle 12, which states that car parking should not dominate street frontages. Principles 7 and 11 also require greener street scenes.
SPD_HB124	Environment Agency	7.4	Section 7.4 – Green Infrastructure and open space We welcome and support the recognition of the active part that green infrastructure and open spaces provide in delivering multi-functional environmental benefits. Where sites include watercourses within/on the edge of sites we would welcome the consideration of an undeveloped buffer zone to be included to allow space for water and wildlife and provide a connection into the wider green infrastructure network, as advocated in paragraph 7.22. For those sites around main rivers, an Environmental Permit will be required from the Environment Agency under certain circumstances, in addition to planning permission.		Proposed change. Amend paragraph 6.7: “Appropriateness of new development to the setting and consideration of impact on the landscape should be demonstrated. Consideration of the character of the site, features being retained and concepts behind design, space and planting for protecting, preserving and enhancing trees, vegetation, wildlife habitats, boundary treatments and

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>historic landscape. <i>Where sites include watercourses within/on the edge of sites, an undeveloped buffer zone to be included to allow space for water and wildlife and provide a connection into the wider green infrastructure would be appropriate.</i></p> <p>Amend paragraph 6.6:</p> <p><i>“The relationship of the site with neighbouring buildings and the suitability of different parts of the site for different uses in the case of mixed use allocations can determine its layout. This may include heritage assets, employment uses or other sensitive uses that may require buffer zones, stand-off distances and for development to respect the neighbouring buildings privacy and amenity. <u>Where a proposal is adjacent to a canal or river, consideration should be given to how the development will integrate with them and, where appropriate, provide a safe access. For those sites around main rivers, an Environmental Permit will be required from the Environment Agency under certain circumstances, this should be identified in early discussions with the Environment Agency as advised in paragraph 4.1.</u>”</i></p>
SPD_HB151	Redrow	7.4	<p>Para. 7.4 suggests that detached homes may not be “appropriate” to secure efficient land use.</p> <p>Detached homes should form part of a balanced mix of housing and there is nowhere in national policy or guidance that says detached homes are not an efficient use of land. We consider reference to detached houses in this context should be removed.</p>		<p>Proposed change.</p> <p>Amend paragraph 7.4 to read: “Developers may need to demonstrate flexibility when considering standard house types particularly detached houses, on a site layout as these may not be appropriate to secure the efficient use of land., <u>the location of larger detached houses should be considered within the overall housing mix of the site, against density requirements and their appropriate location within the site.</u>”</p>
SPD_HB44	Upper Dearne Valley Environmental Trust (UDVET)	7.6	<p>We would like to put forward the following suggestions for change:-</p> <p>Section 7.6 – we agree with this section but, again, feel the wording should be more strongly/affirmatively stated i.e. lower densities ‘will be expected to ensure....’</p>		<p>No change.</p> <p>Local Plan Policy LP7 aims to secure net development densities at over 35 per hectare. The SPD at paragraph 7.6 recognises circumstances where a lower density may be appropriate.</p>
SPD_HB152	Redrow	7.6	<p>Para. 7.6 outlines where lower densities may be necessary or beneficial. We also suggest that lower densities should also be supported where they provide flexibility with housing typologies and help to facilitate</p>		<p>Proposed change.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			character areas within larger or strategic schemes. A single high density character across a large scheme such as this would not be appropriate.		Add new paragraph after paragraph 7.6: <i><u>“On larger sites, it may be appropriate to identify character areas where different development densities can be provided. This can take account of the local character and site context and help sites make a transition from urban to rural. This can also ensure that new development creates character and identity and help to create a memorable sense of place.”</u></i>
SPD_HB83	West Yorkshire Combined Authority	7.7	Section 7 – There is duplication between section 7.7 and 7.8 – these could be combined or the duplication reduced		Proposed change. Amend paragraph 7.7: “Following the identification of a site framework (as set out in Principle 3) and considering the type of housing required and the appropriate density; the site layout should be established which takes into account the following factors <u>the remaining Principles in this section.</u> ”
SPD_HB153	Redrow	7.8	Para. 7.8 states that ‘garages and car parking spaces should play a secondary role or not occupying site frontage at all’. Delivering practical and functional places to live where car parking is most conveniently and securely located close to the front door is an important factor to most homebuyers. Attractive landscaping can effectively mitigate impact of cars in the street scene.		Proposed change. Amend paragraph 7.8: • <i><u>“careful consideration is given to accommodating garages and car parking spaces playing a secondary role or not occupying the site frontage at all within the development to ensure they are not visually dominant”.</u></i>
SPD_HB154	Redrow	7.9	Para. 7.9 – The text and diagram examples shown are all urban settings. In lower density suburban areas a softer building line will be appropriate whilst the principle of clear fronts and backs is still applicable. A strong urban block design for example will not be appropriate in Garden Village type developments or similar semi-rural locations.		Proposed change. Amend paragraph 7.9: “Regard should be had to the traditional built form of the area, with many earlier rural houses facing south and presenting gable ends to the street. <u>In lower density suburban areas, a softer building line may be appropriate having regard to the wider character of the surrounding area.</u> ”
SPD_HB30	Upper Dearne Valley Environmental Trust (UDVET)	7.11	We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.		No change. Support noted.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> The 'softening' of estate boundary edges by the use of boundary roads, green verges and trees. 		
SPD_HB60	Trans Pennine Trail	7.11	Boundaries – responsibility of maintenance of public space to be determined at outset.	Boundaries – responsibility of maintenance of public space to be determined at outset.	<p>Proposed change.</p> <p>Amend paragraph 7.11: “The location and type of planting within the site and its maintenance should be considered early <u>at the outset of</u> the design process.”</p>
SPD_HB45	Upper Dearne Valley Environmental Trust (UDVET)	7.11	<p>We would like to put forward the following suggestions for change:-</p> <p>Section 7.11 – We feel there is scope to promote stone/dry stone walling and vegetation, particularly in rural areas i.e. traditional boundary treatments. Too many developments are being allowed to use high, cheap rough-hewn wooden fences as boundary treatments. They are ugly, offensive and unlikely to withstand the Pennine climate for any length of time.</p>		<p>No change.</p> <p>The SPD recognises in paragraph 7.11 that “Boundary treatments can comprise railings, walls and hedges and the choice of treatment and material used should reflect the site context and location”.</p>
SPD_HB68	Huddersfield Civic Society	7.14	<p>There appears to be some disconnect between orientation of buildings in Section 7 Site Layout and potential provision for renewable energy. Solar Photovoltaic panels work optimally south facing at 30° elevation. Therefore, cl 8.3 Rooflines should have strong consideration, to not only green roofs and dormer windows, but also the ability to generate electricity or heat hot water (Solar Thermal systems). Solar Photovoltaic systems, combined with battery storage or Vehicle-2-Grid, provide reduced demand on the distribution network but require early consideration in site planning. Orientation is not only important to solar gain in terms of overheating and cooling, it is also important in terms of onsite energy generation.</p>		<p>Proposed change.</p> <p>Amend paragraph 7.14:</p> <p>“The direction of prevailing winds and sunlight influence the microclimate of outdoor spaces, the amount of light homes received, the capacity of homes to be optimised for solar gain and the capability of a site to deal with extreme weather events. <u>Further guidance on orientation of buildings for energy efficiency are detailed in principle 18.</u>”</p>
SPD_HB100	Persimmon Homes (West Yorkshire) Ltd	Design and Access Statement Prompts	<p>Do all the streets terminate with interesting views?</p> <p>This statement is subjective and the requirements for all streets to terminate with interesting views seems excessive.</p>	Perhaps add the word 'key' prior to streets or delete entirely.	<p>Proposed change.</p> <p>Amend the 6th design and access prompt: “Do all the streets terminate with interesting views? Has the termination of streets been fully considered, with particular regard given to ensuring key streets in the site terminate with interesting views?”</p>
SPD_HB101	Persimmon Homes (West Yorkshire) Ltd	7.16	<p>This lacks details of appropriate separations distances for the following relationships:</p> <ul style="list-style-type: none"> elevation with a habitable room (rear) to an elevation with a non-habitable room (side); Elevation with a non habitable room to an elevation with a non habitable room (side to side) <p>Or any information for taller or shorter dwellings</p>		<p>Proposed change.</p> <p>Amend paragraph 7.16:</p> <p><u>“Assessing the space around buildings should have regard to local character and context. The space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring</u></p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD												
					<p>natural light is able to penetrate buildings. <i>Car parking located at the sides of houses helps use this space effectively and reduces car dominated frontages. Normally new build developments should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes.</i></p> <p>For two storey houses typical advisory separation distances are:</p> <ul style="list-style-type: none"> ● 21 metres between habitable rooms at the backs of dwellings, and ● 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land. <p>Insert new paragraph after paragraph 7.16:</p> <p><i>For two storey houses typical minimum separation distances are advised:</i></p> <table border="1" data-bbox="2398 982 2896 1787"> <thead> <tr> <th>Standard</th> <th>Distance (metres)</th> </tr> </thead> <tbody> <tr> <td>Distance between facing windows of habitable rooms</td> <td>21m</td> </tr> <tr> <td>Distance between facing windows of habitable rooms and non-habitable rooms</td> <td>12m</td> </tr> <tr> <td>Distance between a habitable room and the boundary of adjacent undeveloped land</td> <td>10.5m</td> </tr> <tr> <td>Distance between a two storey (or above) dwelling side wall and the boundary of adjacent undeveloped land</td> <td>2m 4m*</td> </tr> <tr> <td>Distance between a two storey (or above) side walls of adjacent dwellings</td> <td></td> </tr> </tbody> </table> <p>*normally comprising 2 metres distance from the side wall of each new dwelling to the shared boundary</p>	Standard	Distance (metres)	Distance between facing windows of habitable rooms	21m	Distance between facing windows of habitable rooms and non-habitable rooms	12m	Distance between a habitable room and the boundary of adjacent undeveloped land	10.5m	Distance between a two storey (or above) dwelling side wall and the boundary of adjacent undeveloped land	2m 4m*	Distance between a two storey (or above) side walls of adjacent dwellings	
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ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB141	Holme Valley Parish Council	7.18	The Parish Council welcomes a number of elements within the proposal. → Consideration of the visual impact on long distance views.		No change. Support welcomed.
SPD_HB102	Persimmon Homes (West Yorkshire) Ltd	7.19	Lack of consideration of layouts that have off-street parking or driveways to the front of plots. Does set back apply to edge of road or footpath?		Proposed change. Amend paragraph 7.19: “A setback from the street <u>back of pavement</u> of 2 – 4 metres is normally appropriate on minor residential streets to provide usable, defensible space at the front of the dwelling and to help foster social interaction with the street. This will, however, depends on local character. A larger set back is likely to be more appropriate on busier roads, <u>and where car parking is carefully incorporated into the curtilage of the dwelling</u> , and a smaller set back could be appropriate on traffic-free streets / within car-free developments. On busier roads, designed in accordance with the Highway Design Guide SPD, verges and street trees will help provide further enclosure.
SPD_HB61	Trans Pennine Trail	Principle 7	Include ‘Accessible’ Open Space, particularly for recreation...	Include ‘Accessible’ Open Space, particularly for recreation...	Proposed change. Amend principle 7: “The integration of green infrastructure and <u>accessible</u> open space should <u>must</u> be considered early in the design process by assessing...”
SPD_HB155	Redrow	Principle 7	We support the approach set out within this Principle. We also consider that, within para. 7.23 recognition should be given to the role of wildflower planting and other species rich planting in achieving diversity of landscape design and biodiversity gains.		No change. Support welcomed.
SPD_HB15	Natural England	7.20	This SPD could consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area. The National Planning Policy Framework states that local planning authorities should ‘take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure’. The Planning Practice Guidance on Green Infrastructure provides more detail on this. Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.		No change. Comment noted.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:</p> <ul style="list-style-type: none"> • green roof systems and roof gardens; • green walls to provide insulation or shading and cooling; • new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity). <p>You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.</p> <p>Further information on GI is include within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".</p>		
SPD_HB114	Barratt and David Wilson Homes Yorkshire West	7.24	<p>Whilst we do not disagree to para 7.24 stating that "Green roofs can help support green infrastructure and ecological networks and help reduce the amount of surface water run-off." These can only be both effective and feasible on larger commercial buildings with flat roofs, as opposed to individual dwellings with smaller pitched roofs.</p>		<p>Proposed change.</p> <p>Amend paragraph 7.24:</p> <p><i>"These features can be integrated with rain gardens to provide rainwater management solutions. <u>The inclusion of green and blue roofs should have regard to Principle 15, as they will require flat or shallow pitched roofs and consideration will need to be given to how these fit into the wider design.</u>"</i></p>
SPD_HB28	Upper Dearne Valley Environmental Trust (UDVET)	7.25	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> • The greening of streets and roofs, particularly the use of street trees and pedestrianised streets. 		<p>No change.</p> <p>Support noted.</p>
SPD_HB32	Upper Dearne Valley Environmental Trust (UDVET)	7.26	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> • The location of Open Space, particularly for recreation in the heart of sites. 		<p>No change.</p> <p>Support noted.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB50	West Yorkshire Ecology Service	7.27	Care needs to be taken to prevent the open space becoming additional car parking space. This is likely to be a particular problem in high density developments. Areas which are not overlooked are also vulnerable to fly tipping.	The use of tree planting, railings and posts is to be encouraged along open spaces to reduce the likelihood of use for car parking or fly tipping.	Proposed change. Amend paragraph 7.27: “Where a site has a boundary on to open countryside or open space, or adjoins a major road, hard edges dominated by rear fences, gable ends, and outbuildings should be avoided. Houses should front on to such edges of the site; to minimise the risk of crime arising from the exposure of vulnerable areas such as rear gardens to open land. Service roads can form the edge of the site to help create a gentler transition to the edge of the development; with appropriate planting used to soften the edge. <u>Where open space and landscaping are adjacent to service roads on the site edges, well-designed measures should be put in place to ensure the spaces are not used for car parking.</u> Links to the Public Right of Way network at the edges of the site should be provided in context with the local setting.”
SPD_HB115	Barratt and David Wilson Homes Yorkshire West	Principle 9	We would support Principle 9 as currently worded.		Comment noted.
SPD_HB116	Barratt and David Wilson Homes Yorkshire West	Principle 9	We would support Principle 9 as currently worded.		Comment noted.
SPD_HB125	Environment Agency	Principle 9	Section 7.6 – Biodiversity We agree with all points made in Section 7.6, Principle 9 – Biodiversity, however, we are surprised that ‘Conserving and enhancing the water environment’ is not included in here (or anywhere else in the document) and welcome it being included. Ideas of how to incorporate this could include facilitating suitably sized natural buffers to waterbodies, de-culverting where feasible (as outlined in Policy LP27), undertaking river restoration and aiding fish passage through removal of redundant weirs or provision of fish passes etc.		Add additional text to paragraph 7.33: “The assessment of a site’s context should have regard to the natural environment and <u>blue-green infrastructure corridors and...</u> ” Add additional bullet points to section 7.6: <ul style="list-style-type: none"> • <u>“Protecting watercourses or other water environments adjacent to or within sites by incorporating measures including suitably sized natural buffers and controlling surface run-off during and post construction.</u> <u>Improving the quality of aquatic habitats and blue-green infrastructure connectivity by incorporating measures such as invasive species control, river restoration, removal of redundant weirs or provision of fish passes and de-culverting where feasible.”</u>
SPD_HB16	Natural England	7.32	This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to		No change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.		The SPD recognises at paragraph 7.36 that a range of measures can be incorporated into designs.
SPD_HB31	Upper Dearne Valley Environmental Trust (UDVET)	7.32	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> The need for 'net biodiversity gain' and strategies for preserving and enhancing existing vegetation/habitats so the site's ecological function post-development is maintained. 		No change. Support noted.
SPD_HB53	West Yorkshire Ecology Service	7.35	Please can this refer to both constraints and opportunities. Developments can rebuild biodiversity habitat networks in a degraded landscape.	See above	Proposed change. Amend paragraph 7.35 to read: "An ecological consultant should be engaged at the earliest opportunity, prior to the design phase of the development, this will ensure advice on likely constraints <i>and opportunities</i> can be sought at the pre-app and the necessary constraint surveys can be undertaken."
SPD_HB117	Barratt and David Wilson Homes Yorkshire West	7.35	It is important that both this document and the draft technical advice note on BNG currently out for consultation ensures that it is in accordance with both local plan policy LP30 and national legislation/guidance.		No change. Comment noted.
SPD_HB51	West Yorkshire Ecology Service	7.36	The adverse impact of lighting needs to be drawn out more. Where lighting must be used it should follow the ILP Guidance note 8 Bats and Artificial Lighting. This has good guidance on the use of warm white LED lighting with temperature <2700K, not blue white light with higher temperature. As well as being detrimental to bats the blue white lighting also has more impact on people's sleep patterns.		Proposed change. Add bullet point to paragraph 7.36 to highlight impacts of unsuitable lighting: <ul style="list-style-type: none"> <i>"External lighting should be minimised to reduce impact on bats, birds and other wildlife. It should use warm white LED lighting with temperature <2700K unless specifically required for essential security cameras. Lights should be directed downwards and away from wildlife habitats."</i>
SPD_HB52	West Yorkshire Ecology Service	7.36	<p>The adverse impact of lighting needs to be drawn out more. Where lighting must be used it should follow the ILP Guidance note 8 Bats and Artificial Lighting. This has good guidance on the use of warm white LED lighting with temperature <2700K, not blue white light with higher temperature. As well as being detrimental to bats the blue white lighting also has more impact on people's sleep patterns.</p> <p>Lighting would be best covered by a separate bullet point and should NOT use the term "wildlife friendly lighting" as it never is!</p>	External lighting should be minimised to reduce impact on bats, birds and other wildlife. It should use warm white LED lighting with temperature <2700K unless specifically required for essential security cameras. Lights should be directed downwards and away from wildlife habitats.	Proposed change. Add bullet point to paragraph 7.36 to highlight impacts of unsuitable lighting: <ul style="list-style-type: none"> <i>"External lighting should be minimised to reduce impact on bats, birds and other wildlife. It should use warm white LED lighting with temperature <2700K unless</i>

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					<i>specifically required for essential security cameras. Lights should be directed downwards and away from wildlife habitats."</i>
SPD_HB142	Holme Valley Parish Council	7.36	The Parish Council welcomes a number of elements within the proposal. → The whole section on Steps to enhance biodiversity, including wildlife friendly lighting		No change. Support noted.
SPD_HB3	Canal & River Trust	Principle 10	The Trust welcome the content of Principle 10, which could help to improve access to and along our towpath network from new development. It is important to recognise that significant new developments in the vicinity of the canal network place extra liabilities and burdens upon the waterway infrastructure, particularly as a result of the use of the waterway and towpath as a form of open space and as a sustainable transport route. In addition, there is often an increased burden in terms of ongoing maintenance costs for maintaining an attractive 'waterway setting', for example the removal of litter from the water and maintenance of the towpath. The Trust currently operates a 'steady state programme' whereby we ensure that the waterway network remains safe and operational and basic maintenance is carried out. In addition to the General Works Programme of maintenance and vegetation management we carry out reactive repairs and have a rolling programme to replace lock gates and other operational structures. However, we are unable at present to fund large scale enhancement/improvement projects. As a result, the repercussions of nearby development can have a significant impact on the ability to improve our towpath in line with any additional use and it is essential that appropriate contributions are secured from developers in order to maintain and improve the condition of the infrastructure.	We suggest that additional text should be included to consider the potential need for off-site improvements to address any additional demand from new residents. Suggested text is below: "Consideration should be given to the need for off-site improvements to existing walking and cycling routes to accommodate the needs of the new development".	No change. This is beyond the scope of the SPD. Local Plan policies LP20 (Sustainable Travel) and LP23 (Core Walking and Cycling Network) could be used to secure such improvements.
SPD_HB62	Trans Pennine Trail	Principle 10	Including 'accessible' walking and cycling infrastructure adds weight to Kirklees' commitment to provide sustainable transport routes that are fully accessible.	Including 'accessible' walking and cycling infrastructure adds weight to Kirklees' commitment to provide sustainable transport routes that are fully accessible.	Proposed change. Amend Principle 10: "The site layout should make effective connections to existing walking and cycling links and take opportunities to create new connections. Site access should recognise the different needs of people walking, cycling and using cars and prioritise the needs of people walking and cycling. In order to contribute towards more people using sustainable modes of travel walking and cycling links should be safe, convenient and , direct <i>and accessible</i> ; and residential development may provide opportunities to improve connections via the Kirklees Core Walking and Cycling Network."
SPD_HB103	Persimmon Homes (West Yorkshire) Ltd	7.37	It is not clear on the diagrams which example is which, or what the red arrows are. Are they vehicular or pedestrian only links?		Proposed change. Amend caption: "A good and a bad example of considering connections through a site, <i>with the red lines indicating routes for walking and cycling.</i>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
SPD_HB156	Redrow	7.38	Para. 7.38 – states “it may be appropriate to keep cars at the perimeter of developments and place dwellings facing traffic-free streets”. This is not practicable for many if not most people. This approach is not as secure as on-plot parking and also difficult to provide car charging points etc. In our view this is not a commercial or viable option for new housing developments.		Proposed change. Amend paragraph 7.38: “The layout of the site should show walking and cycling connectivity both within the site and to the surrounding area. Site layouts should ensure that access to nearby facilities can be achieved by safe and convenient routes for people on foot or on bicycles. It be appropriate to keep cars at the perimeter of developments and place dwellings facing <u>Secure car parking can be sited to support</u> traffic free streets. The needs of people walking, people on bicycles and people using cars are all different and require different design approaches, appropriate for each site. Careful consideration of proposed gateways and entry points into the developments to highlight a sense of arrival. Green Streets ® and an avenue of trees on the estate road and approach can support this.”
SPD_HB104	Persimmon Homes (West Yorkshire) Ltd	7.39	The design of the layout can only to an extent influence the distances to local amenities. Site allocation plays a major part		No change. Comment noted.
SPD_HB105	Persimmon Homes (West Yorkshire) Ltd	7.40	Third bullet point does not seem to be relevant to the overarching principle.		Proposed change. “Keep access to the rear and side of dwelling to an absolute minimum, particularly shared rear access to dwellings. <u>Where these are provided access to them should be controlled to residents, with such access points being well-overlooked.</u> ”
SPD_HB106	Persimmon Homes (West Yorkshire) Ltd	Design and Access Statement Prompts	It is not clear if the second bullet point is referring to the design of the main vehicular site access(es) or access to the site in general terms.		No change. Amend Design and Access Statement prompt under paragraph 7.40: “Does access to <u>and within</u> the site, <u>including main vehicular access</u> , prioritise people on foot or <u>and</u> on bicycles?”
SPD_HB158	Redrow	Principle 11	Principle 11 Street Design. Principle 11 talks of inclusive spaces and landscaping but also the need to agree highway design to an adoptable standard prior to approval in accordance with the Highway Design Guide SPD. Whilst para. 7.44 seeks to avoid over engineered highway layouts, there is the potential for this to occur if any conflict with the Highway Design Guide is not resolved. A clearer approach to priorities on this point is needed within the SPD.		Proposed change. Amend Principle 11 to read: “An agreement of the design of highways to an adoptable standard, in accordance with the Highway Design Guide SPD, should be reached prior to

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					approval <u>at the earliest stage of design following advice in paragraph 7.44.</u>
SPD_HB107	Persimmon Homes (West Yorkshire) Ltd	7.42	An explanation of the term 'dementia-friendly-design' should be provided		Proposed change. Insert footnote at paragraph 7.42: “Long, straight, uniform streets, complicated junctions and cul-de-sacs should be avoided to help support dementia-friendly design.*” <u>“* The Royal Town Planning Institute published advice on planning and dementia in 2020 including “What does a place designed for people living with dementia look like?”</u>
SPD_HB159	Redrow	7.42	<p>Para. 7.42 – In this paragraph cul-de-sacs are dismissed but they actually provide very safe and popular places to live. Cul-de-sacs and longer straight streets all have their place within good design if used effectively and appropriately mitigated. For example through the use of way-finders in longer streets to facilitate legibility.</p> <p>Secured by Design 2019 states that as long as they are not excessively long and linked at the end by footpaths they provide very safe environments in which residents benefit from lower crime. This is not to dismiss the need to provide permeable and legible developments to enable movement, but to dismiss cul-de-sacs entirely is in our view excessive.</p>		Proposed change. Amend paragraph 7.42: “Proposals should consider the role that streets have for social interaction and informal play and be designed in a way that facilitates this. Developments should be set around linked streets <u>following a clear hierarchy of street types, avoiding cul-de-sacs</u> and discouraging through traffic using residential streets as a shortcut. As part of a perimeter / block layout, mews courts within blocks can help increase the density of the site but still maintain pedestrian permeability. Long, straight, uniform streets, <u>streets that do not allow pedestrian permeability and complicated junctions and cul-de-sacs</u> should be avoided to help support dementia-friendly design. Where a cul-de-sac layout is unavoidable due to site constraints, care must be taken to ensure that they are not designed to be vulnerable to crime and anti-social behaviour, <u>and that refuse collection vehicles can service the site without the need for turning and reversing</u> . Further information is available in Secured by Design Homes 2019 guidance.”
SPD_HB157	Redrow	7.44	<p>Principle 11 Street Design.</p> <p>Principle 11 talks of inclusive spaces and landscaping but also the need to agree highway design to an adoptable standard prior to approval in accordance with the Highway Design Guide SPD. Whilst para. 7.44 seeks to avoid over engineered highway layouts, there is the potential for this to occur if any conflict with the Highway Design Guide is not resolved. A clearer approach to priorities on this point is needed within the SPD.</p>		Proposed change. Amend Principle 11 to read: “An agreement of the design of highways to an adoptable standard, in accordance with the Highway Design Guide SPD, should be reached

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					prior to approval <u>at the earliest stage of design following advice in paragraph 7.44.</u>
SPD_HB160	Redrow	7.44	Para 7.44 indicates that layouts should not be dominated by over engineered highway layouts. Often however such an approach is a requirement of the Highway Authority. It is therefore difficult to meet the planner's aspirations and gain the support of the highway authority. More clarity is therefore needed on the approach and priorities in layout design.		No change. This repeats advice set out in the Highway Design Guide SPD which states the importance of agreeing highway design details well in advance of the scheme being finalised.
SPD_HB109	Persimmon Homes (West Yorkshire) Ltd	7.46	Clarity sought on whether the Council are encouraging development-wide communal bin stores or smaller storage/collection points for a lesser number of dwellings served from private drives etc.		No change. The approach taken to bin storage and bin presentation points will be considered on a site-by-site basis, in accordance with Principle 19 of this SPD.
SPD_HB108	Persimmon Homes (West Yorkshire) Ltd	7.47	It would be helpful if confirmation that Highways adoption officers will be involved in the statutory consultation process for planning applications.		No change. The Highway Design Guide SPD states the importance of agreeing highway design details well in advance of the scheme being finalised.
SPD_HB46	Upper Dearne Valley Environmental Trust (UDVET)	Principle 12	We would like to put forward the following suggestions for change:- Why not set out minimum sizes for both single and double garages which include space not only driving 'a large family car' into the garage but getting out of it once in the garage? Again, this section needs to be more directive.		Proposed change. Amend principle 12: "Ensure that any garages are set back from the front door of the house or are carefully designed in terms of materials so that they are not the dominant feature; any garage must be large enough to accommodate a large family car, <u>following guidance set out in the Highway Design Guide SPD.</u> "
SPD_HB143	Holme Valley Parish Council	Principle 12	The Parish Council welcomes a number of elements within the proposal. → Design to discourage anti-social parking		No change. Support noted
SPD_HB29	Upper Dearne Valley Environmental Trust (UDVET)	7.50	We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines. We feel there are many things in this document to be welcomed, particularly:- <ul style="list-style-type: none"> • The discouragement of front of home parking aprons and the use of secure residential parking areas and undercroft parking. However the wording could be tightened up considerably (See 7.3 below) 		No change. Support noted

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<ul style="list-style-type: none"> Garages to play a secondary role in building frontage design with the avoidance of dominant integral garages. 		
SPD_HB110	Persimmon Homes (West Yorkshire) Ltd	7.50	<p>Consider restricting car parking to the edge of the site so that street spaces can be prioritised for people creating more attractive places to live.</p> <p>The above bullet point should be more prescriptive. It would not be a suitable solution for the majority of residential developments.</p>		<p>Proposed change.</p> <p>Amend paragraph 7.50:</p> <ul style="list-style-type: none"> Car parking within the streetscape <i>and within the plot at the front of dwellings</i> should form part of a well-landscaped streetscape so its visual effect is minimised, such as screening with low hedgerows, <i>avoiding the creation of bland streetscapes that are dominated by car parking</i>. Consider restricting car parking to the edge of the site so that street spaces can be prioritised for people creating more attractive places to live. <i>Support the creation of traffic-free and low-traffic streets by carefully considering the location of secure car parking within the site.</i>
SPD_HB161	Redrow	7.50	<p>Within para. 7.50, the guide sets out a number of suggestions as to how parking can be successfully included within a housing layout. We also feel that utilising landscaping to mitigate against on-plot parking is an important consideration. Applied consistently the parking aspirations within the guide do not align with the density requirements set out elsewhere. In many cases, especially where the inclusion of smaller units (often terraced) is necessary from a housing mix perspective, parking will necessarily need to be at the front of dwellings. How this can be most successfully achieved should be an important part of this element of the guide.</p>		<p>Proposed change.</p> <p>Amend paragraph 7.50:</p> <ul style="list-style-type: none"> On-plot car parking at the front of a property resulting in bland streetscapes should be avoided. Car parking within the streetscape <i>and within the plot at the front of dwellings</i> should form part of a well-landscaped streetscape so its visual effect is minimised, such as screening with low hedgerows, <i>avoiding the creation of bland streetscapes that are dominated by car parking</i>. Consider restricting car parking to the edge of the site so that street spaces can be prioritised for people creating more attractive places to live. <i>Support the creation of traffic-free and low-traffic streets by carefully considering the location of secure car parking within the site.</i>
SPD_HB11	Private Individual	Design and Access Statement Prompts	Gated parking as shown can be divisive and magnetic to thieves and vandals.		<p>Proposed change.</p> <p>Amend 4th bullet point of Principle 12:</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<ul style="list-style-type: none"> “Where car parking is accommodated <u>outside the curtilage of dwellings on the street</u>, it should be well-integrated into the street scene with landscaping; discouraging anti-social parking and within the view of properties” <p>Amend 6th bullet point of para 7.50:</p> <ul style="list-style-type: none"> “Where rear parking courtyards are <u>provided</u> discouraged because they are less likely to be <u>they should be</u> within sight of active windows of dwellings, or well-lit; however, where these are provided with access should be protected by a gate, in accordance with Secured by Design guidance.”
SPD_HB84	West Yorkshire Combined Authority	Principle 13	Section 8 - In principle 13, the phrase ‘solar performance’ will not be widely understood – ‘thermal performance’ incorporates this so suggest removing the reference.		<p>Proposed change.</p> <p>Amend principle 13 to read: “... transportation and thermal and solar performance should be a prime consideration in the development process.”</p>
SPD_HB47	Upper Dearne Valley Environmental Trust (UDVET)	8.1	<p>We would like to put forward the following suggestions for change:-</p> <p>Section 8.1 – We do not agree with 8.1 – the heritage and character of many areas in Kirklees needs to be supported to match materials and architecture of an area. ‘Contrast’ is likely to be aesthetically jarring. We believe the whole section needs to say more about preserving the traditional character of the Pennines vis materials and architectural design to enhance and complement existing communities. In Kirklees Rural there is a strong economic case to ensure this happens given the economic benefits arising for the Borough from media/filming activities and tourism.</p>		<p>No change.</p> <p>Principle 13 recognises that applicants should take account of local materials and the character of the area.</p>
SPD_HB12	Private Individual	8.2	Materials should be sound, solar gain materials essential, pre-constructed housing a preference and cables, water and electricity, as well as antennae, integrated within the dwelling.		<p>No change.</p> <p>Comment noted.</p>
SPD_HB25	West Yorkshire Archaeology Advisory Service	8.2	Would suggest adding "and other designated heritage assets" after "in the setting of of listed buildings buildings and conservation areas" (This would include for instance Scheduled Monuments and Registered Historic Parks and Gardens, whose settings should also be respected and enhanced by good design).		<p>Proposed change.</p> <p>Amend paragraph 8.1:</p> <p>“The use of high quality contemporary materials is considered on the merits of the proposal and its location, with particular attention given to proposals in the setting of listed buildings, and <u>conservation areas and other designated heritage assets</u>”</p>
SPD_HB118	Barratt and David Wilson Homes Yorkshire West	Picture 1	We support the reference to the use of recycled and reclaimed materials which is not only very sustainable but it can also be very effective from an energy efficiency perspective. Such as the use of recycled reconstituted stone, which is often more energy efficient than natural stone.		No change,

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					Comments noted and support welcomed.
SPD_HB162	Redrow	8.6	Para. 8.6 – 8.7 – In our view this element of the guidance is far too prescriptive for a district-wide design guide – e.g. windows should usually provide a strong vertical alignment. Much of this level of detail should be addressed on a site by site basis within the Design and Access Statement. The SPD need only reflect the wording within the Principle, and stress the importance of getting these details “right” within the individual development.		Proposed change. Amend paragraph 8.7: <ul style="list-style-type: none"> “Openings should have a coherent pattern and should usually form a strong vertical alignment <u>their design should have regard to the local character and with the design of windows through a site being an important part in generating a sense of identity.</u>”
SPD_HB163	Redrow	8.7	Para. 8.6 – 8.7 – In our view this element of the guidance is far too prescriptive for a district-wide design guide – e.g. windows should usually provide a strong vertical alignment. Much of this level of detail should be addressed on a site by site basis within the Design and Access Statement. The SPD need only reflect the wording within the Principle, and stress the importance of getting these details “right” within the individual development.		Proposed change. Amend paragraph 8.7: “Openings should have a coherent pattern and should usually form a strong vertical alignment <u>their design should have regard to the local character and with the design of windows through a site being an important part in generating a sense of identity.</u> ”
SPD_HB111	Persimmon Homes (West Yorkshire) Ltd	8.12	2.5 storey (room in the roof) dwellings should be permissible in terms of having a steeper roof pitch		No change. Paragraph 8.12 sets out considerations for the pitches of roofs and is addressed in paragraph 8.13.
SPD_HB164	Redrow	8.14	Para. 8.14 advocates the inclusion of chimneys, even when they are not required for their traditional purpose. We do not agree this is needed as a general requirement, since within many areas or new urban extensions chimneys are becoming increasingly less prevalent. In our view this statement is unnecessary or could be more reasonably worded to clarify that this would apply in locations where chimneys are a key characteristic of an area. This would be identified as part of the contextual analysis in the Design and Access Statement.		Proposed change. Amend paragraph 8.14: “Chimneys have traditionally been an important part of the roofscape, particularly in providing punctuation to long ridgelines. Whilst traditional chimneys may not be necessary, combined service cores for gas flues and natural ventilation hoods can be incorporated into the roofscape, <u>where chimneys are a key characteristic of an area.</u> ”
SPD_HB85	West Yorkshire Combined Authority	Principle 16	Section 9 – Is it necessary to reiterate requirements of Building Regulations M4(2) within this document? The assertion that the Council will encourage developers ‘consider the use of the nationally described space standards’ should be supported – how will it encourage this? By being more likely to approve a planning application? By ‘fast-tracking’ the process? Words like ‘encourage to consider’ do not usually yield results with housing developers. Section 9.3 ‘Energy Efficiency’ would be better with a different heading, as it also talks about renewable energy and so is about carbon emissions rather than just energy efficiency.		Proposed change. Amend Principle 16: “ All new homes will be expected to be compliant with the government’s technical housing standards for <u>should aim to be</u> accessible and adaptable homes <u>to meet the changing needs of occupants over time</u> as set out in part M4 (2) of

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>the <i>in accordance with Building Regulations. The provision of homes that meet these standards should be considered within the housing mix of the wider site in line with Local Plan policy LP11 (Housing Mix and Affordable Housing)."</i></p> <p>The council will encourage the use of the Nationally Described Space Standards to ensure new dwellings. <i>All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers.</i> have sufficient internal floor space to meet basic lifestyle needs. <i>Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan. The council will seek to adopt such a policy in the future in accordance with evidence and in the meantime will seek to ensure high quality living environments through the application of Local Plan policy LP24 (Design)."</i></p> <p>Amend paragraph 9.1:</p> <p>"Occupants must have sufficient space within their homes to be able to carry out day to day activities, <u>and where homes are accessible and adaptable they are able to meet the changing needs of occupants over time.</u> The government's Nationally Described Space Standards deals with internal space within new dwellings across all tenures. The standards as shown in the table below set out minimum requirements for internal gross floor area of new dwellings at a certain level of occupancy along with floor areas and dimensions for key parts of the home particularly bedrooms, storage and floor to ceiling heights. These space standards are not currently compulsory. <i>From April 2021, the National Described Space Standards will be required for new homes delivered through Permitted Development Rights. However, the Council encourages developers to consider the use of</i> recognises the nationally described space standards as best practice <i>to ensure that new homes are able to meet basic lifestyle needs and provide high standards of amenity for future occupiers."</i></p>
SPD_HB112	Persimmon Homes (West Yorkshire) Ltd	Principle 16	The reference to compliance with the government's technical housing standards set out in M4(2) of Building Regulations should be expanded upon in the remainder of the section.		Proposed change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			The requirement for all new homes to meet M4(2) standards seems excessive. Leeds City Council's adopted policy requires 30% of new dwellings to meet the standard.		Principle 16 and para 9.1 have been amended, please see SPD_HB85.
SPD_HB119	Barratt and David Wilson Homes Yorkshire West	Principle 16	<p>We object to the first paragraph of principle 16 as it is trying to bring a new planning policy requirement via an SPD, which can only legally be introduced via a local plan. Should the Council wish to take up the Government's offer of introducing accessible and adaptable homes, then it needs to follow the guidance set out in the Government's technical housing standards.</p> <p>We support the second paragraph of principle 16, which recognises that the Council can only encourage the use of the National Described Space Standards, in the absence of a local plan policy requirement.</p>	To amend the wording of Principle 16 to ensure that there is no confusion on what the Council can insist on, verses what they can seek to encourage.	<p>Proposed change.</p> <p>Principle 16 and para 9.1 have been amended, please see SPD_HB85.</p>
SPD_HB48	Upper Dearne Valley Environmental Trust (UDVET)	9.1	<p>We would like to put forward the following suggestions for change:-</p> <p>Section 9.1 – Use of Nationally Described Space Standards should be compulsory and this section and Policy LP24 need to be rewritten to this effect. It is a really bad reflection on Planning/the Council/Cabinet in Kirklees for these standards not to be adopted as in other Boroughs in West Yorkshire. Any rubbish is not acceptable in Kirklees. Indeed only the best developers should be allowed to build and everyone involved in the development process be completely uncompromising on quality. The stance taken in this Section is a huge disappointment and marks the major failure of the whole document.</p>		<p>Proposed change.</p> <p>Principle 16 and para 9.1 have been amended, please see SPD_HB85.</p>
SPD_HB13	Private Individual	9.3	There should be an absolute minimum rear garden requirement for a house irrespective of size. suggest 10m		<p>No change.</p> <p>Comment noted.</p>
SPD_HB128	Holme Valley Vision Network	9.6	<p>CLIMATE CHANGE</p> <p>Climate change should be at the start not the end of the Housebuilders Design Guide. The production of this document should be used as the opportunity to make a significant impact on developers' practice.</p> <p>While there is mention of some actions needed to respond to the climate change emergency, these are standard and are lacking in the ambition and forward thinking seen in other documents such as the Holme Valley Parish Council's climate change emergency action plan. For example, there is no reference to the use of permeable surfaces and greater efforts to mitigate the flood risk should be made.</p> <p>There appears to be no consideration about how efforts could be made to encourage less waste production or more recycling. Perhaps there should be less provision for the storage of waste but, maybe, as quoted in 'Living with Beauty' "New places are designed by the wheelie bin operators".</p> <p>More consideration needs to be given to the effects of light pollution especially in rural areas.</p> <p>There should be greater encouragement for the use of green building materials and learning new green building methods. There is a contradiction between the use of local materials and concern about increasing the amount of quarrying in the area,</p> <p>Greater emphasis should be placed on the use of alternative sources of power.</p> <p>Every house should have an electric charging point for a private vehicle and provision for excellent broad band connectivity. These should be seen in the same way as sewers.</p> <p>Planting should be done with the use of native and locally relevant species.</p>		<p>No change.</p> <p>Comment noted.</p> <p>Climate change is covered at the beginning of the document and is linked to many of the Design Principles throughout the document.</p>
SPD_HB113	Persimmon Homes (West Yorkshire) Ltd	Design and Access Statement Prompts	This prompt should include details of how this should be demonstrated/how it would be assessed.		Proposed change.

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
					<p>Amend Principle 17:</p> <p><i>“All new dwellings <u>houses</u> should have adequate access to <u>private</u> outdoor space that is functional and proportionate to the size of the dwelling <u>and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces. Apartment development can provide outdoor spaces through balconies, though communal terraces and gardens may be more appropriate.</u>”</i></p> <p>Amend paragraph 9.4:</p> <p><i>“The provision of outdoor space should <u>take account of the access to sunlight, with at least part of open spaces within the site able to receive direct sunlight for part of the day all times of the year, and do not have to be uniform across the site. Where appropriate, outdoor space should be provided in line with a perimeter-block approach as set out in Principle 5 and have regard to residential amenity as set out in Principle 6.</u>”</i></p> <p>Amend Design and Access Statement Prompt:</p> <p><i>“Is there <u>Do all dwellings have access to useable outdoor space for all dwellings, with and has consideration been given to how the outdoor space can maximise the amount of sunlight that it receives for at least part of the day?</u>”</i></p>
SPD_HB36	Upper Dearne Valley Environmental Trust (UDVET)	Principle 18	<p>We are pleased to see this type of document after, like many other community groups, years of pointing out problems associated with housing planning applications relating to quality and design. It is a source of great sorrow that this document has taken so long to produce after the Local Plan was approved, resulting in many developments in the Borough, and particularly the Dearne Valley, being approved which clearly fail to meet these new guidelines.</p> <p>We feel there are many things in this document to be welcomed, particularly:-</p> <ul style="list-style-type: none"> • Reduction of reliance on non-renewal energy and use of ground source heat pumps, water source heat pumps and gas combined heat and power. 		<p>No change.</p> <p>Support noted.</p>
SPD_HB69	Huddersfield Civic Society	9.7	<p>It is important to note that heat pumps are an effective heating and cooling source in well insulated buildings, however, developers need to ensure that the harmonics of the grid are not affected by large developments, all installing heat pumps. Also, noise from heat pumps can cause issues for some. Each of these need to be considered by developers prior to development, even if the developer does not intend to install such systems themselves.</p>		<p>No change.</p> <p>Sources of renewable energy generation are identified in paragraph 9.9.</p>

ID	Organisation	Document Section / Page	Comment	Change(s) Required.	Council Response & Proposed Changes to the SPD
			<p>For large developments, developers need to consider alternative forms of localized energy generation, such as small-scale district heat networks.</p> <p>We would therefore expect to see some requirements to consider how any such properties are to contribute to energy demand reduction over the life of the property. Given the Kirklees Climate Emergency Motion report and targets for Net-Zero Carbon by 2038, it should be incumbent on the Council to ensure such developments are not providing an overall negative effect. Developers should be expected to demonstrate how their sites would contribute to reductions, or increases, in emissions during the development and life of the properties. Some basic metrics could be used against a basic house of today's standard build using national values. With the national trajectory being a reduction of greenhouse gas emissions by 68% by 2030 and to Net-Zero by 2050, it is anticipated that more stringent requirements will be placed on Councils and developers over the coming 5 years.</p>		<p>Proposed change.</p> <p>Amend Principle 18:</p> <p><u>"New proposals should contribute to <i>the Council's ambition to have net zero carbon emissions by 2038, with high levels of improving the environmental sustainability of the development</i>, by ensuring the fabric and siting of homes, <i>and their energy sources</i> reduce their reliance on sources of non-renewable energy. <i>Proposals should seek to design water retention into proposals.</i>"</u></p> <p>Add text to paragraph 9.6:</p> <p><u>" Well-designed places respond to the impacts of climate change by conserving natural resources. <i>40% of UK emissions come from households* with a significant proportion coming from how they are heated and how electricity is provided.</i>"</u></p> <p><u>* Source: The UK Committee on Climate Change www.theccc.org.uk</u></p> <p>Insert new paragraph after paragraph 9.11:</p> <p><u>"<i>The design of homes should look to include measures which increase the retention of water, and are efficient in their use of water by considering elements such as rainwater harvesting, greywater recycling, the use of water butts</i>"</u></p>
SPD_HB67	Huddersfield Civic Society	9.9	We agree that a 'fabric first' approach needs to be considered for energy conservation and we would like to see clear provisions of specific requirements on Council owned land and Council built properties.		<p>No change.</p> <p>Comment noted.</p>
SPD_HB120	Barratt and David Wilson Homes Yorkshire West	9.9	We strongly support the fabric first approach.		<p>No change.</p> <p>Support noted.</p>

Appendix 4: List of Minor Changes (Changes from internal comments not listed in Appendix 3)

Paragraph	Change
7.13	Amend paragraph 7.13: Boundary treatments should be used to clearly distinguish between public and private space, helping to minimise the risk of crime whilst performing an important role in breaking up the dominance of on-plot car parking. Boundary treatments can comprise railings, walls and hedges and the choice of treatment and material used should reflect the site context and location. At the front of plots, any boundary treatments should be kept low so that dwellings are kept open to view. <u>Where access to rear gardens is taken from the front of dwellings, this should offer high gated access close to the front building line to avoid deep recesses between buildings.</u> Low quality and intrusive boundary treatments can have a negative visual impact on the public realm; particularly high fences where rear gardens face on to the street. Consideration should be given to how the built form can be designed to enhance natural surveillance and reduce fear of crime, ensuring views not being obscured by vegetation, high walls and fencing. The location and type of planting within the site and its maintenance should be considered at the outset of the design process.
7.15	Amend paragraph 7.15: Within some sites, it may be appropriate to accommodate car parking <u>outside of the curtilage of the dwellings provided that this is well-lit and within sight of active rooms</u> at the edge of development or locate it in under-croft car parks; a strong building line and delineation of public and private space is still a key consideration in such developments.
7.28	Add text at end of paragraph 7.28: <u>The type of planting that is used can also be utilised for providing additional boundary security.</u>
7.29	Add to end of paragraph 7.29: <u>with the risk of poorly maintained planting creating opportunities for concealment and pinch points</u>
7.47	Add to end of paragraph 7.47: <u>“require lighting to adoptable standards and have a maintenance and management programme in perpetuity”.</u>
Principle 15	Add text to end of Principle 15: <u>and ensuring that the design of roofs does not allow for easy climbing access to upper floor windows.”</u>
9.10 - Diagram	Amend diagram: Add “and winter”
9.14	Amend paragraph 9.13: It is important to limit the visual impact on the street scene. Bespoke well designed enclosures to the front of dwellings may be required, enclosures may form part of a dwellings defensible space. Storage areas should not be located in areas where they cause obstruction to pedestrian or vehicles. <u>For bin collection, presentation points should be provided in accordance with advice set out in the Highway Design Guide SPD.</u>
9.15	Amend para 9.15: Developments including apartments and sheltered accommodation the provision of communal waste and recycling areas may be a more practical solution. Any communal bin collection should be well-designed,

	<p>well-screened and fit into the streetscape; potentially utilising design features such as green roofs <i>and provide controls to prohibit unauthorised access</i>. Further advice is in the NHBC document 'NF60 Avoiding Rubbish Design'. The location of bin storage should be in line with guidance in the HDG, the Council's Waste Collection Guidance <i>Waste Management Design Guide for New Developments</i> and Building Regulations 2010, part H. <i>The siting of bin storage and communal bin storage areas must be away from dwellings to prevent climbing access to upper floors.</i></p>
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APPENDIX 6

Kirklees Council House Extensions and Alterations Supplementary Planning Document (SPD)

Consultation Statement – June 2021

1. Introduction

- 1.1 The House Extensions and Alterations SPD provides detailed guidance on how Local Plan policy LP24 (Design) should be implemented in determining planning applications. This Consultation Statement sets out the early engagement and public consultation carried out to inform the preparation of the House Extensions and Alterations Supplementary Planning Document (SPD).
- 1.2 The Consultation Statement has been prepared in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 to support the adoption of the House Extensions and Alterations SPD and the council's Statement of Community Involvement (SCI). The SCI outlines how the council will work with local communities and stakeholders in developing planning policy documents, including SPDs.
- 1.3 In accordance with the Regulations, this consultation statement sets out:
 - who was consulted during the preparation of the SPD,
 - how they were consulted,
 - a summary of the main issues raised during the consultation,
 - how those issues have been addressed in the adopted SPD.

2. Background

- 2.1 The House Extensions and Alterations SPD aims to promote high standards of design for house extensions and alterations in Kirklees that reflect national guidance and supports Local Plan Design Policy LP24. The guidance is to raise the place making agenda and be clear and precise about what the council would expect for well-designed residential extensions and alterations.
- 2.2 The purpose of the SPD is to inform prospective applicants, agents, architects, members of the public with an interest in an application, elected members of the Council and other decision-making bodies what the council considers to be good design in relation to house extensions and alterations and ensure future proposals achieve the required high quality and inclusive design to help deliver better places. This SPD provides detailed guidance and additional information about the implementation of Kirklees Local Plan policy LP24 'Design' and will be a material consideration in the determination of planning applications. The SPD will also reflect how good design can help in adapting locally to a changing climate to address the council's Climate Emergency and enhancing the natural environment and supporting biodiversity.
- 2.3 The policy was subject to public consultation undertaken on the Kirklees Local Plan and the Statement of Public Consultation and Summary of Main Issues (April 2017) sets out the issues covered. Modifications were made to policy LP24 as requested by the Local Plan Inspector to clarify the requirements of design criteria to be applied in relation to policy LP24, specifically regarding sustainability.

2.4 The council is committed to improving the design of residential development. The aim is to ensure that the future housing development in the district has the required high-quality design to help deliver quality places for current and future occupiers and neighbours. This commitment is established through the Kirklees Local Plan and is further advocated through the House Extensions and Alterations SPD, which aims to create high quality buildings and street scenes.

3. Timetable of SPD production

- 3.1 The SPD was prepared by a project team led by the council’s Planning Policy team, involving other internal specialisms including Development Management, Conservation & Design, Highways DM, Flood Management and Drainage, Public Health, Landscape Architect, Police Liaison Officer, Waste Liaison Officer, Biodiversity Officer, Cultural Development, and Climate Change Officer.
- 3.2 The production of the House Extensions and Alterations SPD has followed several stages. The timetable for the production of the SPD is set out below.

Table 1: SPD Timetable

Dates	Stage or Consultation Topics/Event
January – August 2020	Evidence gathering and early internal stakeholder engagement
July 2020 – August 2020	Strategic Environmental Assessment screening and consultation
1 st April 2020	Early Engagement Workshop (cancelled)
March – May 2020	Early Engagement Design Questionnaire
19 th October 2020 – 14 th December 2020	Public consultation on the Household Extensions and Alterations SPD

4. Early Engagement on the preparation of the SPD

- 4.1 Early engagement on the preparation of the Household Extensions and Alterations SPD was undertaken with internal and external stakeholders to understand their expectations and priorities to help inform the scope and content of the SPD. This period of internal officer engagement was held from March 2020 until August 2020.
- 4.2 The following council specialisms were consulted as part of the preparation and initial drafting of the SPD:
- Development Management
 - Conservation and Design
 - Highways DM
 - Flood Management and Drainage
 - Public Health
 - Landscape
 - Biodiversity
 - Climate Change
 - Cultural Development

- 4.3 Early engagement with the project team, wider internal specialisms and members identified several issues which are set out in the tables below together with the council's response on how the draft SPD has dealt with this issue.

Table 2: Draft House Extensions and Alterations SPD: Internal Early Engagement

Main issue raised	How it is dealt with in the SPD
<p>Waste Document needs to make reference to the appropriate design of storage space for bins.</p>	<p>The SPD refers to the storage of bins and contains appropriate reference from the Highways Design Guide SPD regarding storage for waste.</p>
<p>Climate Change Document needs to allow a flexibility for innovative design in relation to climate change proposals, particularly considering the potential requirement for future retrofitting of older properties.</p> <p>Document should include reference to a fabric first approach to mitigating/adapting to climate change.</p> <p>References to microgeneration opportunities should include solar thermal and hydro-electric generation.</p> <p>Document should reference the need for EV charging in new developments.</p> <p>Concern around the promotion of solar gain and the potential for overheating.</p>	<p>The SPD incorporates a section balancing the use of innovative designs in combatting climate change.</p> <p>The SPD includes reference to the fabric first approach.</p> <p>The SPD includes reference to the use of solar thermal and hydro-electric generation in the microgeneration section.</p> <p>This is already referenced in the Local Plan policy.</p> <p>The SPD includes reference to ventilation and cooling measures. Solar gain is an important part of reducing heating needs in winter and will be included in the document.</p>
<p>Highways There should be a reference to the new 'Highway Guidance Note – Emergency Access, Waste Management, Servicing and Deliveries', which provides advice on carry distances, storage provision, width and gradient of access routes etc.</p> <p>Document should refer to the Highways Design Guide SPD which is already adopted.</p>	<p>The SPD includes reference to the 'Highway Guidance Note – Emergency Access, Waste Management, Servicing and Deliveries'.</p> <p>The SPD references the relevant information from the Highways Design Guide SPD in the document. The Highways Design Guide SPD will still be a</p>

Main issue raised	How it is dealt with in the SPD
<p>The document promotes too much off-street parking.</p>	<p>material planning consideration for determining planning applications.</p> <p>The SPD is in line with adopted Local Plan policies and the adopted Highways Design Guide SPD.</p>
<p>Natural Environment The document should refer to the use of native species in planting choices.</p> <p>Reference should be made for using planting to soften/break up the built form.</p>	<p>The SPD refers to the use of native and appropriate species for planting.</p> <p>The SPD provides reference to the use of vegetation.</p>
<p>Accessibility Reference in the document to accessibility should consider linking to policy LP24(f) and make general reference to accessibility.</p> <p>Reference should be made to planning for future occupiers with dementia.</p>	<p>The SPD includes a section on Access for all users which refers to designing extensions for all users including disabled people and those with dementia.</p> <p>The SPD includes principles relating to designing extensions regarding dementia.</p>
<p>Flooding References to flood risk in the document should be proportionate to the application size and impact.</p> <p>Reference to the requirements for flood risk assessments should be proportionate to the size of the proposals and their impact.</p>	<p>The SPD refers to the national guidance for flood risk assessments for minor applications, which is deemed suitable for the proposes of the document.</p>
<p>Residential Amenity The document shouldn't include reference to the 45-degree rule but assess on a case-by-case basis.</p> <p>The document should make specific reference to what constitutes a habitable and non-habitable room.</p>	<p>The SPD has left the rule in as it is considered useful as a guiding point which provides clarity when considering designing extensions and alterations.</p> <p>The SPD refers to habitable and non-habitable rooms as a key design principle and provides examples.</p>
<p>Visual Amenity The wording around front extensions should be softened regarding building lines.</p>	<p>The SPD has provided a softening of the proposed words on building lines to make allowance for officer judgement.</p>

Main issue raised	How it is dealt with in the SPD
<p>Specific Design Guidance</p> <p>The specific guidance should provide more clarity on measurements that may be acceptable for different types of extensions.</p> <p>The document should differentiate between single and two storey extensions for each type of extension.</p> <p>The document should include specific reference to balconies and bungalows.</p> <p>The document does not need to make specific reference to annexes.</p> <p>The reference to Green Belt should be removed from the specific guidance and placed at the beginning of the document.</p> <p>Further images need to be included to the specific guidance section.</p> <p>Concerns around whether only half the garden area seems insufficient.</p> <p>The principle that the extension should not be larger than the original house seems too generous.</p>	<p>The SPD includes more clarity on measurements that will be acceptable for different types of extensions.</p> <p>The SPD includes specific reference to single and two storey extensions for rear and side extensions.</p> <p>The SPD provides specific guidance for balconies and bungalows.</p> <p>The SPD removes the section on annexes.</p> <p>The SPD has removed reference to the Green Belt in the specific guidance section and moved this to the 'Advice before you begin' section.</p> <p>The SPD has included further images to support the text.</p> <p>The SPD policy here is appropriate considering the other key design principles in the specific guidance section which would limit extensive development in larger gardens.</p> <p>The SPD has appropriate restrictions in the specific guidance to ensure that extensions do not become this large in practice. Therefore, it seems largely restrictive to set an arbitrary size to conform to.</p>
<p>Crime</p> <p>There should be reference to the Secured by Design standards.</p> <p>There should be reference to the Five evidence-based principles of Crime Prevention through Environmental design.</p> <p>Concerns raised about the use of screening for privacy and boundary treatments.</p>	<p>The SPD refers to the Secured by Design standards.</p> <p>The SPD provides links to the Secured by Design website.</p> <p>The concerns are noted and will be considered in the planning balance for developments.</p>

Main issue raised	How it is dealt with in the SPD
<p>Cultural Heritage</p> <p>The document could potentially refer to cultural heritage</p>	<p>It is considered to be outside the scope of the SPD.</p>
<p>Other</p> <p>The document could signpost the use of architects to help support better design.</p> <p>The document could use more images from the local area.</p>	<p>The SPD provides a section, which provides a signposting to the use of architects.</p> <p>The SPD will not be using images from the local area.</p>

4.4 A targeted workshop with external stakeholders, developers and interested organisations was due to be held on 1st April. This was cancelled due to the Covid-19 situation and design questionnaires were subsequently sent to all invitees (see Appendix 1 for list of Stakeholders) to seek their comments on:

- **Good design** - How successful have Kirklees been in securing good design in new housing developments? Are there any examples of good design in Kirklees or from elsewhere and what are the qualities that make these examples successful?
- **Barriers** - What are considered the main barriers to achieving good design in new housing developments or for extensions and alterations to existing residential properties. Are there any barriers to achieving good design in Kirklees which have been successfully overcome in other local authorities and can you provide examples of these?
- **Design Guidance in the SPD** - What key principles and elements of good design should be included in the Residential Design SPD and what guidance would be helpful to achieve this.

4.5 Five questionnaires were returned however none of these responses related to the House Extensions and Alterations SPD.

4.6 West Yorkshire Combined Authority were consulted early in the process on a draft document in July. The following comments were raised:

Table 3: Draft House Extensions and Alterations SPD: West Yorkshire Combined Authority

Main issue raised	How it is dealt with in the SPD
<p>Climate Change</p> <p>The document should include a reference to the net zero target for the council.</p>	<p>The SPD includes reference to the council's net zero target.</p>

Main issue raised	How it is dealt with in the SPD
<p>Residential amenity The document could be more prescriptive in information on private residential amenity space and extension sizes</p>	<p>The SPD includes measurements for starting points in relation to extensions in the detailed guidance sections which cover these issues.</p>
<p>Other The graphics in the document look dated and could be made clearer. The document should recommend the use of an architect.</p>	<p>It is considered that the graphics are sufficiently clear for their intended purpose. The SPD includes a recommendation to use architects</p>

5. Consultation on Strategic Environmental Assessment Screening

- 5.1 As part of the process for developing the House Extensions and Alterations SPD, an assessment of the requirement for a Strategic Environmental Assessment (SEA) was needed. Consultation on the SEA Screening statement started on 13th July 2020 and finished 31st July 2020.
- 5.2 The council notified the following specified bodies of the SEA screening statement by email inviting comments in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004:
- Environment Agency
 - Historic England
 - Natural England
- 5.3 Responses were received from all three of the consulted bodies. A full summary of the responses received for the SEA consultation can be seen in the SEA determination statement.
- 5.4 The responses received confirmed the council's position that a further SEA was not required as the SPD will not change or introduce new planning policy over and above the Local Plan and, whilst there may be some environmental effects, these have already been covered in principle in the Sustainability Appraisal of the Local Plan.

6. Public Consultation on the House Extensions and Alterations SPD

- 6.1 Public consultation on the draft House Extensions and Alterations SPD took place initially for a 6-week period from 19th October to 30th November 2020. This was extended for an additional two weeks to the 14th December 2020 (8 weeks in total). The consultation was available online and through email and postal comments.
- 6.2 In compliance with regulations 12, 13 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the following actions were undertaken:

- The draft House Extensions and Alterations SPD, SEA screening statement and SEA determination statement were published on the council’s online consultation portal.
- Details of the consultation and details of how to obtain hard copies of the documents were displayed in the windows of the customer service centres in Huddersfield and Dewsbury, on the council’s web page and on the council’s social media platforms.
- Statutory consultees, organisations and private individuals that expressed an interest in planning policy and future publication of SPDs (see Appendix 2) were contacted directly by letter or email with details about the consultation, where to view the document, how to obtain hard copies and how to comment.
- A press notice was published in the Huddersfield Examiner on 23rd October 2020 and the Dewsbury Reporter on 22nd October 2020 highlighting the consultation process.
- Posters were placed in the Huddersfield and Dewsbury Customer Service Centres on 19th October 2020 advertising the Quality Places consultation.
- A feature space was placed on the council website on 19th October 2020 advertising the Quality Places consultation.
- A press release was posted on Kirklees Together on 19th October 2020 and on the Council’s social media platforms on 19th October 2020.
- A notification email was sent to all councillors on 16th October 2020 detailing the start of the consultation.

6.3 During the public consultation the council invited the Planning Agent Forum to a presentation on the House Extensions and Alterations SPD to raise awareness of the consultation. This was held on Tuesday 3rd November 2020.

7. Main Issues Raised and The Council’s Response

7.1 A total of 39 comments (from 13 consultees) were received to the public consultation on the House Extensions and Alterations SPD.

Table 4: Number of Consultees

Consultee Group	Number of Consultees
Regional/Local Organisations	4
Residents/Individuals	3
National organisations	3
Developers/Planning Agents	1
Local Planning Authorities/Councils	1
Town/Parish Councils	1

7.2 Comments were received from the following:

- Coal Authority
- Environment Agency
- Holme Valley Parish Council
- Holme Valley Vision Network
- Huddersfield Civic Society
- Natural England
- Robert Halstead Chartered Surveyors & Town Planners
- Trans Pennine Trail

- Wakefield Council
- West Yorkshire Combined Authority
- Private individuals (x3)

7.3 A full list of public consultation comments received and the council’s responses to these can be found in Appendix 3. A summary of the main issues raised during consultation, including those from internal stakeholders, is set out below. It summarises the main points and the council’s response to how these issues have been addressed in the SPD.

Table 5: Summary of Main Issues and Council Response

Summary of Main Issue	Council Response
<p>Conflict with National/Local Policy and Stricter guidance</p> <p>Concerns were raised that advisory points are weaker than those in the NPPF and some of the advice extends beyond the policies in the Local Plan.</p> <p>Concerns raised that the wording in the SPD is too weak to drive meaningful change and it is unclear as to what the consequences of not meeting the guidance are.</p>	<p>No change. Comments noted. The SPD has been produced in line with the policies set out in the Local Plan. The document does not set out new policies.</p> <p>Comments noted. Proposed change to provide some strengthening of wording across the document.</p>
<p>Scope of the Document</p> <p>Concerns raised that the Council is trying to cover too many policies in the document and due to the differences of character across Kirklees the document fails to provide the clarity expected.</p> <p>Concerns also raised that there is too much generic information in the document that is not specific to Kirklees that would be better suited to an introductory guide.</p>	<p>No change. Comments noted.</p> <p>The aim of the SPD is to provide detailed guidance on the implementation of policy LP24 in relation to house extensions and alterations. The SPD will be a material consideration in the determination of planning applications and will be the starting point for applicants to consider in their proposals. The SPD can’t cover all eventualities and specific circumstances for planning applications will be considered on a case-by-case basis.</p>
<p>Climate Change</p> <p>Concerns raised that the climate emergency is not expressed in strong enough terms to drive meaningful change.</p>	<p>Comments noted. The suite of Quality Places SPDs and guidance aims to improve the quality of residential development in Kirklees through good design, including responding to the climate change emergency. However, these SPD’s must be in conformity with the Local Plan Policies.</p>

<p>Concern raised that maximising solar gain can cause overheating issues and should not be promoted in the SPD.</p> <p>Concern raised that the requirements in the SPD may be too onerous on householders.</p>	<p>Proposed change to include reference to net-zero target in SPD.</p> <p>The SPD is the starting point for applicants and cannot cover all eventualities. The SPD references maximising solar gain and both ventilation and cooling. Given the balance required for reducing carbon from heating and cooling properties this strikes a balance between both aspects which is required.</p> <p>Proposed change to align key design principle to policy wording in Local Plan.</p>
<p>Natural Environment</p> <p>Recommendations made that the SPD could include more consideration of biodiversity enhancements in line with the NPPF.</p> <p>The SPD should include specific reference to protected species and requirements for surveys for these species.</p> <p>The SPD should align to the wording in LP24 and LP33 in relation to trees and should highlight the Council’s guidance on trees.</p> <p>Concern raised that the requirements in the SPD may be too onerous on householders.</p>	<p>Comments are noted and welcomed. Given the scope of the House Extensions and Alterations SPD, it is not considered suitable or proportionate to provide further measures beyond advice on opportunities for biodiversity and natural environment improvements in paragraph 4.31 and 4.32.</p> <p>Proposed change to include specific reference to protected species and requirements for surveys for these species.</p> <p>Proposed change to align key design principle to policy wording in Local Plan.</p> <p>Proposed change to align key design principle to policy wording in Local Plan.</p>
<p>Flooding</p> <p>Concerns raised on the loss of permeable space due to insufficient protection of outdoor space from parking and over large extensions.</p> <p>Concerns that there is no advice for single storey extensions which include bedrooms in flood zones.</p>	<p>Comments noted. No change. The SPD provides appropriate guidance in section 5 and other key design principles 2 and 3 to limit extensive development in larger gardens. The issue of flooding and drainage is covered in key design principle 14.</p> <p>Proposed change to include advice for single storey extensions which include bedrooms in flood zones.</p>

<p>Statutory Consultees</p> <p>The document should signpost pre-application advice services for statutory consultees.</p>	<p>Comments noted. Proposed change to signpost information on statutory consultees pre-application advice.</p>
<p>Graphics/Images</p> <p>Comment raised that some of the graphics proposed look dated and could be more aesthetically pleasing.</p> <p>Concerns raised that there are no local images shown in the document.</p>	<p>No change. Comments noted. The images presented are clear and considered to be sufficient to express the information in the SPD. The choice of simple images was taken due to the range of audiences that the document is aimed to support.</p> <p>Local images have not been included in this SPD due to the varied nature of the local character in the district and to focus on presenting the information in the text in graphic form.</p>
<p>Specific Guidance</p> <p>Concerns raised that the SPD does not provide sufficient protection to keeping extensions subservient to the original house, protecting sufficient private outdoor amenity space or reducing the amount of off-street parking.</p>	<p>No change. Comments noted.</p> <p>The SPD provides sufficient protection through the document, when applying all measures holistically.</p>
<p>Further reference</p> <p>The document should include further reference to other documents, including the Waste Strategy and Secured by Design.</p>	<p>Comments noted. Proposed change to the SPD to include reference to these documents.</p>

7.4 All comments on to the public consultation have been considered in preparing the final SPD. None of these require significant changes to the overall approach. A number of comments supported the preparation of the SPD and specific guidance.

7.5 The main changes to the SPD as a result of comments received are summarised as follows:

- Signposting to statutory consultees' pre-application advice.
- Including advice for single storey extensions with bedrooms in flood zones.
- Aligning key design principles on Natural Environment and maximising energy efficiency to policy wording in Local Plan.
- References included to both Secured by Design and Waste Strategy.

7.6 The council has also taken the opportunity to make some minor additional changes to the SPD to provide clarification, corrections, or minor up-dates to text. The key changes are set out in Appendix 4 (please note Appendix 4 does not include changes that are de minimis in nature).

Appendix 1: List of Stakeholders Invited to Workshop and Sent a Design Questionnaire

National Organisation	Regional/Local Organisation	Planning Agents/Developers	Kirklees Network
Age UK CPRE Environment Agency Friends of the Earth Historic England Homes England Home Builders Federation Natural England Sport England Sustrans Yorkshire Sport	Batley & Birstall Civic Society Dewsbury Matters Huddersfield Civic Society Huddersfield Society for the Blind Huddersfield University Kirkburton and District Civic Society Onetel Spenn Valley Civic Society West Yorkshire Combined Authority	Acumen Architects Barratt Homes Conroy & Brook Darren Smith Homes Emerson Farrar Bamforth Harron Homes Heppendsalls ID Planning Jones Homes Martin Walsh NLP Planning PB Planning Persimmon Redrow SB Planning Spawforths Storrie Planning Strata	Black Minority Ethnic Network Dementia Engagement & Empowerment Group Disabled Employee Network Green Employee Network Kirklees Neighbourhood Housing Kirklees Visual Impairment Network LGBT Network Well-being User Group Working Carers Support Network Young Employee Network

Appendix 2: Consultee List

Adjoining Authorities	
Barnsley Metropolitan Council Bradford Metropolitan District Council Calderdale Council City of York Council High Peak Borough Council	Leeds City Council Oldham Council Peak District National Park Authority Wakefield Council
Town & Parish Councils	
Cawthorne Parish Council Denby Dale Parish Council Dunford Parish Council Gunthwaite and Ingbirchworth Parish Council High Hoyland Parish Council Holme Valley Parish Council Kirkburton Parish Council	Meltham Town Council Mirfield Town Council Morley Town Council Ripponden Parish Council Saddleworth Parish Council Sitlington Parish Council Tintwistle Parish Council West Bretton Parish Council
Organisations	
Age UK BL Ecology British Telecom Brooks Ecological Calderdale and Huddersfield NHS Canal & River Trust Coal Authority Crestwood Environmental Environment Agency Environment Kirklees FCS Consultants Fields in Trust Foundation Trust Connect Housing CPRE Dewsbury Matters England Hockey English Cricket Board Forestry Commission England Greater Huddersfield Clinical Commissioning Group Highways England Historic England Holme Valley Vision Network Homes and Communities Agency House Builders Federation	Mab Environment and Ecology Ltd Metro Middleton Bell Ecology Mid Yorkshire Hospitals NHS Trust Natural England National Grid National Trust Network Rail Newsome Ward Community Forum NHS Property Services Northern Gas Network North Kirklees Clinical Commissioning Group NTL Group Ltd Quants Environmental RDF Ecology Rugby Football League Rugby Football Union Sheffield Football Association Spen Valley Civic Society Sport England South West Yorkshire Foundation Trust Sustrans Trans Pennine Trail UDVET UK Active Unity Housing Association West Riding Football Association

<p>Huddersfield and District Archaeological Society Huddersfield Birdwatchers Club Huddersfield Civic Society Huddersfield University JCA Ltd Keep Our Rural Spaces Kirkheaton Future Kirklees Active Leisure Kirklees Badger Group Kirklees Neighbourhood Housing Locala Local Enterprise Partnership Leeds City Region</p>	<p>West Yorkshire Archaeology Advisory Service West Yorkshire Bat Group West Yorkshire Combined Authority West Yorkshire Ecology West Yorkshire Police Authority Yorkshire Water Services Yorkshire Wildlife Trust Whitcher Wildlife Ltd Wildscenes Woodland Trust WYJS Yorkshire Housing</p>
Planning Agents & Developers	
<p>Acumen Architects AHJ Architects A N Designs Avant Homes Yorkshire Avison Young Bailey Smailes Solicitors Bamford Architectural Barratt Homes Bartle & Sons Barton Willmore Bellway B K Designs BNP Paribas Real Estate UK Bradley Stankler Planning Bramleys Carter Jonas Chris Thomas LTD Conroy Homes Dacre, Son & Hartley Darren Smith Homes Deloitte Design Line Architectural DK Architects ELG Planning Fairhurst Farrar Bamforth Associates Ltd F M Lister & Sons Gladmans Hallam Design Associates Harron Homes Hawdon Russell</p>	<p>Kirkwells K Rouse Malcolm Sizer Planning Limited Martin Walsh Architectural MD Associates MWP Planning NLP Planning NJL Consulting One17 Chartered Architects Paul Butler Planning Paul Matthews Architectural Persimmon Homes Peacock and Smith QUOD Rapleys LLP RG P LTD Riva Homes Robert Halstead Chartered Surveyors & Town Planners Robertshaws Chartered Surveyors Rouse Homes Sanderson Weatherall LLP Savills SB Homes Limited Spawforths SSA Planning Limited Steven Abbott Associates LLP Strata Storrie Planning Taylor Wimpey Tetlow King Planning Limited</p>

Heppendsalls Hourigan Connolly Iain Bath Planning Ian Baseley Associates I D Planning Indigo Planning JWPC Chartered Town Planners	Turley Associates Vernon and Co Wake Architects Walton and Co Planning Lawyers Yorkshire Country Properties Younger Homes
Private Individuals	
Approximately 580 individuals were invited to comment.	

Appendix 3: Full List of Comments Received on the Public Consultation and the Council's Response

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) requested	Council Response & Proposed Changes
SPD_Ext11	Trans Pennine Trail	Whole document	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors. 'No comments' made in relation to House extensions and Alterations SPD.	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors. 'No comments' made in relation to House extensions and Alterations SPD.	No change. Support noted and welcomed.
SPD_Ext10	The Coal Authority	Whole document	Having reviewed the SPD, the Coal Authority has no specific comments to make.	Having reviewed the SPD, the Coal Authority has no specific comments to make.	No change. Comments noted.
SPD_Ext5	Wakefield Council	1.1	Wakefield Council have no specific comments on this document. The Council supports and welcomes its introduction.		No change. Support noted and welcomed.
SPD_Ext15	West Yorkshire	1.1	General comments:		No change.

	Combined Authority		<p>Graphics/Images – Whilst the graphics are mostly clear, for a document that is about promoting good design they look dated. The document should show existing buildings as aesthetically pleasing and worth respect. Both Wakefield and Bradford’s SPDs have graphics with a bit more detail. Local photos of best practice – and otherwise – would help in illustrating certain points.</p>		<p>The images presented are clear and considered to be sufficient to express the information in the SPD. The choice of simple images was taken due to the range of audiences that the document is aimed to support.</p> <p>Local images have not been included in this SPD due to the varied nature of the local character in the district and to focus on presenting the information in the text in graphic form.</p>
SPD_Ext4	Natural England	1.1	<p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any</p>		<p>No change.</p> <p>An SEA Screening Statement has been published and Natural England have been consulted on this document.</p> <p>Following consultation with statutory consultees,</p>

			<p>other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>		<p>including Natural England, it was concluded that a Strategic Environmental Assessment is not required.</p>
SPD_Ext14	Huddersfield Civic Society	1.1	<p>Huddersfield Civic Society (HCS) welcomes the opportunity to comment on four guidance documents published by Kirklees Council in October 2020 as Supplementary Planning Documents (SPD), which it hopes “will encourage a higher standard of design of residential developments in the area”, these being:</p> <ul style="list-style-type: none"> • Open Space SPD • Housebuilders Design Guide SPD • House Extensions and Alterations SPD • Biodiversity Net Gain in Kirklees Technical Advice Note 		<p>No Change.</p> <p>Comments noted.</p>

		<p>We note a government summary of the purpose of SPDs at https://www.gov.uk/guidance/plan-making:</p> <p><i>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”</i></p> <p>Introduction and Comments applying to all documents</p> <p>HCS applauds the intentions underlying many of the proposals contained in the SPDs regarding how national and local planning policies, as stated in the Local Plan, should be interpreted in Kirklees. However, we are concerned that, in their current – or similar - form, we believe they may well fail to achieve their objectives.</p> <p>There is much general or introductory text which may fit better in a planning textbook rather than in an SPD, eg “Food Growth: Green</p>		<p>No Change.</p> <p>Comment noted.</p> <p>See council response in Housebuilder Design Guide SPD schedule of comments.</p> <p>No Change.</p>
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		<p>space on the site can be used to grow food and could form part of a wider urban agriculture scheme” and “a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for a rich diversity in architectural styles”.</p> <p>Whilst some text is specific to Kirklees much is not, so does it belong in a Kirklees SPD? Also, some important items are omitted, eg a requirement for consultation on major residential developments with affected residents in neighbourhoods nearby and to state how this should be done.</p> <p>In attempting to cover the application of policies to many different development circumstances it becomes difficult to follow what does, or does not, apply in any one specific circumstance, eg in a conservation area or in a space-constrained site. Which advice items here can be ignored if they conflict with a requirement stated in the relevant Conservation Area Appraisal? What happens if the shape or slope of a site does not allow 35+ dwellings per hectare?</p> <p>The coverage of a large number of local and national policy items, many of which are</p>		<p>Comments noted.</p> <p>No Change.</p> <p>Comments noted</p> <p>See council response in Housebuilder Design Guide SPD schedule of comments.</p> <p>No Change.</p> <p>Comment noted.</p> <p>No Change</p> <p>Comments noted.</p>
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		<p>imprecise as well as advisory, potentially results in a higher level of subjectivity in how many of these advisory items might be interpreted – and therefore assessed - for approval or rejection. This may result in an increase in the number of Planning disputes and appeals. We also note several advisory items have examples which appear to ‘water down’ NPPF policy statements.</p> <p>HCS also finds it hard to see what, in some of these items, might help and inspire an individual, business or hoped-for Developer to come to Kirklees and improve our built and natural environment, rather than go to another district that might offer either greater simplicity of guidelines or more certainty of outcome. Many of the images that accompany sections of the guide refer to commendable developments outside Kirklees, e.g. by CITU in Leeds, but do not necessarily map clearly to a specific requirement for a developer to include in a typical development in Kirklees.</p> <p>It is also unclear how these SPDs might fit with possible changes that may be proposed along the lines of the government’s recent “Planning for the Future” White Paper and whether time might be better spent now on matters such as</p>		<p>Comments noted.</p> <p>See council response in Housebuilder Design SPD schedule of comments.</p> <p>No Change. Comments noted.</p> <p>No Change. Comments noted.</p>
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		<p>preparing the type of Design Guide mentioned in the White Paper.</p> <p>HCS sees three possible approaches to address these concerns:</p> <ul style="list-style-type: none"> • Specifying requirements in more detail and with precision – an applicant then knows exactly what it will have to do and can therefore be more certain what will, or will not, be approved. Example: an applicant must show how new housing will be oriented so that xx% of the volume of houses will be supplied from onsite renewable energy, stating how this percentage will be met. • Covering a much smaller number of key local plan policy items of specific importance in Kirklees, stating clearly which will be the key factors when a submission is assessed. • Removing the duplication with other documents, retaining text that points to the relevant clauses in those documents and then making clear the clarifications specific to Kirklees. 		<p>No Change.</p> <p>Comments noted and support welcomed.</p> <p>No Change.</p> <p>The aim of the SPD it to provide detailed guidance on the implementation of policy LP24 in relation to house extensions and alterations. The SPD will be a material consideration in the determination of planning applications.</p> <p>No Change.</p>
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		<p>We appreciate that these alternative solutions might themselves introduce further complications, the first because care would be needed not to fall foul of the legal requirement (referenced previously) for an SPD not to “introduce new planning policies” and the second because of there possibly not being an agreed single set of priority items that covers all common planning applications. The third, while meaning there needs to be more cross referencing, would potentially mitigate some of the issues with the first two and could provide a more focused approach to Kirklees requirements. However, this only goes to show why we think an attempt to use SPDs to provide an additional layer of guidance across the full scope of the approved Local Plan policies leaves the door open to ambiguity.</p> <p>House Extensions and Alterations SPD</p> <p>This document contains many good suggestions for those wishing to extend or improve their homes and how to interpret applicable Local Plan and NPPF policies. By its nature, the scope of this subject is very broad,</p>	<p>The SPD sets out a comply or justify approach, which provides a starting point for what the council would expect to be acceptable in relation to householder extensions and alterations.</p> <p>Proposed change.</p> <p>Amend paragraph 4.21 for clarification: “Proposals should seek to retain adequate and useable private outdoor space for the occupiers of the building, such as garden space, paved or patio areas. If, following the proposed extension, the outdoor space is too small or significantly out of character with the local area permission will be refused. <u>Proposals which would result in outdoor space which is too small or significantly out of character with the local</u></p>
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		<p>given the very wide range of house types and local circumstances across Kirklees.</p> <p>However, we are unclear as to whether much of this document would therefore suit better as an introductory guide to the subject of house extensions, rather than being a formal document attempting to cover the applicability of Local Plan and NPPF policies across such a wide range of circumstances. An example is text in 4.27 “Microgeneration of renewable energy can support a strong reduction in household greenhouse gas emissions...”</p> <p>Whilst much of the guidance appears sound, it is often unclear what will happen if items stated as advisory cannot be met, eg if there is no means a practical extension to a property can meeting the requirement (Item 4.10) of having the recommended space of 21metres to a habitable room of nearby premises?</p> <p>Conversely, there are some occasions where this SPD appears to conflict with, or extend, the guidance currently stated in the underlying Local Plan Policy. Item 4.21 states that if an extension fails to meet various outdoor space requirements it ‘will be refused’, a far stricter</p>		<p><u>area are unlikely to be acceptable.”</u></p>
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			<p>statement than in Local Plan Policy 24 open which this is based.</p> <p>In summary, we are concerned that it is unrealistic to provide a guide to the very broad subject of house extensions and alterations in the form of an SPD.</p>		
SPD_Ext16	West Yorkshire Combined Authority	1.1	<p>General comments:</p> <ul style="list-style-type: none"> • Graphics/Images – Whilst the graphics are mostly clear, for a document that is about promoting good design they look dated. The document should show existing buildings as aesthetically pleasing and worth respect. Both Wakefield and Bradford’s SPDs have graphics with a bit more detail. Local photos of best practice – and otherwise – would help in illustrating certain points. • Zero carbon – The Kirklees’ target for zero carbon by 2038 should be included SPD. • Materials palette – the SPD should mention somewhere of restricting the materials palette. 		<p>No change.</p> <p>The images presented are clear and considered to be sufficient to express the information in the SPD. Local images have not been included in this SPD due to the varied nature of the local character in the district and to focus on presenting the information in the text in graphic form.</p> <p>Change proposed.</p> <p>Amend paragraph 4.23: “Planning for climate change is an important part of a successful response to the climate emergency. <u>The council is committed to a</u></p>

					<p><u>target of zero carbon by 2038.”</u></p> <p>No change.</p> <p>Comments noted on the material palette. The SPD recognises in key design principle two that materials should be in keeping with the original building. Where proposals seek to deviate from the original materials proposals will need to justify new materials in line with the comply or justify principle.</p>
SPD_Ext33	Holme Valley Vision Network	1.1	<p>GENERAL COMMENTS</p> <p>We found that this was a more constructive document than the Housebuilders Design Guide and consider that giving examples of both good and bad practice is useful. The illustrations give meaning to the text and we would recommend this approach for other documents.</p> <p>We also welcome the advice given to those</p>		<p>No change.</p> <p>Comments noted.</p>

			<p>proposing development and building work talk to neighbours. We consider, in general, the planning process to be adversarial and again would recommend this is approach i.e. early discussion with those likely to be affected is adopted as the default position. Surely, each and every development “should aim to achieve a balance between these principles to create sustainable, well-designed extensions and alterations which will have a positive impact on the quality of life for occupiers and neighbours.”</p> <p>We will not comment on the technical matters to avoid repeating the points made above, save to raise the following question.</p> <p>LP 24 Design states “Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable.”</p> <p>When would high quality, green, accessible, inclusive and safe design be not applicable?</p>		<p>No Change.</p> <p>Development briefs, design codes and masterplans mentioned in Policy LP24 relate to housebuilder developments and are not in the scope of the house Extensions and Alterations SPD.</p> <p>High quality, green, accessible inclusive and safe design are always applicable to development. Where applicable refers to the proportionate use of masterplans in relation to the size of the scheme.</p>
SPD_Ext34	Holme Valley Parish Council	1.1	The Parish Council notes that the House Extensions and Alterations SPD contains many good suggestions for those wishing to extend		No change.

			<p>or improve their homes. The subject is broad given the range of house types and local circumstances across the Holme Valley.</p> <p>The document is particularly relevant to the Holme Valley, as we have so many applications for extensions and alterations</p> <p>The document, is clear with very helpful illustrations of acceptable and unacceptable alterations and extensions. However, we are concerned that it may be unrealistic to try to provide a guide to the very broad subject of house extensions and alterations in the form of an SPD.</p> <p>The Parish Council feel that Kirklees Council should provide guidance, rules and detail what should be done in specific circumstances</p>		<p>The comments are noted and welcomed.</p> <p>No Change.</p> <p>The aim of the SPD it to provide detailed guidance on the implementation of policy LP24 in relation to house extensions and alterations. The SPD will be a material consideration in the determination of planning applications and will be the starting point for applicants to consider in their proposals. The SPD can't cover all eventualities and specific circumstances for planning applications will be considered on a case-by-case basis.</p>
SPD_Ext42	Holme Valley Parish Council	1.1	<p>Overall</p> <ul style="list-style-type: none"> • Welcome the issuing of these documents, which supply greater detail to supplement the 		<p>No change.</p> <p>Comments are noted and support is welcomed.</p>

		<p>provisions of the Local Plan.</p> <ul style="list-style-type: none"> • Welcome being given the opportunity to comment on the documents. • Welcome the clarity of presentation • Welcome the frequent references to climate change / sustainability / biodiversity in the texts of all documents but there is no sense of urgency, given that Kirklees and HVPC have declared a climate emergency. Section 4.4 Sustainable design in SPD Extensions and alterations is noted. <p>General Response:</p> <p>Overall, the SPDs which are generally clearly laid out and provide a useful guide for applicants across the topics covered.</p> <p>They are in many ways aligned with the more detailed information within the Holme Valley Neighbourhood Development Plan which articulates more specifics about elements such as our landscape and built character and gives the views of our community. This is important as the SPDs are written from a developer's</p>		<p>The suite of Quality Places SPDs and guidance aims to improve the quality of residential development in Kirklees through good design, including responding to the climate change emergency. However, these SPD's must be in conformity with the Local Plan Policies.</p> <p>No Change.</p>
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		<p>perspective so we hope that they can be used in conjunction with the NDP to better understand the relationship between buildings and the community they sit within.</p> <p>Climate change and the need to act on the climate emergency is reflected in the SPDs but not expressed in the strong terms required to drive real action. For example, the Householders Design Guide only encourages or supports renewable technologies / shared energy projects rather than requiring these things to be considered as standard and only not applied if rationale is provided.</p> <p>It is important that new houses are built with solar panels, ground source heating etc. considered seriously from the start, not left to individual homeowners to add later. Many of the new developments in the valley do not seem to include these and indeed, utilities often appear to be added to and put under considerable pressure thereby causing problems for existing residents. The utilities should be enhanced, and recent problems have been visible such as recent flooding at the new housing in Scholes and lack of sufficient electrical supplies to support the</p>		<p>Comment noted.</p> <p>The Housebuilder Design SPD addresses the design of new build housing, which must be in conformity with Local Plan policies.</p> <p>Comments noted.</p>
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			<p>promised car charging provision in Hade Edge.</p> <p>The House Extensions and Alterations SPD is an extremely useful document providing a full range of positive and negative examples and we welcome this clarity which should be very helpful to those seeking to extend or alter their homes.</p> <p>Overall, we welcome the opportunity to contribute to these SPDs and the additional clarity they bring. Many terms within the SPDs are subjective such as referencing character, distinctiveness and public views and we recognise that this challenge of balancing specificity with the general values of an area is a challenge for all planning documents.</p> <p>However, we hope that together with the Holme Valley specifics of the NDP, these SPDs will provide a clearer articulation of what is acceptable in the future.</p>		
SPD_Ext35	Holme Valley Parish Council	1.4	<p>The Parish Council welcomes a number of elements within the proposal</p> <p>→ The statement that the guide is relevant to</p>		<p>No change.</p> <p>Comments noted and support welcomed.</p>

			all extensions and alterations, whether planning permission is needed or not		
SPD_Ext36	Holme Valley Parish Council	2.1	The Parish Council welcomes a number of elements within the proposal → The whole section on Advice before you begin and particularly the strong advice to check if planning permission is required		No change. Comments noted and support welcomed.
SPD_Ext1		2.6	excellent to see this being promoted as i have personally found it very difficult to obtain pre-app advice that you can rely on over the last few years. whatever advice that is given needs to have authority from senior planners up the management chain		No change. Comments noted.
SPD_Ext37	Holme Valley Parish Council	2.6	The Parish Council welcomes a number of elements within the proposal → The Council welcomes and encourages discussion with the Planning Service before a planning application is submitted		No change. Comments noted and support welcomed.
SPD_Ext26	Environment Agency	2.7	As referred to above in response to paragraph 4.1 of the Housebuilders Design Guide, we would welcome a signpost to our pre-application advice service if the Council would		Proposed change. Amend paragraph 4.38:

			be willing to facilitate this. This would be most appropriate where a site is within close proximity to a main river, as otherwise we would be unlikely to be consulted on householder extensions and alterations.		“Further advice relating to flood risk and householder extensions can be found at Gov.uk by searching ‘Flood risk assessment standing advice for minor extensions’, the councils Strategic Flood Risk Assessment can be found on the council’s website by searching 'Strategic Flood Risk Assessment' <u>and pre-application advice can be obtained from the Environment agency on their website, in cases of close proximity to main rivers.</u> ”
SPD_Ext38	Holme Valley Parish Council	2.15	The Parish Council welcomes a number of elements within the proposal → Encouragement to applicants to discuss proposals with neighbours		No change. Comments noted and support welcomed.
SPD_Ext27	Environment Agency	3.1	We welcome inclusion of 'watercourses' under bullet point for Garden space, and the		No change. Comments noted and support welcomed.

			reference to 'Flood Risk Area' under Designations bullet point.		
SPD_Ext17	West Yorkshire Combined Authority	Key design principle 2: Impact on the original house	The principle that the extension should not be larger than the original house seems too generous. The impact on flooding and visual amenity of houses potentially almost doubling in size seems extreme – perhaps some stricter guidelines are needed here. Kirklees' local plan says 'Proposals should promote good design by ensuring extensions are subservient to the original building' – This does not appear to be possible if the extension can be if they are the same size.		No change. The SPD has appropriate guidance to ensure that extensions do not become over dominant or out of keeping with the character of the area.
SPD_Ext18	West Yorkshire Combined Authority	4.8	Graphics/photos could help here with point 4.8 and the definition of 'reasonable'		Proposed changes. Amend Paragraph 4.8 to read: "A reasonable amount of space should be provided around new extensions in the interests of the amenity of future residents and to prevent overlooking and undue loss of privacy to any

					<p>existing residents, <u>as shown in figures 6 and 7.</u>"</p> <p>Amend figure 7 to follow immediately on from figure 6 in the document.</p>
SPD_Ext19	West Yorkshire Combined Authority	Key design principle 7: Outdoor space	Leaving only half the garden area seems insufficient – the impact on surface run off a flooding is a concern.		<p>No change.</p> <p>The SPD provides appropriate guidance in section 5 and other key design principles 2 and 3 to limit extensive development in larger gardens. The issue of flooding and drainage is covered in Key Design Principle 14.</p>
SPD_Ext20	West Yorkshire Combined Authority	4.23	There is an opportunity here to encourage whole house energy efficiency - not just the extension.		<p>Proposed Change.</p> <p>Amend Paragraph 4.23: "All development proposals, however small the footprint of the development, should embed key sustainable design principles for mitigating and adapting to</p>

					<p>climate change. Therefore, regard should be taken to the following design principles for all extensions and alterations.</p> <p><u>Consideration should also be taken for opportunities to further embed energy efficiency measures into the existing dwelling. Proposals should therefore have regard to the following design principles for all extensions and alterations.</u></p> <p>” –</p>
SPD_Ext39	Holme Valley Parish Council	4.23	The Parish Council welcomes a number of elements within the proposal → Sustainable design		<p>No change.</p> <p>Comments noted and support welcomed.</p>
SPD_Ext12	Robert Halstead Chartered Surveyors & Town Planners	Key design principle 8: Energy efficiency	I don't disagree with this, but it isn't always possible depending on the age and design of the property unless householders spend vast sums of money particularly when altering the house rather than extending it.	Extensions and alterations should maximize energy efficiency where possible or where appropriate	<p>Proposed Change. Amend Key design principle 8 for clarification: “Extensions and alterations should, <u>where practicable,</u> maximise energy efficiency.”</p>

SPD_Ext21	West Yorkshire Combined Authority	4.24	Care should be taken when encouraging designs to maximise solar gain – Increased levels of insulation and south facing windows will quickly lead to overheating – and this problem is becoming worse with climate change. Passive solar construction only works where the extra heat gain can be balanced with thermal mass and solar shading. This is something that is hard to get right without an architect – and many householders will not have one.		No change. Comments welcomed. The SPD is the starting point for applicants and cannot cover all eventualities. The SPD references maximising solar gain and both ventilation and cooling. Given the balance required for reducing carbon from heating and cooling properties this strikes a balance between both aspects which is required.
SPD_Ext23	West Yorkshire Combined Authority	4.25	Is a micro wind generator is suitable for this illustration? As they are currently only really useful off-grid in rural areas. It might be better to show solar thermal panels alongside the photovoltaics?		Comments noted. The image is illustrative and does not represent we would expect across the whole borough and may be appropriate in rural locations in Kirklees. The design and choice of climate adaptations and mitigations would be

					<p>expected to be considered against the local character and context of the site in line with key design principles 1 and 2.</p> <p>Proposed Change.</p> <p>To Amend figure text to state: <u>“Illustrative example of an extension achieving energy efficiency methods though the use of climate mitigation and adaptation strategies.”</u></p>
SPD_Ext22	West Yorkshire Combined Authority	4.25	<p><i>‘Locating garages on the north side of homes to act as additional thermal buffers’</i> – this bullet point is repeated.</p> <p>There could be a bullet point for ‘Careful design to avoid excessive surface area and its associated heat loss’</p>		<p>Proposed change.</p> <p>Amend paragraph 4.25 to remove repeated bullet point and add bullet point stating <u>“Careful design to avoid excessive surface area and its associated heat loss”</u>.</p>
SPD_Ext28	Environment Agency	4.27	<p>Paragraph 4.27</p> <p>This paragraph makes reference to ground</p>		<p>No change.</p> <p>Comments noted.</p>

			source heat pumps – for information, under certain circumstances these might require an abstraction licence from the Environment Agency if an ‘open-loop’ system is proposed.		This level of detail is not considered appropriate for the scope of this document.
SPD_Ext29	Environment Agency	Key design principle 11: Water retention	Key design principle 11: Water Retention We welcome and support all opportunities to retain and conserve water, which will help to adapt to climate change which is likely to lead to more frequent periods of prolonged dry weather resulting in potential water shortages.		No change. Comments noted and support welcomed.
SPD_Ext13	Robert Halstead Chartered Surveyors & Town Planners	Key design principle 12: Natural environment	I'm not sure householders should be expected to ensure that their proposals contribute towards the enhancement of the natural environment. Its a good idea to promote the natural environment and biodiversity, but not convinced it should be mandatory for small household extensions and alterations.	Extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.	Proposed Change. Amend Key Design Principle 12 to read: <u>“Extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.”</u>

SPD_Ext30	Environment Agency	Key design principle 12: Natural environment	<p>Key design principle 12: Natural Environment</p> <p>We note that Policy LP34 'Conserving and enhancing the water environment' is referred to within key design principle 14: Drainage and flood risk, but is not include in key design principle 12: Natural Environment. We consider that it would sit well in here and suggest adding it in.</p>		<p>Proposed change.</p> <p>Amend Key design principle 12 to include reference to Policy LP34.</p>
SPD_Ext3	Natural England	4.30	<p>Biodiversity enhancement</p> <p>This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p>		<p>No change.</p> <p>Comments are noted and welcomed. Given the scope of the House Extensions and Alterations SPD, it is not considered suitable or proportionate to provide further measures beyond advice on opportunities for biodiversity and natural environment improvements in paragraph 4.31 and 4.32.</p>

Landscape enhancement

The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

Protected species

Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.

No Change.
Comment noted.

Proposed change.
Amend paragraph 4.32:
"Some extensions and alterations may have an impact on protected species, particularly in

					<p>relation to bats and birds. Where this occurs, <u>applications will need to be supported by appropriate surveys for protected species if the council determines there is a likelihood of their presence.</u> Statutory obligations are placed to ensure habitats are protected, and applicants would be required to show how these habitats would be protected as part of any planning permission. <u>Further standing advice on protected species can be found on the Natural England website."</u></p>
SPD_Ext31	Environment Agency	Key design principle 14: Drainage and flood risk	<p>Key design principle 14: Drainage and Flood Risk</p> <p>Where properties are located adjacent to main rivers, an Environmental Permit may be required from the Environment Agency in addition to planning permission, even at</p>		<p>No change.</p> <p>The SPD is focused on providing guidance on the design of household extensions and alterations.</p>

			householder level. We welcome a reference to this being made here in order to manage expectations of householders who may otherwise not be aware of the requirements upon them.		
SPD_Ext24	West Yorkshire Combined Authority	4.40	The amount of hardstanding in the good example looks excessive. A larger back garden should be shown so that it doesn't look like almost all the plot is paved, and a larger area of planting at the front too.		Proposed Change. Amend image to reflect a larger back garden and increased planting.
SPD_Ext25	West Yorkshire Combined Authority	4.41	The number of off-street car parking spaces for the dwellings is above the average for new build. This has significant impacts on surface water run-off and makes it easier for households to own more cars –with the zero-carbon target this should be reduced? Perhaps a bike store should be shown on the diagram above?		No change. The off-street parking is in line with the policy LP22 in the local plan and those set out in the adopted Kirklees Highways Design SPD.
SPD_Ext40	Holme Valley Parish Council	4.46	The Parish Council welcomes a number of elements within the proposal - Requirements for people with dementia and disability access		No change. Comments noted and support welcomed.
SPD_Ext41	Holme Valley Parish Council	4.47	The Parish Council welcomes a number of elements within the proposal		No change.

			- Requirements for people with dementia and disability access		Comments noted and support welcomed.
SPD_Ext32	Environment Agency	5.1	<p>Section 5</p> <p>Where single storey extensions are being proposed to provide bedrooms, careful consideration and adequate mitigation will be required if the site lies with flood zones 2 or 3, and will need to be discussed within a site-specific flood risk assessment. In some circumstances this may lead to conflict between the requirements of key design principle 14 and key design principle 17 if finished floor levels not able to be raised above potential flood levels.</p>		<p>Proposed Change.</p> <p>Add with new paragraph after 4.38: <u>“Where single storey extensions containing bedrooms are proposed within flood zones 2 or 3 careful consideration and adequate mitigation measures will be required to ensure safety.”</u></p>
SPD_Ext2		5.32	<p>Similarly could a bungalow owner who has new houses built up to the boundary extend upwards to make the property a house without having to get it approved by the Council? It would be an extension or alternation and allow the property to maximise the household space on the plot of land.</p>		<p>No change.</p> <p>Information on permitted development rights is highlighted in the ‘Advice Before You Begin’ section of the document. Where development rights are not conferred through permitted development rights a planning</p>

					application would be required.
SPD_Ext43		Key Design Principle 2: Impact on the original house	where possible blending outer wall with level to original building where possible so it look as one whole property and not extended one. The extension is to make house larger so it can be used by the owners and not having to move out area extension size should be consultation of need of owners		No change. The principle on setbacks is to ensure that extensions to properties do not look out of keeping with the streetscene and wider character of the area.

Appendix 4: List of Minor Changes

The following change has been made to Section 5.5 Balconies to reflect the correct wording for the document:

Section	Draft SPD	Proposed Change
<p>5.5</p> <p>Balconies</p>	<p>Balconies</p> <p>5.28 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.</p> <p>5.29 Outbuildings should normally:</p> <ul style="list-style-type: none"> • Be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings • Be set back behind the building line of the original building so they do not impact on the street scene. • Preserve reasonable private amenity space appropriate for potential number of occupants for the house, a general principle that no more than 50% of garden space should be lost. 	<p>Balconies</p> <p>5.28 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.</p> <p>5.29 Outbuildings should normally:</p> <ul style="list-style-type: none"> • Be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings • Be set back behind the building line of the original building so they do not impact on the street scene. • Preserve reasonable private amenity space appropriate for potential number of occupants for the house, a general principle that no more than 50% of garden space should be lost.

		<p>5.5 Balconies</p> <p><u>5.27 Balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area. Balconies and roof terraces should be:</u></p> <ul style="list-style-type: none">• <u>Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.</u>• <u>Sited away from locations that are sensitive to additional noise levels or disruption.</u>
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APPENDIX 7

Kirklees Council Open Space Supplementary Planning Document (SPD)

Consultation Statement – June 2021

1. Introduction

1.1 The Open Space SPD provides detailed guidance on how Local Plan policy LP63 (New Open Space) should be implemented in determining planning applications. This Consultation Statement sets out the early engagement and formal public consultation carried out to inform the preparation of the Open Space Supplementary Planning Document (SPD).

1.2 The Consultation Statement has been prepared in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 to support the adoption of the Open Space SPD and the council's Statement of Community Involvement (SCI). The SCI outlines how the council will work with local communities and stakeholders in developing planning policy documents, including SPDs.

1.3 In accordance with the Regulations, this consultation statement sets out:

- who was consulted during the preparation of the SPD,
- how they were consulted,
- a summary of the main issues raised during the consultation,
- how those issues have been addressed in the adopted SPD.

2. Background

2.1 The Open Space SPD provides detailed advice on how the council's open space policy for new housing developments set out in Local Plan policy LP63 (New Open Space) is to be implemented. This includes guidance on provision standards and how they will be applied.

2.2 Policy LP63 (New Open Space) was subject to public consultation undertaken on the Kirklees Local Plan and the Statement of Public Consultation and Summary of Main Issues (April 2017) sets out the issues covered. Modifications were made to policy LP63 as requested by the Local Plan Inspector to clarify the open space standards to be applied in relation to policy LP63, including play provision, and the amount required per dwelling for different types of open space.

2.3 Local Plan Policy LP63 requires new housing development to provide and/or contribute towards new or improved open space unless the developer clearly demonstrates that it is not financially viable for the development proposal. In determining the open space provision, the council will have regard to the type of housing proposed and the quantity,

quality and accessibility of existing provision in the area when assessed against the adopted Local Plan open space standards which accompany policy LP63. The policy also requires provision for playing pitches.

- 2.4 In areas where existing open space provision is insufficient to meet local needs, the preference is for new open space to be provided on-site to meet the needs of the development unless it can be demonstrated that provision or enhancement off-site is more appropriate.
- 2.5 The SPD encourages applicants to maximise opportunities (as part of the open space requirement) for multi-functional benefits including resilience to climate change by reducing the effects of flooding, contributing to sustainable drainage, woodland tree planting and creating and enhancing wildlife habitats to help achieve a measurable biodiversity net gain which is likely to a mandatory requirement for development through the forthcoming Environment Bill. It also sets out broad design principles for new open space and expectations for management and maintenance.
- 2.6 The SPD sets out a five step-by-step overall approach to determine the types, amount and location of open space required to serve new housing developments across Kirklees, including:
- Step 1 – Determine whether open space is required.
 - Step 2 – Establish the appropriate type of open space required.
 - Step 3 – Calculate the amount of open space required using the Local Plan open space standards.
 - Step 4 – Decide the location of provision.
 - Step 5 – Calculate the off-site financial contribution (if appropriate).

3 Timetable of SPD production

- 3.1 The Open Space SPD was prepared by a project team led by the council’s Planning Policy team, involving other internal specialisms including the Principal Landscape Architect, Biodiversity Officer, Sports and Physical Activity Manager and Architect Liaison Officer.
- 3.2 The production of the Open Space SPD has followed a number of stages. The timetable for the production of the SPD is set out below.

Table 1: SPD Timetable

Dates	Stage or Consultation Topics/Event
Autumn 2019	Evidence gathering and early engagement
13 th July 2020 – 31 st July 2020	Strategic Environmental Assessment screening and consultation
19 th October 2020 – 14 th December 2020	Public consultation on the Open Space SPD

4. Early Engagement on the preparation of the SPD

- 4.1 Early engagement on the preparation of the Open Space SPD was undertaken with internal stakeholders and Sport England to understand their expectations and priorities to help inform the scope and content of the SPD. This period of early engagement was held from October until December 2019.
- 4.2 The following council specialisms were consulted as part of the preparation and initial drafting of the SPD:
- Principal Landscape Architect
 - Sports and Physical Activity Manager
 - Biodiversity Officer
 - Architect Liaison Officer
 - Development Management Officers
 - Public Health Officer
 - Parks and Greenspaces Team
 - Designing Out Crime Officer
- 4.3 Meetings were held with colleagues from the council's Development Management teams and Parks and Greenspaces team who have helped shaped the content of the SPD (November 2019). Informal views from Public Health England and Sport England were also been sought on the content of the SPD (November - December 2019).
- 4.4 Throughout the preparation of the SPD there has been involvement of elected members through Portfolio holder briefings including Cllr McBride, Cllr Mather and Cllr Khan:
- 25th November 2019
 - 2nd December 2019
 - 4th December 2019
- 4.5 Early engagement with the project team, wider internal specialisms, members and Sport England identified several issues which are set out in the tables below together with the council's response on how the draft SPD has dealt with this issue.

Table 2: Draft Open Space SPD: Issues from Internal Early Engagement

Main Issue	How Issue Dealt with in the SPD
Thresholds to seek open space provision without compromising housing delivery and viability of small developments.	The SPD sets a threshold of more than 10 dwellings which is considered to be a sufficient scale to have an impact on existing provision and a size able to accommodate a functional and usable open space without compromising viability.

	<p>For developments of 10 or less dwellings amenity green space is encouraged within the development to ensure a well-designed scheme.</p>
<p>Thresholds to seek provision and contributions towards outdoor sports and on-site playing pitch provision.</p>	<p>The SPD sets a threshold of more than 10 dwellings to seek financial contributions towards either new playing pitch provision or the improvement of existing playing pitches.</p> <p>Developments over 700 dwellings will be required to provide on-site pitch facilities where demand generates a requirement for a least two playing pitches. Alternatively, an equivalent financial contribution to off-site provision may be considered if it is more appropriate to deliver new pitch provision within the vicinity of the development.</p>
<p>Link with biodiversity should be explicit, including in relation to helping achieve biodiversity net gain.</p>	<p>The SPD reflects current government guidance for developments to achieve a measurable biodiversity net gain. A separate section 'Achieving Biodiversity Net Gain' sets the context and encourages new housing developments to maximise opportunities for biodiversity through the retention, creation and enhancement of wildlife habitats on-site and off-site which can be successfully implemented through open space provision.</p> <p>The council has produced separate guidance in the Biodiversity Net Gain Technical Advice Note which sets out how the council proposes to secure a measurable biodiversity net gain as a result of new development.</p>
<p>Link required to how the role of open space can help climate change locally.</p>	<p>The SPD recognises the council's declared Climate Emergency and the valuable contribution that green open spaces can make to mitigating and adapting to climate change by helping to reduce urban temperatures and carbon emissions, reducing the effects of flooding, improving air quality and maximising opportunities for biodiversity.</p>

<p>Improved health and social benefits of access to good quality green spaces and their use and links to inequalities.</p>	<p>The SPD acknowledges the positive benefits that access to and use of green spaces can have on improved health outcomes and reduced health inequalities, including greater community cohesion and reduced social isolation.</p>
<p>Link with the council's Playable Spaces Strategy and prioritise securing contributions to enhance playable spaces nearby.</p>	<p>The SPD has been developed with the Principal Landscape Architect working on the Playable Spaces project and sets out requirements for play and open space provision to be determined in line with the council's Playable Spaces Strategy.</p> <p>The SPD aims to prioritise securing contributions towards the improvement of existing local play facilities within a 15-minute walk of the development site where it is appropriate. In areas where there are no existing or appropriate play facilities to improve, on-site provision may be required to meet the needs of residents.</p>
<p>Concerns that fragmented or phased development of larger sites, including those in different ownerships, should provide open space proportionate to the overall site area that is allocated or to be developed for housing.</p>	<p>A policy statement is included in the SPD which outlines the council's approach for developments to provide open space on a proportional basis for:</p> <ul style="list-style-type: none"> • schemes of less than eleven dwellings which form part of a larger site; • sites to be developed incrementally or by separate developers; and • sites that form part of a larger housing allocation. <p>The SPD highlights the link with Local Plan policy LP5 (Masterplanning Sites) to ensure a holistic approach to open space provision.</p>
<p>The impact of cumulative developments within close proximity to the development site should be taken into account.</p>	<p>A key principle in the SPD encourages consideration of the cumulative impact of proposed developments in the vicinity of the development site to ensure a comprehensive approach is taken to open space provision.</p>
<p>Design green spaces to ensure they are useable. Concerns that</p>	<p>Key principles and design guidance are included in the SPD to ensure the correct approach is</p>

sustainable urban drainage systems and attenuation tanks under public open spaces can limit their quality, usability and habitat value.	taken to provide high quality green spaces with multi-functional benefits, including maximising use by the community.
Concern that the management and future maintenance of open spaces, including by private management companies, should not place an undue burden on the local authority.	The SPD identifies a preference for private management companies to undertake future management and maintenance of open space and recommends that residents share responsibility to minimise the burden on the council.
The long-term maintenance of open spaces is an important consideration.	The SPD seeks to ensure acceptable management and maintenance for the lifetime of the development. The calculation of financial contributions includes costs to fund future maintenance where applicable either on or off-site.
Concerns about definition of existing facilities 'nearby'.	The SPD sets out quantity, quality and accessibility standards which will be taken into account in determining the appropriate existing facilities for improvement.
The importance of ensuring access through safe, accessible corridors which do not rely on additional car journeys.	A key principle and design guidance in the SPD includes the design of safe, accessible and well-located green open spaces and the opportunity to contribute and connect to wider green networks, including the core walking and cycling network.
The issue of flood mitigation measures should be considered.	Design guidance in the SPD encourages consideration of high-quality green space with multi-functional benefits across the site, including contribution to flood risk management.

5 Consultation on Strategic Environmental Assessment Screening

- 5.1 As part of the process for developing the Open Space SPD, an assessment of the requirement for a Strategic Environmental Assessment (SEA) was needed. Consultation on the SEA Screening statement started on 13th July 2020 and finished 31st July 2020.
- 5.2 The council notified the following specified bodies of the SEA screening statement by email inviting comments in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004:
- Environment Agency
 - Historic England
 - Natural England
- 5.3 Responses were received from all three of the consulted bodies. A full summary of the responses received for the SEA consultation can be seen SEA determination statement.
- 5.4 The responses received confirmed the council's position that a further SEA was not required as the SPD will not change or introduce new planning policy over and above the Local Plan and, whilst there may be some environmental effects, these have already been covered in principle in the Sustainability Appraisal of the Local Plan.

6 Public Consultation on the Open Space SPD

- 6.1 Public consultation on the draft Open Space SPD was carried out as part of the council's Quality Places consultation on a suite of documents aimed to deliver a high standard of design in residential developments in Kirklees. The consultation took place initially for a 6-week period from 19th October to 30th November 2020. This was extended for an additional two weeks to the 14th December 2020 (8 weeks in total). The consultation was available on-line and through e-mail and postal comments.
- 6.2 In compliance with regulations 12, 13 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the following actions were undertaken:
- The draft Open Space SPD, SEA screening statement and SEA determination statement was published on the council's online consultation portal.
 - Details of the consultation and details of how to obtain hard copies of the documents was displayed in the windows of the customer service centres in Huddersfield and Dewsbury, on the council's web page and on the council's social media platforms.

- Statutory consultees, organisations and private individuals that expressed an interest in planning policy and future publication of SPDs (see Appendix 1) were contacted directly by letter or e-mail with details about the consultation, where to view the document, how to obtain hard copies and how to comment.
- A press notice was published in the Huddersfield Examiner on 23rd October 2020 and the Dewsbury Reporter on 22nd October 2020 highlighting the consultation process.
- Posters were placed in Huddersfield and Dewsbury Customer Service Centres on 19th October 2020 advertising the Quality Places consultation.
- A feature space was placed on the council website on 19th October 2020 advertising the Quality Places consultation.
- A press release was posted on Kirklees Together on 19th October 2020 and on the Council's social media platforms from 19th October.
- A notification email was sent to all councillors on 16th October 2020 detailing the start of the consultation.

Main Issues Raised and The Council's Response

6.3 A total of 118 comments (from 22 consultees) were received to the public consultation on the Open Space SPD. The number of consultees by group is shown in table 3 below.

Table 3: Number of Consultees

Consultee Group	Number of Consultees
Regional/Local Organisations	8
National Organisations	5
Developers/Planning Agents	4
Residents/Individuals	3
Local Planning Authorities/Councils	1
Town/Parish Councils	1

6.4 Comments were received from the following:

- Barratt & David Wilson Homes
- Canal & River Trust
- Coal Authority
- Environment Agency
- Holme Valley Parish Council
- Holme Valley Vision Network
- Huddersfield Civic Society
- Keep Our Rural Spaces
- Natural England
- Persimmon Homes
- Private individual x 3
- Redrow
- Robert Halstead Chartered Surveyors and Town Planners

- Spen Valley Civic Society
- Sport England
- Trans Pennine Trail
- Wakefield Council
- West Yorkshire Combined Authority
- West Yorkshire Ecology Service
- Yorkshire Wildlife Trust

6.5 A full list of public consultation comments received and the council's responses to these can be found in Appendix 2. A summary of the main issues raised during consultation, including those from internal stakeholders, is set out below. It summarises the main points and the council's response to how these issues have been addressed in the SPD.

Table 4: Summary of Main Issues and Council Response

Summary of Main Issue	Council Response
<p><u>Determining the Open Space Requirement</u> Complex Process - Concerns regarding the complexity of the process for determining the open space requirement. The document is overly lengthy and wordy, with the important and practical information which a developer would need to understand a site's requirement not easy to access.</p> <p>Clear advice regarding the consultation process with the Council would be beneficial. A swift, concise and clear calculation of open space requirements on and off site would be particularly helpful early in the design process, prior to the submission of the application.</p>	<p>New open space provision should be provided in accordance with the standards which accompany policy LP63 and is not determined by a single calculation. The open space requirements are based on a bespoke assessment for each individual application, carefully considering the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision. This assessment can be provided together with detailed calculations at pre-application and application stage.</p>
<p><u>Financial Contributions</u> Off-site financial contributions should be assigned to improving (or creating) specific open spaces in the local area.</p> <p>Local people and the community should be consulted to help determine how Section 106 financial contributions should be used.</p>	<p>The SPD recognises at paragraph 8.8 that financial contributions will be spent within the vicinity of development site to improve the most appropriate nearby site(s).</p> <p>Text added to paragraph 8.8 to clarify appropriate community</p>

	consultation is undertaken to as part of the planning application process and post planning permission through community engagement specific to the spending of S106.
<p><u>Stronger Guidance</u> The SPD should not be voluntary guidance. Developers should be instructed and enforced to comply with the requirements rather than guided or encouraged.</p>	Each application is considered on a case-by-case basis taking into account the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision.
<p><u>Climate Change</u> The need to act on climate changes as an emergency is not expressed in strong enough terms required to drive real action.</p>	The Open Space SPD includes design guidance in Appendix 2 to help increase resilience to climate change through the delivery of open space provision for new housing developments.
<p><u>Viability</u> The SPD makes no reference to development viability, despite this being an integral part of Policy LP63. The SPD is premature and unworkable and will lead to significant uncertainty with regard to the viability and deliverability of housing development and creates barriers and risks to inward investment in the borough.</p>	<p>The SPD references viability as a consideration in paragraphs 3.1.4 and 4.9.</p> <p>The SPD provides guidance to implement Local Plan policy LP63 (New Open Space) which requires new housing developments to provide open space provision unless impact on financial viability is clearly demonstrated. The SPD acknowledges viability as a consideration in Section 3 in Key Principle 4 (Design) and paragraph 4.9.</p>
<p><u>Outdoor Sports</u> Calculating Playing Pitch Provision - Sport England comment there are limitations to using standards for outdoor sport and</p>	The quantity standard of 21 sq metres per dwelling has been removed from the off-site financial contribution costs set out in Table 5.

<p>recommend the use of Sport England’s Playing Pitch Calculator.</p> <p>Private Pitches – It is unreasonable for the developer to contribute to help improve private sports facilities, such as 3G pitches, which are not publicly accessible and accessed by paying members.</p>	<p>The wording has been amended to refer to contributions to ‘community sports facilities’</p>
<p><u>Maintenance</u></p> <p>It is an unfair burden on residents to pay the maintenance costs for open spaces on new housing developments with increasing rises in future costs.</p> <p>The preference should be for the council to adopt and maintain new open spaces within housing developments.</p> <p>Maintenance of public open space should be paid for by the developer through Section 106 Agreements /commuted sums.</p> <p>Concern that the council’s 15% administration cost for dealing with off-site financial contributions.</p> <p>A commuted sum for 15 years maintenance is not justified.</p>	<p>The SPD refers to different ways open space can be managed and maintained. It is normal practice for open space management companies to be set up to maintain open spaces within new developments. The SPD does not preclude the council from adopting open space sites in future. The SPD has been amended to recognise that in some cases the council may adopt and maintain open spaces within new housing developments.</p> <p>SPD amended to clarify the 15% administration costs for off-site financial contributions.</p> <p>No change to 15 years commuted sum for maintenance on the basis enhancements towards public open space using Section 106 off-site contributions will need to cover establishment, management, and maintenance in the future by the local authority. 15 years is an appropriate time period to reflect the lifespan of facilities.</p>
<p>Impact on the South Pennine Moors</p> <p>The SPD should refer to the Natural England risk assessment zones for SSSIs. There is a need for housing development to be assessed against the SSSI risk zones and for mitigation to be included within the planning proposals.</p>	<p>References made within the SPD.</p>

<p>All recreational disturbance impacts on the designated South Pennine Moors SSSI/SPA/SAC sites as a result of additional housing should be fully assessed and appropriate mitigation is implemented.</p>	
<p>Working with Organisations The council should work with, and seek advice from, organisations, such as scientific bodies, the CPRE, the RSPB, English Heritage, the Woodland Trust, the Freshwater Biological Association, Natural England, universities, local groups, charitable bodies, Playground and Sporting groups.</p>	<p>The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.</p>
<p>Evidence Base Not up to date – Concerns that the open space & PPS evidence is out-of-date and therefore does not reflect the up-to-date position, including any new improvements or additions to open space. Applicants should be able to put forward up-to-date evidence on a site by site basis.</p> <p>Quality improvements - Where quality improvements, off-site enhancements may be sought to improve the quality of provision - this is far too ambiguous and does not enable developer to predict in advance what precisely a developer will be expected to contribute.</p> <p>Green Space Assessments – concerns about availability and latest versions.</p>	<p>Up dated studies and strategies will be used to support and inform new open space provision when available. Text amended to clarify this.</p> <p>Step 5 of the SPD sets out how financial contributions are calculated. Worked examples can be found in the appendix.</p> <p>Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Paragraph 2.13 includes additional reference to the latest up-to-date information.</p>
<p>Community Infrastructure Levy (CIL)</p> <p>There is no mention of the impending Kirklees CIL Charging Schedule, and how this document and its financial implications relates to CIL and vice versa. The whole purpose of CIL was to provide more certainty for developers and also ensure development plans for the area are viable and deliverable.</p>	<p>The Council decided at Cabinet on 19 January 2021 to not adopt the Community Infrastructure Levy at this stage.</p>

- 6.6 All comments on to the public consultation have been considered in preparing the final SPD. None of these require significant changes to the overall approach. A number of comments supported the preparation of the SPD and specific guidance.
- 6.7 The main changes to the SPD as a result of comments received are summarised as follows:
- Amendments to clarify that up-to-date site assessments will be carried out to inform new open space provision.
 - Amendments to clarify where possible impacts are detected on the South Pennine Moors SSSI/SPA/SAC through a Habitats Regulations Assessment appropriate mitigation will be required.
 - Text added to clarify appropriate community consultation is undertaken as part of the planning application process.
 - Text added to promote play opportunities close to home and incorporate safe networks of footpaths.
 - Clarification on references to the most up to date evidence.
 - Section added to explain pre-application advice.
 - Text added to include the benefit of open space on mental health.
 - Amendment to clarify the governments most up-to-date position regarding street trees.
 - Definitions of play spaces added.
 - Amendment to clarify why the threshold of more than 10 dwellings has been adopted.
 - Amendment to clarify that open space standards are minimum standards to be provided.
 - Text amended to clarify that the purpose of the 15% administration charge is to facilitate the implementation of open space provision/improvements off site.
- 6.8 The council has also taken the opportunity to make some minor additional changes to the SPD to provide clarification, corrections, or minor up-dates to text. The key changes are set out in Appendix 3 (please note Appendix 3 does not include changes that are de minimis in nature).

Appendix 1: Consultee List

Adjoining Authorities	
Barnsley Metropolitan Council Bradford Metropolitan District Council Calderdale Council City of York Council High Peak Borough Council	Leeds City Council Oldham Council Peak District National Park Authority Wakefield Council
Town & Parish Councils	
Cawthorne Parish Council Denby Dale Parish Council Dunford Parish Council Gunthwaite and Ingbirchworth Parish Council High Hoyland Parish Council Holme Valley Parish Council Kirkburton Parish Council	Meltham Town Council Mirfield Town Council Morley Town Council Ripponden Parish Council Saddleworth Parish Council Sitlington Parish Council Tintwistle Parish Council West Bretton Parish Council
Organisations	
Age UK BL Ecology British Telecom Brooks Ecological Calderdale and Huddersfield NHS Canal & River Trust Coal Authority Crestwood Environmental Environment Agency Environment Kirklees FCS Consultants Fields in Trust Foundation Trust Connect Housing CPRE Dewsbury Matters England Hockey English Cricket Board Forestry Commission England Greater Huddersfield Clinical Commissioning Group Highways England Historic England Holme Valley Vision Network Homes and Communities Agency House Builders Federation	Metro Middleton Bell Ecology Mid Yorkshire Hospitals NHS Trust Natural England National Grid National Trust Network Rail Newsome Ward Community Forum NHS Property Services Northern Gas Network North Kirklees Clinical Commissioning Group NTL Group Ltd Play England Quants Environmental RDF Ecology Rugby Football League Rugby Football Union Sheffield Football Association Spenn Valley Civic Society Sport England South West Yorkshire Foundation Trust Sustrans Trans Pennine Trail UDVET UK Active Unity Housing Association West Riding Football Association

<p>Huddersfield and District Archaeological Society Huddersfield Birdwatchers Club Huddersfield Civic Society Huddersfield University JCA Ltd Keep Our Rural Spaces Kirkheaton Future Kirklees Active Leisure Kirklees Badger Group Kirklees Neighbourhood Housing Locala Local Enterprise Partnership Leeds City Region Mab Environment and Ecology Ltd</p>	<p>West Yorkshire Archaeology Advisory Service West Yorkshire Bat Group West Yorkshire Combined Authority West Yorkshire Ecology West Yorkshire Police Authority Yorkshire Water Services Yorkshire Sport Yorkshire Wildlife Trust Whitcher Wildlife Ltd Wildscenes Woodland Trust WYJS Yorkshire Housing</p>
Planning Agents & Developers	
<p>Acumen Architects AHJ Architects A N Designs Avant Homes Yorkshire Avison Young Bailey Smailes Solicitors Bamford Architectural Barratt Homes Bartle & Sons Barton Willmore Bellway B K Designs BNP Paribas Real Estate UK Bradley Stankler Planning Bramleys Carter Jonas Chris Thomas LTD Conroy Homes Dacre, Son & Hartley Darren Smith Homes Deloitte Design Line Architectural DK Architects ELG Planning Fairhurst Farrar Bamforth Associates Ltd F M Lister & Sons Gladmans Hallam Design Associates Harron Homes</p>	<p>Kirkwells K Rouse Malcolm Sizer Planning Limited Martin Walsh Architectural MD Associates MWP Planning NLP Planning NJL Consulting One17 Chartered Architects Paul Butler Planning Paul Matthews Architectural Persimmon Homes Peacock and Smith QUOD Rapeleys LLP RG P LTD Riva Homes Robert Halstead Chartered Surveyors & Town Planners Robertshaws Chartered Surveyors Rouse Homes Sanderson Weatherall LLP Savills SB Homes Limited Spawforths SSA Planning Limited Steven Abbott Associates LLP Strata Storrie Planning Taylor Wimpey</p>

Hawdon Russell Heppendsalls Hourigan Connolly Iain Bath Planning Ian Baseley Associates I D Planning Indigo Planning JWPC Chartered Town Planners	Tetlow King Planning Limited Turley Associates Vernon and Co Wake Architects Walton and Co Planning Lawyers Yorkshire Country Properties Younger Homes
Private Individuals	
Approximately 580 individuals were invited to comment.	

Appendix 2: Comments Received on the Public Consultation and the Council's Response

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS9	The Coal Authority	All document	Having reviewed the SPD, the Coal Authority has no specific comments to make.		No Change. Comment noted.
SPD_OS11	Trans Pennine Trail	All document	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors.		No Change. Support noted and welcomed.
SPD_OS18	Trans Pennine Trail	All document	The acknowledgement of accessible open spaces throughout the document is welcomed.		No Change. Acknowledgement noted and welcomed.
SPD_OS21	Trans Pennine Trail	All document	Could be stronger links to biodiversity included in terms of linking green spaces would also enhance local biodiversity.	Could be stronger links to biodiversity included in terms of linking green spaces would also enhance local biodiversity.	No Change. The SPD recognises the opportunities that open space provision can provide in incorporating biodiversity enhancements at set out in paragraphs 1.5 and 2.8, Section 2.4 and section 3.1 in Key Principle 5 (Multi-Functional Benefits).

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					Opportunities to link green spaces with ecological networks are set out in Key Principle 6 (Connectivity) and Appendix 2 Design Guidance.
SPD_OS7	Wakefield Council	Para 1.1	Wakefield Council have no specific comments on this document. The Council supports and welcomes its introduction.		No Change. Support noted and welcomed.
SPD_OS29	KORS - Keep Our Rural Spaces	Para 1.1	It is important that once agreement has been reached with a developer about providing green and open spaces, etc, that this agreement should be enforced without allowing the developer "wriggle-room" to escape the agreement in full.		No Change. Comment noted.
SPD_OS4	Natural England	1.1	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.</p> <p>Whilst we welcome this opportunity to give our</p>		<p>Proposed Change.</p> <p>Add new paragraph 7.5:</p> <p><u>"Applications are considered on a case by case basis. In the circumstances where the development site is within a distance or of a nature determined to have potential impacts on the South Pennine Moors SSSI/SPA/SAC, a</u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>		<p><u>Habitats Regulations Assessment will be required in line with Habitat and Species Regulations and Local Plan policy LP30 (Biodiversity & Geodiversity)."</u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>In addition to our previous response on the Open Space SPD (dated 23/10/2020) we would like to provide additional comments regarding the impacts on SSSI's.</p> <p>Natural England supports the comments provided by West Yorkshire Ecology on the impacts of recreational disturbance on the South Pennine Moors SSSI/SPA/SAC (below). We advise that all recreational disturbance impacts on the designated sites as a result of additional housing are fully assessed and appropriate mitigation is implemented.</p>		
SPD_OS12	Trans Pennine Trail	1.1	Open space also provides an area to recover from mental illness, not just physical.		<p>Proposed Change.</p> <p>Agree contribution of open space to mental health well-being should be recognised in the SPD.</p> <p>Add text to paragraph 1.1: “Well designed, high quality open space that is widely accessible, safe and pleasant to use can help encourage physical activity and an active lifestyle contributing to <i>the</i></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<i>physical and mental</i> health and well-being of local communities.”
SPD_OS24	Huddersfield Civic Society	1.1	<p>Huddersfield Civic Society (HCS) welcomes the opportunity to comment on four guidance documents published by Kirklees Council in October 2020 as Supplementary Planning Documents (SPD), which it hopes “will encourage a higher standard of design of residential developments in the area”, these being:</p> <ul style="list-style-type: none"> • Open Space SPD • Housebuilders Design Guide SPD • House Extensions and Alterations SPD • Biodiversity Net Gain in Kirklees Technical Advice Note <p>We note a government summary of the purpose of SPDs at https://www.gov.uk/guidance/plan-making:</p> <p><i>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies</i></p>		<p>No Change.</p> <p>Comments noted.</p> <p>No Change.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p><i>into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”</i></p> <p>Introduction and Comments applying to all documents</p> <p>HCS applauds the intentions underlying many of the proposals contained in the SPDs regarding how national and local planning policies, as stated in the Local Plan, should be interpreted in Kirklees. However, we are concerned that, in their current – or similar - form, we believe they may well fail to achieve their objectives.</p> <p>There is much general or introductory text which may fit better in a planning textbook rather than in an SPD, eg “Food Growth: Green space on the site can be used to grow food and could form part of a wider urban agriculture scheme” and “a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for a rich diversity in architectural styles”.</p> <p>Whilst some text is specific to Kirklees much is not, so does it belong in a Kirklees SPD? Also, some</p>		<p>Comment noted.</p> <p>See council response in Housebuilder Design SPD schedule of comments.</p> <p>See council response in Housebuilder Design SPD schedule of comments</p> <p>See council response in Housebuilder Design SPD schedule of comments</p> <p>No Change in Open Space SPD.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>important items are omitted, eg a requirement for consultation on major residential developments with affected residents in neighbourhoods nearby and to state how this should be done.</p> <p>In attempting to cover the application of policies to many different development circumstances it becomes difficult to follow what does, or does not, apply in any one specific circumstance, eg in a conservation area or in a space-constrained site. Which advice items here can be ignored if they conflict with a requirement stated in the relevant Conservation Area Appraisal? What happens if the shape or slope of a site does not allow 35+ dwellings per hectare?</p> <p>The coverage of a large number of local and national policy items, many of which are imprecise as well as advisory, potentially results in a higher level of subjectivity in how many of these advisory items might be interpreted – and therefore assessed - for approval or rejection. This may result in an increase in the number of Planning disputes and appeals. We also note several advisory items have examples which appear to ‘water down’ NPPF policy statements.</p>		<p>Comment noted.</p> <p>No Change in Open Space SPD. Comment noted.</p> <p>No Change in Open Space SPD. Comment noted.</p> <p>No Change. The SPD provides detailed guidance on the implementation of Local Plan policy LP63 in relation to open space for new housing development. This includes a 5-step approach with worked examples in the Appendices. The Government’s response to the Planning White Paper has not been published and</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>HCS also finds it hard to see what, in some of these items, might help and inspire an individual, business or hoped-for Developer to come to Kirklees and improve our built and natural environment, rather than go to another district that might offer either greater simplicity of guidelines or more certainty of outcome. Many of the images that accompany sections of the guide refer to commendable developments outside Kirklees, e.g. by CITU in Leeds, but do not necessarily map clearly to a specific requirement for a developer to include in a typical development in Kirklees.</p> <p>It is also unclear how these SPDs might fit with possible changes that may be proposed along the lines of the government's recent "Planning for the Future" White Paper and whether time might be better spent now on matters such as preparing the type of Design Guide mentioned in the White Paper.</p> <p>HCS sees three possible approaches to address these concerns:</p> <ul style="list-style-type: none"> • Specifying requirements in more detail and with precision – an applicant then knows 		<p>cannot therefore be reflected in the SPD.</p> <p>Comments noted.</p> <p>See council response in Housebuilder Design SPD schedule of comments.</p> <p>No Change. Comments noted.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>exactly what it will have to do and can therefore be more certain what will, or will not, be approved. Example: an applicant must show how new housing will be oriented so that xx% of the volume of houses will be supplied from onsite renewable energy, stating how this percentage will be met.</p> <ul style="list-style-type: none"> • Covering a much smaller number of key local plan policy items of specific importance in Kirklees, stating clearly which will be the key factors when a submission is assessed. • Removing the duplication with other documents, retaining text that points to the relevant clauses in those documents and then making clear the clarifications specific to Kirklees. <p>We appreciate that these alternative solutions might themselves introduce further complications, the first because care would be needed not to fall foul of the legal requirement (referenced previously) for an SPD not to “introduce new planning policies” and the second because of there possibly not being an agreed single set of priority items that covers all common planning</p>		

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			applications. The third, while meaning there needs to be more cross referencing, would potentially mitigate some of the issues with the first two and could provide a more focused approach to Kirklees requirements. However, this only goes to show why we think an attempt to use SPDs to provide an additional layer of guidance across the full scope of the approved Local Plan policies leaves the door open to ambiguity.		
SPD_OS72	Yorkshire Wildlife Trust	1.1	<p>The Trust were consulted on the Biodiversity Net Gain in Kirklees Technical Advice Note and have noted that the Open Spaces SPD is also out for consultation.</p> <p>As per ambitions of WYCA and Kirklees LPA itself, a joined up approach should be taken to delivering green infrastructure, biodiversity gains and aspects relating to health and wellbeing of the local community, particularly with regards to access to semi-natural open greenspace.</p> <p>We would therefore recommend inclusion of details of the 'Building with Nature' initiative within the SPD. Building with Nature is a framework that enables developers to integrate high-quality multifunctional green infrastructure to create</p>		<p>No Change.</p> <p>Comment noted.</p> <p>The SPD recognises opportunities that open space provision can provide in incorporating green infrastructure and biodiversity enhancements at set out in paragraphs 1.5 and 2.8, Section 2.4 and section 3.1 in Key Principle 5 (Multi-Functional Benefits).</p> <p>Opportunities to link green spaces with other networks, including ecological and green</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>places in which people and nature can flourish. It provides developers with a possible mechanism to deliver a number of policies including LP 27, 28, 29, 30 and 31 and to meet the targets being explored to improve Green Infrastructure across the region.</p> <p>Building with Nature sets out standards to provide a benchmark to be used in addition to the Biodiversity Net Gain metric, in order to provide a qualitative assessment of a proposed development site. The Building with Nature (BwN) key themes are:</p> <ul style="list-style-type: none"> • Core – Distinguishing green infrastructure from a more conventional approach to provision of open and green space. • Wildlife – to protect and enhance wildlife, creating networks where nature can thrive, and supporting the creation of development which more effectively delivers a net gain for wildlife. • Water – a commitment to improving water quality, on site and in the wider area: 		<p>infrastructure networks, are set out in Key Principle 6 (Connectivity) and Appendix 2 Design Guidance.</p> <p>Local Plan policy LP30 (Biodiversity & Geodiversity) requires new developments to provide net biodiversity gain by incorporating biodiversity enhancements and habitat creation where opportunities exist. This SPD in implementing Local Plan policy LP63 (New Open Space) supports biodiversity improvements as part of the open space provision.</p>

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			<p>reducing the risk of flooding and managing water naturally for maximum benefit.</p> <ul style="list-style-type: none"> Wellbeing – to deliver health and wellbeing benefits through the green features on site, making sure they can be easily accessed by people close to where they live. <p>Building with Nature is a voluntary approach developed by practitioners, policy-makers and academic experts, and tested with the people who will use and benefit from the framework. There are three levels of accreditation; Design, Full (Good) and Full (Excellent) and schemes can be assessed at pre-application, reserved matters and post-construction/in-use stages. Further information can be accessed via the website: https://www.buildingwithnature.org.uk. Yorkshire Wildlife Trust has two Building with Nature trained assessors and is keen to progress this approach with developers.</p>		
SPD_OS73	West Yorkshire Combined Authority	1.1	The Open Space SPD is welcomed as many local authorities don't have guidance on open space and with the national crisis in levels of physical activity		No Change. Comments noted and welcomed.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>it is important to set clear requirements from developers.</p> <p>The references to national policy such as the National Design Guide and the Fields in Trust guidance are important, as are the local policies.</p>		
SPD_OS97	Robert Halstead Chartered Surveyors & Town Planners	1.1	In the circumstances, I am of the view the SPD is both premature and unworkable in its current form, and will most certainly lead to significant uncertainty with regard to the viability and deliverability of housing development, and hence creates barriers and risks to inward investment in the borough.		<p>No Change.</p> <p>The SPD provides guidance to implement Local Plan policy LP63 (New Open Space) which requires new housing developments to provide open space provision unless impact on financial viability is clearly demonstrated. The SPD acknowledges viability as a consideration in Section 3 in Key Principle 4 (Design) and paragraph 4.9.</p>
SPD_OS103	Holme Valley Parish Council	1.1	<p>Overall</p> <ul style="list-style-type: none"> • Welcome the issuing of these documents, which supply greater detail to supplement the provisions of the Local Plan. 		<p>No Change.</p> <p>Comments noted and welcomed.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<ul style="list-style-type: none"> • Welcome being given the opportunity to comment on the documents. • Welcome the clarity of presentation • Welcome the frequent references to climate change / sustainability / biodiversity in the texts of all documents but there is no sense of urgency, given that Kirklees and HVPC have declared a climate emergency. Section 4.4 Sustainable design in SPD Extensions and alterations is noted. <p>General Response:</p> <p>Overall, the SPDs which are generally clearly laid out and provide a useful guide for applicants across the topics covered.</p> <p>They are in many ways aligned with the more detailed information within the Holme Valley Neighbourhood Development Plan which articulates more specifics about elements such as our landscape and built character and gives the views of our community. This is important as the SPDs are written from a developer's perspective so we hope that they can be used in conjunction with the NDP to better understand the relationship between buildings and the community they sit</p>		<p>No Change. Comments noted and welcomed.</p> <p>No Change.</p> <p>The suite of Quality Places SPDs and guidance aims to improve the quality of residential development in Kirklees through good design,</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>within.</p> <p>Climate change and the need to act on the climate emergency is reflected in the SPDs but not expressed in the strong terms required to drive real action. For example, the Householders Design Guide only encourages or supports renewable technologies / shared energy projects rather than requiring these things to be considered as standard and only not applied if rationale is provided.</p> <p>It is important that new houses are built with solar panels, ground source heating etc. considered seriously from the start, not left to individual homeowners to add later. Many of the new developments in the valley do not seem to include these and indeed, utilities often appear to be added to and put under considerable pressure thereby causing problems for existing residents. The utilities should be enhanced, and recent problems have been visible such as recent flooding at the new housing in Scholes and lack of sufficient electrical supplies to support the promised car charging provision in Hade Edge.</p> <p>The House Extensions and Alterations SPD is an extremely useful document providing a full range</p>		<p>including responding to the climate change emergency.</p> <p>The Open Space SPD includes design guidance in Appendix 2 to help increase resilience to climate change through the delivery of open space provision for new housing developments.</p> <p>See council response on the Housebuilders Design SPD comments.</p> <p>See council response on the House Extensions and Alterations SPD comments.</p> <p>No Change. Comments noted.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>of positive and negative examples and we welcome this clarity which should be very helpful to those seeking to extend or alter their homes.</p> <p>Overall, we welcome the opportunity to contribute to these SPDs and the additional clarity they bring. Many terms within the SPDs are subjective such as referencing character, distinctiveness and public views and we recognise that this challenge of balancing specificity with the general values of an area is a challenge for all planning documents.</p> <p>However, we hope that together with the Holme Valley specifics of the NDP, these SPDs will provide a clearer articulation of what is acceptable in the future.</p>		
SPD_OS102	Holme Valley Vision Network	1.2	<p>This document gives some good examples of the theory of calculating open space provision to be provided by the developer, but softens this by using phrases such as "The council would therefore encourage useable recreation space to be provided on-site within the development." Surely the Council should demand that space be provided?</p>		<p>No Change</p> <p>New housing developments are required to provide open space provision in accordance with Local Plan policy LP63 and on-site provision is preferred where this is practical.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					The SPD recognises at paragraph 7.4 that in some instances this may not be practical, such as where a development is too small to accommodate useable open space or where there are opportunities to provide additional or improved facilities nearby. Where it is not possible or appropriate for on-site provision, a financial contribution in lieu of on-site provision will be sought.
SPD_OS106	Holme Valley Parish Council	1.2	The parish Council welcomes several elements presented here such as: - The provision of Open Space as a material consideration		No Change. Comment welcomed.
SPD_OS3	Private Individual	Policy LP63 New Open Space	There is not enough space for allotments and the waiting lists for allotments are far too long to get an allotment within an acceptable time frame	New land for the single use of allotments, thereby giving everybody a chance to have an	No Change. Comment noted. The SPD seeks open space provision on a case by case

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
				allotment to have exercise and healthy diets	basis, including the provision for allotments where required.
SPD_OS30	KORS - Keep Our Rural Spaces	Policy LP63 New Open Space	Consideration should be given to wildlife needs in the provision of open space, bearing in mind the decline in many animal species. There is a need for more allotments. Climate change requires the planting of more trees and the protection of existing woodland. Hard standing for vehicles and drives should be as water permeable as possible to create as much natural slow soaking away of rain.		<p>No Change.</p> <p>Comments noted.</p> <p>The SPD recognises opportunities to achieve biodiversity net gain as part of the open space provision for new housing developments.</p> <p>Each application is considered on a case by case basis taking into account the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision. This includes the provision for allotments where required.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					Appendix 2 sets out design guidance to help mitigate and adapt to climate change.
SPD_OS101	Holme Valley Vision Network	Policy LP63 New Open Space	<p>Similarly, the Open Spaces Guide states “The Council will support proposals that provide a sustainable and community led approach to the management and maintenance of public open spaces to encourage local communities to take an active role in looking after public open spaces near where they live.” This will not happen if local people have no real stake in those places and have not been involved in the early stages of the planning process.</p> <p>For example, amenity green spaces need to be developed to suit the needs of a particular community, working in partnership with the people who live in that place. How else can the real needs be identified without their involvement? Local people should also help determine how financial contributions arising from Section 106 and CIL payments should be used before the conditions are agreed with the developer.</p>		<p>Proposed Change</p> <p>Add text to paragraph 8.8 to clarify appropriate community consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p> <ul style="list-style-type: none"> • <u>appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community and local councillors post planning permission when Section 106 planning</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<u>obligations are implemented to help shape and inform specific open space improvements.</u>
SPD_OS16	Sport England	Policy LP63 New Open Space			
SPD_OS116	Holme Valley Parish Council	1.3	We suggest that Kirklees Council should itself have a higher involvement by providing clarity in the allocation, or provision, of each type of open space in its overall plan for an area – covering both existing and future housing – into which a Developer can then submit plans for consideration. Such an approach also fits well with the philosophy of the “Planning for the Future” White Paper.		No Change. The SPD identifies existing deficiencies in the quantity of different types of open space at ward level as set out in Appendix 1 (Existing Open Space Provision). Each application is considered on a case by case basis taking into account the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					circumstances and the suitability of providing on-site or off-site provision.
SPD_OS31	KORS - Keep Our Rural Spaces	1.4	Natural greenspace should give priority to wildlife to counteract the decline in many animal species. In many areas of Kirklees there need to be more allotments, which may encourage more healthy eating and exercise.		No Change The SPD seeks open space provision on a case by case basis, including the provision for natural and semi-natural greenspace and allotments where required.
SPD_OS115	Holme Valley Parish Council	1.4	Open space also means the permeability of gardens as wildlife corridors and one that allows affective planting. There may be an argument for encouraging different approaches to types of green space, eg some reduction in private garden space matched by increased communal, or public, green space to introduce a flow through of public, play and semi-naturalised areas with appropriate management regimes. However, we are worried that such a finely detailed approach risks encouraging a „tick-box“ response with more tiny green spaces incorporated into designs, which may be of little practical use for each claimed purpose.		No Change Comment noted.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS13	Trans Pennine Trail	1.5	Rogue word '-natural'?		Proposed Change Delete text " natural ".
SPD_OS28	KORS - Keep Our Rural Spaces	1.5	Bearing in mind the huge significance of the need for a Climate Emergency Action Plan (CEAP); is the CEAP for Kirklees strong enough? Does Kirklees CEAP correlate with this Open Space SPD? It is important that developers are instructed, and not just "guided", to comply with the requirements; and certainly not just "encouraged" to contribute.		No Change. The SPD recognises that one of the multi-functional benefits of open spaces is their valuable contribution to increasing resilience to climate change locally. Guidance is set out in the SPD at paragraph 2.8 and in Appendix 2 (Design Guidance).
SPD_OS80	Barratt and David Wilson Homes Yorkshire West	2.1	We support the reference to the NPPF requiring planning policies to be both robust and based on up-to-date assessments. We are concerned that the Council's evidence base for open space was produced in 2016, meaning that a lot of the information will have been collected prior to that adoption. Making this evidence base nearly 5 years out of date, thus not including any improvement or additions to open space in Kirklees during this time.		No Change. The recently adopted Local Plan (February 2019) policy LP63 is based on the evidence set out in the Kirklees Open Space Study 2015 (Revised 2016).

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>We would therefore suggest that the Council seeks to update their evidence on a more regular basis, to ensure that any requirements from the Council are indeed based on robust and up-to-date evidence.</p>		<p>Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Proposed Change.</p> <p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <u>For pre-application enquiries and planning applications where available</u>, consideration will also be given to the council’s latest detailed green space quality information for parks, recreation grounds and children’s play spaces (and where appropriate woodlands and allotments) undertaken by the council’s landscape/parks and green spaces team. <u>This</u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<u>information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances.</u> This will include identifying opportunities for expansion, new provision and quality enhancements.”
SPD_OS8	West Yorkshire Ecology Service	2.2	This section needs to make reference to the Natural England risk assessment zones for SSSIs. Within these zones there are triggers for housing development of various scales linked to distance from nationally and internationally important wildlife site. Part of the reason for the trigger is the iterative increase in recreational pressure on SSSIs such as the South Pennine Moors and Dark Peak. The impact from increased numbers of households and recreational use of the site is partly down to disturbance, particularly to ground nesting birds,	See above. It would be worth discussing this specifically with Natural England if they have not already made the same comments.	Proposed Change. Add new paragraph 7.5: <u>“Applications are considered on a case by case basis. In the circumstances where the development site is within a distance or of a nature determined to have potential impacts on the South Pennine Moors SSSI/SPA/SAC, a</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			and partly the impact of increased footfall and physical erosion. There is a need for housing development to be assessed against the SSSI risk zones and for mitigation to be included within the planning proposals. This might include measures such as clear links and enhancement of public rights of way around the proposal site. In some locations it may be necessary for the developer to make a contribution to restoration of paths within the SSSI.		<u>Habitats Regulations Assessment will be required in line with Habitat and Species Regulations and Local Plan policy LP30 (Biodiversity & Geodiversity)."</u>
SPD_OS33	KORS - Keep Our Rural Spaces	2.2	The National Planning Policy Framework as applied to the local authority should take into account not just the views of local residents and local environmental groups; but also the considered expertise of such organizations as CPRE, the RSPB, English Heritage, the Woodland Trust, Natural England, etc, and so on. Local sporting bodies may also have relevant advice to give on the need for, or to enhance, green sports facilities.		No Change. Paragraph 2.2 relates to guidance set out in the National Planning Policy Guidance and the requirement for local planning authorities to assess the need for open space provision in their area. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p>Charter, including consultation with statutory consultees and non-statutory consultees.</p> <p>Paragraph 2.16 of the SPD recognises that relevant National Governing Bodies should be consulted in relation to playing pitch provision.</p>
SPD_OS32	KORS - Keep Our Rural Spaces	2.3	Whilst there is certainly a need for more "play" in green spaces; "bio-diversity" must also include areas that are largely free from human activity to encourage and restore habitats for often-fragile ecosystems of plants and animals.		<p>No Change</p> <p>Comment noted.</p>
SPD_OS34	KORS - Keep Our Rural Spaces	2.5	Whilst very much in agreement with this aspect of the policy; it does seem that too many developments in, eg, the Denby Dale Ward of Kirklees, give lipservice to public transport which is not that brilliant (even before the coronavirus pandemic); and rather leave residents relying a great deal on cars for work, leisure, shopping and other journeys.		<p>No Change</p> <p>Comment noted.</p>
SPD_OS74	West Yorkshire	2.7	There is reference to the benefits of access to green space which is welcomed but the document could also refer to the compelling reasons we need		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
	Combined Authority		these benefits; for example reference to statistics on the state of national physical activity and mental health would be compelling in the introduction.		Paragraph 2.7 of the SPD recognises the health benefits as a result of access to good quality open spaces.
SPD_OS35	KORS - Keep Our Rural Spaces	2.7	Alongside the green spaces for the health of the population, simple information should be available to help residents understand the nature (plants and animals) that is in the context of those green places. The benefits of experiencing nature for human health should be reciprocated by humans understanding and respecting the needs of the wildlife around them. On a more personal note I hope all schools are encouraged to build up the vegetarian options in their meals – eating less meat is more healthy, especially if it is of quality (and free-range).		No Change. Comments noted.
SPD_OS108	Holme Valley Parish Council	2.7	The parish Council welcomes several elements presented here such as: → Clear recognition of the wide-ranging benefits of access to good quality green spaces		No Change. Comment noted and welcomed.
SPD_OS36	KORS - Keep Our Rural Spaces	2.8	As well as working with developers to provide trees, also work with CPRE and perhaps especially The Woodland Trust to provide the best advice on what trees to plant and where.		No Change. The council recognises these organisations as valuable

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					sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD_OS75	West Yorkshire Combined Authority	2.8	The statement 'The council will work with developers to ensure green infrastructure is incorporated in the design process' is welcomed – perhaps given the government's latest indications (in its planning White Paper) that all new streets will have street trees, this commitment could go further.		Proposed Change Agree. Amend paragraph 2.8 to: "The council will work with developers to ensure green infrastructure is incorporated <u>included</u> in the design process and considered <u>is incorporated</u> as an integral part of a housing development's open space provision, <u>including natural greenspace, woodland and street trees.</u> "

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS109	Holme Valley Parish Council	2.8	The parish Council welcomes several elements presented here such as: — Planting of more trees		No Change. Comment noted and welcomed.
SPD_OS37	KORS - Keep Our Rural Spaces	2.9	Playable spaces strategy should be a requirement, and not just guidance, for developers		No Change. Comment noted. Paragraph 2.9 of the SPD states "Requirements for play and open space provision will be determined in line with the council's Playable Spaces Strategy".
SPD_OS38	KORS - Keep Our Rural Spaces	2.11	Local food growing is good to include in this policy. Likewise enhancement of bio-diversity. However, as with so much of this policy (which is largely very good) it is the detail that will matter. How, when and in what ways is bio-diversity to be enhanced? Which relevant charities and scientific groups will Kirklees consult and co-operate with? Such a policy as this should have "fine words", but of course such words will be of little use without practical, measurable and thorough details. KORS		No Change. Alongside the Open Space SPD, the council has also prepared a Biodiversity Net Gain Technical Advice Note to provide guidance about how measurable biodiversity net gain should be achieved through the use of a Biodiversity Metric.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			does appreciate that this is not necessarily the right platform to provide those details.		
SPD_OS94	Environment Agency	2.12	<p>We note the focus of this SPD is to provide additional information for developers relating to the implementation of local plan policy LP63 and is primarily to promote healthy lifestyles for people.</p> <p>Open spaces also play an important role in improving the health of the natural environment, and we welcome and support the recognition of the multi-functional benefits of open spaces detailed in paragraph 1.5, and their importance in mitigating and adapting to climate change. We would like to see this paragraph retained in the SPD.</p> <p>We also welcome and support the inclusion of paragraph 2.12 which identifies policy LP63 as the main policy relating to the provision of new open space, but also recognising other policies play an important role in the delivery, design and connection of green spaces and associated networks. As it is highlighted that consideration be given to these policy requirements and where appropriate opportunities taken to simultaneously</p>		<p>No Change.</p> <p>Comments noted and support welcomed.</p> <p>Comments noted and support welcomed.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			achieve multiple benefits, we have no further comments to make on the Open Space SPD.		
SPD_OS76	West Yorkshire Combined Authority	2.13	The reference to Kirklees Playable Spaces Strategy is helpful – that strategy is a very welcome document. More could be said here – or in the playable spaces strategy – about how a development can promote children’s independence in their own neighbourhood by ensuring that there are informal play opportunities close to home (‘doorstep play’) and that there are safe networks of footpaths giving access to play opportunities further away. This could be integrated into principles 4. and 6.		<p>Proposed Change</p> <p>Amend design principles 4, 5 and 6 in section 3.1 to promote play opportunities close to home and to incorporate safe networks of footpaths.</p> <p>4. Design - green open spaces should be high quality, diverse, well located, safe, well-designed and attractive. They should be easily accessible and be able to be enjoyed by all people regardless of visual and cognitive ability, mobility or age. <u>Spaces, large and small, should also provide access to challenging opportunities for play, physical activity, contact with nature and social development close to home and benefitting physical and</u></p>

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					<p><u>mental health and well-being as well as encouraging intergenerational interaction and community cohesion and meeting inclusivity needs in line with the Kirklees Playable Spaces Strategy.</u> The suitability of the site, such as site conditions, constraints, topography, accessibility and viability, will be taken into account in determining open space provision. <u>Furniture installed should be accessible to all accommodating wheelchairs and facilities for cycle parking for adapted cycles.</u></p> <p>5. Multi-functional benefits - creating multi-functional green spaces with potential benefits and uses for amenity, wildlife, local climate change resilience, flood control, water management, outdoor activity, food growing and</p>

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					<p>social benefits, such as community cohesion. <u>Spaces for natural and formal play and sport and activity should be designed to complement other local play spaces thereby supporting provision of a diverse range of accessible outdoor opportunities across the whole of the district.</u></p> <p>Opportunities to maximise biodiversity net gain should be taken by retaining existing ecological features and incorporating new natural features that support the creation and enhancement of wildlife habitats, such as woodland and tree planting, wetlands, recreation, food production, integrated sustainable drainage and enhancing ecological networks.</p> <p>6. Connectivity - providing links, and improved</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p>connections <u>connectivity</u> to wider networks, such as the wildlife habitat network, cycling and walking network, green infrastructure networks, <u>canals and waterways</u> and water management systems. <u>Play provision should be designed to incorporate safe networks of footpaths giving access to play opportunities which are within the development and wider area.</u> Additional design guidance is provided in Appendix 2."</p>
SPD_OS39	KORS - Keep Our Rural Spaces	2.13	Evidence is very important. Perhaps too often in the past Kirklees has relied too much on in-house comments from staff and councillors, and perhaps too much on the "evidence" provided from the self-interest of major developers. There are many environmental charities and organizations (national such as CPRE, English Nature, The Woodland Trust, etc, as well as more local groups, eg UDVET) and		<p>No Change.</p> <p>The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			also specialism and expertise from the universities and from scientific bodies. Kirklees should feel free to obtain such excellent information to aid their planning.		Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD_OS81	Barratt and David Wilson Homes Yorkshire West	2.13	<p>It is important that any requirements from the Council ARE based on up-to-date evidence. The Kirklees Open Space Study was produced back in 2015, with some updates in 2016 and 2017. This study needs to be updated to ensure that it reflects an up-to-date position.</p> <p>Has the Council's green space quality assessment been produced yet? If so, when was the latest version?</p> <p>The Kirklees Playing Pitch Strategy was produced in 2015, meaning that it is nearly 6 years out of date.</p> <p>Para 2.16 echoes our concerns in that changes will occur and therefore all of these studies and assessments must be kept up-to-date.</p>		<p>No Change.</p> <p>The recently adopted Local Plan (February 2019) policy LP63 is based on the evidence set out in the Kirklees Open Space Study 2015 (Revised 2016).</p> <p>Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <i>For pre-</i></p>

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					<p><u>application enquiries and planning applications</u> where available, consideration will also be given to the council's latest detailed green space quality information for parks, recreation grounds and children's play spaces (and where appropriate woodlands and allotments) undertaken by the Council's Landscape <u>and</u> Parks and Green Spaces teams. <u>This information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances.</u> This will include identifying opportunities for expansion, new provision and quality enhancements."</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS40	KORS - Keep Our Rural Spaces	2.14	It is refreshing to note both the good and the less good open space facilities summarised for each ward. An honest appraisal give the Council a base to work from, to celebrate that which is good and to enhance that which is not so good by taking practical steps to achieve a higher standard.		No Change. Comment noted.
SPD_OS110	Holme Valley Parish Council	2.14	Questions and Concerns with Open Space: All wards in Kirklees are deficient in at least one type of open space and significant shortfalls in all pitch provision across Kirklees. Holme Valley North and Holme Valley South wards, which form the area of HVPC, are deficient in all types of open space provision		No Change. Comment noted. The SPD seeks to address deficiencies in the quantity, quality and accessibility of open space provision in accordance with Local Plan policy LP63 (New Open Space).
SPD_OS41	KORS - Keep Our Rural Spaces	2.17	KORS fully agrees with this aim: "It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first. 'Embedding an environmental net gain principle for development', including housing".		No Change. The council has published a Biodiversity Net Gain Technical Note to provide guidance about how biodiversity net gain should be achieved in accordance with Local Plan policy LP30

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			At some point, sooner rather than later, the actual detailed and measurable plans need to be put in place. Is there a timetable to publish the necessary details of how to achieve this? Is Kirklees willing to work with scientific bodies such as Wildlife Trusts, the Freshwater Biological Association, relevant local university departments, the RSPB, the Woodland Trust, etc, and so on, to effectively achieve these aims?		(Biodiversity and Geodiversity).
SPD_OS42	KORS - Keep Our Rural Spaces	2.18	"Development plans are required to identify and pursue opportunities for securing measurable net gains, and planning decisions should favour the incorporation of biodiversity improvements into development proposals" How willing is Kirklees prepared to enforce this on developers, and not just as some guidance that developers can wriggle out of? What measurable details will be required of developers?		No Change. The council has published a Biodiversity Net Gain Technical Note to provide guidance about how biodiversity net gain should be achieved in accordance with Local Plan policy LP30 (Biodiversity and Geodiversity).
SPD_OS43	KORS - Keep Our Rural Spaces	2.20	"new development proposals to provide net biodiversity gains through good design by incorporating biodiversity enhancements and		No Change The council has published a Biodiversity Net Gain

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			habitat creation. The council therefore encourages the retention of high value biodiversity features, ecological enhancement and habitat creation on-site" Very good words. What might they mean in practice? Is Kirklees willing to work with scientific bodies such as Wildlife Trusts, the Freshwater Biological Association, relevant local university departments, the RSPB, the Woodland Trust, etc, and so on, to effectively achieve these aims?		Technical Note to provide guidance about how biodiversity net gain should be achieved in accordance with Local Plan policy LP30 (Biodiversity and Geodiversity).
SPD_OS44	KORS - Keep Our Rural Spaces	2.21	Again, very good words. What might they mean in practice? Is Kirklees willing to work with scientific bodies such as Wildlife Trusts, the Freshwater Biological Association, relevant local university departments, the RSPB, the Woodland Trust, etc, and so on, to effectively achieve these aims?		No Change. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS45	KORS - Keep Our Rural Spaces	2.22	Whilst there may be a need for "off-site" mitigation for environmental habitat creation, Kirklees Planning department should be very aware of the temptation for developers to hope that they can get away with inappropriate development proposals off-set by some inadequate work and cash provision elsewhere.		No Change. Comment noted.
SPD_OS46	KORS - Keep Our Rural Spaces	2.23	"Biodiversity net gain is expected to be delivered in accordance with latest government and industry guidance." KORS would have more confidence in this if there was the addition of guidance and advice from appropriate scientific bodies such as, eg, Wildlife Trusts, the Freshwater Biological Association, relevant local university departments, the RSPB, the Woodland Trust, etc, and so on.	Biodiversity net gain is expected to be delivered in accordance with latest government and industry guidance; and advice and guidance from relevant scientific bodies and charities	No Change. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD_OS82	Barratt and David Wilson Homes Yorkshire West	2.23	We support para 2.23 which confirms that BNG must be delivered in accordance with latest Government and industry guidance. The current draft BNG technical advice note, is contrary to Government guidance.		No Change. The Biodiversity Net Gain Technical Advice Note has been prepared in accordance

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					with the emerging latest government guidance.
SPD_OS14	Trans Pennine Trail	3.1	Connectivity – providing ‘signed’ links ... It is important to clearly sign other sustainable transport links to encourage existing / new residents modal shift to sustainable modes.	Connectivity – providing ‘signed’ links ... It is important to clearly sign other sustainable transport links to encourage existing / new residents modal shift to sustainable modes.	No Change. Comment noted.
SPD_OS77	West Yorkshire Combined Authority	3.1	<p>It is crucial that as well as being close, the journey from home to play opportunities like LAPs and LEAPs is as safe as possible for a child walking alone or with friends.</p> <p>Is there any opportunity to promote informal doorstep play that does not come within the 4 categories? They are important, but if every street had a simple playable feature such as tree,</p>		<p>Proposed Change.</p> <p>Amend Design principle 4 in section 3.1 to promote informal playable spaces closer to home.</p> <p>“4. Design - green open spaces should be high quality, well</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			boulders, patch of grass with planting/seating it might be as effective as a LAP divided between 4 streets, as children, especially of primary school age, are more likely to play very close to home.		located, safe, well-designed and attractive. They should be easily accessible and be able to be enjoyed by all people regardless of visual and cognitive ability, mobility or age. <u>Spaces, large and small, should also provide access to challenging opportunities for play, physical activity, contact with nature and social development close to home and benefitting physical and mental health and well-being as well as encouraging intergenerational interaction and community cohesion and meeting inclusivity needs in line with the Kirklees Playable Spaces Strategy.</u> The suitability of the site, such as site conditions, constraints, topography, accessibility and viability, will be taken into account in determining open space provision.”.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p>Proposed Change:</p> <p>Amend definition of play spaces in paragraph 5.1 to recognise informal play opportunities and the minimum spatial requirements and buffer zones for specific facilities as set out in the Fields in Trust Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard:</p> <p>“In line with Kirklees Playable Spaces Strategy, the aim is to provide a diverse range of quality outdoor spaces close to home with opportunities for creative, <u>accessible and well connected</u> play to benefit children, families and the wider community. Provision should be well-designed and may include a <u>informal play opportunities in addition to</u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p><u>formal play facilities as follows:</u></p> <ul style="list-style-type: none"> • Local Area of Play (LAP) - small area close to homes that facilitates informal play <u>and informal recreation, within a minimum activity zone of 100 sq m and 5 metres minimum separation between activity zone and nearest property containing dwelling.</u> • Locally Equipped Area of Play (LEAP) - with through-age and inclusive play equipment along with natural features and materials, <u>and informal recreation, within a minimum activity zone of 1000 sq m and 5 metres minimum separation between activity zone and nearest property containing dwelling.</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<ul style="list-style-type: none"> • Neighbourhood Area of Play (NEAP) - large playable spaces with manufactured and natural play features <u>and informal recreation area, comprising 400 sq m minimum activity zone and 20 metres minimum separation between activity zone and the habitable room façade of dwellings.</u> • Multi-use games area (MUGA) <u>with informal recreation, minimum activity zone of 1000 sq m comprising an area of play equipment and structures and a hard surfaced area of at least 465 sq m (the minimum needed to play five-a-side football) and 30 metres minimum separation zone between the activity zone and the</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<u>boundary of the nearest property containing a dwelling."</u>
SPD_OS47	KORS - Keep Our Rural Spaces	3.1	The ten key principles concerning the Approach to determining open space provision are helpful; though of course the results depend upon detailed actions. One example is "3. Kirklees open space standards - the council's open space standards which accompany Policy LP63 will be used to determine the nature and amount of new open space required." On checking Kirklees Local Plan, re: "Green Belt and Open Space", it includes the statement: "19.35 This policy will be delivered by developers, but will be assisted by the council through any advice given at pre-application stage and through all other relevant stages of the application process." Whilst the outcomes of the specific policy adopted for this or that development rightly will be delivered by the developer, the overall policy itself should include essential input from the relevant expert scientific and charitable bodies. Perhaps that should be made clearer.		No Change. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD OS118	Private Individual	3.1	Open space can be need of health and security of the area and safety of new build having one		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			entrance and putting new build to be standard 3 bedroom property nothing less car space and some plantation. It is need of the citizens to have large living accommodation is purpose of housing. Internal space not external.		Comment noted.
SPD_OS105	Holme Valley Parish Council	3.2	<p>The parish Council welcomes several elements presented here such as:</p> <p>→ Offering worked examples of the calculations a developer should make concerning the types and size of open spaces suggested for their proposed development and the precise amount of S106 contribution to the Council it should make if unable to provide each element.</p> <p>→ Clarity of the worked examples in Appendices 4-6.</p>		<p>No Change.</p> <p>Comments welcomed.</p>
SPD_OS48	KORS - Keep Our Rural Spaces	4.1	KORS agrees that eleven or more dwellings should be considered the threshold for the Open Space process.		<p>No Change</p> <p>Support noted and welcomed.</p>
SPD_OS104	Holme Valley Parish Council	4.2	The Open Space SPD offers clarity over when and how developments should enhance local open spaces, and this is very much welcomed.		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>It is noteworthy that the Holme Valley is deficient in terms of the current amount of open space it has per resident. The requirement for all developments over 10 homes to contribute to more open space is welcomed.</p> <p>However, as an area, we have seen a considerable number of developments over the last 2 years and as a community we do not have visibility of whether any of the new developments such as at Cinderhills, Hade Edge, Scholes, Netherthong etc. have led to commitments to improve any local open spaces. As a Parish Council, we occasionally hear of contributions to highways or schools through the planning decisions which are given but not open spaces.</p> <p>It is important that there is a feedback and discussion loop between Kirklees planning and the local community, so people understand what is considered regarding open spaces, and when commitments are made to contribute to local facilities. If this does not occur, developments are perceived as being done to a community and the benefits (aside from the additional houses) are not</p>		<p>Support noted and welcomed.</p> <p>Proposed Change.</p> <p>Add text to paragraph 8.8 to clarify appropriate community consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p> <ul style="list-style-type: none"> • <u>appropriate community consultation is undertaken as part of the planning application process. The</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			clearly appreciated or focused on what that community wishes to see.		<u>council will also consult with the local community and local councillors post planning permission when Section 106 planning obligations are implemented to help shape and inform specific open space improvements.</u>
SPD_OS107	Holme Valley Parish Council	4.2	<p>The parish Council welcomes several elements presented here such as:</p> <p>→ Welcome the emphasis on Play Space</p> <p>→ New Housing Developments: For developments of 10 or less dwellings there is no requirement to provide new open space in accordance with this SPD. However, the council would encourage the provision of amenity space, with natural habitats, within the development to ensure a well-designed scheme for the benefit of new residents.</p>		<p>No Change</p> <p>Comments welcomed.</p>

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SPD_OS111	Holme Valley Parish Council	4.2	<p>Questions and Concerns with Open Space:</p> <p>The eleven dwelling thresholds has been adapted from the recommended guideline of 5 dwellings set out in the Fields in Trust Guidance 'Beyond the Six Acre Standard' to reflect topographical constraints of Kirklees. Citing 'topographical constraints' does not adequately explain why this decision has been made.</p>		<p>Proposed Change.</p> <p>Amend paragraph 4.2 to clarify the reasons for the more than 10 dwelling threshold.</p> <p>"The eleven dwelling threshold <u>of more than 10 dwellings</u> has been adapted from the recommended guideline of 5 dwellings set out in the Fields in Trust Guidance 'Beyond the Six Acre Standard' to reflect topographical constraints of Kirklees. <u>This is to ensure an appropriate balance is achieved between housing density and the provision of useable open space within the development having regard to site constraints. This threshold is also consistent with the Affordable Housing SPD.</u></p>

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SPD_OS49	KORS - Keep Our Rural Spaces	4.4	Local community sporting groups should continue to be consulted as to the provision of sporting facilities. There may be places where artificial grass could be used; however artificial grass is not necessarily good for the environment, for soil health and wildlife searching for food; and after it deteriorates will lead to small plastic fragment pollution in the soil and nearby water-courses. Its use should be kept to a minimum, if used at all.		No Change. Comments noted.
SPD_OS83	Barratt and David Wilson Homes Yorkshire West	4.4	It is important to note that 3G pitches are not publicly accessible. These are often within private ownership and are rented out at cost. They are not free to the public. Yet the following paragraph (para 4.5) seems to suggest that new housing developments over ten will be required to help improve private pitch provision.		Proposed Change to paragraph 4. Amend paragraph 4.5 for clarification: “Housing developments of ten or more <u>than 10</u> dwellings will therefore be required to pay a financial contribution towards <u>creating</u> new playing pitch provision or enhancements to <u>enhancing</u> existing pitches <u>community sports facilities</u> to improve the quality of poor sites as identified in the PPS.”

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SPD_OS15	Trans Pennine Trail	4.5	Is there a potential that the financial contribution could hinder potential new residents on low income?	Is there a potential that the financial contribution could hinder potential new residents on low income?	<p>No Change.</p> <p>Financial contributions are paid by the developer through Section 106 Agreements.</p> <p>The SPD refers to different ways open space can be managed and maintained. Policy LP63 (New Open Space) encourages community led approaches to the management and maintenance of open spaces to encourage local residents to take an active management role.</p> <p>As recognised in paragraph 9.3 of the SPD, the developer should ensure costs for management and maintenance imposed on residents are reasonable and remain so for the lifetime of the development.</p>

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SPD_OS10	Sport England	4.5	We support this summary of playing pitch issues in Kirklees.		No Change. Support welcomed.
SPD_OS84	Barratt and David Wilson Homes Yorkshire West	4.5	This paragraph appears to link to and follow on from paragraph 4.4 regarding 3G pitches which are always privately owned and rented out. They are not free and accessible to members of the public. It is unreasonable to request that housing developers pay for private sports facilities, which can only be accessed by paying members or paying members of the public. This SPD appears to be encroaching in to territory regarding private sports provision instead of public sports provision.		Proposed Change. Amend paragraph 4.5 for clarification: "Housing developments of ten or more <u>than 10</u> dwellings will therefore be required to pay a financial contribution towards <u>creating new playing pitch provision</u> or <u>enhancements to enhancing existing pitches community sports facilities</u> to improve the quality of poor sites as identified in the PPS."
SPD_OS78	Persimmon Homes (West Yorkshire Ltd)	Table 1	Allotment provision/contribution should be linked to private garden provision and sizes. Illogical that student accommodation, likely to be without private gardens doesn't trigger an allotment but a		No Change. Comment noted.

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			private dwelling with a garden large enough to grow vegetables in it does.		
SPD_OS50	KORS - Keep Our Rural Spaces	4.9	Too often past performance indicated the probability of developers minimising the social works and payments that were initially part of agreements for a development to go ahead, seemingly at more regular than "exceptional" situations. The UK needs more housing, Kirklees needs an appropriate level of housing based on local and not necessarily national needs. The housing required certainly includes genuinely affordable homes and housing suitable for a growing elderly population. However, it is not up to the Council to ensure that a development is "viable". A developer exists to make a profit. The Council exists to ensure that the right sort of housing, of the required quality of construction and design, has the appropriate open spaces, and is built in the right place. Such requirements should be enforced. It is up to the developer to then work out if their proposal is viable or not, and not for the local authority to lower standards of the quality of build or the number and type of buildings or open spaces, etc, just to aid the profitability of the developer.		No change. New housing developments are required to provide and/or or contribute to new or improved open space, sport and recreation facilities unless the developer clearly demonstrates that it is not financially viable for the development proposal. This is set out in policy LP63 (New Open Space) of the adopted Local Plan and has been found 'sound' through the Local Plan Examination in Public.

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SPD_OS95	Robert Halstead Chartered Surveyors & Town Planners	4.9	<p>Our comments on the Open Space SPD are as follows and are primarily concerned with the impact of these proposals on development viability, and also the uncertainty the proposals provide for prospective developers or purchasers of development land, which in turn relates back to NPPF para 34: policies “should not undermine the deliverability of the Plan” and also the Kirklees Draft CIL Charging Schedule which states at 2.6:</p> <p>The Government advises local authorities to introduce a levy as they consider that it:</p> <ul style="list-style-type: none"> - delivers additional funding to carry out a wide range of infrastructure projects that support growth and will benefit the local community; - gives local authorities the flexibility and freedom to set their own priorities for what the money should be spent on - as well as a predictable funding stream that allows them to plan ahead more effectively; <p><u>provides developers with much more certainty 'up front' about how much money they will be expected to contribute, which in turn encourages greater confidence and higher levels of inward investment.</u></p>		<p>No change.</p> <p>New housing developments are required to provide and/or contribute to new or improved open space, sport and recreation facilities unless the developer clearly demonstrates that it is not financially viable for the development proposal. This is set out in policy LP63 (New Open Space) of the adopted Local Plan and has been found ‘sound’ through the Local Plan Examination in Public.</p>

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			<p>Underlining my emphasis</p> <p>Having gained experience on both sides of the fence in terms of planning and development viability, I know that small to medium size developers, who tend to develop lower value area sites (i.e. where house prices are relatively low) and expensive, complicated brownfield sites (which increase risk and development costs), are already struggling with viability on many sites in Kirklees. They are dreading the introduction of CIL and feel that the Council still tars all developers with the same brush – i.e. that they are in a position to write blank cheques to the Council. In my experience, this is most certainly not the case.</p> <p>My specific concerns about the SPD are as follows:</p> <ol style="list-style-type: none"> 1) There is no mention of the impending Kirklees CIL Charging Schedule, and how this document and its financial implications relates to CIL and vice versa. 2) The SPD makes no reference whatsoever to development viability, despite this being an integral part of Policy LP63. 		<p>The Council decided at Cabinet on 19 January 2021 to not adopt the Community Infrastructure Levy at this stage.</p> <p>No Change. The SPD references viability as a consideration in paragraphs 3.1.4 and 4.9.</p>

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			<p>3) The CIL viability evidence commissioned for the Local Plan by the Council (and generally accepted by the Inspector in accepting the CIL Charging Schedule – other than the £5 per sq.m for the lower value area charge – reduced to zero) assumed that in addition to CIL, only £1,000 per unit of S106 contributions would be charged (page 9 of Cushman and Wakefield’s Kirklees CIL Viability Update Report dated May 2019). Moreover, the available ‘headroom’ for CIL / S106 contributions was calculated to be very limited in Value Areas 2 to 4 (Table at p31 of C & W Update Report). As such, there is a real risk that the Open Space SPD alone (never mind other S106 contributions) could make a significant proportion of future developments unviable and therefore undeliverable. The worked examples in SPD indicate over double the Cushman and Wakefield quoted £1,000 per unit – smaller sites being disproportionately affected (£2000 plus per dwelling in the worked example at Appendix 4 of the SPD).</p> <p>4) Although the CIL Charging Schedule has yet to be put in place, it seems to be ‘business as usual’ with regard to S106 contributions being</p>		<p>No Change.</p> <p>The council published its Infrastructure Funding Statement in December 2020.</p> <p>The recently adopted Local Plan (February 2019) policy LP63 is based on the evidence</p>

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			<p>requested on residential developments – open space, school places, metro cards, public transport infrastructure, and affordable housing. The whole purpose of CIL was to provide more certainty for developers and also ensure development plans for the area are viable and deliverable.</p> <p>5) From December 2020, the Government has said that “local authorities must publish an infrastructure funding statement, and information should be drawn from this. The infrastructure funding statement should identify infrastructure needs, the total cost of this infrastructure, anticipated funding from developer contributions, and the choices the authority has made about how these contributions will be used.” The question therefore arises as to why the Open Space SPD is being published and consulted upon in advance of the Council’s requirement to publish its infrastructure funding statement?</p> <p>6) Related to point 4, a number of other matters arise: a) The Open Space SPD doesn’t present a clear picture as to precisely what infrastructure is</p>		<p>set out in the Kirklees Open Space Study 2015 (Revised 2016).</p> <p>Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <u>For pre-application enquiries and planning applications where available</u>, consideration will also be given to the council’s latest detailed green space quality information for parks, recreation grounds and children’s play spaces (and where appropriate woodlands and allotments) undertaken by</p>

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			<p>required in financial terms especially (particularly in terms of financial contributions towards discretionary 'quality' issues which are to be assessed at the time of each planning application).</p> <p>b) The Council has not indicated clearly at all (despite previous questioning) what the distinction is going to be between infrastructure funding sought through CIL vs publish an infrastructure funding infrastructure funding through S106 and how each is justified in connection with Government planning policy and legislation.</p> <p>c) For example, Paragraph 6.8 of the Council's draft CIL Charging Schedule states: "The Regulation 123 list can be found in Appendix B. The list includes details about what Section 106 obligations will continue to be used for. For large scale developments there will still be the requirement to provide obligations for matters necessary to make a development acceptable in planning terms, such as open space." However, the Open Space SPD contradicts this by requiring on-site provision / contributions on all developments of 11 units or more.</p>		<p>the Council's Landscape <u>and</u> Parks and Green Spaces teams. <u>This information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances.</u> This will include identifying opportunities for expansion, new provision and quality enhancements."</p> <p>No Change.</p> <p>Policy LP63 (New Open Space) requires new housing developments to provide or contribute to new or improved open space, sport and</p>

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			<p>Developments of this scale are not “large scale” in any reasonable interpretation.</p> <p>In the circumstances, I am of the view the SPD is both premature and unworkable in its current form, and will most certainly lead to significant uncertainty with regard to the viability and deliverability of housing development, and hence creates barriers and risks to inward investment in the borough.</p>		recreation facilities unless the developer clearly demonstrates that it is not financially viable for the development proposal.
SPD_OS2	Canal and River Trust	5.1	<p>We believe that recognition should be given to the role of Linear Blue and Green Infrastructure networks as part of the wider Open Space provision in the borough. Linear paths, such as those alongside our canals and waterways, provide spaces for relaxation and recreation that can be of significant benefit for those communities that live nearby. Failure to account for such spaces could reduce the ability for such spaces to be recognised, and for any associated improvement in the ability of residents to access such spaces, reducing the benefits they could otherwise bring to new communities.</p> <p>As an example of the benefits of such spaces, the Trust have recently undertaken research on the</p>	Inclusion of Blue and Green Infrastructure (including waterway corridors) in the list of Open Space types.	<p>Proposed Change.</p> <p>Amend design principle 6 in section 3.1 to recognise connectivity to canals and waterways:</p> <p>6. Connectivity - providing links, and improved connections <u>connectivity</u> to wider networks, such as the wildlife habitat network, cycling and walking network, green infrastructure networks, <u>canals and waterways</u> and water management systems.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>contribution our network makes to wellbeing. We believe that our network can promote healthy lifestyles through providing routes for walking and cycling, and can also provide spaces for people to relax, which could improve their self-reported wellbeing. Our 2017 Community Survey (produced by Kantar TNS) identified that 90% of our visitors undertook physical activity, and that waterway users have a higher life satisfaction figure (81%) than non-users (71%). These are two examples of how use of our network could help prevent ill-health through improving the measures identified within the boroughs Joint Health and Wellbeing Strategy 2016-19.</p>		<p><u>Play provision should be designed to incorporate safe networks of footpaths giving access to play opportunities which are within the development and wider area.</u> Additional design guidance is provided in Appendix 2.”</p> <p>Amend the Design Guidance in Appendix 2 to recognise connectivity to canals and waterways:</p> <ul style="list-style-type: none"> • Incorporate opportunities for multi-functional benefits by linking to wider ecological, walking and cycling and green infrastructure networks, <u>and canals and waterways.</u>
SPD_OS52	KORS - Keep Our Rural Spaces	5.1	Along with the other categories of Open Space KORS strongly supports the need for "Natural and semi-natural greenspace ", ie, for the concept		No Change.

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			<p>listed here for: Sites that provide wildlife conservation, biodiversity and environmental education and awareness. This type of greenspace includes woodlands, local nature reserves, scrubland, grassland, heath or moor, wetlands, wastelands and bare rock habitats, as well as unmanaged and unused sites. In Kirklees, these also comprise tracts of natural and semi-greenspace used for agricultural and horse grazing purposes which may have limited public access but are important for their landscape, visual amenity or wildlife function.</p>		Support welcomed.
SPD_OS51	KORS - Keep Our Rural Spaces	5.1	<p>Along with the other categories of Open Space KORS strongly supports the need for "Natural and semi-natural greenspace ", ie, for the concept listed here for: Sites that provide wildlife conservation, biodiversity and environmental education and awareness. This type of greenspace includes woodlands, local nature reserves, scrubland, grassland, heath or moor, wetlands, wastelands and bare rock habitats, as well as unmanaged and unused sites. In Kirklees, these also comprise tracts of natural and semi-greenspace used for agricultural and horse grazing</p>		<p>No Change. Support welcomed.</p>

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			purposes which may have limited public access but are important for their landscape, visual amenity or wildlife function.		
SPD_OS85	Barratt and David Wilson Homes Yorkshire West	5.1	As per comments already made, the last paragraph on page 15 under the heading of 'Outdoor Sports' should refer to natural only. Artificial pitches are never accessible 24/7 for free to members of the public. The SPD should be focusing on natural and accessible sports provision for all.	Remove reference to 'artificial' pitches.	No Change. Paragraph 5.1 is general definition of outdoor sports facilities.
SPD_OS53	KORS - Keep Our Rural Spaces	5.2	The various types of Open Space required for new developments, in terms of both quality and quantity, are to be determined by applying the open space standards which accompany Policy LP63. KORS would strongly recommend that as well as increasing the number of Allotments (as well as the other varieties of Open Spaces); there should be a particular emphasis and generosity regarding "Natural and semi-natural greenspace". There is now overwhelming evidence for the need to mitigate the Climate Change Emergency. There is also, sadly, overwhelming evidence for the, often dramatic, decline of many (though not all) species along with their habitats. Climate change and major species extinction are now great threats to our planet and thus our region and district. Individuals, companies, local and national and		No Change. The SPD seeks open space provision on a case by case basis, including the provision for natural and semi-natural greenspace at rate of 48.6 sq metres per dwelling. Proposed Change. Amend paragraph 5.2 to clarify open space standards are minimum standards. "Open space required for new developments will be determined by applying the

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			international authorities, all have to take urgent responsibility. Any standards set by law should be regarded as the minimum, not the maximum, to achieve. Providing and enhancing "natural green space" can no longer be regarded as the hobby of a few enthusiasts, but a vital and essential task for all.		<u>minimum</u> open space standards which accompany Policy LP63 (set out in Table 2)." Amend table 2 to " <u>Within the following</u> walk time/distance for residents".
SPD_OS54	KORS - Keep Our Rural Spaces	5.3	The various types of Open Space required for new developments, in terms of both quality and quantity, are to be determined by applying the open space standards which accompany Policy LP63. KORS would strongly recommend that as well as increasing the number of Allotments (as well as the other varieties of Open Spaces); there should be a particular emphasis and generosity regarding "Natural and semi-natural greenspace". There is now overwhelming evidence for the need to mitigate the Climate Change Emergency. There is also, sadly, overwhelming evidence for the, often dramatic, decline of many (though not all) species along with their habitats. Climate change and major species extinction are now great threats to our planet and thus our region and district. Individuals, companies, local and national and		No Change. The SPD seeks open space provision on a case by case basis, including the provision for natural and semi-natural greenspace at rate of 48.6 sq metres per dwelling. Proposed Change. Amend paragraph 5.2 to clarify open space standards are minimum standards. "Open space required for new developments will be determined by applying the

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			international authorities, all have to take urgent responsibility. Any standards set by law should be regarded as the minimum, not the maximum, to achieve. Providing and enhancing "natural green space" can no longer be regarded as the hobby of a few enthusiasts, but a vital and essential task for all.		<u>minimum</u> open space standards which accompany Policy LP63 (set out in Table 2)." Amend table 2 to " <u>Within the following</u> walk time/distance for residents".
SPD_OS55	KORS - Keep Our Rural Spaces	5.5	"The council will undertake a bespoke assessment of the quantity, quality and accessibility of existing open spaces in the area at ward level.....". Is the Council willing to engage with appropriate scientific and relevant charitable bodies to help with this assessment?		No Change. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD_OS56	KORS - Keep Our Rural Spaces	5.7	In deciding planning proposals in the past local authorities were not encouraged by national government to take into account the cumulative effects of one development after another in, eg, a		No Change. The SPD recognises, in Section 3 Key Principle 7, (Comprehensive Provision and

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			specific area such as a ward. Thus the often justifiable complaints of local residents about such-and -such a development being the 'straw the breaks the camels back' in relation to local education. roads, drainage, flooding, and medical facilities, etc. Does this point (5.7) mean that in terms of Open Space provision local authorities will now take into account the cumulative effects of two or more developments in an area?		Cumulative Impact) that the cumulative effect of a number of developments may create the need for open space to serve the whole community.
SPD_OS57	KORS - Keep Our Rural Spaces	5.8	"Normally" implies that this will not always be required of developer. It would be helpful if Kirklees gave examples of when and why a developer could go against the guidance of Open Space provision. Another example of enforceable requirements being replaced by voluntary guidance?		No Change. Each application is considered on a case by case basis taking into account the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision.
SPD_OS58	KORS - Keep Our Rural Spaces	5.9	Green Space assessment - Is the Council willing to engage with appropriate scientific and relevant charitable bodies to help with this assessment?		No Change. The council recognises these organisations as valuable

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					sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.
SPD_OS86	Barratt and David Wilson Homes Yorkshire West	5.9	Reference is made to 'quality' evidence yet the evidence listed is out-of-date, some of which is nearly 6 years old. The guidance should allow an opportunity for applicants to put forward more up-to-date evidence on a site by site basis, if the Council's evidence base is not up-to-date.	Acknowledgement that the Council's evidence base may not be up-to-date and allow for other evidence to be presented on a site by site basis, for the Council to consider as part of a collective gathering of evidence.	No Change. The recently adopted Local Plan (February 2019) policy LP63 is based on the evidence set out in the Kirklees Open Space Study 2015 (Revised 2016). Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <u>For pre-application enquiries and planning applications</u> where available, consideration will also be given to the council’s latest detailed green space quality information for parks, recreation grounds and children’s play spaces (and where appropriate woodlands and allotments) undertaken by the Council’s Landscape <u>and</u> Parks and Green Spaces teams. <u>This information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects</u></p>

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					<u>changing circumstances</u> . This will include identifying opportunities for expansion, new provision and quality enhancements.”
SPD_OS98	Robert Halstead Chartered Surveyors & Town Planners	5.11	<p>7) Turning back to the matter of certainly for developers / landowners (which as acknowledged relates then to decisions about inward investment in the borough):</p> <p>(a) Para 5.11 of the Open Space SPD states: “Where the quality of existing provision (within the walking distance standards) is identified as requiring improvement, off-site enhancements may be sought to improve the quality of provision.” This is far too ambiguous and does not enable any reasonable developer (or planning agent!) to predict in advance what precisely a developer will be expected to contribute. With all due respect to them, it’s ‘business as usual’ from the Council’s Landscape team and this approach of “We’ll let you know at the time” is simply not good enough or acceptable if the Council is serious about providing certainly for</p>		<p>No Change.</p> <p>Up-dated studies and strategies will be used to support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <u>For pre-application enquiries and planning applications</u> where available, consideration will also be given to the council’s latest detailed green space quality information for parks,</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>developers. Also, who decides whether an existing area of POS is deficient in quality ? Who decides how much the improvements will cost, and how does the developer / applicant know how the requested contribution relates to existing budgets / funding for such improvements, in order to avoid double counting in such funding provisions?</p> <p>(b) Further ambiguity in finding requirements 7.4 The council recognises that in some instances on-site provision may not be the most practical or viable solution. For example, where a site is too small to accommodate useful open space on-site and where opportunities exist to provide additional or improved facilities nearby. Where the council agrees it is not possible or appropriate to provide open space on-site, new provision off-site will be sought to expand or improve existing open space, sport or recreational facilities nearby, normally through a financial contribution. Advice will be provided to developers during the planning application process. In some circumstances, a combination of on-site provision and a</p>		<p>recreation grounds and children’s play spaces (and where appropriate woodlands and allotments) undertaken by the Council’s Landscape <u>and</u> Parks and Green Spaces teams. <u>This information will be considered for existing open spaces near the proposed development site. New assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances.</u> This will include identifying opportunities for expansion, new provision and quality enhancements.”</p> <p>Step 5 of the SPD sets out how financial contributions are calculated with provision costs per dwelling for different open space types. Worked examples</p>

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			financial contribution towards off-site provision or enhancement will be appropriate.		are set out in the Appendices showing different number of dwellings.
SPD_OS87	Barratt and David Wilson Homes Yorkshire West	5.11	It would be beneficial if S106 requirements for off-site costs could be tied to the improvement or creation of identified open space provisions in the local area of the site in question. This would make it clear and transparent for developers, local people and local ward members. This would also act as a useful marker for improvements undertaken or earmarked for that ward, which has not been factored in to the Council's latest evidence base.		No Change. The SPD recognises at paragraph 8.8 that financial contributions will be spent within the vicinity of development site to improve the most appropriate nearby site(s). These are usually specified in the Section 106 agreement and are within the walking distances of the development site or within the ward boundary to meet the needs of local residents.
SPD_OS1	Canal and River Trust	5.12	Improvements to existing pedestrian routes to and from Open Space areas to development may be necessary to ensure that users can successfully	Inclusion of text to highlight the potential for	

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			access that Open Space resource. This could include improvements to the quality of existing pedestrian routes, improvements to signage to make open space resources more visible to users, or new pedestrian crossings of busy roads. The DPD should include text to ensure that necessary improvements can be undertaken to routes to and from Open Space areas to realise the potential of existing resources.	contributions/ direct improvements to be made to walking and cycling routes to access existing open space.	
SPD_OS59	KORS - Keep Our Rural Spaces	5.12	It is commendable and desirable to allow and encourage residents to access Open Spaces, including some of the natural green areas. However, to protect some wildlife and their habitats, it may be necessary to discourage humans from encroaching on some wildlife natural reserve areas. The example of the success of the breeding of the rare little tern colony in Norfolk this year (2020) is partially due to coronavirus restrictions keeping humans away from their nest sites, and is an example that could be replicated throughout the UK, including Kirklees, in all future years.		No Change. Comment noted.
SPD_OS88	Barratt and David Wilson Homes Yorkshire West	5.13	Will on-site provision delivered on-site and via off-site contributions get added to the GIS mapping and other relevant data? To help the Council update its own evidence base.		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					GIS mapping will be updated as part of the council's evidence base.
SPD_OS79	Persimmon Homes (West Yorkshire Ltd)	Table 3	Clarity sought on how the contribution to MUGA would be calculated for developments containing 201-500 dwellings		<p>Proposed Change.</p> <p>Add a footnote to table 3 to clarify the MUGA contribution for developments of 201-500 dwellings:</p> <p>Contribution* <u>*Calculated based on the number of dwellings above 200 at £500 per dwelling as set in table 6.</u></p>
SPD_OS60	KORS - Keep Our Rural Spaces	6.1	It might be helpful if the Council is willing to engage with appropriate scientific and relevant charitable bodies to help with this assessment.		<p>No Change.</p> <p>The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation</p>

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					with statutory consultees and non-statutory consultees.
SPD_OS61	KORS - Keep Our Rural Spaces	6.2	"Normally" implies that this will not always be required of developer. It would be helpful if Kirklees gave examples of when and why a developer could go against the guidance of Open Space provision. Another example of enforceable requirements being replaced by voluntary guidance?		No Change. The SPD does not replace Local Plan policy but adds clarity about how policy LP63 (New Open Space) will be applied. The open space requirements for new housing developments are determined on a case-by-case basis and a range of considerations will be needed as all proposals are different.
SPD_OS114	Redrow	6.2	We believe that the document could be clearer in its presentation and appearance to assist with the calculation of the Open Space Requirement for residential developments. The document is overly lengthy and wordy, with the important and practical information which a developer would need to understand a site's requirement not easy to access.		Proposed Change. New open space provision should be provided in accordance with the standards which accompany policy LP63 and is not determined by a single calculation. The open space requirements are based on a bespoke assessment for

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			<p>We also consider that clear advice regarding the consultation process with the Council would be beneficial. A swift, concise and clear calculation of open space requirements on and off site would be particularly helpful early in the design process, prior to the submission of the application.</p>		<p>each individual application, carefully considering the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision. This assessment can be provided together with detailed calculations at pre-application and application stage.</p> <p>Add new section to explain pre-application advice, <u><i>‘Pre-Application Advice’ (at the beginning of Section 3 ‘Approach to determining Open Space Provision’) – “It is recommended that applicants engage in early pre-application enquiries with the Council’s Development Management Team to establish open space</i></u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p><u>requirements as early in the planning process as possible as this can affect the design and layout of the development. Through this process, consultation will be carried out with the council's relevant departments to consider the types of open space and amounts required and establish whether a Section 106 Agreement will be needed to secure the open space requirement. Detailed calculations can be provided based on an assessment of the quantity, quality and accessibility of existing open space provision in the area. As part of an enquiry or planning application, the applicant should:</u></p> <ul style="list-style-type: none"> <u>indicate how the open space requirements are intended to be met;</u>

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					<ul style="list-style-type: none"> • <u>provide clear plans identifying all open space types to be provided within the development site and annotating measured areas of each of these;</u> • <u>specify how open space will be integrated into the design of the development and connect to any wider green network: and</u> • <u>identify open space links through the site and new and improved connections with the wider environment.</u>
SPD_OS62	KORS - Keep Our Rural Spaces	6.3	Despite any regulations in place with minimum standards; Kirklees should, alongside other local authorities, petition national government to have a particular emphasis and generosity regarding "Natural and semi-natural greenspace". There is now overwhelming evidence for the need to mitigate the Climate Change Emergency. There is also overwhelming evidence for the dramatic decline of many (though not all) species along with their habitats. Climate change and major species		<p>No Change.</p> <p>The Kirklees open space standards for natural and semi-natural greenspace which accompany Local Plan policy LP63 are minimum standards and the policy has been found 'sound' through</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			extinction are now great threats to our planet and thus our region and district. Individuals, companies, local and national and international authorities, all have to take urgent responsibility. Any standards set by law should be regarded as the minimum, not the maximum, to achieve. Providing and enhancing "natural green space" can no longer be regarded as the hobby of a few enthusiasts, but a vital and essential task for all.		the Local Plan Examination in Public.
SPD_OS26	Huddersfield Civic Society	7.1	<p>Open space also means the permeability of gardens as wildlife corridors and one that allows affective planting. There may be an argument for encouraging different approaches to types of green space, eg some reduction in private garden space matched by increased communal, or public, green space to introduce a flow through of public, play and semi-naturalised areas with appropriate management regimes. However, we are worried that such a finely detailed approach risks encouraging a 'tick-box' response with more tiny green spaces incorporated into designs, which may be of little practical use for each claimed purpose.</p> <p>We suggest that Kirklees Council should itself have a higher involvement by providing clarity in the allocation, or provision, of each type of open space</p>		<p>No Change.</p> <p>The SPD identifies existing deficiencies in the quantity of different types of open space at ward level as set out in Appendix 1 (Existing Open Space Provision).</p> <p>Each application is considered on a case-by-case basis taking into account the needs and scale of the development, the requirement for different types of open space, existing deficiencies in the area, site circumstances and the</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>in its overall plan for an area – covering both existing and future housing – into which a Developer can then submit plans for consideration. Such an approach also fits well with the philosophy of the “Planning for the Future” White Paper.</p> <p>We also ask for more adequate enforcement of conditions by Kirklees Council that would enable better greening of an area.</p>		suitability of providing on-site or off-site provision.
SPD_OS112	Holme Valley Parish Council	7.1	<p>Questions and Concerns with Open Space:</p> <p>We are unclear whether much of this open space precision will be of practical use. it is rare that a developer of a discrete number of houses will be proposing small pockets of appropriate size of each type of green space or that the Council will be able to compensate nearby with small increments of each type of space from the calculated S106 contribution.</p> <p>Perhaps their needs be a link required to community ideas to assess which of the 'Open Space Types' has greatest value for a specific location (it may be a playground, or it could be enhancement of nearby woodland or wetland features.)</p>		<p>Proposed Change</p> <p>Add text to paragraph 8.8 to clarify appropriate community consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p> <ul style="list-style-type: none"> • <u>appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<u>and local councillors post planning permission when Section 106 planning obligations are implemented to help shape and inform specific open space improvement.</u>
SPD_OS27	Spen Valley Civic Society	7.2	<p>Our main interest is in the impact of planning regulation on the environment – both natural and built. The entire world is at a critical juncture with regards to climate change/damage to the environment and it is incumbent on all of us to ensure that nothing we do has a detrimental impact. So planning at a local level is just as important as national or global decision making.</p> <p>Translating this to the local scene, we consider that in all planning development there should be a presumption in favour of retention of existing green infrastructure – trees, hedges, water courses etc, unless the developer can demonstrate it is not viable, so that the natural environment which is in place prior to development is retained. In those cases where it is clearly demonstrated that it is not possible, environmental replacement should be</p>		<p>No Change.</p> <p>The Open Space SPD seeks to retain and enhance existing ecological features and incorporate new natural features to support wildlife habitats as set out in paragraph 1.5, section 3.1 and the Design Guidance in Appendix 2.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>required. There are too many cases currently – we would cite Merchant Fields in Cleckheaton as an example – where sites are cleared of trees and hedges prior to application, which with a modicum of decent planning could have been retained and have enhanced the development. This mainly concerns sites which were previously designated green belt or urban green space, but is also relevant to many derelict sites where natural regeneration has taken place over the many years that a site has remained derelict. The required standard for natural feature replacement needs to be raised. Currently you seem to be too easily satisfied by proposals which are clearly inferior in terms of quality and quantity – one mature tree being replaced by one sapling being a classic example.</p> <p>With regards to open space within (housing) developments, emphasis has to be on the space being available/accessible to all the community, with clarity about the purpose of the open space, with particular regard to the safety of the provision. There are too many examples of developments where, for example, a children’s play area is provided, but sited in an out of the way</p>		<p>No Change.</p> <p>The SPD requires open spaces to be well located, safe and secure and easily accessible to encourage maximum use by the community as set out in paragraph 1.1, Key principle 4 (Design) and in the Design Guidance in Appendix 2.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			corner, which cannot be seen or supervised from the housing.		
SPD_OS63	KORS - Keep Our Rural Spaces	7.2	"Open space provided within the development will be expected to be provided to a high quality" In some place, not necessarily here, there needs to be a definition, with relevant examples, of what is meant by "high quality"		<p>Proposed Change.</p> <p>Amend paragraph 7.2 for clarification:</p> <p><i>"Open space provided within the development will be expected to be provided to a high quality <u>being accessible to a wide variety of users, multi-purpose, well designed with appropriate landscaping and well maintained in a safe and secure environment. Open spaces should provide value and benefits for wildlife and the local community, including opportunities to participate in physical and healthy activity, social interaction and create a sense of community to meet the needs generated by the development.</u> This is particularly important in terms of Amenity greenspace which</i></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					will be expected to be provided on-site for most developments to achieve an attractive and well-designed scheme that benefit future residents.”
SPD_OS89	Barratt and David Wilson Homes Yorkshire West	7.4	We need any off-site contributions to be specific to improving or creating open space in the local vicinity of new development. Transparency for locals, landowners, developers and future customers/new residents. Also transparency and assistance to the LPA to help them update their own evidence base.		No Change. The SPD recognises at paragraph 8.8 that financial contributions will be spent within the vicinity of development site to improve the most appropriate nearby site(s). These are usually specified in the Section 106 agreement and are within the walking distances of the development site or within the ward boundary to meet the needs of local residents.
SPD_OS99	Robert Halstead Chartered Surveyors &	7.4	7) Turning back to the matter of certainly for developers / landowners (which as		No Change. Up-dated studies and strategies will be used to

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	Town Planners		<p>acknowledged relates then to decisions about inward investment in the borough):</p> <p>a) Para 5.11 of the Open Space SPD states: “Where the quality of existing provision (within the walking distance standards) is identified as requiring improvement, off-site enhancements may be sought to improve the quality of provision.” This is far too ambiguous and does not enable any reasonable developer (or planning agent!) to predict in advance what precisely a developer will be expected to contribute. With all due respect to them, it’s ‘business as usual’ from the Council’s Landscape team and this approach of “We’ll let you know at the time” is simply not good enough or acceptable if the Council is serious about providing certainly for developers. Also, who decides whether an existing area of POS is deficient in quality? Who decides how much the improvements will cost, and how does the developer / applicant know how the requested contribution relates to existing budgets / funding for such improvements, in order to avoid double counting in such funding provisions?</p>		<p>support and inform new open space provision when available. This is recognised in paragraph 2.16 of the SPD.</p> <p>Paragraph 2.13 additional reference to the latest up-to-date information:</p> <p>“The council’s green space quality assessment – <u>For pre-application enquiries and planning applications where available</u>, consideration will also be given to the council’s latest detailed green space quality information for parks, recreation grounds and children’s play spaces (and where appropriate woodlands and allotments) undertaken by the Council’s Landscape <u>and Parks and Green Spaces teams</u>. <u>This information will be considered for existing open spaces near the proposed development site. New</u></p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>b) Further ambiguity in finding requirements 7.4</p> <p>The council recognises that in some instances on-site provision may not be the most practical or viable solution. For example, where a site is too small to accommodate useful open space on-site and where opportunities exist to provide additional or improved facilities nearby. Where the council agrees it is not possible or appropriate to provide open space on-site, new provision off-site will be sought to expand or improve existing open space, sport or recreational facilities nearby, normally through a financial contribution. Advice will be provided to developers during the planning application process. In some circumstances, a combination of on-site provision and a financial contribution towards off-site provision or enhancement will be appropriate.</p>		<p><u>assessments will be undertaken if required to ensure decisions are based on current and up-dated information which reflects changing circumstances.</u> This will include identifying opportunities for expansion, new provision and quality enhancements.”</p> <p>Step 5 of the SPD sets out how financial contributions are calculated with provision costs per dwelling for different open space types. Worked examples are set out in the Appendices showing different number of dwellings.</p>
SPD_OS113	Redrow	7.4	Redrow welcome an approach to open space provision which is consistent and allows developments to consider provision either on or off site subject to viability and site circumstances.		<p>No Change.</p> <p>Support welcomed.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS20	Sport England	Table 4	Sport England supports the two pitch threshold for on-site provision of outdoor sports pitches set out in table 4. Single pitch sites are difficult and costly maintain and to service with ancillary facilities such as parking and changing/toilets. As a result they are often less popular sites with teams. New provision should therefore not repeat such problems.		No Change. Comment welcomed.
SPD_OS64	KORS - Keep Our Rural Spaces	Table 4	Despite any regulations in place with minimum standards; Kirklees should, alongside other local authorities, petition national government to have a particular emphasis and generosity regarding "Natural and semi-natural greenspace". There is now overwhelming evidence for the need to mitigate the Climate Change Emergency. There is also overwhelming evidence for the dramatic decline of many (though not all) species along with their habitats. Climate change and major species extinction are now great threats to our planet and thus our region and district. Individuals, companies, local and national and international authorities, all have to take urgent responsibility. Any standards set by law should be regarded as the minimum, not the maximum, to achieve. Providing and enhancing "natural green space" can no longer be regarded as the hobby of a few enthusiasts, but a vital and essential task for all.		No Change. The Kirklees open space standards for natural and semi-natural greenspace which accompany Local Plan policy LP63 are minimum standards and the policy has been found 'sound' through the Local Plan Examination in Public.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS19	Sport England	Table 4	Sport England supports the 2 playing pitch threshold for on-site provision suggested by the Council. Experience has shown that single pitch playing fields are costly (in relative terms to maintain) and it is unrealistic to provide ancillary facilities such as parking and toilets/changing facilities. As such they are generally unpopular with teams.		No Change. Comment welcomed.
SPD_OS25	Huddersfield Civic Society	8.1	<p>HCS welcomes several elements here, such as offering worked examples of the calculations a Developer should make concerning the types and size of open spaces suggested for their proposed development and the precise amount of S106 contribution to the Council it should make if unable to provide each element.</p> <p>However, we are unclear whether much of this precision will be of practical use – it is rare that a developer of a discrete number of houses will be proposing small pockets of appropriate size of each type of green space or that the Council will be able to compensate nearby with small increments of each type of space from the calculated S106 contribution. Perhaps there needs to be a link required to community ideas to assess which of the 'Open Space Types' has greatest value for a specific</p>		<p>Comment noted and welcomed.</p> <p>Proposed Change.</p> <p>Add text to paragraph 8.8 to clarify appropriate community consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			location i.e it may be a playground or it could be enhancement of nearby woodland or wetland features.		<ul style="list-style-type: none"> • <u>appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community and local councillors post planning permission when Section 106 planning obligations are implemented to help shape and inform specific open space improvements.</u>
SPD_OS65	KORS - Keep Our Rural Spaces	8.1	Are there rules about how near to a development any money raised by financial contributions from developers is to be spent - or is any cash raised available to spend on Open Spaces anywhere within the local authority? One assumes that such monies are 'ring-fenced' for the provision of Open Spaces? In relation to this KORS welcomes the accompanying comment here from "Huddersfield Civil Society": "However, we are unclear whether much of this precision will be of practical use – it is rare that a developer of a discrete number of		<p>No Change.</p> <p>The SPD sets out the principles for spending Section 106 monies in section 8. Financial contributions will be spent within the vicinity of development site to improve the most appropriate open space, sport or recreation facilities nearby. These are</p>

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			houses will be proposing small pockets of appropriate size of each type of green space or that the Council will be able to compensate nearby with small increments of each type of space from the calculated S106 contribution. Perhaps there needs be a link required to community ideas to assess which of the 'Open Space Types' has greatest value for a specific location i.e it may be a playground or it could be enhancement of nearby woodland or wetland features."		<p>usually specified in the Section 106 agreement and are within the walking distances of the development site or within the ward boundary to meet the needs of local residents.</p> <p>Proposed Change.</p> <p>Add text to paragraph 8.8 to clarify appropriate community consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p> <ul style="list-style-type: none"> • <u>appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community and local councillors post planning permission when</u>

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					<u>Section 106 planning obligations are implemented to help shape and inform specific open space improvements.</u>
SPD_OS90	Barratt and David Wilson Homes Yorkshire West	8.1	Fundamental point, hence the need for up to date evidence and for any off-site contributions to be assigned specifically to a certain existing open space/facility or to a specific new one in the local area.		No Change. The SPD recognises at paragraph 8.8 that financial contributions will be spent within the vicinity of development site to improve the most appropriate nearby site(s). These are usually specified in the Section 106 agreement and are within the walking distances of the development site or within the ward boundary to meet the needs of local residents.
SPD_OS96	Robert Halstead Chartered	8.2	8) Paragraph 8.2 states: "The financial contribution will be based on the size of the development and calculated in accordance with the costs per		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
	Surveyors & Town Planners		<p>dwelling set out in Table 5. The costs will be of at least equal value to that of on-site provision and an administration charge of 15% will also be made to cover costs, such as costs for planning, professional fees for landscape architecture and fees for procurement and site supervision during construction, plus a commuted sum for 15 years maintenance.”</p> <p>This sentence raises a number of points:</p> <p>(a) Off-site contributions must be justified in accordance with planning guidance and legislation relating to S106 contributions (necessary, directly related, fairly and reasonably related in scale and kind etc.) and so won't necessarily be “at least equal to” on site provision.</p> <p>(b) With regard to 15% admin charges, this is unjustified as per the court judgement of <i>Oxfordshire County Council v Secretary of State for Communities and Local Government and Other [2015] EWHC (Admin)</i> which rejected such payments on the grounds they</p>		<p>The council ensures Section 106 contributions are in line with legislation. Off-site financial contributions are based on the costs for delivering open space off-site equivalent to that which would be provided on-site.</p> <p>The open space contribution is tailored to the development so it is acceptable in planning terms. The administrative charge for design and implementation is for off-site provision and is added after the financial contribution has been calculated.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>are not necessary to make the development acceptable in planning terms.</p> <p>(c) "Plus a commuted sum for 15 years maintenance" – surely this is an error in the text given that the Council no longer adopts POS and in 9.2 it states: "The preference is for open spaces on-site to be managed and maintained by an independent management company where responsibility is also shared between residents."?</p> <p>9) The worked examples in the appendices are 4 pages long each and demonstrate that methodology for calculating S106 contributions for open space is vastly over-complicated; incomprehensible to planning agents, let alone developers and landowners; and will not in any way allow the private sector to calculate or understand what the financial implications for the development arise from such costs. As mentioned above, the calculation also allows for too much discretion – Appendix 4 (Quality) states: "However, further information from a detailed green space quality appraisal undertaken by the Green Spaces Team shows the need for qualitative improvements to existing</p>		<p>Enhancements towards public open space using Section 106 off-site contributions will also need to cover establishment, management, and maintenance in the future by the local authority. The council has deemed 15 years an appropriate time period to reflect the lifespan of facilities.</p> <p>No Change.</p> <p>New open space provision should be provided in accordance with the standards which accompany policy LP63 and is not determined by a single calculation. The open space requirements are based on a bespoke assessment for each individual application, carefully considering the needs and scale of the development, the requirement for different types of open space, existing</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			facilities and landscaping, including paths and seating.”		<p>deficiencies in the area, site circumstances and the suitability of providing on-site or off-site provision. This assessment can be provided together with detailed calculations at pre-application and application stage.</p> <p>Add new section to explain pre-application advice. <u>‘Pre-Application Advice’ (at the beginning of Section 3 ‘Approach to determining Open Space Provision’) – “It is recommended that applicants engage in early pre-application enquiries with the Council’s Development Management Team to establish open space requirements as early in the planning process as possible as this can affect the design and layout of the development. Through this process, consultation will be carried out</u></p>

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					<p><u>with the council's relevant departments to consider the types of open space and amounts required and establish whether a Section 106 Agreement will be needed to secure the open space requirement. Detailed calculations can be provided based on an assessment of the quantity, quality and accessibility of existing open space provision in the area. As part of an enquiry or planning application, the applicant should:</u></p> <ul style="list-style-type: none"> • <u>indicate how the open space requirements are intended to be met;</u> • <u>provide clear plans identifying all open space types to be provided within the development site and annotating measured areas of each of these;</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<ul style="list-style-type: none"> • <u>specify how open space will be integrated into the design of the development and connect to any wider green network: and</u> • <u>identify open space links through the site and new and improved connections with the wider environment.</u>
SPD_OS91	Barratt and David Wilson Homes Yorkshire West	8.2	How is this justified? costs for planning, professional fees etc? Even more of a reason to specify where this money is being spent, to ensure that it is spent on what it is being asked for.		<p>No Change.</p> <p>The administrative costs are considered realistic to deliver schemes and are equivalent to providing provision on-site. A detailed breakdown of financial contributions is available at pre-application and planning application stage.</p>
SPD_OS23	Sport England	Table 5	Whilst we welcome provision being made for outdoor sport from new development there are		No Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>limitations to the use of standards as set out at https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/community-infrastructure-levy-and-planning-obligations-advice-note-nov-2018.pdf?PmR9OYIbVat6HfqmmvtKurJ6o1M3d4Z.</p> <p>As an alternative we have developed a playing pitch calculator which uses team generation rates from the PPS and applies then to a development to identify the type of pitch provision needed and the cost of providing it.</p>		The council has developed a price per dwelling cost for providing pitch provision locally based on local costs.
SPD_OS92	Barratt and David Wilson Homes Yorkshire West	8.3	<p>Maintenance and inspection for 15 years of what? The whole open space, only those elements upon which the contribution will be used? So a developer improves the quality or updates existing open space, facility and/or equipment, which results in less maintenance for whoever maintains it, yet on top of the existing maintenance cost, more money is being sought by the developer? This does seem unfair and unreasonable.</p>		<p>No Change.</p> <p>Enhancements towards public open space using Section 106 off-site contributions will also need to cover establishment, management, and maintenance in the future by the local authority. The council has deemed 15 years an appropriate time period to reflect the lifespan of facilities.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS66	KORS - Keep Our Rural Spaces	8.6	Too often past performance indicated the probability of developers minimising the payments of 106 monies that were initially part of agreements for a development to go ahead. It is not up to the Council to ensure that a development is "viable". Will the Council ensure, ie, guarantee, that 106 monies are paid on time and in full?		No Change. New housing developments are required to provide and/or contribute to new or improved open space, sport and recreation facilities unless the developer clearly demonstrates that it is not financially viable for the development proposal. This is set out in policy LP63 (New Open Space) of the adopted Local Plan and has been found 'sound' through the Local Plan Examination in Public.
SPD_OS117	Holme Valley Parish Council	8.6	We also ask for more adequate enforcement of conditions by Kirklees Council that would enable better greening of an area.		No Change. Comment noted.
SPD_OS100	Holme Valley Vision Network	8.7	Similarly, the Open Spaces Guide states "The Council will support proposals that provide a sustainable and community led approach to the management and maintenance of public open		Proposed Change. Add text to paragraph 8.8 to clarify appropriate community

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>spaces to encourage local communities to take an active role in looking after public open spaces near where they live.” This will not happen if local people have no real stake in those places and have not been involved in the early stages of the planning process.</p> <p>For example, amenity green spaces need to be developed to suit the needs of a particular community, working in partnership with the people who live in that place. How else can the real needs be identified without their involvement? Local people should also help determine how financial contributions arising from Section 106 and CIL payments should be used before the conditions are agreed with the developer.</p> <p>We encourage the Council to take a far more proactive approach to engaging with local people and recommend that proactive actions are taken to gain the involvement of those who will be directly affected.</p>		<p>consultation in undertaken as part of the planning application process and post planning permission through community engagement specific to the spending of Section 106 monies.</p> <p>• <u>appropriate community consultation is undertaken as part of the planning application process. The council will also consult with the local community and local councillors post planning permission when Section 106 planning obligations are implemented to help shape and inform specific open space improvement.</u></p>
SPD_OS5	Private Individual	9.1	This policy is putting an unfair burden of residents to provide the maintenance costs of public open spaces under the umbrella of 'private	The policy should be focused on encouraging the	Proposed Change.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>estates'. There's nothing private about these estates apart from the additional burden of paying both council tax as well as having to pay for the maintenance of public open spaces.</p> <p>When challenged about why local authorities do not adopt open spaces, the reply has often taken the form that the local authority does not have the power to make the developers handover the adoption of the open spaces to the local authority. This policy makes it clear that in the case of Kirklees Council, they have a preference that this burden is unfairly passed on to residents, who are often on low income.</p>	<p>local developers to provide sufficient funds for the upkeep of the the public open spaces through the section 106 agreements, thereby removing the burden from the residents.</p>	<p>Amend paragraphs 9.2 and 9.4 to clarify other options are available: "The preference is for Open spaces on-site <u>can</u> to be managed and maintained by an independent management companies where responsibility is also shared between residents. The council expects the on-going management and maintenance arrangements to be sufficient to ensure that areas of open space remain high quality in a good and decent state. This is intended to avoid open spaces becoming neglected and deteriorate to an extent that their appearance, public enjoyment and functionality is affected."</p> <p>Amend paragraph 9.4 to: "In exceptional <u>some</u> circumstances the council may</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<p>adopt and maintain open space within new housing developments subject to the provision of a commuted sum to cover maintenance costs.”</p> <p>The SPD specifies at paragraph 9.3 that maintenance and future management of on-site open space will be included in the Section 106 Agreement and the developer should ensure the costs imposed on residents are reasonable and remain so for the lifetime of the development.</p>
SPD_OS17	Trans Pennine Trail	9.1	Is there a set timeframe for future maintenance agreement? Paragraph 9.3 indicates ‘for the lifetime of the development.’ What happens if the developer goes into administration at a later date?	Is there a set timeframe for future maintenance agreement? Paragraph 9.3 indicates ‘for the lifetime of the development.’ What happens if	<p>No Change.</p> <p>It is beyond the scope of the SPD to set a timeframe for management companies.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
				the developer goes into administration at a later date?	
SPD_OS67	KORS - Keep Our Rural Spaces	9.1	<p>Will the Council guarantee that any agreement for the future management and maintenance of open space on-site by a developer will be enforced should a developer fail to keep to an agreement? What sort of penalties will occur if a developer fails to maintain and manage any Open Spaces that they have agreed to look after?</p> <p>In relation to this, KORS also concurs with the comments made by ID: 1252861 namely:</p> <p>"This policy is putting an unfair burden of residents to provide the maintenance costs of public open spaces under the umbrella of 'private estates'. There's nothing private about these estates apart from the additional burden of paying both council tax as well as having to pay for the maintenance of public open spaces.</p> <p>When challenged about why local authorities do not adopt open spaces, the reply has often taken the form that the local authority does not have the</p>		<p>No Change.</p> <p>Where any planning agreement obligates maintenance responsibilities for on-site public open space areas, the Council will seek to ensure those obligations are met and open spaces are maintained to the satisfaction of the Council.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>power to make the developers handover the adoption of the open spaces to the local authority. This policy makes it clear that in the case of Kirklees Council, they have a preference that this burden is unfairly passed on to residents, who are often on low income."</p> <p>And thus states: "The policy should be focused on encouraging the local developers to provide sufficient funds for the upkeep of the public open spaces through the section 106 agreements, thereby removing the burden from the residents."</p>		
SPD_OS68	KORS - Keep Our Rural Spaces	9.2	<p>This policy might put an unfair burden on residents to provide the maintenance costs of public open spaces. Kirklees Council should ensure that it is the developers who should provide sufficient funds for the upkeep of the public open spaces through the section 106 agreements, thereby removing the burden from the residents. Residents should pay for all this through their taxes to local and national government (over which, via elections, they have some control), and not through additional levies on their homes over which they have no control.</p>		<p>No Change.</p> <p>As recognised in paragraph 9.3 of the SPD, the developer should ensure costs for management and maintenance imposed on residents are reasonable and remain so for the lifetime of the development.</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS69	KORS - Keep Our Rural Spaces	9.3	This policy might put an unfair burden on residents to provide the maintenance costs of public open spaces. Kirklees Council should ensure that it is the developers who should provide sufficient funds for the upkeep of the public open spaces through the section 106 agreements, thereby removing the burden from the residents. Residents should pay for all this through their taxes to local and national government (over which, via elections, they have some control), and not through additional levies on their homes over which they have no control.		No Change. As recognised in paragraph 9.3 of the SPD, the developer should ensure costs for management and maintenance imposed on residents are reasonable and remain so for the lifetime of the development.
SPD_OS6	Private Individual	9.4	<p>This policy is causing huge issues for residents who were mis sold their houses as freehold, only to find that this is not true freehold. The developer often states at the time of the sale that there is a nominal annual charge for the maintenance of the public open spaces. Within a few years, this costs sky rockets, with the bulk of the costs formed as management costs.</p> <p>Management companies have an interest in maintaining profit margins. There are no caps as how much management companies can charge, and worst still, there are no remedial avenues for residents to challenge unreasonable costs.</p>	There should be at the very list a cap on the increase in prices. All public open spaces should never be maintained by residents. Why should they pay both Council Tax and pay for the upkeep of open spaces where other areas	Proposed Change. As recognised in paragraph 9.3 of the SPD, the developer should ensure costs for management and maintenance imposed on residents are reasonable and remain so for the lifetime of the development. Amend paragraph 9.2: "The preference is for Open spaces on-site <u>can</u> to be managed and

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			<p>This on-going policy is already causing misery for thousands of people around the country like myself. See https://www.homeownersrights.net/</p>	<p>receive this for free?</p>	<p>maintained by an independent management company ies where responsibility is also shared between residents. The council expects the on-going management and maintenance arrangements to be sufficient to ensure that areas of open space remain high quality in a good and descent state. This is intended to avoid open spaces becoming neglected and deteriorate to an extent that their appearance, public enjoyment and functionality is affected."</p> <p>Amend paragraph 9.4: "In exceptional <u>some</u> circumstances the council may adopt and maintain open space within new housing developments subject to the provision of a commuted sum to cover maintenance costs."</p>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS70	KORS - Keep Our Rural Spaces	9.4	"In exceptional circumstances the council may adopt and maintain open space within new housing developments subject to the provision of a commuted sum to cover maintenance costs." KORS would recommend the opposite, ie, that this should be the norm and not the exception, and that the developer should pay the Council full funding to cover the costs.		Proposed Change. Amend paragraph 9.4: "In exceptional <u>some</u> circumstances the council may adopt and maintain open space within new housing developments subject to the provision of a commuted sum to cover maintenance costs."
SPD_OS93	Barratt and David Wilson Homes Yorkshire West	9.5	As per earlier comments, where is the justification for this and how would this work?		No Change. Enhancements towards public open space using Section 106 off-site contributions will also need to cover establishment, management and maintenance in the future by the local authority. The council have deemed 15 years an appropriate time period to reflect the lifespan of facilities.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
SPD_OS22	Trans Pennine Trail		Furniture installed should be accessible to all, i.e benches with no side rests / middle rest only, picnic benches designed to accommodate wheelchairs and cycle parking to include facilities for adapted cycles.	Furniture installed should be accessible to all, i.e benches with no side rests / middle rest only, picnic benches designed to accommodate wheelchairs and cycle parking to include facilities for adapted cycles.	Proposed Change. Amend design principles 4 to recognise furniture installed should be accessible to all: 4. Design - green open spaces should be high quality, diverse, well located, safe, well-designed and attractive. They should be easily accessible and be able to be enjoyed by all people regardless of visual and cognitive ability, mobility or age. <u>Spaces, large and small, should also provide access to challenging opportunities for play, physical activity, contact with nature and social development close to home and benefitting physical and mental health and well-being as well as encouraging intergenerational interaction and community cohesion and meeting inclusivity needs in</u>

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
					<u>line with the Kirklees Playable Spaces Strategy.</u> The suitability of the site, such as site conditions, constraints, topography, accessibility and viability, will be taken into account in determining open space provision. <u>Furniture installed should be accessible to all accommodating wheelchairs and facilities for cycle parking for adapted cycles.</u>
SPD_OS71	KORS - Keep Our Rural Spaces	Picture 1	The points listed here under "Appendix 2: Design guidance" are very good. As always, the 'devil is in the detail'. There needs to be appropriate examples of what each point means in measurable, sustainable and attainable practice to provide quality Open Spaces in quantity. It would help if Kirklees is willing to work with scientific, charity and amenity bodies such as Wildlife Trusts, the Freshwater Biological Association, relevant local university departments, the RSPB, the Woodland Trust, Playground and Sporting groups, etc, as well		No Change. The council recognises these organisations as valuable sources of information and undertakes formal consultation on planning applications in line with the Development Management Charter, including consultation with statutory consultees and non-statutory consultees.

Ref No:	Organisation	Document Section/ Paragraph	Comment	Change Requested	Council Response
			as relevant industrial companies and the police, and so on, to effectively achieve these aims.		

Appendix 3: List of Minor Changes

Paragraph	Draft SPD	Proposed Change
1.5	The multi-functionality of open spaces means they can make a valuable contribution to increasing resilience to climate change locally by helping to reduce urban temperatures and carbon emissions, reduce the effects of flooding, contribute to sustainable drainage, improve air quality and enhance opportunities for wildlife. This SPD encourages new housing developments to contribute to measurable improvements for biodiversity net gain as part of the open space requirement through the retention, creation and enhancement of wildlife habitats, such as ecological features, tree planting and natural areas.	The multi-functionality of open spaces means they can make a valuable contribution to increasing resilience to climate change locally by helping to reduce urban temperatures and carbon emissions, reduce the effects of flooding, contribute to sustainable drainage, improve air quality and enhance opportunities for wildlife. This SPD encourages new housing developments to contribute to measurable improvements for biodiversity net gain as part of the open space requirement through the retention, creation and enhancement of wildlife habitats, such as ecological features, tree planting and natural areas. <u>Design guidance is also set out in the appendices to the SPD to help achieve high quality open spaces and help minimise the risk of crime.</u>
4.1	Eleven or more dwellings	More than 10 dwellings
5.1 (Open space type box)	Provision for children and young people (play spaces) Provision should be well-designed and may include informal play opportunities in addition to formal play facilities as follows:	Provision for children and young people (play spaces) Provision should be well-designed <u>accessible and well connected</u> and may include informal play opportunities in addition to formal play facilities as follows:
5.3	Quality standards which relate to the overarching high-level assessment of the site undertaken in the KOSS to determine public value.	Quality standards which relate to the overarching high level assessment of the site undertaken in the KOSS <u>and the Council's Green Space Quality Assessment</u> to determine public value.

6.1		In areas where the existing quantity of open space <u>or recreation facilities</u> is insufficient,
Appendix 2	In addition, they should be sited in such a way that those using adjacent foot and cycle paths will not be subject to harassment or otherwise deter use.	In addition, they should be sited in such a way that those using adjacent foot and cycle paths will not be subject to harassment or otherwise deter use. <u>feel threatened.</u>

APPENDIX 8

Kirklees Council Biodiversity Net Gain Technical Advice Note

Consultation Statement – June 2021

1. Introduction

- 1.1 The Biodiversity Net Gain Technical Advice Note provides detailed guidance on how Local Plan policy LP30 (Biodiversity & Geodiversity), to achieve a biodiversity net gain, should be implemented in determining planning applications. This Consultation Statement sets out the early engagement and public consultation carried out to inform the preparation of the Biodiversity Net Gain Technical Advice Note.
- 1.2 The Consultation Statement has been prepared in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012 to support the adoption of the Biodiversity Net Gain Technical Advice Note and the council's Statement of Community Involvement (SCI). The SCI outlines how the council will work with local communities and stakeholders in developing planning policy documents.
- 1.3 In accordance with the Regulations, this consultation statement sets out:
- who was consulted during the preparation of the technical advice note
 - a summary of the main issues raised during the consultation
 - how those issues have been addressed in the adopted technical advice note

2. Timetable of Technical Advice Note production

- 2.1 The technical advice note was prepared by a project team led by the council's Biodiversity Officer, involving other internal specialisms including Planning Policy, Parks and Green Spaces Officers, Landscape Architect and Conservation and Design team.
- 2.2 The production of the Biodiversity Net Gain Technical Advice Note has followed a number of stages. The timetable for the production of the technical advice note is set out below.

Table 1: Technical Advice Note Timetable

Dates	Stage or Consultation Topics/Event
23 rd June 2020 - 31 st July 2020	Evidence gathering and early internal stakeholder engagement
19 th October 2020 – 14 th December 2020	Public consultation on the Biodiversity Net Gain Technical Advice Note

3. Early Engagement on the preparation of the Technical Advice Note

- 3.1 Early engagement on the preparation of the Biodiversity Net Gain Technical Advice Note was undertaken with internal and external stakeholders to understand their expectations and priorities to help inform the scope and content of the technical advice note. This period of internal officer engagement was held from 23rd June 2020 until 31st July 2020.
- 3.2 The following council specialisms were consulted as part of the preparation and initial drafting of the technical advice note:
- Biodiversity
 - Policy
 - Parks and Green Spaces
 - Conservation and Design
 - West Yorkshire Ecology Service
 - West Yorkshire Ecological Advisory Group
- 3.3 Early engagement with the project team, wider internal specialisms and members identified several issues which are set out in the tables below together with the council's response on how the draft technical advice note has dealt with this issue.

Table 2: Draft Biodiversity Net Gain Technical Advice Note: Internal Early Engagement

Main Issue	How Issue Dealt with in the TAN
Strengthen wording referring to encouraging a 10% net gain.	Added the words "a minimum of 10% net gain in biodiversity is required." In line with the forthcoming environment bill.
Lack of local evidence regarding background biodiversity information.	Added background information on the production of Biodiversity Opportunity Zones and the Kirklees Wildlife Habitat Network.
Stated that minor applications will not need to utilise the biodiversity metric to demonstrate a net gain but there may be instances where applicant states there will be net gain, but you disagree and using the metric would help.	Changed wording to state minor applications will not normally need to utilise the metric.
No information regarding the outcomes should monitoring identify that the condition of habitats is not providing adequate net gains.	Added text to state that remedial measures will be required where reports show that required targets are not being met else appropriate enforcement action may be taken.

4 Public Consultation on the Biodiversity Net Gain Technical Advice Note

4.1 Public consultation on the draft Biodiversity Net Gain Technical Advice Note took place initially for a 6-week period from 19th October to 30th November. This was extended for an additional two weeks to the 14th December (8 weeks in total). The consultation was available on-line and through email and postal comments.

4.2 In compliance with regulations 12, 13 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the following actions were undertaken:

- The draft Biodiversity Net Gain Technical Advice Note was published on the council's online consultation portal.
- Details of the consultation and details of how to obtain hard copies of the documents was displayed in the windows of the customer service centres in Huddersfield and Dewsbury, on the council's web page and on the council's social media platforms.
- Statutory consultees, organisations and private individuals that expressed an interest in planning policy and future publication of SPDs (see Appendix 1) were contacted directly by letter or email with details about the consultation, where to view the document, how to obtain hard copies and how to comment.
- A press notice was published in the Huddersfield Examiner on 23rd October and the Dewsbury Reporter on 22nd October highlighting the consultation process.
- A feature space was placed on the council website on 19th October advertising the consultation.
- A press release was posted on Kirklees Together on 19th October and on the Council's social media platforms from 19th October.
- A notification email was sent to all councillors on 16th October detailing the start of the consultation.

4.3 During the public consultation the council also held two presentations to the Agents Forum on 3rd November 2020 and PLC developers/Registered provider 17th November 2020 to raise awareness of the SPDs and the consultation process.

5. Main Issues Raised and The Council's Response

5.1 A total of 56 comments (from 16 consultees) were received to the public consultation on the Biodiversity Net Gain Technical Advice Note. The number of consultees by group is shown in table 3 below.

Table 3: Number of Consultees

Consultee Group	Number of Consultees
Regional/Local Organisations	5
National Organisations	4

Residents/Individuals	3
Developers/Planning Agents	2
Town/Parish Councils	1
Local Planning Authorities/Councils	1

5.2 Comments were received from the following:

- Barratt & David Wilson Homes
- Coal Authority
- Environment Agency
- Forestry Commission
- Holme Valley Parish Council
- Holme Valley Vision Network
- Huddersfield Civic Society
- Natural England
- Private individual x 3
- Redrow
- Trans Pennine trail
- Wakefield Council
- West Yorkshire Ecology service
- Yorkshire Wildlife Trust

5.3 A full list of public consultation comments received and the council’s responses to these can be found in Appendix 2. A summary of the main issues raised during consultation, including those from internal stakeholders, is set out below. It summarises the main points and the council’s response to how these issues have been addressed in the technical advice note.

Table 4: Summary of Main Issues and Council Response

Summary of Main Issue	Council Response
<p>10% Net Gain Threshold</p> <p>1. The 10% requirement is not consistent with LP30, and the TAN does not have the ability to introduce new policy or supplementary policy Whilst the Environment Bill remains in Draft, a 10% net gain cannot be reasonably be sought and the TAN should as a minimum acknowledge that in the interim, only the requirements of the policy will be sought.</p>	<p>1. No Change.</p> <p>The requirement for development to achieve a biodiversity net gain is set out in the adopted Local Plan policy LP30 (Biodiversity and Geodiversity).</p> <p>The requirement for a 10% biodiversity net gain post-development is in line with the forthcoming national legislation and neighbouring local</p>

<p>2. Should clarify that the principle of 10% net gain applies to all individual habitats and linear features and should not just represent an overall gain.</p>	<p>authorities. The introduction of this target within Kirklees it to aid the transition during the interim period until the introduction of the Environment Bill. The requirement for a measurable net gain is not the creation of new policy rather a new method of quantifying net gain consistently across developments and districts.</p> <p>The TAN will be reviewed and updated in line with the latest government guidance when available.</p> <p>2. Proposed changes</p> <p>Agree that best practice in accordance with the Biodiversity Net Gain 2.0 guidance would be to result in a 10% net gain in each baseline broad habitat (if above medium distinctiveness) or linear feature. Add additional sentence to paragraph 3.1.1. to read “The change in biodiversity value will be calculated and demonstrated using the Biodiversity Metric 2.0 <u>and must apply to both baseline habitat and linear feature units on the site.</u>”</p> <p>Add additional paragraph to section 7.1 to read “<u>7.1.4 In addition to a 10% biodiversity net gain overall on the site (in both habitat units and linear features, depending on the ecological baseline of the site), a 10% gain should be achieved in each broad habitat type identified on the site with a distinctiveness of medium or above.</u>”</p>
<p>Tariff</p>	<p>No Change.</p>

<p>Clarify what tariff has been set by the LPA for each Biodiversity Unit, as is the approach taken by other LPA's nationwide to ensure there is not a favourable bias towards some sites or developers.</p>	<p>The tariff per biodiversity unit is subject to change frequently with fluctuations in land prices and local market demand. In addition, there is current market research on-going on the local value of biodiversity units by local authorities and government bodies in preparation for the introduction of the Environment Bill. Therefore, in the interim period this guidance applies to, each application will be assessed on a case-by-case basis by the LPA and a commuted sum devised based on the most recent relevant evidence. This will be subject to review when further information is forthcoming or when an update of the guidance is undertaken.</p>
<p>Timescale</p> <p>Concerns about the timescale for implementation and when will net gain be a requirement on all planning applications.</p>	<p>No Change.</p> <p>The timescale for the implementation of this guidance note is immediately following its adoption. The timescale for the implementation of the Environment Bill is following Royal Assent in 2021. A biodiversity net gain is already a requirement for all planning applications in Kirklees as part of Local Plan Policy LP30 (referenced in paragraph 1.4.1) which was adopted in 2019.</p>
<p>Net Gain On-Site</p> <p>The emphasis for on-site provision could be stronger to demonstrate that all net gains should be delivered on site wherever possible, with off-site compensation a last resort.</p>	<p>Proposed Change.</p> <p>Provide additional paragraph above 3.4.1 stating that <u>"3.4.1 A biodiversity net gain achieved within the development site is the preferred option within Kirklees. The method of achieving a biodiversity net gain should be</u></p>

	<p><u>integrated early into the design process and the mitigation hierarchy followed to assist in this.</u></p> <p>Change paragraph 3.4.1 to read “<u>3.4.2 In the event a development proposal is unable to demonstrate a biodiversity net gain within the application area, following the correct application of the mitigation hierarchy and justification using the metric <i>In exceptional circumstances where it can be demonstrated that on-site compensation methods have been exhausted</i>, it will be necessary to secure biodiversity net gain off-site”.</u></p>
<p>30 Year Management and Monitoring of Habitats</p> <p>1. The guidance should include that those habitats that have a time to condition of over 30 years will usually not be accepted, as this is often beyond the lifetime of the development.</p> <p>2. It should be clear whether that 30 years starts from when the target condition is achieved or from when it is created.</p>	<p>1. Proposed Change.</p> <p>Agreed that habitats which take longer than 30 years to establish will not usually be considered acceptable. Add additional sentence to paragraph 3.5.1 to read “...maintenance of biodiversity. <u>Therefore, any proposed habitat creation or enhancement which is predicted by the metric to take longer than 30 years to reach the target condition will not usually be accepted for biodiversity net gain purposes</u>”.</p> <p>2. Proposed Change.</p> <p>Agree that further clarity regarding the point from which the 30-year management and monitoring regime begins could be included.</p>

<p>3. Monitoring should utilise the same version of the metric as was utilised at the planning application stage. It should also include provision for the revision of the EDS with scope for remedial or retrospective works/habitat creation should the habitats be found to not be meeting the required condition stated in the initial application.</p>	<p>Amend Table 1 to read “Monitor on-site and off-site biodiversity net gain features to ensure habitats are managed effectively and achieve target condition for a minimum 30-year period <u>from the date they are created or development works completed.</u>”</p> <p>3. Proposed Changes.</p> <p>Agreed that the monitoring should utilise the same version of the metric as was utilised within the planning application. Add additional sentence to paragraph 3.5.3 to read “...Biodiversity Metric 2.0. <u>The monitoring of sites should utilise the same version of the metric as accompanied the planning application.</u>”</p> <p>Agree that provision for remedial measures or changes to the management regime should be included. Add sentence to paragraph 3.5.4 to read “...may be taken. <u>Revisions may be required to original management accompanying the planning application in this instance and this should be accompanied adequate evidence and justification for the proposed changes.</u>”</p>
<p>The Metric</p> <p>1. It should be specified that monitoring should utilise the same version of the metric as was utilised at the planning application stage. It should also include provision for the revision of the EDS with scope for remedial or retrospective works/habitat creation to be undertaken or changes in management strategies applied, should the habitats be</p>	<p>1. Proposed Change.</p> <p>Agreed that the monitoring should utilise the same version of the metric as was utilised within the planning application. Add additional sentence to paragraph 3.5.3 to read “...Biodiversity Metric 2.0. <u>The monitoring of sites should utilise the same</u></p>

<p>found to not be meeting the required condition stated in the initial application.</p> <p>2. Reference should made to the use of the updated versions of the Defra Beta Biodiversity Metric as and when they are released. Clarification for why this metric is favoured may also be beneficial.</p>	<p><u>version of the metric as accompanied the planning application.</u></p> <p>Agree that provision for remedial measures or changes to the management regime should be included. Add sentence to paragraph 3.5.4 to read “...may be taken. <u>Revisions may be required to original management accompanying the planning application in this instance and this should be accompanied adequate evidence and justification for the proposed changes.</u>”</p> <p>2. Proposed Change.</p> <p>Agree that further clarification regarding the version of the metric to be utilised, particularly any future updates, should be included. Add additional text to paragraph 1.3.2 to state “...most likely the <u>latest version of the Biodiversity Metric 2.0</u> will be required.”</p>
<p>Small Sites</p> <p>As the metric is proportional to the habitats lost, it is still appropriate to apply these principles to minor developments. Defra are expected to release a ‘small site metric’ for such circumstances which is expected late 2020/early 2021. Minor developments should therefore still be included within this policy and advice note.</p>	<p>No Change.</p> <p>Although the introduction of the Environment Bill will mandate all development covered by the Town and Country Planning Act to achieve a measurable net gain. At the time of writing, a ‘small site’ metric had not been released by DEFRA and therefore minor developments are currently not required to utilise a metric. All development is expected to follow the ecological mitigation hierarchy and achieve a biodiversity net gain in line with</p>

	Local Plan policy LP30 regardless as stated within paragraph 4.3.2.
<p>Mitigation for Designated sites and Irreplaceable Habitats</p> <p>All mitigation and compensation for designated sites and protected species must be undertaken prior to the application of biodiversity net gain which is considered to be additional.</p>	<p>Proposed Change.</p> <p>Agreed that mitigation for designated sites and irreplaceable habitats is additional. Add sentence to paragraph 6.2.2 to read “...of the EclA. <u>Bespoke compensation or mitigation required for impacts to designated sites and irreplaceable habitats must be determined prior to application of the metric, which is considered to be additional</u>”</p>
<p>UK Habitat Classification System</p> <p>Highlight the preferential approach of utilising UK Habitat Classification system, rather than converting from NVC or Phase 1, and how condition assessments must be undertaken during the site visit.</p>	<p>Proposed Change.</p> <p>Agree that reference that the metric requires input from the UK Habitat Classification should be included. Add sentence to paragraph 2.1.1 to read “<u>The metric is based on the UK Habitat Classification system however a conversion tool allows translation from Phase 1 JNCC habitats</u>” .</p> <p>Add additional paragraph to 6.2 to read “<u>Habitat type identification during ecological surveys should be completed through the use of UK Habitat Classification System to allow direct input into the metric. This removes the need to translate habitats from alternative habitat recording systems such as Phase 1 JNCC, which may not be directly comparable, and ensures data is directly comparable on a national scale.</u>”</p>

<p>Temporary loss of habitats</p> <p>It should be made clear that any temporary loss of habitats due to construction should be considered permanent due to the time to recreate these habitats on site.</p>	<p>Proposed Change.</p> <p>Agree that clarification that the temporary loss of habitats needs to be considered as a loss, should be incorporated into the TAN.</p> <p>Add additional paragraph to section 7.1 to read <u>“7.1.5 Where temporary habitat losses are set to occur as a result of the proposals, these must be classed as permanent and any reinstated habitats recorded as newly created within the metric. This is to account for the time taken for habitats to re-establish following damage and the risk of failure.”</u></p>
<p>Residential Gardens</p> <p>1. As the Defra biodiversity metric has a number of options which might be proposed within the domestic curtilage of dwellings, covenants will be required in the deeds to ensure that these measures can be covered by on-going enforceable monitoring and management prescriptions.</p> <p>2. Clarify that it is most acceptable for residential curtilages, including gardens, be included within the metric as ‘Urban – Unvegetated Garden’ or ‘Urban – Developed/Sealed Surface’.</p>	<p>1. Proposed Changes.</p> <p>It is agreed that the options to enhance biodiversity within the curtilage of residential gardens will need to be legally secured.</p> <p>Add new sentence to paragraph 7.3.1 to read “...or “Urban-Vegetated Garden”. <u>If any habitat enhancements within domestic curtilages are to be included, these will require methods to ensure long term monitoring and management which is legally enforceable by the planning authority.”</u></p> <p>2. No Change.</p> <p>The inclusion of vegetated gardens or other biodiversity net gain features within the curtilage of residential gardens will be considered on a case-by-case basis provided these are considered realistic or can be</p>

	secured through an appropriate legal agreement.
<p>Ecological Networks</p> <p>Highlight that biodiversity decline, through habitat loss and fragmentation, requires significant enhancement of the ecological network, and the wider green infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.</p>	<p>Proposed Change.</p> <p>Agree that further information on the purpose and function of the network could further highlight the importance of enhancement of the network.</p> <p>Add additional sentence to paragraph 1.4.3 to read “...where opportunities exist. <u>Enhancement of ecological networks should be a priority within development schemes to repair and re-connect habitats, buffer sensitive sites and aid biodiversity resilience to development and climate change pressures.</u>”</p>
<p>Strategic Significance</p> <p>As the metric is based on national data sets, it would be useful for the LPA to highlight those habitats which are of additional local value than is represented within the metric. This is touched upon in paragraph 1.4.2 with reference to Biodiversity Opportunity Zones, however focuses on compensatory habitat creation rather than initial avoidance of these locally important features.</p>	<p>Proposed Change.</p> <p>Agree that habitats of principal importance within Kirklees should be highlighted as possessing additional value. Add additional sentence to paragraph 1.4.2 to read “... website under Biodiversity. The UK Habitats of Principal Importance relevant to Kirklees are included in Table 1 which identifies their associated biodiversity opportunity zone. Habitats included within this table are considered of higher local ecological value and should be considered for retainment, enhancement or creation within developments located in the associated Biodiversity Opportunity Zone.”</p> <p>Insert new table which identifies the habitats of principal</p>

	importance table and the Biodiversity Opportunity Zones.
<p>Riverine Habitat</p> <p>For the avoidance of doubt, and to highlight the key difference between the original metric and the Biodiversity Metric 2.0, we would very much welcome the recognition of river habitat.</p>	<p>Proposed Changes.</p> <p>Agree that recognition of river units should be included. Add additional words to paragraph 2.1.1 to read “linear habitats measured in length (such as hedgerows <i>and rivers</i>).”</p>

5.4 All comments on to the public consultation have been considered in preparing the final technical advice note. None of these require significant changes to the overall approach. A number of comments supported the preparation of the technical advice note and specific guidance.

5.5 The main changes to the technical advice note as a result of comments received are summarised as follows:

- Strengthening the clarification that biodiversity net gain should be achieved in the first instance where possible with offsetting as a last resort.
- Defining that Habitats of Principal Importance within the relevant Biodiversity Opportunity Zone within Kirklees should be included at strategically significant within the metric along with a table illustrating these habitats.
- Clarification that a 10% net gain in biodiversity must apply to all habitat types present on the site.
- Definition that the 30-year management of habitats begins from the date of creation.
- Clarification that the UK Habitat Classification system should be used to assess development sites to input into the metric.
- The exclusion of protected sites from offsetting biodiversity from development.
- Clarification that monitoring of habitat condition post-development should utilise the same version of the metric as was submitted with the planning application.

Appendix 1: Consultee List

Adjoining Authorities	
Barnsley Metropolitan Council Bradford Metropolitan District Council Calderdale Council City of York Council High Peak Borough Council	Leeds City Council Oldham Council Peak District National Park Authority Wakefield Council
Town & Parish Councils	
Cawthorne Parish Council Denby Dale Parish Council Dunford Parish Council Gunthwaite and Ingbirchworth Parish Council High Hoyland Parish Council Holme Valley Parish Council Kirkburton Parish Council	Meltham Town Council Mirfield Town Council Morley Town Council Ripponden Parish Council Saddleworth Parish Council Sitlington Parish Council Tintwistle Parish Council West Bretton Parish Council
Organisations	
Age UK BL Ecology British Telecom Brooks Ecological Calderdale and Huddersfield NHS Canal & River Trust Coal Authority Crestwood Environmental Environment Agency Environment Kirklees FCS Consultants Fields in Trust Foundation Trust Connect Housing CPRE Dewsbury Matters England Hockey English Cricket Board Forestry Commission England Greater Huddersfield Clinical Commissioning Group Highways England Historic England Holme Valley Vision Network Homes and Communities Agency House Builders Federation	Metro Middleton Bell Ecology Mid Yorkshire Hospitals NHS Trust Natural England National Grid National Trust Network Rail Newsome Ward Community Forum NHS Property Services Northern Gas Network North Kirklees Clinical Commissioning Group NTL Group Ltd Play England Quants Environmental RDF Ecology Rugby Football League Rugby Football Union Sheffield Football Association Spenn Valley Civic Society Sport England South West Yorkshire Foundation Trust Sustrans Trans Pennine Trail UDVET UK Active Unity Housing Association West Riding Football Association

<p>Huddersfield and District Archaeological Society Huddersfield Birdwatchers Club Huddersfield Civic Society Huddersfield University JCA Ltd Keep Our Rural Spaces Kirkheaton Future Kirklees Active Leisure Kirklees Badger Group Kirklees Neighbourhood Housing Locala Local Enterprise Partnership Leeds City Region Mab Environment and Ecology Ltd</p>	<p>West Yorkshire Archaeology Advisory Service West Yorkshire Bat Group West Yorkshire Combined Authority West Yorkshire Ecology West Yorkshire Police Authority Yorkshire Water Services Yorkshire Sport Yorkshire Wildlife Trust Whitcher Wildlife Ltd Wildscenes Woodland Trust WYJS Yorkshire Housing</p>
Planning Agents & Developers	
<p>Acumen Architects AHJ Architects A N Designs Avant Homes Yorkshire Avison Young Bailey Smailes Solicitors Bamford Architectural Barratt Homes Bartle & Sons Barton Willmore Bellway B K Designs BNP Paribas Real Estate UK Bradley Stankler Planning Bramleys Carter Jonas Chris Thomas LTD Conroy Homes Dacre, Son & Hartley Darren Smith Homes Deloitte Design Line Architectural DK Architects ELG Planning Fairhurst Farrar Bamforth Associates Ltd F M Lister & Sons Gladmans Hallam Design Associates Harron Homes</p>	<p>Kirkwells K Rouse Malcolm Sizer Planning Limited Martin Walsh Architectural MD Associates MWP Planning NLP Planning NJL Consulting One17 Chartered Architects Paul Butler Planning Paul Matthews Architectural Persimmon Homes Peacock and Smith QUOD Rapleys LLP RG P LTD Riva Homes Robert Halstead Chartered Surveyors & Town Planners Robertshaws Chartered Surveyors Rouse Homes Sanderson Weatherall LLP Savills SB Homes Limited Spawforths SSA Planning Limited Steven Abbott Associates LLP Strata Storrie Planning Taylor Wimpey</p>

Hawdon Russell Heppendsalls Hourigan Connolly Iain Bath Planning Ian Baseley Associates I D Planning Indigo Planning JWPC Chartered Town Planners	Tetlow King Planning Limited Turley Associates Vernon and Co Wake Architects Walton and Co Planning Lawyers Yorkshire Country Properties Younger Homes
Private Individuals	
Approximately 580 individuals were invited to comment.	

Appendix 2: Comments Received on the Public Consultation and the Council's Response

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG1	Private Individual	1.3	I agree with this document, however what is the timescale for implementation? how long until net gain biodiversity is a requirement of all planning applications in Kirklees?		<p>No change.</p> <p>Support for document noted and welcomed.</p> <p>The timescale for the implementation of this guidance note is immediately following its adoption. The timescale for the implementation of the Environment Bill is following Royal Assent in 2021. A biodiversity net gain is already a requirement for all planning applications in Kirklees as part of Local Plan Policy LP30 (referenced in paragraph 1.4.1) which was adopted in 2019.</p>
SPD_BNG2	Private Individual	Preservation of green space	<p>In the case of new development on wooded and green field sites in Kirklees, the planning committee and tree protection officers may use TPOs to preserve existing trees, however often developers cut down trees before planning has been agreed or before TPOs can be issued.</p> <p>Even with TPO protection trees are felled and there seems to be no enforcement action taken, or oversight to ensure protected trees are not felled during construction. The environmental impact of removing mature trees cannot be mitigated against by planting sapling trees and hedgerows, immature hedgerows and sapling trees offer little habitat for wildlife and will take many years to establish. This seems like a way to make building</p>	The term for the natural environment as 'ecosystem services' needs to be changed.	<p>No change.</p> <p>The TAN highlights the importance of following the mitigation hierarchy when designing development (outlined within section 2.2), which is a requirement of national and Local policy through the Local Plan. This ensures that features important to biodiversity should be retained in the first instance. Comments regarding Tree Protection Orders noted.</p> <p>The term 'ecosystem services' is used to reference the benefits the natural environment provides rather than the</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			on green belt, green field and wooded sites less objectionable in a climate emergency. Rather, we preserve all green undeveloped spaces, allow established or fledgling woodland to flourish, and look to increase green space and manage it sympathetically to encourage greater biodiversity. Building on green belt, green fields and woodland will under no circumstances increase biodiversity and will increase the risk of flooding and sewage waste overflow into streams and rivers. I maintain that the best way to increase biodiversity is not to build on it.		natural environment itself and therefore is considered appropriate within the context.
SPD_BNG5	Natural England	Table 1 point 13 and at 3.4.2	it should be clear whether that 30 years starts from when the target condition is achieved or from when it is created. These points describe it slightly differently.		Proposed Change. Agree that further clarity regarding the point from which the 30-year management and monitoring regime begins could be included. Amend Table 1 to read "Monitor on-site and off-site biodiversity net gain features to ensure habitats are managed effectively and achieve target condition for a minimum 30-year period <i>from the date they are created or development works completed.</i> "
SPD_BNG6	Natural England	3.4.3	It might be worth noting that compensation schemes within protected sites (i.e. SSSI, SPA, SAC etc.) will not be considered appropriate.	It might be worth noting that compensation schemes within protected sites (i.e. SSSI, SPA, SAC etc.) will not be considered appropriate.	Proposed Change. Agree to add additional text regarding sites to be excluded from compensation schemes. Amend paragraph 3.4.3 to read "Offsite compensation schemes that involve land allocated for development within the

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
					Kirklees Local Plan, including safeguarded land, <i>or within protected sites</i> will not be considered appropriate compensation for development impacts occurring within the district.”
SPD_BNG7	Natural England	1.2.2	Natural England agrees this draft Biodiversity Net Gain Technical Advice Note provides clarity and is helpfully divided into two parts, A: Guidance for developers and B: Guidance for ecological consultants. It provides clear instruction on how to achieve biodiversity net gain through development within Kirklees and supports national and local legislation.		No Change Support noted and welcomed.
SPD_BNG8	Natural England	3.1.1	It sets out helpful guidance on how biodiversity should be considered throughout the development process, including the utilisation of Defra's Biodiversity metric to demonstrate a 10% net gain in biodiversity which is due to be mandated by the Environment Bill.	It sets out helpful guidance on how biodiversity should be considered throughout the development process, including the utilisation of Defra's Biodiversity metric to demonstrate a 10% net gain in biodiversity which is due to be mandated by the Environment Bill.	No Change Support noted and welcomed.
SPD_BNG9	Natural England	1.4.3	We welcome recognition of the importance of Kirklees valuable wildlife resource and the need to protect and enhance the ecological networks via the Kirklees Wildlife Habitat Network, to enable wildlife to flourish, particularly in light of climate change. It would be helpful if this could highlight that biodiversity decline, through habitat loss and	Highlight that biodiversity decline, through habitat loss and fragmentation, requires significant enhancement of the ecological network, and the wider green	Proposed Change. Welcome recognition that the SPD highlights the importance of the Kirklees Wildlife Habitat Network. Agree that further information on the purpose and function of

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			fragmentation, requires significant enhancement of the ecological network, and the wider green infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.	infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.	the network could further highlight the importance of enhancement of the network. Add additional sentence to paragraph 1.4.3 to read "...where opportunities exist. <i><u>Enhancement of ecological networks should be a priority within development schemes to repair and re-connect habitats, buffer sensitive sites and aid biodiversity resilience to development and climate change pressures.</u></i> "
SPD_BNG10	Wakefield Council		Wakefield Council have no specific comments on this document. The Council supports and welcomes its introduction.		No Change. Support noted and welcomed.
SPD_BNG11	West Yorkshire Ecology Service	3.1.1	We support the use of the minimum measurable net gain of 10%. It is likely that any less than this will result in a net loss. This is because of the negative impacts of land use change, at least in the short to medium term, on the building blocks of the ecosystem which we are unable to economically measure such as fungi, bacteria and invertebrates.		No Change. Support for minimum measurable net gain of 10% noted and welcomed.
SPD_BNG12	West Yorkshire Ecology Service	3.3.3, Stage 3, bullet 9	"If biodiversity cannot be achieved on-site" needs to be changed.	"If sufficient, measurable biodiversity cannot be achieved on-site"	Proposed Change. Agree there should be reference to measurable biodiversity net gains. Amend Table 1, stage 3 to read "If <i><u>sufficient measurable</u></i> biodiversity cannot be achieved on-site, provide evidence and determine best option to achieve Biodiversity Net Gain off-site"

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SPD_BNG13	West Yorkshire Ecology Service	3.5.1 on going management, maintenance and monitoring	<p>As the Defra biodiversity metric, at the time of writing, has a number of options which might be proposed within the domestic curtilage of dwellings covenants will be required in the deeds to ensure that these measures can be covered by on-going enforceable monitoring and management prescriptions.</p> <p>The advice note should indicate that such measures should only be used where other options have been exhausted.</p> <p>This point needs to be considered in the context of 7.3.1 which deals with the same issue.</p>	<p>Suggested additional sentence to paragraph 3.5.1.</p> <p>"Habitat enhancements within domestic curtilages will require methods to ensure long term monitoring and management which is legally enforceable by the planning authority."</p>	<p>Proposed Change.</p> <p>It is agreed that the options to enhance biodiversity within the curtilage of residential gardens will need to be legally secured.</p> <p>Add new sentence to paragraph 7.3.1 to read "...or "Urban- Vegetated Garden". <u><i>If any habitat enhancements within domestic curtilages are to be included, these will require methods to ensure long term monitoring and management which is legally enforceable by the planning authority.</i></u>"</p>
SPD_BNG14	West Yorkshire Ecology Service	6.2.3 Ecological assessment reporting	<p>This paragraph should also make it clear that all data used in the assessment process should be lodged with the Local Ecological Records Centre in electronic format to make it available for on-going monitoring and management.</p>	<p>Extra sentence at end of 6.2.3</p> <p>"All data used to populate the metric should be lodged with the Local Ecological Records Centre and made freely available for on-going monitoring and strategic biodiversity enhancement plans."</p>	<p>Proposed Change.</p> <p>Agree that data should be made available to the local record centre to aid future monitoring.</p> <p>Add additional paragraph below 6.2.3 to read "<u><i>6.2.4 To facilitate future on-going monitoring and strategic biodiversity enhancement plans, all data used to populate the metric should be lodged with the Local Ecological Records Centre and made freely available.</i></u>"</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG15	Huddersfield Civic Society		<p>Huddersfield Civic Society (HCS) welcomes the opportunity to comment on four guidance documents published by Kirklees Council in October 2020 as Supplementary Planning Documents (SPD), which it hopes “will encourage a higher standard of design of residential developments in the area”, these being:</p> <ul style="list-style-type: none"> • Open Space SPD • Housebuilders Design Guide SPD • House Extensions and Alterations SPD • Biodiversity Net Gain in Kirklees Technical Advice Note <p>We note a government summary of the purpose of SPDs at https://www.gov.uk/guidance/plan-making:</p> <p><i>“Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.”</i></p>		<p>No change</p> <p>Comments noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>Introduction and Comments applying to all documents</p> <p>HCS applauds the intentions underlying many of the proposals contained in the SPDs regarding how national and local planning policies, as stated in the Local Plan, should be interpreted in Kirklees. However, we are concerned that, in their current – or similar - form, we believe they may well fail to achieve their objectives.</p> <p>There is much general or introductory text which may fit better in a planning textbook rather than in an SPD, eg “Food Growth: Green space on the site can be used to grow food and could form part of a wider urban agriculture scheme” and “a Design Code can set out a set of rules regarding the scale and massing of new homes; but allow for a rich diversity in architectural styles”.</p> <p>Whilst some text is specific to Kirklees much is not, so does it belong in a Kirklees SPD? Also, some important items are omitted, eg a requirement for consultation on major residential developments with affected residents in neighbourhoods nearby and to state how this should be done.</p> <p>In attempting to cover the application of policies to many different development circumstances it becomes difficult to follow what does, or does not, apply in any one specific circumstance, eg in a conservation area or in a space-constrained site. Which advice items here can be ignored if they</p>		<p>No Change.</p> <p>The purpose of the SPD is to provide detailed guidance to developers, members of the public and interested parties on the implementation on policies set out in the Local Plan.</p> <p>The council’s Development Management Charter sets out the process for consulting on planning applications.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>conflict with a requirement stated in the relevant Conservation Area Appraisal? What happens if the shape or slope of a site does not allow 35+ dwellings per hectare?</p> <p>The coverage of a large number of local and national policy items, many of which are imprecise as well as advisory, potentially results in a higher level of subjectivity in how many of these advisory items might be interpreted – and therefore assessed - for approval or rejection. This may result in an increase in the number of Planning disputes and appeals. We also note several advisory items have examples which appear to ‘water down’ NPPF policy statements.</p> <p>HCS also finds it hard to see what, in some of these items, might help and inspire an individual, business or hoped-for Developer to come to Kirklees and improve our built and natural environment, rather than go to another district that might offer either greater simplicity of guidelines or more certainty of outcome. Many of the images that accompany sections of the guide refer to commendable developments outside Kirklees, e.g. by CITU in Leeds, but do not necessarily map clearly to a specific requirement for a developer to include in a typical development in Kirklees.</p> <p>It is also unclear how these SPDs might fit with possible changes that may be proposed along the lines of the government’s recent “Planning for the</p>		

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>Future” White Paper and whether time might be better spent now on matters such as preparing the type of Design Guide mentioned in the White Paper.</p> <p>HCS sees three possible approaches to address these concerns:</p> <ul style="list-style-type: none"> • Specifying requirements in more detail and with precision – an applicant then knows exactly what it will have to do and can therefore be more certain what will, or will not, be approved. Example: an applicant must show how new housing will be oriented so that xx% of the volume of houses will be supplied from onsite renewable energy, stating how this percentage will be met. • Covering a much smaller number of key local plan policy items of specific importance in Kirklees, stating clearly which will be the key factors when a submission is assessed. • Removing the duplication with other documents, retaining text that points to the relevant clauses in those documents and then making clear the clarifications specific to Kirklees. <p>We appreciate that these alternative solutions might themselves introduce further complications, the first because care would be needed not to fall foul of the legal requirement (referenced</p>		<p>No Change.</p> <p>The Government’s response to the Planning White Paper will be reviewed when its published.</p> <p>No Change.</p> <p>Comments noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>previously) for an SPD not to “introduce new planning policies” and the second because of there possibly not being an agreed single set of priority items that covers all common planning applications. The third, while meaning there needs to be more cross referencing, would potentially mitigate some of the issues with the first two and could provide a more focused approach to Kirklees requirements. However, this only goes to show why we think an attempt to use SPDs to provide an additional layer of guidance across the full scope of the approved Local Plan policies leaves the door open to ambiguity.</p> <p>Biodiversity Net Gain in Kirklees Technical Advice Note</p> <p>i) Mitigation</p> <p>We support the Local Plan (LP30) requirement for development proposals to “provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation”. In particular, we support the requirement that developers apply the Mitigation Hierarchy. In our opinion, this requirement (currently embedded in para 2.2.1 of the Technical Advice Note) should be given higher prominence and emphasis, namely:</p> <p>“The NPPF and policy LP 30 both require development proposals to apply the ecological mitigation hierarchy in order to result in no</p>		<p>No Change.</p> <p>Support for Local Plan Policy LP30 and the application of the ecological mitigation hierarchy in development noted and welcomed.</p> <p>The requirement to apply the mitigation hierarchy is referenced within the NPPF, Local Plan and throughout the TAN in Table 1 and paragraphs 3.2.3, 3.3.1, 3.4.1, 4.3.2 and 6.1.2. Therefore, it is considered that sufficient weight has been given to its application.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for only as a last resort.”</p> <p>ii) Validation</p> <p>We support the clear delineation of the Stages of submitting major development applications within Kirklees (Table 1 in para 3.3.3), but flag the following concern regarding the proposed validation process (Fig 3 in para 3.3.4): There is no doubt that developers will need to ‘invest’ significant time, effort and expertise in navigating the guidance in, and connected with this Technical Advice Note. Whilst Biodiversity Metric 2.0 has our full support, its use in calculating Baseline and Future Biodiversity Units to determine Biodiversity Net Gain (or Loss) is a complex process. This in turn raises the risk that some developers will seek to avoid this ‘investment’ by leapfrogging early steps in the Mitigation Hierarchy, i.e.the ‘Avoid’ and ‘Mitigate’ steps. For example, by leaping straight into off-site compensation schemes, developers may see cost and time advantages to their projects, at the expense of on-site biodiversity. This leapfrogging route should be blocked and reflected in a revised Validation Process Flowchart (fig 3).</p>		<p>No Change.</p> <p>Support for the delineation of application stages noted and welcomed.</p> <p>It is considered that the TAN sets out clearly that following the mitigation hierarchy is a key component of the validation process, and this is highlighted by the corresponding boxes on the flow chart (Figure 3.) which developments must progress through before the application is deemed acceptable on biodiversity grounds.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>iii) Supporting Documentation</p> <p>Although they sit outside the Biodiversity Net Gain in Kirklees Technical Advice Note, we offer feedback on two documents crucial to its success: a) The Kirklees Biodiversity Strategy, and b) the Biodiversity Opportunity Zones Map. Both seem to us to be valuable assets, not just for SPD purposes, but for wider public awareness of our local landscape and biodiversity in the context of the Council's Declaration of Climate Emergency.</p> <p>a) The Kirklees Biodiversity Strategy:</p> <p>We support this document and recommend developing it further with public engagement, and subsequent wider communication.</p> <p>b) Biodiversity Opportunity Zones Map:</p> <p>We support its aim and intended use but identify the need to see the mapping at a larger scale which sits behind it. As a very high level, small scale summary map it doesn't provide the site detail for developers or the public to pinpoint the location of proposed infrastructure / housing developments. As it stands, it risks inaccurate assumptions / assessments being made about the location and biodiversity impacts of these.</p> <p>The colour coded Legend for distinct Biodiversity Opportunity Zones is well supported by definitions</p>		<p>No Change.</p> <p>Support for Kirklees Biodiversity Strategy and Biodiversity Opportunity Zones Map welcomed.</p> <p>No Change. Comments noted.</p> <p>No Change.</p> <p>The TAN states within paragraph 3.4.4 that offsite compensation can be secured through the purchase of the required value from a Habitat Bank.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>in the Background document and also in the Habitats & Species Tables. However, 'Annotations' in the map covering Primary, Secondary and Tertiary Networks are not similarly supported by any definitions. This information gap has the biggest detrimental impact regarding 'Ecological Connectivity Priorities (see para 2.2, Background) and significantly constrains effective use of the Map.</p> <p>iv) Offsetting</p> <p>This point links with section ii) above. Should developers move through the first three stages in the Mitigation Hierarchy (see above), and reach the Offset stage, we recommend that their opportunities for offsetting should be provided by local NGOs / Charities already active in this field, for example:</p> <ul style="list-style-type: none"> • Environment Kirklees (incl. Greenstreams) • Moors for the Future • West Yorkshire Wildlife Trust • Holme River Connections • Stirley Farm (Yorkshire Wildlife Trust) • Calder Rivers Trust 		
SPD_BNG16	The Coal Authority		Having reviewed the SPD, the Coal Authority has no specific comments to make.	Having reviewed the SPD, the Coal Authority has no specific comments to make.	No change Comment noted.

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG17	Trans Pennine Trail		The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors. 'No comments' made on Biodiversity Net Gain in Kirklees Technical Advice Note.	The Trans Pennine Trail partnership supports these documents and provides further detail to evidence commitment to accessibility and the provision of green corridors. 'No comments' made on Biodiversity Net Gain in Kirklees Technical Advice Note.	No change Support noted and welcomed.
SPD_BNG18	Private Individual	6.1 Desk Based Study, Para 6.1.1	Records from local wildlife protection groups is often overlooked to the detriment of the development site & local habitat.	6.1.1, end of bullet point 1, after data from the Local Environmental Records Centre, ADD:- and records from the local wildlife protection groups.	Proposed Change. Agree that local wildlife groups provide valuable information in many cases and the use of these should be encouraged. Add additional words to paragraph 6.1.1 to read "...Records Centre <i>and records from the local wildlife protection groups</i> ".
SPD_BNG19	Yorkshire Wildlife Trust		We are pleased to see that Kirklees LPA are adopting the principles of Biodiversity Net Gain and are encouraged to see the proactive approach taken to developing the principles within local policy and supporting consultants and developers alike in applying these principles.	We are pleased to see that Kirklees LPA are adopting the principles of Biodiversity Net Gain and are encouraged to see the proactive approach taken to developing the principles within local policy and supporting consultants and	No change. Support noted and welcomed.

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
				developers alike in applying these principles.	
SPD_BNG20	Yorkshire Wildlife Trust	1.1.2	Section 1.1 refers to the Environment Act whereas later in the document this is referenced as the Environment Bill. Consistency should be had between the naming of this document to minimise any confusion. The document in question is usually referenced as the Environment Bill, hence we would support this naming throughout.	Section 1.1 refers to the Environment Act whereas later in the document this is referenced as the Environment Bill. Consistency should be had between the naming of this document to minimise any confusion. The document in question is usually referenced as the Environment Bill, hence we would support this naming throughout.	Proposed Change. Agree that reference to the Environment Bill should be consistent throughout the document. Revise paragraph 1.1.2 to read "... forthcoming Environment Act <u>Bill</u> ...", revise paragraph 1.2.1 to read "...introduction of the Environment Act <u>Bill</u> ." Revise paragraph 3.1.1 to read "...of the Environment Act <u>Bill</u> ..."
SPD_BNG21	Yorkshire Wildlife Trust	1.3.1	paragraph 1.3.1 refers to paragraph 170 of NPPF (2019) as requiring 'development to secure measurable net gains for biodiversity'. However, paragraph 170 d) states that 'planning policies and decisions' should provide 'net gains for biodiversity' with paragraph 175 d), relating to development which should be supported, specifies the provision of 'measurable net gains for biodiversity'. We support the inclusion of paragraph 25 of the Planning Practice Guidance which gives context to the use of the metric being the pragmatic way to demonstrate measurable gains in biodiversity.	paragraph 1.3.1 refers to paragraph 170 of NPPF (2019) as requiring 'development to secure measurable net gains for biodiversity'. However, paragraph 170 d) states that 'planning policies and decisions' should provide 'net gains for biodiversity' with paragraph 175 d), relating to development which should be supported, specifies the provision of 'measurable net gains for biodiversity'.	Proposed Change. Welcome the support of the inclusion of paragraph 25 of the Planning Practice Guidance. Agree that reference to paragraph 170 of the NPPF should be amended to reference 175 instead. Amend paragraph 1.3.1 to read "Paragraph 170 <u>175</u> of the National Planning Policy Framework 2019 (NPPF)..."

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG22	Yorkshire Wildlife Trust	1.3.2	<p>Paragraph 1.3.2 states that the use of a 'Biodiversity Metric (most likely the Biodiversity Metric 2.0) will be required.' Whilst we do not disagree with this statement, we believe additional clarity over the reference to the metric should be made. The metric referenced is the Defra Beta Biodiversity Metric 2.0 (BD2020-10, 2019) and is currently under review with the expectation that an update version will be released early in 2021. It would therefore be encouraged to include reference to use of the updated versions of this metric, as and when they are released. Clarification for why this metric is favoured may also be beneficial, i.e., that it provides a national standard by which sites can be directly compared and for which constraints and limitations are well known.</p> <p>We believe it is worth including the mention, for clarity, that the metric, and principles of biodiversity net gain, utilise habitats as a proxy for biodiversity value. As such, it is a tool for the relative biodiversity value of a site and does not reduce the need of professional survey or judgement with regards to protected site and species and/or locally rare or important habitats. As the metric is based on national data sets, it would be useful for the LPA to highlight those habitats which are of additional local value than is represented within the metric. This is touched upon in paragraph 1.4.2 with reference to Biodiversity Opportunity Zones, however focuses on compensatory habitat creation rather than</p>	<p>Additional clarity over the reference to the Biodiversity Metric should be made. It would be encouraged to include reference to use of the updated versions of the Biodiversity Metric 2.0, as and when they are released. Clarification for why this metric is favoured may also be beneficial.</p> <p>We believe it is worth including the mention, for clarity, that the metric, and principles of biodiversity net gain, utilise habitats as a proxy for biodiversity value. As such, it is a tool for the relative biodiversity value of a site and does not reduce the need of professional survey or judgement with regards to protected site and species and/or locally rare or important habitats. As the metric is based on national data sets, it would be useful for the</p>	<p>Proposed Change.</p> <p>Agree that further clarification regarding the version of the metric to be utilised, particularly any future updates, should be included. Add additional text to paragraph 1.3.2 to state "... (most likely the <u>latest version of the Biodiversity Metric 2.0</u> will be required."</p> <p>Agree that additional clarification regarding the reason for utilising a metric would be beneficial. Add additional sentence to paragraph 1.3.2 to read "<u>... required. <i>The Biodiversity Metric 2.0 is the successor to the metric published by Defra in 2012 and has been co-developed with the input of industry, environmental NGOs, planners and land managers and therefore is regularly updated and reviewed in line with relevant practice. Its use provides a national standard by which biodiversity gains and losses may be calculated.</i></u>"</p> <p>Agree that habitats of principal importance within Kirklees should be highlighted as possessing additional value. Add additional sentence to paragraph 1.4.2 to read "<u>... <i>website under Biodiversity. The UK Habitats of Principal Importance relevant to Kirklees are included in Table 1 which identifies their associated biodiversity opportunity zone. Habitats included within this table are</i></u></p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			initial avoidance of these locally important features.	LPA to highlight those habitats which are of additional local value than is represented within the metric.	<p><i><u>considered of higher local ecological value and should be considered for retainment, enhancement or creation within developments located in the associated Biodiversity Opportunity Zone.</u></i></p> <p>Insert new table which identifies the habitats of principal importance table and the Biodiversity Opportunity Zones.</p>
SPD_BNG23	Yorkshire Wildlife Trust	2.1.2	Paragraph 2.1.2 would benefit from including detail over which factors applied within the metric are fixed (i.e., distinctiveness) and which require input from the consultant as a result of survey effort (i.e., condition). It would also be worthwhile to highlight at this stage that the metric utilises inputs from UK Habitat Classification which is becoming the standard for ecological habitat surveys. Whilst conversion tables are available between NVC and Phase 1 to UK Habs, these are not directly comparable and survey in the first instance in UK Habs should be encouraged.	Paragraph 2.1.2 would benefit from including detail over which factors applied within the metric are fixed (i.e., distinctiveness) and which require input from the consultant as a result of survey effort (i.e., condition). It would also be worthwhile to highlight at this stage that the metric utilises inputs from UK Habitat Classification which is becoming the standard for ecological habitat surveys. Whilst conversion tables are available between NVC and Phase 1 to UK Habs, these are not directly comparable and survey in the first instance in UK	<p>Proposed Change.</p> <p>Agreed that some factors within the metric are fixed and others will require further survey and input by an ecologist. However, it is considered that this is sufficiently addressed within Section B: Guidance for Ecological Consultants of the TAN and within the supporting user guidance of the Biodiversity Metric 2.0 which is linked in within supporting documents in paragraph 5.2.1.</p> <p>Agree that reference that the metric requires input from the UK Habitat Classification should be included. Add sentence to paragraph 2.1.1 to read "... value. <i><u>The metric is based on the UK Habitat Classification system however a conversion tool allows translation from Phase 1 JNCC habitats.</u></i> The metric...".</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
				Habs should be encouraged.	Add additional paragraph to 6.2 to read <u>"6.2.4 Habitat type identification during ecological surveys should be completed through the use of UK Habitat Classification System to allow direct input into the metric. This removes the need to translate habitats from alternative habitat recording systems such as Phase 1 JNCC, which may not be directly comparable, and ensures data is directly comparable on a national scale."</u>
SPD_BNG24	Yorkshire Wildlife Trust	2.2.1	<p>Paragraph 2.2.1 could be clearer that the BNG approach is additional to the mitigation hierarchy which must still be applied on all sites.</p> <p>It should be highlighted that guidance to the application of biodiversity net gain is clear that compensatory habitats should be included on site wherever possible. Off-site compensation should only be considered as a last resort with clear justification for why on-site gains are not possible. Feasibility studies should be undertaken to ensure sites chosen are those with the highest likelihood of on-site gains.</p>	Paragraph 2.2.1 could be clearer that the BNG approach is additional to the mitigation hierarchy which must still be applied on all sites. It should be highlighted that guidance to the application of biodiversity net gain is clear that compensatory habitats should be included on site wherever possible. Feasibility studies should be undertaken to ensure sites chosen are those with the highest likelihood of on-site gains.	<p>No Change.</p> <p>Agree that BNG approach is additional to the mitigation hierarchy and must be applied to all sites. This is addressed throughout the TAN in paragraph 2.2.1, Table 1 (including the use of feasibility studies), 3.2.3, 3.3.1, 3.4.1, 4.3.2 and 6.1.2.</p>
SPD_BNG25	Yorkshire Wildlife Trust	3.1.1	Paragraph 3.1.1 should clarify that the principle of 10% net gain applies to all individual habitats and linear features and should not just represent an overall gain.	Paragraph 3.1.1 should clarify that the principle of 10% net gain applies to all individual habitats and	<p>Proposed Change.</p> <p>Agree that best practice in accordance with the Biodiversity Net Gain 2.0 guidance</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
				linear features and should not just represent an overall gain.	<p>would be to result in a 10% net gain in each baseline broad habitat (if above medium distinctiveness) or linear feature. Add additional sentence to paragraph 3.1.1. to read “The change in biodiversity value will be calculated and demonstrated using the Biodiversity Metric 2.0 <u>and must apply to both baseline habitat and linear feature units on the site.</u>”</p> <p>Add additional paragraph to section 7.1 to read “<u>7.1.4 In addition to a 10% biodiversity net gain overall on the site (in both habitat units and linear features, depending on the ecological baseline of the site), a 10% gain should be achieved in each broad habitat type identified on the site with a distinctiveness of medium or above.</u>”</p>
SPD_BNG26	Yorkshire Wildlife Trust	3.2	Section 3.2 states that minor developments are not expected to apply the metric or achieve net gains. We disagree with this as guidance is clear only permitted development and householder applications are likely to be exempt from this policy. As the metric is proportional to the habitats lost, it is still appropriate to apply these principles to minor developments. Defra are expected to release a ‘small site metric’ for such circumstances which is expected late 2020/early 2021. Minor developments should therefore still be included within this policy and advice note.	Minor developments should be included within this policy and advice note.	<p>No Change.</p> <p>Although the introduction of the Environment Bill will mandate all development covered by the Town and Country Planning Act to achieve a measurable net gain. At the time of writing, a ‘small site’ metric had not been released by DEFRA and therefore minor developments are currently not required to utilise a metric. All development is expected to follow the ecological mitigation hierarchy and achieve a biodiversity net gain in line</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
					with Local Plan policy LP30 regardless as stated within paragraph 4.3.2.
SPD_BNG27	Yorkshire Wildlife Trust	3.3.2	<p>Paragraph 3.3.2 should include reference to UK Habitat Classification as the preferred survey method (as above) and specify that condition assessments in order to support the metric are expected to be undertaken during the survey of the site to ensure accuracy. The justification for the condition of each habitat should be cleared outlined within the EclA.</p> <p>We agree that provision of the full metric spreadsheet and relevant GIS files/maps to relate to the metric calculations should be provided in order to allow proper assessment to take place by the LPA and consultees.</p>	Paragraph 3.3.2 should include reference to UK Habitat Classification as the preferred survey method and specify that condition assessments in order to support the metric are expected to be undertaken during the survey of the site to ensure accuracy. The justification for the condition of each habitat should be cleared outlined within the EclA.	<p>Proposed Change.</p> <p>Support for requirement of metric spreadsheet and GIS files/maps welcomed.</p> <p>Agree that reference that the metric requires input from the UK Habitat Classification should be included. Add sentence to paragraph 2.1.1 to read "... value. <u>The metric is based on the UK Habitat Classification system however a conversion tool allows translation from Phase 1 JNCC habitats.</u> The metric...".</p> <p>Add additional paragraph to 6.2 to read "<u>6.2.4 Habitat type identification during ecological surveys should be completed through the use of UK Habitat Classification System to allow direct input into the metric. This removes the need to translate habitats from alternative habitat recording systems such as Phase 1 JNCC, which may not be directly comparable, and ensures data is directly comparable on a national scale.</u>"</p>
SPD_BNG28	Yorkshire Wildlife Trust	3.3.3	We are encouraged to see that Table 1 specifies how the utilisation of the metric should influence the masterplan design of developments and be undertaken at an early stage. This could however	Could include clarification (as in section 2.2) that ecological information and use of the metric	<p>No Change.</p> <p>Support for utilisation of the metric to influence master planning of development</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			be expanded to include clarification (as in section 2.2) that ecological information and use of the metric should be included at the very early feasibility stages of development.	should be included at the very early feasibility stages of development.	noted and welcomed. Agreed that that ecological information and use of the metric should be included at early feasibility studies and this is outlined within Table 1: Stage 1 and Section 6.1.
SPD_BNG29	Forestry Commission	Biodiversity Net Gain in Kirklees Technical Advice Note.	<p>Thank you for seeking the Forestry Commission's advice on the Biodiversity Net Gain in Kirklees Technical Advice Note.</p> <p>We support that there should be no losses in the extent of woodland cover as part of the delivery of this Advice Note and ideally that woodland cover should be increased in the Kirklees area in line with the forthcoming DEFRA England Tree Strategy, UK Forestry Standard and through delivery projects such the White Rose Forest and the Northern Forest initiative.</p> <p>Below I will outline:</p> <ul style="list-style-type: none"> • Details of Government Policy relating to ancient woodland • Information on the importance and designation of ancient woodland • Information on Woodland Creation in relation to this Technical Advice Note <p>Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover.</p>	The above is taken into account when developing the Biodiversity Net Gain in Kirklees Technical Advice Note.	<p>Proposed Change.</p> <p>Support for no losses in the extent of woodland cover noted and welcomed.</p> <p>Comments regarding ancient woodland designation as an irreplaceable habitat and statutory protection noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless <i>“there are wholly exceptional reasons and a suitable compensation strategy exists”</i> (National Planning Policy Framework paragraph 175).</p> <p>We also particularly refer you to further technical information set out in Natural England and Forestry Commission’s Standing Advice on Ancient Woodland – plus supporting Assessment Guide and Case Decisions.</p> <p>As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.</p> <p>One of the most important features of Ancient woodlands is the quality and inherent biodiversity of the soil; they being relatively undisturbed physically or chemically. This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:</p>		<p>Agreed that direct and indirect impacts of development could result in the loss or deterioration of ancient woodland. As ancient woodland is considered an irreplaceable habitat, impacts to these are not to be considered by the biodiversity metric 2.0 and be considered in accordance with the policy requirements, and in line with the legal responsibilities of the Local Planning Authority.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<ul style="list-style-type: none"> • damaging or destroying all or part of them (including their soils, ground flora or fungi) • damaging roots and understory (all the vegetation under the taller trees) • damaging or compacting soil around the tree roots • polluting the ground around them • changing the water table or drainage of woodland or individual trees • damaging archaeological features or heritage assets <p>It is therefore essential that the ancient woodland identified is considered appropriately to avoid the above impacts.</p> <p>We recommend that any woodland creation by any means and woodland management works are carried out in accordance to the UK Forestry Standard : https://www.gov.uk/government/publications/the-uk-forestry-standard This guidance sets out the UK government’s approach to sustainable forestry, including standards and requirements, regulations and monitoring, and reporting.</p> <p>The Forestry Commission would strongly encourage the Kirklees Council consider climate change when developing their Biodiversity Net Gain Advice Note. The predicted changes in temperature along with introduced plant pests</p>		<p>No Change.</p> <p>The aim of the BNGTAN is to provide detailed guidance on achieving biodiversity net gain through development which</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>and diseases mean that we there is a need to create and manage woodlands that are more resilient to these threats.</p> <p>Woodland adaption for resilience can be achieved through.</p> <ul style="list-style-type: none"> • Planting a wider range of tree species • Using seed from a wider range of origins and provenances, including planting native trees outside their natural range. • Encouraging natural regeneration where it is likely to be successful, to encourage evolutionary adaptation and as the climate changes • Protecting from damaging animals <p>Further information can be found in the Forestry Commissions guide to Responding to the climate emergency with new trees and woodlands</p> <p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892714/Responding_to_the_climate_emergency_with_new_trees_and_woodlands.pdf</p> <p>We also recommend using the Ecological Site Classification Decision Support System when choosing species to be planted as apart of Biodiversity Net Gain :</p> <p>https://www.forestresearch.gov.uk/tools-and-</p>		<p>includes measures to help to respond climate change.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>resources/ecological-site-classification-decision-support-system-esc-dss/.</p> <p>A summary of Government policy on ancient woodland</p> <p>Natural Environment and Rural Communities Act 2006 (published October 2006).</p> <p>Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.</p> <p>National Planning Policy Framework (published February 2019).</p> <p>Paragraph 175 – “<i>development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists</i>”.</p> <p>Planning Practice Guidance (published March 2014)</p> <p>This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non statutory consultee</p>		<p>Summary of protection afforded to ancient woodland sites and further guidance available noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>on “<i>development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in Natural England’s Ancient Woodland Inventory), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings”</i></p> <p>It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient semi-natural woodland in the National Planning Policy Framework. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.</p> <p>The UK Forestry Standard (4th edition published August 2017).</p> <p>Page 23: “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance (SLNCIs)”.</p>		<p>Proposed Change.</p> <p>Agreed that both semi-natural ancient woodland and plantations of ancient woodland should be treated equally in terms of protection afforded. Add addition text to paragraph 2.3.2 to read “...Local Wildlife Site (LWS, Ancient <i>Semi-Natural Woodland</i>, <i>Plantations on Ancient Woodland Sites</i> and...”</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>Keepers of Time – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).</p> <p>Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.</p> <p>Natural Environment White Paper “The Natural Choice” (published June 2011)</p> <p>Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.</p> <p>Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.</p> <p>Standing Advice for Ancient Woodland and Veteran Trees (first published October 2014, revised November 2017)</p> <p>This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.</p> <p>The Standing Advice refers to an Assessment Guide. This guide sets out a series of questions to</p>		<p>Standing advice noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>help planners assess the impact of the proposed development on the ancient woodland. Summaries of some Case Decisions are also available that demonstrate how certain previous planning decisions have taken planning policy into account when considering the impact of proposed developments on ancient woodland.</p> <p>Biodiversity 2020: a strategy for England's wildlife and ecosystem services (published August 2011).</p> <p>Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).</p> <p>Importance and Designation of Ancient and Native Woodland</p> <p>Ancient Semi Natural Woodland (ASNW)</p> <p>Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England's Inventory of Ancient Woodland.</p> <p>Plantations on Ancient Woodland Site (PAWS)</p> <p>Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can</p>		

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England's Inventory of Ancient Woodland.</p> <p>Other Semi-Natural Woodland (OSNW)</p> <p>Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England that would arise naturally on the site). Sometimes known as 'recent semi-natural woodland'.</p> <p>Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.</p> <p>Information Tools – The Ancient Woodland Inventory</p> <p>This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition, ancient woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more</p>		

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>technical detail see Natural England's Ancient Woodland Inventory. Inspection may determine that other areas qualify.</p> <p>Further Guidance</p> <p>Felling Licences - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.</p> <p>Environmental Impact Assessment - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.</p>		
SPD_BNG31	Barratt and David Wilson Homes Yorkshire West	Page 7, Paragraph 3.1.1	<p>We support Biodiversity Net Gain (BNG) and this is something which has been a requirement via the NPPF for some time now.</p> <p>However, we are fully aware that the Government will be introducing a 10% BNG requirement via the Environmental Bill in 2021. Currently this is not expected to take place until Spring 2021 at the earliest and even then, there will be a 2 year transition period before this specific benchmark comes in to force. This is 2 years from when the</p>	We would suggest that the interim guidance is written to complement the sequence of events that should happen at a national level where a LPA does not have a specific policy requirement in percentage terms. Rather than contradict national guidance. Given that this	<p>No Change</p> <p>Support for biodiversity net gain noted and welcomed.</p> <p>The requirement for development to achieve a biodiversity net gain is set out in the adopted Local Plan policy LP30 (Biodiversity and Geodiversity).</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>Environment Bill receives royal assent. Where a Local Planning Authority (LPA) does not have a local plan policy in place specifying a particular requirement in percentage terms, then it can not require 10% until the new legislation comes in to affect and only after the transition period ceases.</p> <p>Thus, we object to a 10% requirement ahead of this being brought in by Government. To do so would cause not only cause confusion and uncertainty to everyone involved in the development industry, but there would be no legal basis on which to request this.</p> <p>We accept that the new national requirement will take place in due course, but it is only fair for this to start in accordance with government guidance and not before.</p> <p>We do not object to the LPA bringing out guidance to support developers and others in ensuring that BNG is achieved in line with current NPPF requirements. However, we would strongly recommend that the reference to requiring 10% prior to this being set as a national requirement is removed.</p>	<p>is only an interim guidance until national guidance comes in, we would suggest removing all reference to 10%. Or hold off on adopting this guidance, until 1) the 10% requirement comes in to force and 2) when Government have issued more clarity on this matter, to ensure that any local document does not conflict with national guidance.</p>	<p>The requirement for a 10% biodiversity net gain post-development is in line with the forthcoming national legislation and neighbouring local authorities. The introduction of this target within Kirklees it to aid the transition during the interim period until the introduction of the Environment Bill. The requirement for a measurable net gain is not the creation of new policy rather a new method of quantifying net gain consistently across developments and districts.</p> <p>The TAN will be reviewed and updated in line with the latest government guidance when available.</p>
SPD_BNG32	Yorkshire Wildlife Trust	3.4	<p>Section 3.4 could be stronger to demonstrate that all net gains should be delivered on site wherever possible, with off-site compensation a last resort.</p>	<p>Section 3.4 could be stronger to demonstrate that all net gains should be delivered on site wherever possible, with</p>	<p>Proposed Change.</p> <p>Provide additional paragraph above 3.4.1 stating that "<u>3.4.1 A biodiversity net gain achieved within the development site is the</u></p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
				off-site compensation a last resort.	<p><u>preferred option within Kirklees. The method of achieving a biodiversity net gain should be integrated early into the design process and the mitigation hierarchy followed to assist in this.</u></p> <p>Change paragraph 3.4.1 to read “<u>3.4.2</u> In the event a development proposal is unable to demonstrate a biodiversity net gain within the application area, following the correct application of the mitigation hierarchy and justification using the metric <u>In exceptional circumstances where it can be demonstrated that on-site compensation methods have been exhausted</u>, it will be necessary to secure biodiversity net gain off-site”.</p>
SPD_BNG33	Yorkshire Wildlife Trust	3.4	This section should also clarify what tariff has been set by the LPA for each Biodiversity Unit, as is the approach taken by other LPA’s nationwide to ensure there is not a favourable bias towards some sites or developers. The tariff will have to take into account local land costs and considerations over the ability to create new habitats. Tariffs already set range between £9,000-£15,00 per unit in the national Defra consultation (2019), to £40,000 per unit in Warwickshire and £93,570.48 per unit in some London boroughs.	Should clarify what tariff has been set by the LPA for each Biodiversity Unit, as is the approach taken by other LPA’s nationwide to ensure there is not a favourable bias towards some sites or developers.	<p>No Change.</p> <p>The tariff per biodiversity unit is subject to change frequently with fluctuations in land prices and local market demand. In addition, there is current market research on-going on the local value of biodiversity units by local authorities and government bodies in preparation for the introduction of the Environment Bill. Therefore, in the interim period this guidance applies to, each application will be assessed on a case-by-case basis by the LPA and a commuted sum devised based on the most recent relevant evidence. This will be subject to review when further information is forthcoming or when an update of the guidance is undertaken.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG34	Yorkshire Wildlife Trust	3.4	This section should also include clarification that off-site compensation will not be accepted on sites which are already required to being habitats into favourable condition e.g., as a result of their designation or as a condition of another planning application. Sites may, however, be appropriate if the condition is to be further improved or if LWS currently not in favourable management, or under any other responsibility, are brought into management to enhance their designating features.	Should include clarification that off-site compensation will not be accepted on sites which are already required to being habitats into favourable condition. Sites may, however, be appropriate if the condition is to be further improved or if LWS currently not in favourable management, or under any other responsibility, are brought into management to enhance their designating features.	Proposed Change. Agree to add additional text regarding sites to be excluded from compensation schemes. Amend paragraph 3.4.3 to read "Offsite compensation schemes that involve land allocated for development within the Kirklees Local Plan, including safeguarded land, <i>or within protected sites</i> will not be considered appropriate compensation for development impacts occurring within the district."
SPD_BNG35	Yorkshire Wildlife Trust	3.4	The guidance should include that those habitats that have a time to condition of over 30 years will usually not be accepted, as this is often beyond the lifetime of the development.	The guidance should include that those habitats that have a time to condition of over 30 years will usually not be accepted, as this is often beyond the lifetime of the development.	Proposed Change. Agreed that habitats which take longer than 30 years to establish will not usually be considered acceptable. Add additional sentence to paragraph 3.5.1 to read " <i>...maintenance of biodiversity. Therefore, any proposed habitat creation or enhancement which is predicted by the metric to take longer than 30 years to reach the target condition will not usually be accepted for biodiversity net gain purposes</i> ".

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG36	Yorkshire Wildlife Trust	3.5	Section 3.5 should specify that monitoring should utilise the same version of the metric as was utilised at the planning application stage. It should also include provision for the revision of the EDS with scope for remedial or retrospective works/habitat creation to be undertaken or changes in management strategies applied, should the habitats be found to not be meeting the required condition stated in the initial application.	Section 3.5 should specify that monitoring should utilise the same version of the metric as was utilised at the planning application stage. It should also include provision for the revision of the EDS with scope for remedial or retrospective works/habitat creation to be undertaken or changes in management strategies applied, should the habitats be found to not be meeting the required condition stated in the initial application.	<p>Proposed Change.</p> <p>Agreed that the monitoring should utilise the same version of the metric as was utilised within the planning application. Add additional sentence to paragraph 3.5.3 to read “...Biodiversity Metric 2.0. <u>The monitoring of sites should utilise the same version of the metric as accompanied the planning application.</u>”</p> <p>Agree that provision for remedial measures or changes to the management regime should be included. Add sentence to paragraph 3.5.4 to read “...may be taken. <u>Revisions may be required to original management accompanying the planning application in this instance and this should be accompanied adequate evidence and justification for the proposed changes.</u>”</p>
SPD_BNG37	Yorkshire Wildlife Trust	4.2	Section 4.2, we are pleased to see consideration of baseline values in this context.	Section 4.2, we are pleased to see consideration of baseline values in this context.	<p>No Change.</p> <p>Support noted and welcomed.</p>
SPD_BNG38	Yorkshire Wildlife Trust	4.3	With regards to Section 4.3, please refer to our comments above and the application of the small site metric due for release by Defra soon.	please refer to our previous comments and the application of the small site metric due for release by Defra soon.	<p>No Change.</p> <p>Although the introduction of the Environment Bill will mandate all development covered by the Town and Country Planning Act to achieve a measurable net gain. At the time of writing,</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
					a 'small site' metric had not been released by DEFRA and therefore minor developments are currently not required to utilise a metric. All development is expected to follow the ecological mitigation hierarchy and achieve a biodiversity net gain in line with Local Plan policy LP30 regardless.
SPD_BNG39	Yorkshire Wildlife Trust	5.1.2	Within, paragraph 5.1.2 we would encourage the inclusion of priority habitats and local BAP habitats as being of high strategic significance.	We would encourage the inclusion of priority habitats and local BAP habitats as being of high strategic significance.	Proposed Change. Agree that habitats of principal importance within Kirklees should be given a higher value within the appropriate biodiversity opportunity zones. Add additional sentence to paragraph 5.1.2 to read "... the Kirklees Wildlife Habitat Network. <i>Any Habitat of Principal Importance within Kirklees located within the associated Biodiversity Opportunity Zone.</i> "
SPD_BNG40	Yorkshire Wildlife Trust	5.2.1	should include draft BS 8683 (2020) as a relevant guidance document.	should include draft BS 8683 (2020) as a relevant guidance document.	No Change. As BS 8683 (2020) is still a draft document it cannot be included within the TAN at this stage. Should the TAN be updated in the future and the BS 8683 (2020) be published, its inclusion at this stage would be considered.
SPD_BNG41	Yorkshire Wildlife Trust	6.1.1	Section 6.1 could include historic maps (inferred later on) and local species groups (e.g., West	Could include historic maps and local species groups as resources for	Proposed Change.

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			Yorkshire Bat Group) as resources for desk-based studies of sites.	desk-based studies of sites.	Agree that local wildlife groups provide valuable information in many cases and the use of these should be encouraged. Add additional words to paragraph 6.1.1 to read "... Records Centre <u>and records from the local wildlife protection groups</u> ".
SPD_BNG42	Yorkshire Wildlife Trust	6.2.2	Within paragraph 6.2.2 it should be highlighted that all mitigation and compensation for designated sites and protected species must be undertaken prior to the application of biodiversity net gain which is considered to be additional.	It should be highlighted that all mitigation and compensation for designated sites and protected species must be undertaken prior to the application of biodiversity net gain which is considered to be additional.	Proposed Change. Agreed that mitigation for designated sites and irreplaceable habitats is additional. Add sentence to paragraph 6.2.2 to read "...of the EclA. <u>Bespoke compensation or mitigation required for impacts to designated sites and irreplaceable habitats must be determined prior to application of the metric, which is considered to be additional</u> "
SPD_BNG43	Yorkshire Wildlife Trust	6.2	Section 6.2 should also highlight the preferential approach of utilising UK Habitat Classification system, rather than converting from NVC or Phase 1, and how condition assessments must be undertaken during the site visit.	Should highlight the preferential approach of utilising UK Habitat Classification system, rather than converting from NVC or Phase 1, and how condition assessments must be undertaken during the site visit.	Proposed Change. Agree that reference that the metric requires input from the UK Habitat Classification should be included. Add sentence to paragraph 2.1.1 to read " <u>The metric is based on the UK Habitat Classification system however a conversion tool allows translation from Phase 1 JNCC habitats</u> ".

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
					Add additional paragraph to 6.2 to read <u>"Habitat type identification during ecological surveys should be completed through the use of UK Habitat Classification System to allow direct input into the metric. This removes the need to translate habitats from alternative habitat recording systems such as Phase 1 JNCC, which may not be directly comparable, and ensures data is directly comparable on a national scale."</u>
SPD_BNG44	Yorkshire Wildlife Trust	7.1	We feel that section 7.1 would benefit from clarity that net gain must be achieved in all habitat types. However, are supportive that condition changes above one step change are unlikely to be realistic and must have clear and robust justification. This section should also include mention, as above, that habitats that take over 30 years to condition will generally not be accepted.	Would benefit from clarity that net gain must be achieved in all habitat types. Should include mention that habitats that take over 30 years to condition will generally not be accepted.	<p>Proposed Change.</p> <p>Support for the requirement that condition changes of habitats must be realistic and justified.</p> <p>Agree that clarification regarding that a 10% net gain must be achieved from the baseline value of each habitat type should be provided. As this is addressed within paragraph 7.4.1, Section 7.1 is considered to be the most appropriate place to include further details. Add additional paragraph to 7.1 to read <u>"7.1.4 In addition to a 10% biodiversity net gain overall on the site (in both habitat units and linear features, depending on the ecological baseline of the site), a 10% gain should be achieved in each broad habitat type identified on the site with a distinctiveness of medium or above."</u></p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG45	Yorkshire Wildlife Trust	7.3.1	Section 7.3 should clarify that it is most acceptable for residential curtilages, including gardens, be included within the metric as 'Urban – Unvegetated Garden' or 'Urban – Developed/Sealed Surface'.	Should clarify that it is most acceptable for residential curtilages, including gardens, be included within the metric as 'Urban – Unvegetated Garden' or 'Urban – Developed/Sealed Surface'.	No Change. The inclusion of vegetated gardens or other biodiversity net gain features within the curtilage of residential gardens will be considered on a case by case basis provided these are considered realistic or can be secured through an appropriate legal agreement.
SPD_BNG46	Yorkshire Wildlife Trust		The advice note would also benefit from inclusion of what is expected to be included under 'Accelerated Succession' and 'Enhancement'. Generally speaking, we would view the transformation of scrub to woodland as appropriate under accelerated succession but would not view the complete loss of a habitat which is then replanted to be considered in this way, nor loss of a priority habitat to be 'succussed' to woodland.	The advice note would also benefit from inclusion of what is expected to be included under 'Accelerated Succession' and 'Enhancement'.	No Change The Accelerated succession tool currently included within the Biodiversity Metric 2.0 is currently considered to have significant errors and is due to be removed/replaced within the updated metric as indicated by the latest public consultation by Natural England therefore further clarification regarding its use is not considered to be required.
SPD_BNG47	Yorkshire Wildlife Trust		It should be made clear that any temporary loss of habitats due to construction should be considered permanent due to the time to recreate these habitats on site.	It should be made clear that any temporary loss of habitats due to construction should be considered permanent due to the time to recreate these habitats on site.	Proposed Change. Agree that clarification that the temporary loss of habitats needs to be considered as a loss, should be incorporated into the TAN. Add additional paragraph to section 7.1 to read " <u>7.1.5 Where temporary habitat losses are set to occur as a result of the proposals, these must be classed as permanent and any</u>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
					<i>reinstated habitats recorded as newly created within the metric. This is to account for the time taken for habitats to re-establish following damage and the risk of failure”.</i>
SPD_BNG48	Yorkshire Wildlife Trust		<p>The Trust would also recommend inclusion of details of the ‘Building with Nature’ initiative within the Advice Note. Building with Nature is a framework that enables developers to integrate high-quality multifunctional green infrastructure to create places in which people and nature can flourish. It provides developers with a possible mechanism to deliver a number of policies including LP 27, 28, 29, 30 and 31 and to meet the targets being explored by WYCA to improve Green Infrastructure across the region. We also believe that this approach would help developers achieve those ambitions set out within the Open Space SPD currently being consulted on.</p> <p>Building with Nature sets out standards to provide a benchmark to be used in addition to the Biodiversity Net Gain metric, in order to provide a qualitative assessment of a proposed development site. The Building with Nature (BwN) key themes are:</p> <ul style="list-style-type: none"> • Core – Distinguishing green infrastructure from a more conventional approach to provision of open and green space. • Wildlife – to protect and enhance wildlife, 	Recommend inclusion of details of the ‘Building with Nature’ initiative within the Advice Note.	<p>No Change.</p> <p>Comments regarding inclusion of the ‘Building with Nature’ initiative noted. It is recognised that there are various initiatives and schemes which complement the achievement of biodiversity net gain within development. However, as the specific method of incorporating biodiversity within development are not covered by this TAN, the inclusion or reference to such schemes is considered outside of the scope of the document.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>creating networks where nature can thrive, and supporting the creation of development which more effectively delivers a net gain for wildlife.</p> <ul style="list-style-type: none"> • Water – a commitment to improving water quality, on site and in the wider area: reducing the risk of flooding and managing water naturally for maximum benefit. • Wellbeing – to deliver health and wellbeing benefits through the green features on site, making sure they can be easily accessed by people close to where they live. <p>Building with Nature is a voluntary approach developed by practitioners, policy-makers and academic experts, and tested with the people who will use and benefit from the framework. There are three levels of accreditation; Design, Full (Good) and Full (Excellent) and schemes can be assessed at pre-application, reserved matters and post-construction/in-use stages. Further information can be accessed via the website: https://www.buildingwithnature.org.uk. Yorkshire Wildlife Trust has two Building with Nature trained assessors and is keen to progress this approach with developers.</p>		
SPD_BNG49	Yorkshire Wildlife Trust	3.3.3	We would also be encouraged by the inclusion of the requirement for an Ecological Design Strategy (EDS) to be provided along with the EclA (rather than the CEMP and LEMP currently required at stage 5) and developed at the very early stages of development, which outlines how habitats (and	We would be encouraged by the inclusion of Ecological Design Strategy (EDS) along with EclA, rather than the CEMP and LEMP at stage 5. The EDS	<p>No Change.</p> <p>Although the consideration of an Ecological Design Strategy or Landscape & Ecological Management Plan is encouraged, the requirement for this at an early stage of the</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			species) will be protected on site following the mitigation hierarchy, how habitats will be created, managed and monitored in perpetuity (or for a minimum of 30 years) along with responsibilities for each stage (as per draft BS 8683). Whilst we appreciate these will not be possible to finalise in early stages, a working document should be submitted with the application and updated as required at each stage of design in accordance with BS 8683. These should be finalised by stage 5 as currently shown in Table 1.	<p>should be developed at the very early stages of development and it should outline</p> <p>how habitats (and species) will be protected on site following the mitigation hierarchy, how habitats will be created, managed and monitored in perpetuity (or for a minimum of 30 years) along with responsibilities for each stage (as per draft BS 8683). a working document should be submitted with the application and updated as required at each stage of design in accordance with BS 8683. These should be finalised by stage 5 as currently shown in Table 1.</p>	development is on a case-by-case basis. Should further detail be required for security of a biodiversity net gain, these documents may be requested prior to determination. It is not considered appropriate to reference BS 8683 within the TAN as the document is still a draft and may be subject to significant changes.
SPD_BNG50	Environment Agency	para 1.3.4	<p>Paragraph 1.3.4</p> <p>The following sentence contains a typing error: “...leaves the natural environment is a measurably better state than it was beforehand.”</p>		<p>Proposed Change.</p> <p>Typing error within Paragraph 1.3.4 to be corrected to read “leaves the natural environment <i>in a measurably</i> better state than it was beforehand.”</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
SPD_BNG51	Environment Agency	para 2.1.1	<p>Paragraph 2.1.1</p> <p>For the avoidance of doubt, and to highlight the key difference between the original metric and the Biodiversity Metric 2.0, we would very much welcome the recognition of river habitat in the following sentence:</p> <p>“The metric is based on habitats and incorporates separate modules for habitats measured in area (such as woodland and grassland) and linear habitats measured in length (such as hedgerows and rivers)”.</p> <p>We note there is a link to the metric and guidance provided in paragraph 5.2.1 (Section B: Guidance for Ecological Consultants), but think it would be useful to include either a link at the end of paragraph 2.1.1 as well, or signpost readers to the link provided in paragraph 5.2.1.</p>		<p>Proposed Change.</p> <p>Agree that recognition of river units should be included. Add additional words to paragraph 2.1.1 to read “linear habitats measured in length (such as hedgerows <u>and rivers</u>).”</p> <p>Agree that link could be included to the current metric within Section 2. Add additional text to end of paragraph 2.1.1 to read “...is determined <u>and can be accessed at the Natural England Publications Website</u>.”</p>
SPD_BNG52	Environment Agency	para 3.1.1	<p>Paragraph 3.1.1</p> <p>Section 3.1.1 seems like a good place within the document to highlight the need for each of the habitat units present to be assessed and summed separately. To make this point as clear as possible, it would be useful to include more detail at the end of section 3.1.1 and suggest the following as an example:</p> <p>It is important to note that the biodiversity units calculated through the core habitat area-based metric and each of the supplementary linear units</p>		<p>Proposed Change.</p> <p>Agree that clarification regarding that a 10% net gain must be achieved from the baseline value of each habitat type should be provided. As this is addressed within paragraph 7.4.1, this is considered to be the most appropriate place to include further details. Add additional text to paragraph 7.4.1 to read “...individually. <u>In addition, a 10% net gain must be achieved in each individual habitat type contributing to the baseline value of the site</u>”.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>are unique and cannot be summed or converted. When reporting biodiversity gains or losses using the Biodiversity Metric 2.0, the different biodiversity unit types (i.e. core habitat area-based units, supplementary linear-based hedgerow units, and supplementary linear-based river units) must be reported separately and cannot be summed to give an overall biodiversity unit value. For example, in order for a development to achieve biodiversity net gain, it must demonstrate at least 10% net gain separately in each of the habitat units present on site.</p> <p>However, we recognise that this information is covered, to some extent, within section 7.4.1 and you may consider that a more appropriate place to expand the explanation.</p>		
SPD_BNG53	Environment Agency	para 3.3.3	<p>Paragraph 3.3.3</p> <p>We like the prescriptive and staged approach detailed within Table 1 which provides a clear step by step guide for developers.</p>		<p>No Change.</p> <p>Support noted and welcomed.</p>
SPD_BNG54	Environment Agency		<p>For your awareness, the Biodiversity Metric 3.0 is expected in January 2021, as this is an evolving tool. This should also be accompanied by updated guidance.</p> <p>We strongly encourage you to consider how you will continue to incorporate net gain within your Local Plan policies and Supplementary Planning Documents. You will need to consider any supporting evidence requirements.</p>		<p>No Change.</p> <p>Comments on updating and producing new guidance documents and local plan policies noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>Biodiversity net gain policy needs to be founded on a good yet proportionate evidence base. A good evidence base puts you in a strong position to shape the subsequent direction of policy. We encourage you to use the best available local environmental data. There is also an opportunity to consider Nature Recovery Strategies within this evidence gathering and wider natural capital goals.</p> <p>This is the opportunity to consider the local biodiversity priorities and the level of significance for sites. Areas set out by the local planning authority as strategically important are considered more important in the Natural England Biodiversity Net Gain Metric. We would highlight that any future policy and evidence base should include, and have particular reference to, riparian (water environment) habitats.</p> <p>Local Plan policies should reflect the objectives of the 25 Year Environment Plan and the Environment Bill. There is a legal duty to consider this through the NERC Act, NPPF and the Environment Bill when it receives Royal Assent. We encourage you to consider the importance of local context and partnership in net gain implementation.</p> <p>Pre-application Enquiries</p> <p>We appreciate this isn't mentioned in this note, but to be consistent with advice we have given to</p>		<p>Comments regarding pre-application discussions noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>other local authorities in Yorkshire, we offer the following comment:</p> <p>We are supportive of encouraging applicants and developers to engage in pre-application discussions which should then result in a better quality and more environmentally sensitive development. It would be possible, and we welcome, linking in with the Environment Agency planning advice service for specific advice on river habitats in regard to BNG. The terms and conditions of our charged for planning advice service are available here with further details available here.</p> <p>Working group</p> <p>We are aware that there is a West Yorkshire group forming that is looking to collaborate on BNG across the West Yorkshire Combined Authority area. We strongly encourage you to continue these discussions, policy formation and evidence gathering to work towards a robust net gain system.</p>		<p>Comments noted.</p> <p>Comments noted.</p>
SPD_BNG55	Holme Valley Vision	1.1.2	This is a substantive document, giving real guidance on how on the intent, meaning and mechanism work together to benefit the environment in which we all live. Given its technical nature, we are not in a position to comment in detail.		<p>No Change.</p> <p>Comments noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>We would like to remind the Council of the many local surveys and consultation exercises carried out in the Holme Valley over the last ten years. These have consistently shown the local people consider the environment and its care to be a high priority.</p> <p>We therefore welcome the Council's commitment and would support any action it has to take to "provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation". We are concerned, however that the policy statement in taking a negative rather than a positive stance will weaken its ability to make improvements to biodiversity.</p> <p>The policy currently states:</p> <p>"All development in Kirklees will be expected to avoid significant loss or harm to biodiversity through protection, mitigation and compensatory measures and seek opportunities to enhance biodiversity value and ecological links."</p> <p>We would recommend that the Council takes advantage of the new legislation to change this policy statement to read:</p> <p>"All development in Kirklees will be required to provide biodiversity gains through protection, mitigation and compensatory measures to reduce the impact of the development on the ecosystem</p>		<p>No Change.</p> <p>This policy is policy LP30 (Biodiversity & Geodiversity) of the adopted Local Plan and has been found 'sound' through the Local Plan Examination in Public. Statutory Local Plan policy can only be changed through a review of the Local Plan.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			affected by that development and seek opportunities to enhance biodiversity value and ecological links more generally.”		
SPD_BNG56	Holme Valley Parish Council	1.1.1	<p>Overall</p> <ul style="list-style-type: none"> • Welcome the issuing of these documents, which supply greater detail to supplement the provisions of the Local Plan. • Welcome being given the opportunity to comment on the documents. • Welcome the clarity of presentation • Welcome the frequent references to climate change / sustainability / biodiversity in the texts of all documents but there is no sense of urgency, given that Kirklees and HVPC have declared a climate emergency. Section 4.4 Sustainable design in SPD Extensions and alterations is noted. <p>General Response:</p> <p>Overall, the SPDs which are generally clearly laid out and provide a useful guide for applicants across the topics covered.</p> <p>They are in many ways aligned with the more detailed information within the Holme Valley Neighbourhood Development Plan which articulates more specifics about elements such as our landscape and built character and gives the</p>		<p>No Change.</p> <p>Not relevant to Biodiversity Net Gain TAN.</p> <p>Comments noted.</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>views of our community. This is important as the SPDs are written from a developer's perspective so we hope that they can be used in conjunction with the NDP to better understand the relationship between buildings and the community they sit within.</p> <p>Climate change and the need to act on the climate emergency is reflected in the SPDs but not expressed in the strong terms required to drive real action. For example, the Householders Design Guide only encourages or supports renewable technologies / shared energy projects rather than requiring these things to be considered as standard and only not applied if rationale is provided.</p> <p>It is important that new houses are built with solar panels, ground source heating etc. considered seriously from the start, not left to individual homeowners to add later. Many of the new developments in the valley do not seem to include these and indeed, utilities often appear to be added to and put under considerable pressure thereby causing problems for existing residents. The utilities should be enhanced, and recent problems have been visible such as recent flooding at the new housing in Scholes and lack of sufficient electrical supplies to support the promised car charging provision in Hade Edge.</p> <p>The House Extensions and Alterations SPD is an extremely useful document providing a full range</p>		

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>of positive and negative examples and we welcome this clarity which should be very helpful to those seeking to extend or alter their homes.</p> <p>Overall, we welcome the opportunity to contribute to these SPDs and the additional clarity they bring. Many terms within the SPDs are subjective such as referencing character, distinctiveness and public views and we recognise that this challenge of balancing specificity with the general values of an area is a challenge for all planning documents.</p> <p>However, we hope that together with the Holme Valley specifics of the NDP, these SPDs will provide a clearer articulation of what is acceptable in the future.</p>		
SPD_BNG57	Holme Valley Parish Council	3.2.2	<p>Holme Valley Parish Council welcomes the document and what it seeks to achieve, i.e., all development should avoid significant loss to biodiversity and development proposals should provide biodiversity gains</p> <p>We approve the requirement that minor developments, - i.e. less than 10 dwellings, - are subject to the mitigation hierarchy. As with all major developments, minor developments will still be expected to provide adequate ecological information, apply the mitigation hierarchy, and demonstrate a biodiversity net gain in accordance with the National Planning Policy Framework and Kirklees Local Plan Policy LP30.</p> <p>As we know most new build planning applications</p>		<p>No Change.</p> <p>Support on the requirement that all development follow the ecological mitigation hierarchy and provide biodiversity net gains noted and welcomed.</p> <p>Provisions for wildlife within the curtilages of residential properties are outside of the scope of technical advice note. However, the design of features for wildlife within these spaces is considered on a case-by-case basis based on the existing ecological functions of the site. Examples of opportunities to include feature for biodiversity net gain within residential dwellings and gardens are included within</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			<p>in the Holme Valley are for less than 10 houses.</p> <p>In General, we:</p> <ul style="list-style-type: none"> • Are encouraged by the requirement that new private gardens should be designed to be “wildlife friendly” but what does this mean in practice? • Support the Local Plan (LP30) requirement for development proposals to provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation. • Approve the notion that development should be carried out in line with the mitigation hierarchy as highlighted to result in no significant ecological harm. Use of this hierarchy, significant harm should be avoided. 		the Housebuilder Design Guide SPD and House Extensions and Alterations SPD.
SPD_BNG58	Redrow	1.2.1	<p>The Technical Advice Note (TAN) seeks to outline how the emerging Government approach within the Environment Bill 2019 will be applied within Kirklees. Much of the TAN relates to the use of the Biodiversity Metric 2.0 which is expected to be the confirmed tool for measuring net gain or loss.</p> <p>We note that the TAN seeks to supplement policy LP30 which sets out a requirement to avoid net loss in biodiversity within Kirklees and to provide measurable net gain within development proposals where opportunities exist. The TAN indicates that a 10% net gain will be sought.</p> <p>This is not consistent with LP30, and the TAN does</p>		<p>No Change.</p> <p>The requirement for development to achieve a biodiversity net gain is set out in the adopted Local Plan policy LP30 (Biodiversity and Geodiversity).</p> <p>The requirement for a 10% biodiversity net gain post-development is in line with the forthcoming national legislation and neighbouring local authorities. The introduction of this target within Kirklees it to aid the transition during the interim period until the introduction of the Environment Bill. The requirement for a</p>

Ref No.	Organisation	Document Section/ Page	Comment	Change(s) required	Council Response & Proposed Changes
			not have the ability to introduce new policy or supplementary policy. Whilst the Environment Bill remains in Draft, a 10% net gain cannot be reasonably be sought and the TAN should as a minimum acknowledge that in the interim, only the requirements of the policy will be sought.		measurable net gain is not the creation of new policy rather a new method of quantifying net gain consistently across developments and districts. The TAN will be reviewed and updated in line with the latest government guidance when available.
SPD_BNG59	Private Individual	1.1.1	Biodiverse plantation flowers is best and trees with fruits as all creation can enjoy the environment of that area.		No Change. Comment noted.

