
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 29-Jul-2021

Subject: Planning Application 2021/92086 Erection of 270 residential dwellings and associated infrastructure and access land at, Bradley Villa Farm, Bradley Road, Bradley, Huddersfield, HD2 2JX

APPLICANT

Redrow Homes Yorkshire

DATE VALID

25-May-2021

TARGET DATE

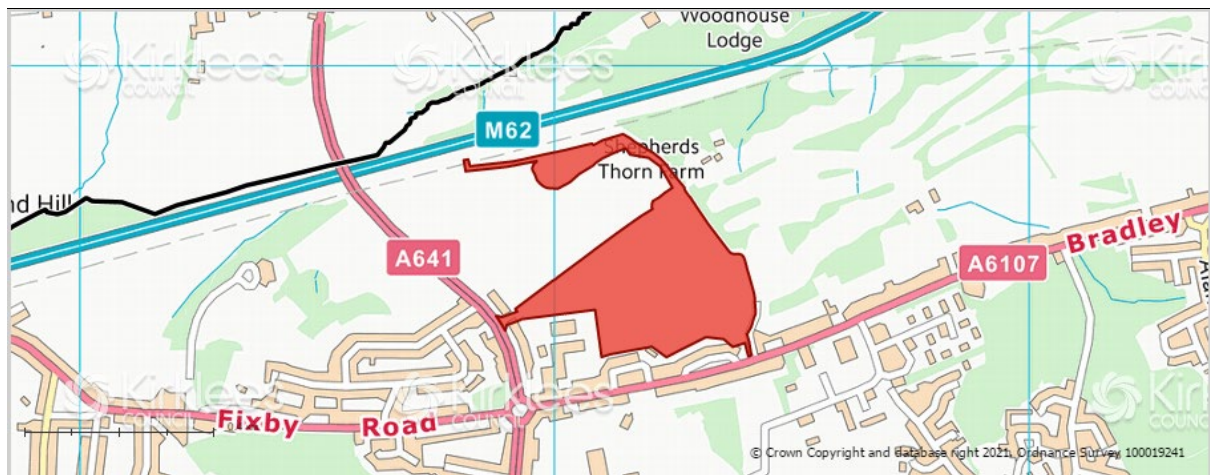
24-Aug-2021

EXTENSION EXPIRY DATE

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Ashbrow

Ward Councillors consulted: Yes

Public or private: Public

<p>RECOMMENDATION – POSITION STATEMENT – For Members to note the content of the report and presentation.</p>

1.0 INTRODUCTION

- 1.1 This application for full planning permission is presented to Strategic Planning Committee as the proposal is a residential development of more than 60 units.
- 1.2 The council's Officer-Member Communication Protocol provides for the use of Position Statements at Planning Committees. A Position Statement sets out the details of an application, the consultation responses and representations received to date, and the main planning issues relevant to the application.
- 1.3 Members of the Committee are invited to comment on the main planning issues to help and inform ongoing consideration of the application and discussions between officers and the applicant. This Position Statement does not include a formal recommendation for determination. Discussion relating to this Position Statement would not predetermine the application and would not create concerns regarding a potential challenge to a subsequent decision on the application made at a later date by the Committee.
- 1.4 A pre-application enquiry (ref: 2020/20411) was submitted in relation to the proposal. A pre-application report relating to that proposal was prepared for the Strategic Planning Committee's meeting of 28/04/2021 but was not considered at that meeting.

2.0 SITE AND SURROUNDINGS

- 2.1 The Bradley Villa Farm application site comprises approximately a fifth of the wider allocated site (HS11), at the west end of the allocation. The application site also includes 1.57 hectares of land within the green belt to the north of the allocated site. The application site is currently in agricultural use, and generally slopes downhill from southwest to east and northeast, while the part of the site within the green belt slopes downhill northwards towards the M62. Vehicular access is available from Bradford Road (the A641). Shepherds Thorn Lane forms the site's eastern boundary. To the south are the residential properties of Torcote Crescent and Bradley Road (the A6107). To the north are fields in agricultural use, within the green belt. The existing buildings of Bradley Villa Farm are not included in the application site. The application site includes the highest part of the allocated site (approximately 165m AOD, close to Bradford Road). Tree Preservation Order 17/98/t18 protects a Hawthorn tree within the application site. Site allocation HS11 notes that the western part of the allocated site includes an archaeological site.

- 2.2 The wider allocated site (HS11) has a 68.34 hectare gross site area, and a 62.84 net site area (excluding ponds and a buffer area to the north of the site from the developable area), and occupies much of the land between Bradley Road and the M62 to the north, including the 18-hole municipal golf course and driving range at Bradley Park. The majority of the allocated site (including the golf course and driving range) is council-owned. The eastern part of the allocated site has more varied topography, including Park Hill and undulations at the golf course. The lowest parts of the allocated site are at the junction of Bradley Road and Tithe House Way (approximately 110m AOD) and the northern tip of the allocated site (approximately 100m AOD). Vehicular access points currently exist at Shepherds Thorn Lane, Lamb Cote Road and Tithe House Way. Public Rights of Way enter and/or run through parts of the allocated site – these include HUD/3/10, HUD/3/20, HUD/3/30 and HUD/4/10. There are residential properties adjacent to the allocated site to the south and east. Land to the north is in the green belt. An area of land to the east of the allocated site is designated as urban green space in the Local Plan.
- 2.3 In relation to minerals, all of the allocated site is within a wider mineral safeguarding area relating to surface coal resource (SCR) with sandstone and/or clay and shale. In relation to the area's coal mining legacy, parts of the allocated site are within the Development High Risk Area as defined by the Coal Authority, while other parts are within the Low Risk Area. The east end of the allocated site includes part of a former landfill site, and a 250m buffer zone extends into the allocated site. A 250m buffer zone of another landfill site also includes the northern tip of the allocated site. Landfill gas affects land to the north of the allocated site, and a landfill gas buffer covers the northern and eastern parts of the allocated site. Overhead power lines cross the golf course.
- 2.4 There are no designated heritage assets within the allocated site, however the Grade II listed barn at Shepherds Thorn Farm (Historic England ref: 1290881) is just outside, and parts of the allocated site are within the setting of that designated heritage asset. The allocated site is not within or close to a conservation area. Non-designated heritage assets also exist in the area, including a historic milestone outside 684 Bradford Road.
- 2.5 The Wildlife Habitat Network covers parts of the allocated site, and areas outside it, including the ancient woodlands at Bradley Wood to the north and Screamer Wood and Dyson Wood to the south. Local Wildlife Sites exist immediately outside the allocated site, to the north and east. The majority of the allocated site is within a Biodiversity Opportunity Zone (Mid-Altitudinal Grasslands for most of the site, Built-up Areas for a small part of the west end of the site, and Valley Slopes along the site's northeastern boundary). Bats are known to be present in the area.
- 2.6 The allocated site is not located within an Air Quality Management Area (AQMA), however it is relatively close to AQMA 1 (Bradley Road / Leeds Road junction), where elevated levels of Nitrogen Dioxide have been measured.
- 2.7 The allocated site is located within Flood Zone 1 and is therefore generally at low risk of flooding. Part of the allocated site (at Tithe House Way) is at risk of surface water flooding, as is an area at the northern edge of the golf course. To the east of Shepherds Thorn Farm, a watercourse runs north-eastwards (via a pond), joining Deep Dike, Bradley Park Dike and, eventually, the River Calder. Another watercourse runs eastwards from a pond adjacent to the golf course club house. Other unmapped watercourses may exist within and close

to the allocated site. Yorkshire Water sewers exist beneath Bradford Road, Bradley Road and Tithe House Way.

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

3.0 PROPOSALS

- 3.1 A residential development comprising 270 dwellings, with associated access, open space and landscaping, is proposed.
- 3.2 The proposed site layout includes a vehicular access provided from Bradford Road, with a spine road extending east-west across the site to its eastern boundary (where the site meets Shepherds Thorn Lane). From this, further estate roads are proposed, lined with detached, semi-detached and terraced housing. A central area of open space is proposed, as are smaller open spaces further west along the spine road.
- 3.3 54 affordable housing units are proposed, representing a 20% provision. These would be provided as 6x 1-bedroom, 23x 2-bedroom and 25x 3-bedroom dwellings. In terms of tenure, 30 social rent and 24 intermediate units are proposed.
- 3.4 All dwellings would have two storeys. 18 house types are proposed, as are variations of those house types. Six maisonettes are proposed close to Shepherds Thorn Lane. Roofs would be hipped or pitched, and some dwellings would have front feature gables and bay windows. The proposed materials include red brick, "chalk-coloured" render, timber cladding, and red and grey concrete roof tiles.
- 3.3 Outside the HS11 site allocation, the applicant proposes drainage infrastructure, including a pumping station, attenuation tank and basin, and an access lane. Reshaping of the land, level changes and a retaining wall are proposed in association with this provision.

4.0 RELEVANT PLANNING HISTORY (including enforcement history)

- 4.1 Various applications relating to land immediately outside the application site have been considered by the council, including application ref: 2010/92771 relating to an agricultural building close to the site's Bradford Road entrance.

- 4.2 On 04/09/2020 planning permission was granted for the erection of 105 dwellings with associated highways works and landscaping at part of the HS11 allocated site (ref: 2018/93965) at Tithe House Way.
- 4.3 On 30/10/2020 the council issued an Environmental Impact Assessment (EIA) Scoping Opinion in response to a request relating to a residential development of circa 1,460 dwellings and other works at the HS11 site.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme)

5.1 The following meetings were held at pre-application stage:

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

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

5.3 At pre-application stage the applicant team initially submitted a proposed site layout, drawings of standard house types, and a Heritage Impact Assessment. Further information was submitted during pre-application discussions, including masterplan concept drawings, draft parameter plans, masterplan workshop slides, and suggested Landscape and Visual Impact Assessment viewpoints.

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

- Full planning permission required.
- Development at this site welcomed in principle.
- List of required planning application documents (including EIA Environmental Statement relating to entire HS11 site) provided.
- Site is allocated for residential development.
- Measures to address sustainability and climate change would be required.
- Masterplanning approach required. Concern that site layout had been prepared before site and contextual analysis had been completed, and before any masterplanning work had been carried out.
- List of considerations (relevant to masterplanning) provided.
- Masterplanning workshop slides provided some reassurance that the pre-applicant team are aware of some of the allocated site's constraints and opportunities.
- Developable areas should not be fixed until further assessment is done.
- Advice provided regarding masterplan format.
- Concerns regarding proposed site layout, including regarding relationship with the rest of HS11, whether topography and other aspects of the site have been properly considered, and lack of engagement with Shepherds Thorn Lane.
- Perimeter block approach and two-storey dwellings are appropriate.

- Harm would be caused to setting of Grade II listed barn at Shepherds Thorn Farm.
- Significant infrastructure required to support development of HS11 site.
- 20% affordable housing, compliance with the Nationally Described Space Standard, a mix of one-, two-, three- and four-bedroom units, and dementia-friendly design required.
- Advice provided on content of required Transport Assessment, including regarding junction and cumulative impact assessment. Discussions with officers can continue in light of forthcoming work relating to the Cooper Bridge highway improvement scheme. Consultation with Highways England advisable.
- Advice provided regarding design of east-west spine road.
- Shepherds Thorn Lane is not suitable as a key vehicular access point to the HS11 site, however enhancement and integration (in relation to pedestrian and cyclist movement) would be necessary. Core Walking and Cycling Network is to be extended along this lane.
- Travel planning required.
- Advice provided regarding waste storage and collection.
- Site-specific Flood Risk Assessment (FRA) and full site-wide drainage strategy required.
- Noise, air quality, odour and construction management need to be addressed.
- Health Impact Assessment required.
- Pre-application site is within a Development Low Risk Area, however advice should be sought from the Coal Authority.
- Ecological surveys and impact assessment required. 10% biodiversity net gain required.
- Tree survey, impact assessment and method statement (including in relation to TPO-protected Hawthorn tree) required.
- Open spaces, playspace and landscaping to be discussed at a further workshop/meeting.
- Section 106 obligations may include:
 - Infrastructure provision.
 - Highways and transport mitigation.
 - Sustainable transport measures.
 - Education provision.
 - Early years and childcare provision.
 - Open space and playspace provision, management and maintenance.
 - Affordable housing.
 - Drainage provision and maintenance.
 - Biodiversity net gain.
 - Decentralised energy.
- Council intends to secure a high quality, sustainable, residential development at HS11 site that addresses borough and local needs, that seeks to address all relevant planning considerations, and that mitigates its impacts (including in relation to infrastructure). Officers cannot confirm that the pre-application proposals sufficiently respond to that vision.
- Further dialogue and work required, including in relation to masterplanning.
- Applicant invited to enter into a Planning Performance Agreement.

- 5.5 The current application was submitted on 18/05/2021. During the life of the application, the applicant has submitted a Utility Report, geoenvironmental investigation information, and a corrected Environmental Statement chapter 15 (and accompanying flood risk and drainage documents), and agreed that an Archaeological Evaluation (provided by the West Yorkshire Archaeological Advisory Service) be included in the application submission.
- 5.6 At a meeting held on 12/07/2021 the applicant team expressed a willingness to consider reasonable requests for amendments to the proposals. The applicant team are also working on responses to consultee comments, and requests from officers for further information.

6.0 PLANNING POLICY

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

Kirklees Local Plan (2019):

- 6.2 The majority of the application site forms part of site HS11, which is allocated for residential development in the Local Plan. The site allocation sets out an indicative housing capacity of 1,460 dwellings, with potential for a further 498 dwellings beyond the plan period.
- 6.3 Site allocation HS11 identifies the following constraints relevant to the site:
- Multiple access points required
 - Additional mitigation on the wider highway network may be required
 - Public right of way crosses the site
 - Ordinary watercourses cross the site
 - Odour source near site – landfill site to the north-east
 - Noise sources near site – noise from road traffic on Bradford Road, Bradley Road and M62
 - Air quality issues
 - Potentially contaminated land
 - Part of this site is within the Wildlife Habitat Network
 - Part of this site contains a Habitat of Principal Importance
 - Site is close to listed buildings
 - Part/all of site within High Risk Coal Referral area
 - Power lines cross the site
 - Site is in an area that affects the setting of Castle Hill
 - Western part of this site includes an archaeological site
- 6.4 Site allocation HS11 also confirms that a masterplan is required for the site, and identifies several other site-specific considerations in relation to local education and early years / childcare provision, landscape impacts, ecological impacts, community gardens and allotments, cycling, access points, spine road connection, mitigation of highway network impacts, the provision of a new Local Centre (subject to sequential testing and impact assessment), heritage assets and golf course provision.

6.5 Relevant Local Plan policies are:

LP1 – Presumption in favour of sustainable development
LP2 – Place shaping
LP3 – Location of new development
LP4 – Providing infrastructure
LP5 – Masterplanning sites
LP7 – Efficient and effective use of land and buildings
LP9 – Supporting skilled and flexible communities and workforce
LP11 – Housing mix and affordable housing
LP19 – Strategic transport infrastructure
LP20 – Sustainable travel
LP21 – Highways and access
LP22 – Parking
LP23 – Core walking and cycling network
LP24 – Design
LP26 – Renewable and low carbon energy
LP27 – Flood risk
LP28 – Drainage
LP29 – Management of water bodies
LP30 – Biodiversity and geodiversity
LP31 – Green infrastructure network
LP32 – Landscape
LP33 – Trees
LP34 – Conserving and enhancing the water environment
LP35 – Historic environment
LP38 – Minerals safeguarding
LP47 – Healthy, active and safe lifestyles
LP48 – Community facilities and services
LP49 – Educational and health care needs
LP50 – Sport and physical activity
LP51 – Protection and improvement of local air quality
LP52 – Protection and improvement of environmental quality
LP53 – Contaminated and unstable land
LP63 – New open space
LP65 – Housing allocations

Supplementary Planning Guidance / Documents and other documents:

6.6 Relevant guidance and documents are:

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

- Highway Design Guide SPD (2019)
- Public Rights of Way Improvement Plan (2010)
- Waste Management Design Guide for New Developments (2020, updated 2021)
- Green Street Principles (2017)
- Castle Hill Settings Study (2016)
- Planning Applications Climate Change Guidance (2021)
- Housebuilders Design Guide SPD (2021)
- Open Space SPD (2021)
- Biodiversity Net Gain Technical Advice Note (2021)

Climate change

- 6.7 The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.
- 6.8 On 12/11/2019 the council adopted a target for achieving “net zero” carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda. In June 2021 the council approved a Planning Applications Climate Change Guidance document.

National Planning Policy and Guidance:

- 6.9 The National Planning Policy Framework (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of the proposals. Relevant paragraphs/chapters are:
- Chapter 2 – Achieving sustainable development
 - Chapter 4 – Decision-making
 - Chapter 5 – Delivering a sufficient supply of homes
 - Chapter 8 – Promoting healthy and safe communities
 - Chapter 9 – Promoting sustainable transport
 - Chapter 11 – Making effective use of land
 - Chapter 12 – Achieving well-designed places
 - Chapter 13 – Protecting green belt land
 - Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
 - Chapter 15 – Conserving and enhancing the natural environment
 - Chapter 16 – Conserving and enhancing the historic environment
 - Chapter 17 – Facilitating the sustainable use of minerals

- 6.10 Since March 2014 Planning Practice Guidance for England has been published online.
- 6.11 Relevant national guidance and documents:
- National Design Guide (2019)
 - Technical housing standards – nationally described space standard (2015, updated 2016)
 - Cycle Infrastructure Design – Local Transport Note 1/20 (2020)
 - Fields in Trust Guidance for Outdoor Sport and Play (2015)
 - Design Guidelines for Development Near Pylons and High Voltage Overhead Lines (2019)

7.0 PUBLIC/LOCAL RESPONSE

- 7.1 In February and March 2021 the applicant team carried out local pre-application consultation. This took the form of a leaflet drop to c2,500 properties, and an online consultation. The applicant's Statement of Community Involvement summarises the 78 responses received.
- 7.2 At application stage, the application was advertised as a major development, as Environmental Impact Assessment development accompanied by an Environmental Statement, and as development affecting a public right of way and the setting of a listed building.
- 7.3 The application was advertised via five site notices posted on 07/06/2021, a press notice on 18/06/2021, and letters delivered to addresses close to the application site. This is in line with the council's adopted Statement of Community Involvement. The end date for publicity was 08/07/2021.
- 7.4 34 representations were received in response to the council's consultation. These have been posted online, and include representations from the Huddersfield Civic Society, the Kirklees Cycling Campaign and the British Horse Society. The following is a summary of the comments made:
- Loss of green belt land.
 - Brownfield land should be developed instead.
 - Loss of agricultural land. Query if farmland is suitable for development. Farm would become landlocked.
 - Not enough green space is being preserved.
 - Objection to lack of a masterplan.
 - Proposed pumping station is outside site allocation.
 - Safety concerns regarding proposed Bradford Road site entrance.
 - Increased traffic on Bradford Road, Bradley Road, and junctions. Traffic already diverts from the M62. Congestion already occurs at start and end of school day.
 - Cumulative highway impacts.
 - Access shouldn't be allowed onto Shepherds Thorn Lane – this would become a rat run, endangering walkers and cyclists.
 - Spine road through HS11 site would become a rat run, as drivers avoid roundabout and traffic lights on Bradley Road.
 - Objection to access to pumping station from Shepherds Thorn Lane.
 - Risk of new residents parking on Shepherds Thorn Lane.

- Construction access should only be allowed from Bradford Road, and not from Shepherds Thorn Lane.
- Concern regarding emergency access proposed from Shepherds Thorn Lane.
- Proposal is highly car-based.
- Shepherds Thorn Lane should be closed to vehicular traffic (except for access).
- Shepherds Thorn Lane should be upgraded to a multi-user bridleway with an improved surface. Parapets should be added to M62 bridge.
- North-south and east-west cycle routes required.
- Direct access points to cycle routes required, instead of cul-de-sacs.
- Proposal fails to address active travel requirements.
- Uniform 20mph speed limit needed throughout development.
- Lack of pedestrian safety measures for crossing Bradley Road.
- Lack of local infrastructure. Council services already cannot cope.
- Schools are already at capacity.
- Proposal does not include the required 2-from entry primary school.
- No additional medical or dental provision proposed. Hospitals already have long waiting lists.
- Lack of information regarding utility connections. No substations are shown.
- Lack of playspace.
- Loss of recreational opportunities.
- Increased flood risk. Corner of site at Shepherds Thorn Lane already floods.
- Bore holes and archaeological dig have caused run-off.
- Vegetation removal would increase run-off.
- Increased air pollution.
- Loss of natural light.
- Light pollution.
- Overlooking and loss of privacy.
- Loss of views.
- Littering would occur.
- Nuisance would occur.
- Proposal fails to address climate change. Proposals are at odds with council's plan to tackle the climate emergency.
- Opportunities for solar gain and photovoltaic electricity generation not taken into account.
- Odours from pumping station.
- Increased noise.
- New dwellings would be affected by noise from M62.
- Amenity impacts during construction.
- No assessment made of health impact.
- Harm to heritage assets.
- Typical, repetitive designs proposed. Standard Redrow house types proposed. No attempt to reflect local features or materials. Design out of keeping with surroundings. Confused appearance due to many house types. proposed houses offer no local distinctiveness or quality.
- Proposed green areas should be relocated close to Shepherds Thorn Lane.
- Erosion of green belt between Huddersfield and Brighouse.
- Impact on wildlife, including bats.
- Net loss to biodiversity.

- Adverse impact on function of the site as a green corridor.
- Impacts on hedgerows.
- Loss of trees.
- Security risk to adjacent properties.
- Lack of benefit to local community.
- No demand for this amount of housing.
- Human rights would be infringed upon.
- Impact on stability of adjacent properties.
- Inaccuracies in application documents. Information is missing or out-of-date.
- Application documents are numerous, are not in order, and unclear.
- Lack of consultation. No feedback provided following earlier consultation. Site notice on Shepherds Thorn Lane is difficult to see.

7.5 Responses to these comments are set out later in this Position Statement, where necessary.

7.6 A further update on the number of responses will be provided prior to the meeting of the Strategic Planning Committee (as part of the Update) or will be reported verbally at the meeting.

8.0 CONSULTATION RESPONSES

8.1 Statutory:

8.2 Coal Authority – Material consideration. Proposed housing is not within development high risk area, but proposed attenuation is. Condition required regarding intrusive site investigation.

8.3 Environment Agency – No objection.

8.4 Highways England – Recommend that planning permission not be granted (to be reviewed no later than 03/12/2021). Request that strategic road network junctions (specifically, J24 and J25 of the M62) be assessed, and other matters be clarified. Travel Plan acceptable.

8.5 Historic England – No comment.

8.6 Lead Local Flood Authority – Further research and information required regarding flood routing, and a site management plan. Advise against using crate storage. No objection to detention basin, but this should be utilised for SUDS treatment.

8.7 Natural England – No objection.

8.8 Non-statutory:

8.9 KC Conservation and Design – Objection. Premature proposal, given the requirement to frame the development within a masterplan covering the wider HS11 site. Proposal potentially compromises aspects of the wider HS11 development. Application does not include design codes. Submitted layout only includes suburban-style housing (with a heavy emphasis on vehicle parking) and no clear indication of how to accommodate or connect to the required community services or how the scheme would contribute to a viable

green infrastructure, recreational or wildlife corridors. The premature and isolated nature of the scheme means that it does not currently meet the design requirements of the Local Plan allocation HS11, Local Plan policies LP5 and LP24 or NPPF paragraph 127. Proposed housing layout is effectively a large cul-de-sac. Inadequate local amenity provision. Adverse impact on heritage assets – this would be less than substantial, so must be assessed against public benefits in accordance with NPPF paragraph 196 and Local Plan policy LP35. Adverse impact on Shepherds Thorn Lane. Requirement for tree-lined streets appears to be addressed. Proposed design does not address biodiversity net gain requirement. Frontage parking should be reconsidered. Transformative and adverse landscape impact.

- 8.10 KC Ecology – Submission does not demonstrate that a net biodiversity gain would be achieved. In accordance with Section 15 of the NPPF, Local Plan policy LP30 and the proposed new Environment Bill 2019/2021, a measurable increase in biodiversity should be demonstrated at application stage. A completed biodiversity metric is required, assessing the site's ecological baseline and the predicted post-development value. The Kirklees Biodiversity Net Gain Technical Advice Note (released June 2021) should be referenced. Proposed landscaping details are currently limited in scope.
- 8.11 KC Education – £655,581 contribution required towards primary and secondary provision, based on 2023/24 pupil projections.
- 8.12 KC Environmental Health – Comments awaited.
- 8.13 KC Highways Development Management – Proposed Bradford Road access should be subject to a full safety audit. Section 278 agreement needed for proposed off-site works. Secondary (emergency only) access at Shepherds Thorn Lane should be secured by condition. Details of pedestrian connections should be secured by condition. Concern regarding lack of pedestrian crossing facilities at Bradford Road. Welcome applicant's inclusion of other developments in Transport Assessment's assessment of traffic generation and impacts on local highway network. The magnitude of the effect of development traffic overall across the highway network would be minor adverse. Spine road should be designed as a residential connector street (Type A) as per the Kirklees Highway Design Guide SPD, with a cross section of a 3m shared footway/cycleway; a 2m verge; a 6.75m carriageway; a 2m verge; and a 3m shared footway/cycleway. Financial contribution of £827,280 required towards Cooper Bridge Improvement Scheme. Improvements to Bradley Bar roundabout also required. Contribution towards improvements to Bradford Road bus stops should be secured. Locations of bus stops on spine road should be clarified. Electric vehicles charging facilities should be secured by condition. Construction Management Plan, wheel washing facilities and road condition surveys should be secured by condition. Detailed comments regarding Section 38 (highway design/adoption) relayed.
- 8.14 KC Highways Structures – Conditions recommended, should structures adjacent to the highway be proposed.
- 8.15 KC Landscape – Insufficient information regarding open space typologies, their design and purpose. Details of playspaces required. Safe routes to play, sports and green spaces should be clarified. Insufficient landscaping detail. Landscape Management Plan required. Insufficient street tree planting.

- 8.16 KC Public Health – Advice provided regarding green spaces, travel, opportunities for activity and other matters relevant to public health.
- 8.17 KC Public Rights of Way – Bridleway link (not a footpath) requested at north end of site. Off-site improvements should be made to local access, including to Shepherds Thorn Lane and bridleway north of the M62. Details of cycle way requested. Details of emergency access to Shepherds Thorn Lane requested. Access from open space to Shepherds Thorn Lane should be provided.
- 8.18 KC Strategic Housing – 20% affordable housing provision (54 dwellings) required. On-site provision is preferred. In the Huddersfield North area there is a significant need for affordable 3- and 3+-bedroom homes, as well as 1- and 2-bedroom affordable homes. Given the number of 4-bedroom units proposed, the development should contribute to the need for affordable 3+-bedroom homes. Affordable units should be distributed evenly throughout the development, and indistinguishable from market housing. 55%/45% tenure split (30 social/affordable rent, 24 intermediate dwellings) required.
- 8.19 KC Strategic Waste – There are no closed, historical or operational landfill sites within 250m of application site.
- 8.20 KC Trees – Loss of protected Hawthorn acceptable, subject to mitigation. Proposed layout need to be amended to avoid impact on trees along Shepherds Thorn Lane. Loss of trees for drainage acceptable. Tree Protection Plan and Arboricultural Method Statement required.
- 8.21 KC Waste Strategy – Concerns regarding access to bins, bin storage and manoeuvring space for refuse vehicles.
- 8.22 Sport England – No comment.
- 8.23 West Yorkshire Archaeological Advisory Service – Further intrusive site investigation is required in light of recent bronze age finds. This can be conditioned.
- 8.24 West Yorkshire Combined Authority – Comments awaited.
- 8.25 West Yorkshire Police Designing Out Crime Officer – Objection to proposed level of access to rear gardens, inadequate fencing and lighting.
- 8.26 Yorkshire Water – No objection, subject to conditions.
- 8.27 Outstanding consultee responses will be reported in the committee update or verbally.

9.0 SUMMARY OF MAIN ISSUES

- Environmental Impact Assessment
- Land use and principle of development
- Masterplanning
- Quantum of development
- Sustainability and climate change
- Green belt impact
- Urban design matters

- Heritage assets
- Landscape impacts
- Infrastructure requirements and delivery
- Residential quality and amenity
- Affordable housing
- Highway and transportation issues
- Flood risk and drainage issues
- Environmental and public health
- Site contamination and stability
- Ecological considerations
- Trees and hedgerows
- Open space, sports and recreation
- Planning obligations and financial viability
- Phasing and delivery

10.0 MAIN ISSUES – ASSESSMENT

Environmental Impact Assessment (EIA)

- 10.1 The cumulative environmental impacts of development at both parts of site HS11 (Bradley Villa Farm and the council-owned land) need to be considered, and the applicant was therefore advised (at pre-application stage) to submit an Environmental Statement (ES) that related to all parts of HS11 in support of a planning application that only related to the Bradley Villa Farm site.
- 10.2 On 30/10/2020 the council issued an EIA Scoping Opinion (ref: 2020/20413).
- 10.3 The applicant has duly submitted an ES with the current application. This ES refers to all of the allocated site (HS11), and a development of c1,460 units (with additional capacity for a further 498 dwellings post plan period), a spine road, a 2-form entry primary school, public open space, a new local centre, and a nine-hole golf course with a driving range, clubhouse and two 3G pitches. The matters considered in the ES are:
- Chapter 5 – Socio-Economics and Community (including Health Impact Assessment)
 - Chapter 6 – Highways
 - Chapter 7 – Landscape and Visual Impact
 - Chapter 8 – Ecology
 - Chapter 9 – Trees
 - Chapter 10 – Archaeology
 - Chapter 11 – Heritage
 - Chapter 12 – Air Quality and Odour
 - Chapter 13 – Noise and Vibration
 - Chapter 14 – Ground Conditions
 - Chapter 15 – Flood Risk and Drainage
 - Chapter 16 – Lighting
 - Chapter 17 – Cumulative Effects
- 10.4 Other matters (such as wind and microclimate, electrical interference, solar glare and daylight, sunlight and overshadowing) are not referred to in the ES.
- 10.5 The ES is cross-referenced to other application documents, where necessary.

- 10.6 Cumulative impacts of the proposed development and development at other sites are considered by the applicant in the ES. At pre-application stage officers advised the applicant to consider:
- The 105 units already granted planning permission at the HS11 allocated site at Tith House Way under application ref: 2018/93965.
 - Sites referred to in Calderdale Council's previous advice, including potential development at the proposed LP1451 allocated site (Brighthouse Garden Suburb).
 - HS12 – Land north and west of Gernhill Avenue, Fixby. Housing allocation (indicative capacity: 377 units). Planning permission granted for 252 units under application ref: 2018/92055.
 - ES1 – Land at Bradley Business Park (Aflex Hose site), Dyson Wood Way, Bradley. Employment allocation (indicative capacity: 15,155sqm floorspace). Planning permission granted for 19,202sqm B1(a), B1(b), B2 and B8 floorspace under application ref: 2018/91432.
 - HS13 – Land to the east of Netheroyd Hill Road, Cowcliffe. Housing allocation (indicative capacity: 68 units).
 - HS14 – Land north of Ashbrow Road, Brackenhall. Housing allocation (indicative capacity: 162 units). Planning permission granted for 161 units under application ref: 2019/92940.
 - ES9 – Former Cooper Bridge Waste Water Treatment Works, Leeds Road. Employment allocation (indicative capacity: 14,910sqm floorspace).
 - MXS6 – Land at Slipper Lane and Leeds Road, Mirfield. Mixed use allocation (indicative capacities: 166 residential units and 17,234sqm employment floorspace). Various permissions granted for residential and employment development.

10.7 Assessment of the ES is ongoing. Assessment carried out to date is set out in this position statement.

Land use and principle of development

- 10.8 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
- 10.9 The Local Plan sets out a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum.
- 10.10 As set out in the council's Authority Monitoring Report (AMR, December 2020, updated 21/01/2021), the assessment of the required housing (taking account of under-delivery since the Local Plan base date and the required 5% buffer) compared with the deliverable housing capacity, windfall allowance, lapse rate and demolitions allowance shows that the current land supply position in Kirklees is 5.88 years supply. The 5% buffer is required following the publication of the 2020 Housing Delivery Test results for Kirklees (published 19/01/2021). As the Kirklees Local Plan was adopted within the last five years the five-year supply calculation is based on the housing requirement set out in the Local Plan (adopted 27/02/2019). Chapter 5 of the NPPF clearly identifies that Local Authority's should seek to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development.

- 10.11 A residential development of 270 dwellings at a site allocated for residential development would make a significant contribution towards meeting identified needs. This attracts significant weight in the balance of material planning considerations relevant to the current application.
- 10.12 Full weight can be given to site allocation HS11, which allocates the majority of the application site for residential development. Allocation of this and other greenfield (and previously green belt) sites was based on a rigorous borough-wide assessment of housing and other need, as well as analysis of available land and its suitability for housing, employment and other uses. The Local Plan, which was found to be an appropriate basis for the planning of the borough by the relevant Inspector, strongly encourages the use of the borough's brownfield land, however some release of green belt land and reliance on windfall sites was also demonstrated to be necessary in order to meet development needs. Regarding this particular site, in her report of 30/01/2019 the Local Plan Inspector concluded that, subject to the proposed site allocations H1747 and H351 being combined into a single allocation (as they have, in the form of current site allocation HS11) and subject to other modifications (also accepted and implemented by the council), there were no fundamental constraints that would prevent development coming forward at the site, there were exceptional circumstances to justify the release of the site from the green belt, and the site allocation was soundly based.
- 10.13 The Bradley Villa Farm site is within a wider mineral safeguarding area relating to surface coal resource (SCR) with sandstone and/or clay and shale. Local Plan policy LP38 therefore applies. This states that surface development at the application site will only be permitted where it has been demonstrated that certain criteria apply. Criterion c of policy LP38 is relevant, and allows for approval of residential development here, as there is an overriding need (in this case, housing needs, having regard to Local Plan delivery targets) for it. Other criteria of policy LP38 may also apply.
- 10.14 Given the above assessment, the principle of residential development at the Bradley Villa Farm site is considered acceptable, subject to the further discussion of land use matters later in this report.

Masterplanning

- 10.15 Due to the size of the Bradley Villa Farm site (and of site HS11), the scale of the proposed development, the wide range of relevant planning considerations, the need for significant supporting infrastructure, the requirements of site allocation HS11 and Local Plan policy LP5, and the proposed allocation of sites within Calderdale borough, a masterplanning approach is necessary. Careful masterplanning can ensure efficient use of land, high quality placemaking and properly co-ordinated development, appropriate location of facilities and infrastructure, prevention of development sterilising adjacent land, appropriate phasing to limit amenity and highway impacts, and fair apportionment of obligations among the respective developers.
- 10.16 The masterplanning work already done in 2017 (for the purpose of informing discussions at the Local Plan Examination in Public) must be noted – that 2017 masterplan had merit (and was approved by Cabinet), however it is appropriate to revisit this earlier work in light of current aspirations and other

considerations, and to look again at the site's constraints and opportunities, consulting with residents, Members, officers, consultee bodies and other stakeholders.

- 10.17 No masterplan, or evidence of masterplanning work, was submitted with the applicant's initial request for pre-application advice in September of last year. The applicant's pre-application covering letter dated 23/09/2020 did not refer to Local Plan policy LP5, and did not acknowledge the requirement (of site allocation HS11) for a masterplan. The applicant team did, however, submit a detailed layout plan (BVF-16-02-SK05) for the Bradley Villa Farm site, suggesting that a proposal had been worked up before site and contextual analysis had been completed, and before any masterplanning work had been carried out. This is the wrong way to approach a major development site where masterplanning is necessary, and the council encourages applicant teams to instead adopt an informed, iterative approach to such sites, where site and contextual analysis, and masterplanning, precedes detailed design work and informs the proposals that are eventually brought forward.
- 10.18 The applicant team subsequently submitted draft parameter plans and concept masterplans on 25/11/2020 and masterplanning workshop slides were presented and discussed at the pre-application meeting held on 02/12/2020. These provided at least some reassurance that the applicant team were aware of some of the allocated site's constraints and opportunities.
- 10.19 The preference would be for both HS11 landowners to work together, revisit the 2017 masterplan, and devise proposals based on an updated masterplan that ensured co-ordinated, complimentary development was brought forward, with neither development prejudicing the other. It is accepted, however, that the applicant team is more advanced in progressing their site than the council (as landowner) is – this isn't an unusual scenario, and it is one the council has had to deal with at other sites. With housing delivery targets in mind, a degree of flexibility can be provided, and therefore officers previously advised that the applicant team could proceed, provided that adequate masterplanning work was carried out. Similar flexibility was applied at the Tithe House Way part of HS11, although that development isn't entirely comparable with what the applicant team have in mind at Bradley Villa Farm.
- 10.20 Officers advised that, at the very least, the Bradley Villa Farm applicant team would be required to provide the indicative bones of a masterplan based on the 2017 masterplanning work (and the research that informed it), further site analysis, and guidance from officers. This work should provide reassurance that the Bradley Villa Farm site can be developed without the rest of the HS11 allocated site being brought forward at the same time, and that co-ordinated, complimentary development can still be brought forward across the entire HS11 site, with the earlier development not prejudicing the later.
- 10.21 To assist the applicant team, on 26/11/2020 officers set out points that should be considered when carrying out the necessary masterplanning work, as follows:
- All constraints and considerations set out in site allocation HS11 to be addressed.
 - Compliance with Local Plan policy LP5 to be demonstrated.
 - Reference to be made to draft Housebuilder Design Guide SPD.

- Masterplan to correspond with ongoing Calderdale/Kirklees work (Brighouse and Bradley Garden Community Masterplan Framework).
- A full assessment of all the infrastructure requirements of HS11 needs to inform any masterplan.
- Flexibility required in the event that development is phased, or only part(s) of the allocated site are developed.
- No ransom strips to be designed into any land. Where applicable, adoptable highway should be shown up to site boundaries where they abut other developable parcels. Provisions for future and construction access may need to be included in Section 106 agreements.
- Masterplan to reflect latest proposals for the Cooper Bridge link road scheme [now referred to by officers as the Cooper Bridge highway improvement scheme]. Flexibility required until proposals become fixed.
- Other vehicular access points as per 2017 masterplan.
- North-south movement (for pedestrians and cyclists) along Shepherds Thorn Lane is a key consideration. The Local Plan includes an expansion of the Core Walking and Cycling Network along this route, and significant opportunities for improved connection with the Brighouse Garden Suburb site (to the north) and education and employment opportunities (to the south) exist.
- Walking-to-school routes to be planned for.
- Public rights of way to be retained along their recorded alignments.
- Proposals to work with existing topography, and not radically reshape it.
- Site's coal mining legacy may affect layout.
- Watercourses to be regarded as fixed. Layout flexibility required in the event that culverted watercourses are found.
- Reference to be made to the desk top work and site assessment carried out during Local Plan preparation (in particular, the report by RES Environmental, ref: 543KLE\H1747-H351 rev P1).
- Flood routing to inform layout.
- TPOs, woodlands, hedgerows and protected habitats to be regarded as fixed.
- 10% biodiversity net gain required, and to inform layout. See draft Biodiversity Net Gain Technical Advice Note.
- Wildlife corridors and linkages to be designed into any layout.
- On-site space to be provided in accordance with Local Plan policy LP63 and draft Open Space SPD. 2017 support for a significant, central open space (or "green lung") to be noted. A network of connected, multi-functional open spaces expected.
- Co-ordination of facilities across various development sites should be considered, to help avoid duplication, and to result in a more comprehensive and varied sports and recreation offer.
- Relevant initiatives (White Rose Forest, Green Street principles etc) to inform layout.
- Wider landscape impacts to inform layout. Visibility of site from Calderdale, M62 and Castle Hill to be considered. Note that Castle Hill Settings Study identifies a significant ridgeline running roughly east-west across the allocated site.
- Location of nine-hole golf course, driving range, clubhouse and two full-sized 3G pitches (as illustrated in 2017 masterplan) to be regarded as fixed for the time being.
- Placemaking to inform layout and all other design decisions. Reference to be made to Local Plan policy LP24 (among others), National Design Guide, Building for Life and other guidance. It is essential that early

thought be given to placemaking, to avoid the creation of a monotonous, anonymous, characterless, illegible anytown development that misses opportunities to create an integrated, distinctive, vibrant, safer, legible, well-connected, convivial and attractive place to live and visit. Standard house types of volume housebuilders may not be appropriate. Character areas and design coding may be appropriate. If HS11 is developed in phases/parcels by two or more parties, evidence of piecemeal development should not be apparent across the site.

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

10.22 Concerns raised by officers at pre-application stage regarding the applicant team's masterplanning submissions related to:

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

- the need to meet playspace needs within appropriate walking and stand-off distances;
- the need to achieve biodiversity net gains;
- impacts of development upon the setting of (and the rural approach to) Shepherds Thorn Farm; and
- other matters.
- Residential-related and non-residential land use requirements – Of note, site allocation HS11 does not specify quanta of development to be accommodated within each part of the allocated site, nor where the primary school and local centre should be located. Although the council’s 2017 masterplan suggested that these should be located towards the centre of the site, the pre-applicant team have been advised to ascertain why Cushman and Wakefield – in their initial cross-boundary masterplanning work for Kirklees and Calderdale – suggested that the local centre (or rather, a “community hub”) should be located at the far west end of HS11, within the Bradley Villa Farm site.
- Minimum distances to be maintained between new development and overhead power lines and their pylons.

10.23 The 2017 masterplan did not suggest the same developable area for the BVF site as is now proposed by the applicant. Officers advised the applicant team that the considerations outlined above may demonstrate that the developable area proposed for the Bradley Villa Farm site (at pre-application stage) may not be appropriate, and that the number of residential units proposed may need to be reconsidered. Once the necessary masterplanning work is completed, a proposal for the Bradley Villa Farm site can be devised.

10.24 The applicant’s application-stage submission does not fully address the above concerns, although page 28 of the Design and Access Statement sets out some of the thinking that has informed the applicant’s setting of the developable area.

10.25 Regarding developable areas, one key point that is accepted relates to quantum and density. Given the constraints elsewhere within the HS11 allocated site, if the expected c1,958 units are to be accommodated, unacceptably high densities may need to be proposed within the council-owned land unless the less-constrained Bradley Villa Farm site is allowed to shoulder a proportionately greater quantum of development (which, in turn, may require a different developable area than that shown in the 2017 masterplan).

10.26 Consideration of design matters (including regarding the developable area) is ongoing, and will be informed by further consultation with Historic England (regarding the Castle Hill Settings Study), KC Conservation and Design and KC Landscape.

Quantum of development

10.27 As noted above, site allocation HS11 sets out an indicative housing capacity of 1,460, with potential for a further 498 dwellings beyond the plan period. Any proposal at the Bradley Villa Farm site would be expected to make a significant contribution towards those quanta, however it is again noted that the site allocation does not specify how many dwellings should be provided in each part of HS11, and that the applicant’s submission includes inadequate consideration of matters that should inform developable areas.

- 10.28 With 270 units proposed in 12.4 hectares, a density of 21.8 dwellings per hectare would be achieved by the proposed development. However, that 12.4 hectare figure includes green belt land where residential development would not be considered appropriate. Excluding that part of the application site, a site area of approximately 9.85 hectares is arrived at. With 270 units proposed in those 9.84 hectares, a density of 27.4 dwellings per hectare would be achieved. This falls short of the 35 dwellings per hectare figure set out in Local Plan policy LP7 and which already takes into account likely on-site open space needs. Page 44 of the submitted Design and Access Statement suggests a residential density of 33 dwellings per hectare would be achieved, however this is based on an area figure of 8.23 hectares (excluding open space).
- 10.29 Of the 270 units proposed, 136 would have four bedrooms, and 89 would have three bedrooms. 171 of the 270 units would be detached. This preponderance of larger and detached units has contributed to the proposed development's density shortfall, and – along with (and subject to) other design matters being addressed – amendments to this aspect of the scheme will be sought.
- 10.30 Crescendos and other variations of density can enhance and aid legibility, wayfinding, character and neighbourhood distinctiveness. Arguably, the applicant's approach to typologies (which has located detached dwellings along the spine road and open spaces, with more dense terraced housing confined to the secondary streets) could assist in these respects, however there is concern that the entire length of the spine road would be lined with detached dwellings (except for one pair of semi-detached dwellings), with regular spacing and with no apparent thought to density variations that could add interest and legibility. These concerns will be raised in ongoing discussions with the applicant team regarding design matters.

Sustainability and climate change

- 10.31 As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions. At application stage, information to demonstrate that the proposed development would achieve net gains in respect of all three sustainable development objectives would be expected. At pre-application stage, the applicant was advised to respond positively to the net zero carbon emission targets referred to earlier in this report.
- 10.32 Since the submission of the current application, the council approved a Planning Applications Climate Change Guidance document which advises applicants to submit a Climate Change Statement with all applications. Effectively, the applicant had already done this – an Energy and Sustainability Statement was submitted with the current application, and the applicant has referred to sustainability and climate change in other submission documents. This is welcomed.
- 10.33 The applicant's Energy and Sustainability Statement notes that a range of sustainability measures have "been given consideration" including in relation to reduction of construction and household waste, reducing water consumption, and sustainable transport. In relation to these, officers recommend that securing measures relating to sustainable transport would be achievable through the council's decision on the current planning application. This matter is considered later in this position statement.

- 10.34 With reference to part L of the Building Regulations, the applicant's Energy and Sustainability Statement asserts that calculations undertaken on the proposed house types demonstrate that Part L compliant emissions would equate to an estimated 511,396 kgCO₂/year, but that by following the applicant's proposed energy efficiency approach, the predicted emissions would be reduced by 3.04% over Part L requirements. The statement goes on to estimate that the proposed specification would result in a 13.70% improvement in Fabric Energy Efficiency over a Building Regulations compliant development.
- 10.35 Subject to details, and to masterplanning, design, highways, infrastructure, residential amenity, drainage and other matters (including the requirements of site allocation HS11) being appropriately addressed, development at the Bradley Villa Farm site can be considered to be sustainable development, given the site's location adjacent to an already-developed area, its proximity to public transport and other facilities, and the opportunities for economic, social and environmental net gains (and for addressing climate change) that the site provides.
- 10.36 Measures would be necessary to encourage the use of sustainable modes of transport. A development at this site which was entirely reliant on residents travelling by private car is unlikely to be considered sustainable. Adequate provision for pedestrians, cyclists (including cycle lanes, where appropriate) and possible new or diverted bus services should be demonstrated, and cycle storage and space for cyclists, electric vehicle charging points, a Travel Plan and other measures would be required. The proposed expansion of the existing Core Walking and Cycling Network should be assisted by any development at the Bradley Villa Farm site.
- 10.37 Drainage and flood risk minimisation measures would need to account for climate change. This is addressed later in this position statement.
- 10.38 Given the range of uses proposed at (and surrounding) the allocated site, at pre-application stage (and in accordance with Local Plan policy LP26) officers advised that there may be scope for the creation of a district heat or energy network for which provision (including leaving space for the future provision of an energy centre and pipework beneath footways) should be made at application stage. Local Plan paragraph 12.11 refers to the heat mapping work already carried out for the Leeds City Region – the applicant was advised to refer to this work.
- 10.39 At application stage, paragraph 5.65 of the submitted Planning Policy Statement suggests this matter is addressed in the "Sustainability Statement", however the submitted Energy and Sustainability Statement does not address the matter. No district or neighbourhood heat or energy network has been proposed. The applicant team have therefore been asked to provide further information to address Local Plan policy LP26 in a further submission.

Green belt impacts

- 10.40 Drainage infrastructure is now proposed outside the HS11 boundary, in the green belt and close to the M62. The application site's red line boundary has been drawn to include this land. These proposals were not included in the applicant's pre-application stage submission.

- 10.41 Drawing 4607-16-06-902 rev C is appended to the applicant's Flood Risk and Drainage Assessment (version 1.5) and suggests significant engineering works in relation to the proposed attenuation basin and tank. Reshaping of the land, changes to levels, and the provision of an access lane and retaining wall are proposed. Hachures and existing contours suggest steep banking would be created. A "drainage easement" is annotated around and above the proposed infrastructure, which may mean the annotated land will need to be levelled and kept free of soft landscaping. Surfaces of the access lane and drainage easement land are not specified. These works are not detailed elsewhere in the applicant's submission, and officers have therefore asked the applicant team for sections and details of surface treatments, to inform an assessment of the development's impact upon the openness of the green belt.
- 10.42 A foul water pumping station is proposed at the north corner of the residential development. At a meeting on 12/07/2021 the applicant team that this would be an above-ground structure, however no elevations, sections or details of its boundary treatments have been submitted. Officers therefore requested detailed drawings to inform an assessment of the structure's impact upon the openness of the green belt. The relocation of the pumping station (into the part of the site that is not in the green belt) may be requested after its appearance and impact has been clarified and assessed.

Urban design matters

- 10.43 Notwithstanding the masterplanning and developable area concerns detailed above, at pre-application stage officers responded to the applicant team's request for comments on the proposed site layout and other design matters. Positives were identified by officers in relation to the acceptable spine road alignment (subject to detail), proposed areas with perimeter block layouts, and the appropriate building heights (two storeys are proposed throughout the site, although some bungalows and attic accommodation could have been proposed and acceptable), however concerns were raised as follows:
- Layout influences – Unclear how site allocation requirements, topography, existing/possible vehicular entrances, green infrastructure, drainage, existing watercourses, use separation, open space requirements, infrastructure needs, highway safety and adoption, public rights of way, adjacent uses and other factors have influenced the proposed layout.
 - Bradley Villa Farm buildings – Unclear why this part of the allocated site is not included in the pre-application proposals.
 - Entrance experience – Concern regarding people entering the site from Bradford Road, and being greeted with a large agricultural shed, electricity substation, three detached dwellings and a small open space.
 - Shepherds Thorn Lane – Inadequate response to this important north-south route. Lane would be lined with side garden fences and cul-de-sacs. Insufficient pedestrian and cyclist connections. Northwards view into the site from Bradley Road should be celebrated.
 - Landscaping – Ill-considered, ambiguous leftover spaces are proposed in places.
 - Developed area edges – In some locations, garden fences would line the public realm and northern (green belt) edge of the site.

- Cul-de-sacs – These are less dementia-friendly, and require refuse collection vehicles to reverse, which raises safety concerns.
- House types – Unclear why pre-applicant team considers the proposed house types to be suitable for this location.
- Typology distribution – Unclear why larger detached dwellings would line the proposed open spaces, while terraced dwellings would be largely confined to the secondary streets.
- Car parking – Concern that parked cars would dominate the street scene in some locations.

10.44 Further advice was provided by officers in relation to detailed aspects of the proposed layout, density variation, designing out crime, materials, boundary treatments, sustainable design, and creating convivial, inclusive environments offering opportunities for social interaction and integration. Officers highlighted a need to avoid creating anonymous, monotonous, insular, isolated suburban development. The applicant team were also reminded that the Design Review Service for Yorkshire and the Humber is available to provide further, external design advice at pre-application and/or application stage, however the applicant team have not made use of that service.

10.45 The proposed layout submitted with the current application is essentially the same as that seen at pre-application stage, although street trees have been added, some units have been reorientated, and 1-bedroom units are now included (these are the six maisonettes proposed adjacent to Shepherds Thorn Lane). The applicant has also provided a Design and Access Statement, which includes more explanation regarding various design matters (including – usefully – a review of typologies and materials that surround the application site). That document, and the submitted Landscape Strategy Plan, also now define landscape areas across the site – these are named “Inner Streets”, “Village Green” and “Rural Edge”. The definition of areas of different character within the development is welcomed in principle, although it is noted that these definitions largely relate to landscaping, and not to other matters (of note, the same house types are proposed in each of the three areas).

10.46 Other design matters remain unresolved. Of particular concern is the proposed treatment of Shepherds Thorn Lane. Engagement with this important north-south route remains limited (as do the applicant’s proposals for east-west pedestrian routes across it), the potential for a key entrance for pedestrians and cyclists (close to the corner with Bradley Road) has not been harnessed, and the rural edge character of the lane would not be maintained. Concerns raised by KC Trees regarding trees along the lane will also need to be addressed. Furthermore, the applicant’s proposals for the site’s southeast corner are unclear – drawings included in the Transport Assessment (including at appendix I) suggest an emergency access is proposed here, yet this is not shown on the submitted site layout plan.

10.47 These and other design matters will be raised by officers in ongoing discussions with the applicant team. A meeting intended to specifically address design matters is to be organised.

Heritage assets

- 10.48 There are few designated heritage assets close to the Bradley Villa Farm site, however impacts would need to be assessed nonetheless. The applicant team provided an initial Heritage Impact Assessment (HIA) at pre-application stage, and at application stage ES chapter 11 additionally addresses heritage impacts. With regard to the Grade II listed barn at Shepherds Thorn Farm, officers agree (with the applicant's assessment) that the creation of the M62 and golf course has affected the heritage asset's relationship with its surroundings, however officers also agree that the agricultural fields on the west side of Shepherds Thorn Lane make a positive contribution to the setting of the farmstead, as they provide one of the few remaining links to a past rural landscape. Some of these fields would be developed under the current proposals for the Bradley Villa Farm site.
- 10.49 Given the requirements of paragraph 193 of the NPPF, Local Plan policy LP35 and site allocation HS11 (which requires the rural approach to this designated heritage asset to be maintained), the applicant team should have then explored how this impact can be reduced. This may necessitate pulling the developable area back from the northernmost corner of the Bradley Villa Farm site (i.e., extending the "Buffer to Listed Building" (shown in the pre-applicant team's workshop slides), which is currently identified as a constraint only applicable to council-owned land). This matter will be raised by officers in ongoing discussions with the applicant team.
- 10.50 Although Historic England have advised that they have no comment to make on the application, it is unclear if this advice took into account the relationship between the application site and Castle Hill. As defined in the Castle Hill Settings Study, a significant ridgeline runs roughly east-west across the allocated site. A further comment will be sought from Historic England.
- 10.51 At pre-application stage, in light of the site's potential archaeological interest, on 16/12/2020 the West Yorkshire Archaeological Advisory Service (WYAAS) provided the applicant team with a specification for a pre-determination archaeological evaluation (by trial trenching). Site investigation was subsequently carried out, and bronze age material was found at the highest part of the site. In light of this, at application stage WYAAS have advised that further intrusive site investigation is needed. This can be conditioned.

Landscape impacts

- 10.52 A draft of the required Landscape and Visual Impact Assessment (LVIA) was not submitted at pre-application stage, however officers provided advice regarding the viewpoints that are to be assessed.
- 10.53 Further advice from KC Landscape and Historic England is awaited, and would inform officers' ongoing assessment of the proposed development's wider landscape impacts. As noted above, the findings of the LVIA may influence the locations of HS11's developable areas. Any assessment of impacts would also need to take into account the findings of the 2016 Castle Hill Settings Study.

Infrastructure requirements and delivery

- 10.54 Development of the HS11 site would require significant infrastructure to render the site ready to take development, to support development during its operational phase, and to mitigate its impacts. Infrastructure-related works and provisions would, or may, include site investigation, stabilisation and remediation (including in relation to the site's coal mining legacy), formation of development platforms, provision of new roads and junctions, signalisation works, new cycle routes, new footways and footpaths (and diversions and improvements to existing footpaths), the required two form entry primary school, playspaces, sports and recreation facilities, other social infrastructure, allotments, landscaped areas, ecological enhancement, other green infrastructure, public realm works, surface water drainage, utilities (water, sewerage, electricity, gas, and telecommunications including fibre broadband), electricity substations, decentralised energy (energy centre and distribution network), work related to the retained pylons, noise and air quality mitigation. Temporary, between-phase infrastructure may also be required, as may off-site infrastructure works.
- 10.55 Officers have emphasised how crucial it is that these infrastructure requirements are identified at an early stage. When considering the current application, it must be ascertained what is required, when these works and provisions are required (phased delivery of some works may be appropriate), their costs, and who would be responsible for their delivery.
- 10.56 The council (as landowner) has commissioned WSP to assess the infrastructure needs of the HS11 site, and a list of infrastructure topics (that WSP have been commissioned to cover) was shared with the Bradley Villa Farm applicant team.

Residential quality and amenity

- 10.57 Local Plan policy LP24 requires developments to provide a high standard of amenity for future and neighbouring occupiers, including by maintaining appropriate distances between buildings.
- 10.58 Separation distances between the proposed dwellings and existing adjacent properties would generally be adequate to ensure no unacceptable loss of natural light, privacy or outlook would occur. However, levels information and sections will need to be provided by the applicant, to inform assessment of potential overlooking impacts to the south at Torcote Crescent and Bradley Road – this has been raised as a concern by some residents.
- 10.59 The design and locations of boundary treatments and landscaping would need careful consideration at conditions stage (should planning permission be granted) to ensure no significant loss of amenity occurs to neighbouring residents.
- 10.60 In terms of noise, although residential development would increase activity and movements to and from the site, given the quantum of development proposed, and the number and locations of new vehicular and pedestrian entrances that new residents would use to access the site, it is not considered that neighbouring residents would be significantly impacted. The proposed residential use is not inherently problematic in terms of noise, and is not considered incompatible with existing surrounding uses.

- 10.61 A condition requiring the submission and approval of a Construction (Environmental) Management Plan (C(E)MP) may be recommended in a future committee report. The necessary discharge of conditions submission would need to sufficiently address the potential amenity impacts of construction work at this site, including cumulative amenity impacts should other nearby sites (including sites in Calderdale) be developed at the same time. Details of dust suppression measures would need to be included in the C(E)MP.
- 10.62 The quality of the proposed residential accommodation is also a material planning consideration.
- 10.63 All units would be dual aspect. This is welcomed, as dual aspect enables natural ventilation, and has amenity and outlook benefits.
- 10.64 All units would have adequate privacy, outlook and access to natural light.
- 10.65 Dwellings would be provided with adequate private outdoor amenity space proportionate to the size of each dwelling and its number of residents. The proposed detached gardens proposed for three of the maisonettes are not ideal, however it is not recommended that planning permission be withheld in relation to this proposed provision.
- 10.66 Adequate distances would be provided within the proposed development between new dwellings.
- 10.67 The provision of areas of open space within the proposed development is welcomed, however more information is required regarding their size, use/purpose and management. The applicant's Design and Access Statement asserts that, based on 270 units and a population of 660 people, 2.95 hectares of open space would be required. 2.09 hectares of open space are proposed on-site.
- 10.68 Regarding play, it is noted that no open space is proposed to the south of the spine road, therefore children living within the southern part of the development would need to cross the spine road in order to access green space. The proposed 270 dwellings trigger a need for a Local Area for Play (LAP), a Local Equipped Area for Play (LEAP), and a contribution towards a Multi-Use Games Area (MUGA). The required details would need to demonstrate how any on-site playspace provision would be multifunctional, and would promote children's independence in their own neighbourhood.
- 10.69 Notwithstanding the proposed on-site provision, the applicant's proposals will still necessitate a financial contribution towards off-site open space. This must be calculated in accordance with Local Plan policy LP63, and the methodology set out in the adopted Open Space SPD, taking into account deficiencies in the Ashbrow ward. Further information is required from the applicant before the relevant open space contribution can be calculated.
- 10.70 The sizes of the proposed residential units is a material planning consideration. Local Plan policy LP24 states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers, and the provision of residential units of an adequate size can help to meet this objective. The provision of adequate living

space is also relevant to some of the council's other key objectives, including improved health and wellbeing, addressing inequality, and the creation of sustainable communities. Recent epidemic-related lockdowns and increased working from home have further demonstrated the need for adequate living space.

- 10.71 Although the Government's Nationally Described Space Standards (March 2015, updated 2016) (NDSS) are not adopted planning policy in Kirklees, they provide useful guidance which applicants are encouraged to meet and exceed, as set out in the council's Housebuilder Design Guide SPD. NDSS is the Government's clearest statement on what constitutes adequately-sized units, and its use as a standard is becoming more widespread – for example, since April 2021, all permitted development residential conversions have been required to be NDSS-compliant.
- 10.72 A breakdown of the proposed development's compliance with the Government's NDSS guidance will be requested.
- 10.73 Regarding the wider site allocation, at pre-application stage officers advised the applicant that parts of the HS11 site may be appropriate locations for specialist residential accommodation (such as homes for retirement or sheltered living and/or an Extra Care facility), and that potential locations for bungalows and for self-build development (as referred to at Local Plan paragraph 8.32) should also be explored in the applicant team's masterplanning work.

Affordable housing

- 10.74 At pre-application stage the applicant team were advised that a policy-compliant 20% affordable housing provision would be required.
- 10.75 The applicant duly proposes 54 affordable units, representing a 20% provision. These would be provided as 6x 1-bedroom maisonettes (units 68, 69, 83, 84, 85 and 86), 23x 2-bedroom houses and 25x 3-bedroom houses. In terms of tenure, 30 social rent and 24 intermediate units are proposed.
- 10.76 The proposed development lacks 4-bedroom affordable units. These are required to address a known need in the Huddersfield North area. There is also a concern that the development's affordable units may be visually distinguishable from the private units, as they include all six of the development's maisonettes and the majority of the development's terraced units. No affordable units would look out onto the development's open space, and therefore would arguably have inferior amenity. Amendments relating to the applicant's affordable housing provision will be sought.

Highway and transportation issues

- 10.77 Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development will normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.

- 10.78 Paragraph 108 of the NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.
- 10.79 Existing highway conditions must be noted. A site entrance already exists at Bradford Road, where the development's main vehicular access is proposed. A gated access (for agricultural use) to the Bradley Villa Farm site exists on Shepherds Thorn Lane. Bradley Road (the A6107) is a part 30mph, part 40mph highway with cycle lane markings, and part of the Core Walking and Cycling Network runs along this road and along Bradford Road (the A641), where a 40mph restriction also applies. The main roads nearest to the allocated site are served by the X63 bus service along Bradford Road and the 328 bus service that terminates at Alandale Road.
- 10.80 The council's proposals for local highway improvements should also be noted. The council's preferred option for the Cooper Bridge improvement scheme recently went to public consultation (between 07/06/2021 and 18/07/2021). This preferred option now involves no link road from the A644, and improvements are instead proposed to the Cooper Bridge and Bradley junctions.
- 10.81 Site allocation HS11 notes that additional mitigation on the wider highway network will be required in connection with development at the allocated site, and that there is potential for significant impacts upon the Strategic Road Network.

Site access

- 10.82 The proposals for the Bradley Villa Farm site include only one vehicular access point off Bradford Road, however the development would also be accessible from the east should development come forward at the rest of the HS11 site. At the eastern edge of the application site, Shepherds Thorn Lane is already of some importance (and provides opportunities for significant enhancement and integration with a redesigned scheme at the Bradley Villa Farm site, for aesthetic and active travel reasons), however it is not a suitable location for a key vehicular access point to the HS11 site.
- 10.83 Highways Development Management officers have advised that pedestrian and cycle access could be improved with a new crossing at Bradford Road. The applicant has verbally accepted this is a reasonable request. Better connectivity with Shepherds Thorn Lane could also be achieved for pedestrians and cyclists, and this will be raised in ongoing discussions with the applicant team.

Trip generation

- 10.84 Trip rates were agreed between officers and the applicant at pre-application stage. Applying those rates to a development of 280 dwellings, the applicant has predicated trip generation of 162 vehicle movements in morning peak (08:00 to 09:00, split as 42 arrivals and 120 departures) and 153 vehicle movements in the evening peak (17:00 to 18:00, split as 112 arrivals and 41 departures).

Junction impacts

- 10.85 At pre-application stage the applicant team was advised which junctions to assess in the TA, as follows:
- Bradley Bar Roundabout
 - Bradley Road/Leeds Road/Colne Bridge Road
 - Cooper Bridge Road/Wakefield Road/Leeds Road
- 10.86 Having regard to the applicant's trip generation information, the Bradley Bar roundabout would reach saturation during the morning peak hour after the addition of only 200 dwellings. Given this impact, it is considered necessary to secure a contribution towards capacity improvements at that junction. A preliminary mitigation scheme has been developed (by WSP) which includes increased entry widths and effective flare lengths on each approach arm to this junction.
- 10.87 Given the proposed development's potential impacts upon the Strategic Road Network, the pre-applicant team were advised to engage in early dialogue with Highways England. At application stage, Highways England issued a recommendation that planning permission not be granted (to be reviewed no later than 03/12/2021), which effectively prevents the council from approving the current application without referring its decision to the Secretary of State. The applicant team are currently working on a response to Highways England's concerns.
- 10.88 Regarding the Cooper Bridge highway improvement scheme, at pre-application stage the applicant team were advised to test "with" and "without" scenarios, to provide a robust assessment that accounts for the possibility of delivery of that scheme being delayed or amended. The applicant duly provided these assessments, albeit with reference to earlier iterations of the schemes that included a link road connecting the allocated site to the A644. The applicant has been asked to provide an addendum to the Transport Assessment, providing an assessment of the impacts of the proposed development with reference to the preferred option.
- 10.89 Having regard to the requirements of site allocation HS11, to ensure later developments (elsewhere within HS11, and at other sites) are not required to mitigate all the cumulative highway impacts to which a development at Bradley Villa Farm would contribute, any planning permission granted for major residential development at the Bradley Villa Farm site would be required to contribute to future capacity improvements (including the Cooper Bridge improvement scheme), regardless of whether the 270 proposed dwellings would – when considered in isolation – trigger a need for improvements.

- 10.90 Regarding other junctions, the applicant's Transport Assessment states that there would be modest increases in congestion and delay at several junctions within the study area as a result of the completed development. At junctions located further away from the site the proposed development traffic impact would be reduced and diluted as the traffic disperses through the network. As such it is considered that the magnitude of the effect of development traffic overall across the highway network would be minor adverse.

Internal layout

- 10.91 The design of the proposed east-west spine road should reflect that of the section of spine road already approved under application ref: 2018/93965, with a 6.75m wide carriageway. The spine road should be capable of accommodating new or diverted bus services. Details of crossing points, including for farm traffic along the retained access directly behind 686 and 688 Bradford Road, should be provided.
- 10.92 To help enable future connection to, and development of, the larger part of allocated site HS11, the spine road must be provided as adoptable highway up to the eastern edge of the application site boundary, where it meets Shepherds Thorn Lane, so that it may be continued eastwards as and when the council-owned land is developed.
- 10.93 Beyond the proposed spine road, an appropriate road hierarchy for the proposed development has been clearly described and illustrated in the submitted Design and Access Statement.
- 10.94 Detailed advice regarding Section 38 (highway design/adoption) matters has been forwarded to the applicant team.

Sustainable travel

- 10.95 Comprehensive and effective travel planning is required in connection with the proposed development, in compliance with Local Plan policies LP20 and LP51. A Travel Plan has been submitted with the application. This includes measures to encourage and enable the use of sustainable modes of transport by residents of the proposed development, and is welcomed. The Travel Plan includes details of monitoring and an action plan, and helps to meet the requirement (set out in pre-application advice) for a HS11-wide strategy for pedestrian and cyclist movement, required in light of the requirements of policy LP21 to encourage the use of sustainable modes of transport, policy LP23 regarding the Core Walking, Cycling and Riding Network, and policies LP20, LP24dii and LP47e which require improvements to neighbourhood connectivity and opportunities for walking and cycling.
- 10.96 Travel Plan implementation and monitoring fees would need to be secured via a Section 106 agreement. A contribution towards, or the provision of, Metro cards for the new residential units may be necessary – the need for this is yet to be assessed in light of forthcoming comments from the West Yorkshire Combined Authority.
- 10.97 Officers are in contact with their equivalents at Calderdale Council, and intend to discuss strategies that look beyond the boundaries of individual allocated sites, and that harness opportunities for wider sustainable and active travel, including to and from the centres of Huddersfield and Brighouse, the Brighouse Garden Suburb site, and employment, education and leisure destinations.

- 10.98 The Core Walking and Cycling Network is intended to provide an integrated system of routes that provide opportunities for alternative sustainable means of travel through Kirklees, and provide efficient links to urban centres and sites allocated for development – the Bradley Villa Farm proposals should respond positively to this intention, including in relation to Shepherds Thorn Lane. This will be discussed with the applicant team in relation to design matters and in light of the comments of the council's Public Rights of Way team.
- 10.99 During the life of the current application the applicant has been asked to assess local public transport provision, and opportunities for improvement. The applicant has also been asked to identify bus stop locations along the proposed spine road.

Parking

- 10.100 Parking provision across the site would need to reflect anticipated need (balanced against aesthetic, street scene, safety and sustainability considerations), having regard to likely vehicle ownership and the council's adopted Highway Design Guide SPD.
- 10.101 The proposed parking provision across the site is considered acceptable, although some provision for visitor parking will be required, and there are locations where proposed unbroken rows of parking spaces will need to be amended for visual amenity reasons.

Emergency access

- 10.102 As noted above, emergency access proposals are shown at appendix I of the submitted Transport Assessment, however it is unclear why such a vehicular access is proposed parallel to (rather than from) Shepherds Thorn Lane. Furthermore, this new access is not shown in other application drawings, nor is its future management explained. Further information will be required from the applicant.

Construction-phase impacts

- 10.103 The submitted ES considers the environmental effects of the proposed development during both its construction and operational phases. Assessment of these impacts is ongoing, and will be informed by the forthcoming comments of KC Environmental Health.
- 10.104 Construction management provisions (including in relation to construction traffic) would need to be secured via conditions, should planning permission for the proposed development be approved.

Flood risk and drainage issues

- 10.105 In relation to flood risk and drainage, the requirements of chapter 14 of the NPPF, and Local Plan policies LP27, LP28 and LP29, must be addressed. Drainage and flood risk (including provisions for flood routing) should be a key influence on any masterplan for the HS11 site, and any layout proposed for the Bradley Villa Farm site.

- 10.106 The allocated site is located within Flood Zone 1 and is therefore generally at low risk of flooding. Part of the allocated site (at Tithe House Way) is at risk of surface water flooding, as is an area at the northern edge of the golf course. To the east of Shepherds Thorn Farm, a watercourse runs northeastwards (via a pond), joining Deep Dike, Bradley Park Dike and, eventually, the River Calder. Another watercourse runs eastwards from a pond adjacent to the golf course club house, and historic maps illustrate other watercourses, some of which were interrupted by the construction of the M62. Surface water flood risk is associated with these routes. Additionally, there are some isolated depressions which represent flood risk. Other unmapped watercourses and features may exist within and close to the allocated site. Yorkshire Water sewers exist beneath Bradford Road, Bradley Road and Tithe House Way.
- 10.107 The Bradley Villa Farm site is larger than 1 hectare in size, therefore a site-specific Flood Risk Assessment (FRA) and a full site-wide drainage strategy is required. These have been submitted, as has chapter 15 of the ES, and the applicant has recently confirmed which versions of the Flood Risk Assessment is to be considered (three versions were submitted), and has submitted an updated ES chapter 15.
- 10.108 At pre-application stage the applicant team were advised to refer to the desk top work and site assessment carried out during Local Plan preparation (in particular, the report by RES Environmental, ref: 543KLE\H1747-H351 rev P1), and to continue liaising with Highways England regarding impacts on the M62's drainage. In their comments of 23/06/2021, Highways England did not raise objection on drainage or flood risk grounds.
- 10.109 The applicant proposes to drain the application site (by gravity) to the north, via a new attenuation tank and basin, which would then connect to Highways England's M62 drainage at a discharge rate of 22 litres per second.
- 10.110 Foul water would be pumped via a new pumping station (proposed at the north corner of the residential development) to existing Yorkshire Water sewers.
- 10.111 The Lead Local Flood Authority (LLFA) provided advice at pre-application stage. At application stage, the LLFA have requested further research and information regarding flood routing, and a site management plan. No objection has been raised by the LLFA to the proposed attenuation (although the basin should be utilised for SUDS treatment) or the proposed discharge rate.
- 10.112 Yorkshire Water have not objected to the proposals.

Environmental and public health

- 10.113 A Health Impact Assessment has been submitted, while chapter 5 of the ES addresses socio-economics and community matters. These documents are being assessed with regard to chapter 8 of the NPPF, Local Plan policy LP47 and the council's Joint Health and Wellbeing Strategy.
- 10.114 Development at this site would be required to assist in promoting healthy, active and safer lifestyles in accordance with the above planning policies. This can be achieved in many ways – air quality mitigation and improvement, facilitation and encouragement of on-site and local outdoor activity, inclusive design, providing opportunities for inter-generational interaction, new and enhanced public footpath and cycle path connections, careful construction

management (including dust control) and other measures can be proposed by the pre-applicant team. Active travel is of particular relevance to the HS11 site, given the local opportunities available for walking and cycling, and the council's intentions to expand the Core Walking and Cycling Network along Shepherds Thorn Lane.

- 10.115 KC Public Health have provided comments, including in relation to active travel. No objection to the proposals has been raised by KC Public Health.
- 10.116 The allocated site is not located within an Air Quality Management Area (AQMA), however it is relatively close to AQMA 1 (Bradley Road / Leeds Road junction), where elevated levels of Nitrogen Dioxide have been measured. An AQMA has also been designated in Brighouse. Due to the size of the development proposed at the Bradley Villa Farm site, and having regard to the West Yorkshire Low Emission Strategy planning guidance, air quality needs to be addressed at application stage. Accordingly, ES chapter 12 addresses air quality and odour, and is being reviewed by KC Environmental Health. A standalone Odour Assessment has also been submitted.
- 10.117 Electric vehicle charging and travel planning (which are relevant to air quality mitigation) are considered earlier in this position statement.
- 10.118 ES chapter 13 assesses the noise and vibration impact of the proposed development, and is being reviewed by KC Environmental Health.

Site contamination and stability

- 10.119 Site allocation HS11 notes the potential presence of contamination at the site. The east end of the allocated site includes part of a former landfill site, and a 250m buffer zone extends into the allocated site. A 250m buffer zone of another landfill site also includes the northern tip of the allocated site. Landfill gas affects land to the north of the allocated site, and a landfill gas buffer covers the northern and eastern parts of the allocated site.
- 10.120 The application site is not within a buffer zone or area of contamination risk, however site investigation has been carried out by the applicant, and the applicant's submitted information is being assessed by KC Environmental Health with regard to Local Plan policy LP53. ES chapter 14 addresses site contamination.
- 10.121 Most of the application site is within the Development Low Risk Area as defined by the Coal Authority, however the northern part of the site (the part which extends into the green belt) is within the Development High Risk Area, as is much of the larger (council-owned) part of HS11. Therefore within the site and surrounding area there are coal mining features and hazards. No standalone Coal Mining Risk Assessment has been submitted, however ES chapter 14 addresses ground conditions.
- 10.122 The Coal Authority have advised that any approval of planning permission should be subject to a condition requiring further intrusive site investigation in relation to the site's coal mining legacy.

Ecological considerations

- 10.123 The Wildlife Habitat Network covers parts of the allocated site, and areas outside it, including the ancient woodlands at Bradley Wood to the north and Screamer Wood and Dyson Wood to the south. Local Wildlife Sites exist immediately outside the allocated site, to the north and east. The majority of the allocated site is within a Biodiversity Opportunity Zone (Mid-Altitudinal Grasslands for most of the site, Built-up Areas for a small part of the west end of the site, and Valley Slopes along the site's northeastern boundary). Bats are known to be present in the area.
- 10.124 Site allocation HS11 states that, where an ecological assessment shows the presence of protected species, that area of the site will need to be safeguarded from development. Chapter 15 of the NPPF, Local Plan policy LP30, and the council's Biodiversity Net Gain Technical Advice Note are relevant. A 10% net biodiversity gain should be demonstrated in accordance with these policies. Net gain is measurable, and the degree of change in biodiversity value should be quantified using Natural England's Biodiversity Metric 3.0 (launched on 07/07/2021). In order to address the above, the proposed development would need to be supported by landscaping information and a calculation of change in biodiversity value using this metric.
- 10.125 No biodiversity metric calculation has been submitted. At a meeting held on 12/07/2021 the applicant expressed a view that a metric calculation did not need to be submitted, however officers have advised that – at the very least – a baseline calculation (of the site's existing biodiversity value) would be needed to inform an assessment against the above-listed policies, and to enable officers to calculate what financial contribution would be necessary if a net gain cannot be achieved on-site or close to the site on land controlled by the applicant. A further submission from the applicant is awaited.
- 10.126 ES chapter 8 concerns ecological impacts. KC Ecology and the Yorkshire Wildlife Trust have requested the required metric calculation, and further comments from these consultees (including a review of ES chapter 8) is expected once the calculation is submitted.

Trees and hedgerows

- 10.127 Tree Preservation Order 17/98/t18 protects a Hawthorn tree at the west end of the allocated site. Other trees exist in several locations across HS11.
- 10.128 Local Plan policy LP33 is relevant. A Tree Survey, Arboricultural Impact Assessment and Method Statement were requested at pre-application stage. The applicant was advised that the required impact assessment should demonstrate the realistic root growth of trees and a realistic assessment of potential impacts (including in relation to shading) and should recommend mitigation measures where appropriate.
- 10.129 At application stage, a tree survey and Arboricultural Impact Assessment have indeed been submitted. The applicant proposes felling of the protected tree, which has not attracted an objection from KC Trees, subject to appropriate mitigation being secured. Regarding other trees identified for felling, KC Trees have objected, and amendments to this part of the proposed development (along Shepherds Thorn Lane) will be requested.

10.130 Green Streets principles would need to be adhered to, and would need to be accounted for in any assessment of infrastructure requirements. Sufficient space should be allowed for trees in new roads, and habitat connectivity should inform proposals for tree planting within the application site. The council additionally promotes the White Rose Forest initiative, which is intended to greatly increase tree cover within the borough. Development of the Bradley Villa Farm site presents opportunities for extensive tree planting. At pre-applicant stage the applicant team were reminded of the proposed changes to the NPPF, which reflect the Government's ambition to ensure that all new streets are tree-lined. The applicant has responded positively to this advice, with the inclusion of more street trees in the application-stage layout. In ongoing discussions regarding design and layout, opportunities for introducing further tree planting will be discussed.

10.131 At pre-application stage the applicant team were also advised to monitor progress regarding the forthcoming England Tree Strategy. This strategy remains unpublished.

Open space, sports and recreation

10.132 As noted earlier in this position statement, more information regarding the proposed on-site open space is required. A breakdown of the proposed open space provision would need to be provided with reference to the six open space typologies used in Local Plan policy LP63 assessments. All proposed open space and landscaped areas should be clearly defined. In particular, the purpose of the proposed thin open space (running southwest-northeast through the Bradley Villa Farm site) should be clarified.

10.133 Sports and play spaces should be located and designed in accordance with Fields in Trust guidance.

10.134 Reprovision of golfing facilities have been addressed to an extent in the applicant team's masterplanning work, however as it is considered that this reprovision would be best located at the northeast part of the HS11 site (on council-owned land), this matter is not considered to be a key land use or layout constraint at the Bradley Villa Farm site.

Planning obligations and financial viability

10.135 A development of this scale would have significant impacts requiring mitigation. To secure this mitigation (and the benefits of the proposed development, where relevant to the balance of planning considerations), planning obligations secured through a Section 106 agreement would be necessary. Heads of Terms are likely to refer to:

- Infrastructure works and provision.
- Works and contributions required to mitigate highways and transportation impacts, including cumulative impacts. Should impacts not be fully assessed at the time the current application is determined (due to, for example, funding for the Cooper Bridge highway improvement scheme not being in place), an appropriate legal mechanism would still be required to ensure contributions are secured.

- Sustainable transport (including Travel Plan implementation and monitoring, and a contribution towards the expansion of the existing Core Walking and Cycling Network).
- Provision, or contribution towards the provision, of a two form entry primary school.
- Education contribution of £655,581 (calculated based on numbers of units and size mix).
- Early years and childcare provision, or a relevant contribution.
- Open space, including playspaces, ongoing management and maintenance responsibilities, and contributions towards off-site provision in the local area.
- Affordable housing – 54 dwellings (20% of 270).
- Provision and maintenance of drainage systems.
- Biodiversity net gain.
- Decentralised energy.
- Air quality mitigation.

10.136 The applicant has submitted a draft list of Heads of Terms which do not include all of the above items. Consideration of contributions, responsibilities for them (and for other obligations), their timing and triggers, and how they would be apportioned, is ongoing. Further consideration will be possible once more is known regarding the infrastructure needs of HS11.

10.137 The above obligations are significant, and together with the costs associated with on-site infrastructure, drainage and addressing the site's topography and coal mining legacy, would need to be taken into account by the applicant team. At pre-application stage the applicant team were advised that the council will not accept arguments that these costs were unanticipated (and that affordable housing or other necessary mitigation is not viable) where there is evidence that a developer has overpaid for a site, having not given sufficient consideration to development costs. The Bradley Villa Farm site was promoted for allocation and development by the landowner, and such development at this site can reasonably be assumed to be viable at this stage. Therefore, and given what is known regarding the site's development costs, the council is unlikely to entertain a future argument that residential development at this site is unviable. Should any such argument be made in the future, the council can have regard to paragraph 57 of the NPPF, which states that the weight to be given to a viability assessment is a matter for the decision maker.

10.138 On 19/01/2021, in light of the Government's announcement that it will abolish CIL and replace it with a nationally-set infrastructure levy, Cabinet agreed to not adopt the CIL Charging Schedule in Kirklees at this stage.

10.139 The provision of training and apprenticeships is strongly encouraged by Local Plan policy LP9, and as the proposed development meets the relevant thresholds (housing developments which would deliver 60 dwellings or more), officers will be approaching the pre-applicant team to discuss an appropriate Employment and Skills Agreement, to include provision of training and apprenticeship programmes. Such agreements are currently not being secured through Section 106 agreements – instead, officers are working proactively with applicants to ensure training and apprenticeships are provided. Given the scale of development proposed, there may also be opportunities to work in partnership with local colleges to provide on-site training facilities during the construction phases.

Phasing and delivery

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

11.0 CONCLUSION

11.1 Development at the Bradley Villa Farm site is welcomed in principle, however further amendment, assessment and other work will be necessary before the current application can be supported at officer level.

11.2 Members to note the contents of this position statement. Members' comments in response to the matters detailed above would help and inform ongoing consideration of the application, and discussions between officers and the applicant.