



Report of the Chief Planning Officer

PLANS PANEL (SOUTH & WEST)

Date: 11TH JULY 2013

Subject: APPLICATION 13/01941/RM: RESERVED MATTERS APPLICATION TO ERECT 173 DWELLINGS ON LAND AT BRUNTCLIFFE ROAD, MORLEY

APPLICANT

Barratt Homes Yorkshire
West & Priestgate Morley
Ltd.

DATE VALID

6TH June 2013

TARGET DATE

16th September 2013

Electoral Wards Affected:

Morley South

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Reserved matters are approved

1.0 INTRODUCTION:

1.1 A Position Statement for this application was considered by Plans Panel at the July meeting. In response to the points raised in the Officer's report, Members' provided the following comments:

- on the impact of the proposals on the setting of the Conservation Area, that further work remained but that the concessions made in respect of the stone wall and use of natural stone on some properties were welcomed
- regarding design, that the revisions, particularly the removal of rear bin stores to the rear were an improvement
- in respect of landscaping, the need to avoid the creation of large shrubberies was stressed
- on highway safety, some concerns were raised about the use of shared surfaces

- to note the comments made about the adjoining Masonic Lodge land being landlocked
- regarding the impact on residential amenity of adjoining occupiers, it was felt there would not be significant issues, although there was a need to carefully consider the relationship to the Arts and Crafts bungalows adjacent to the site
- on the acoustic fencing proposal, that there was a need to see the EPT response on this matter
- in terms of concerns about flood risk at the site, it was felt this was not an issue

- 1.2 Concerns were also raised at the impact on the public realm of parking areas to the front of the houses.
- 1.3 Members also considered that the proposed dwellings should have adequate privacy from the street, particularly corner plots.
- 1.4 Officers were asked to check that the S106 Agreement on the outline permission specified completion within 2 years.
- 1.5 Revised plans have been submitted to address the above points. This report addresses the outstanding concerns, and the up-dates the original July Plans Panel report, which is appended to this report.
- 1.6 The revised plans are described in more detail below, and include:
- Amendments to the elevations of Plots 1 – 3, which abut the conservation area boundary.
 - Retention of stone wall boundary to Bruntcliffe Road
 - Bin stores located to the rear
 - All open areas within the estate to be included within curtilages or to be within adopted highway.
 - Adopted roads up to the Masonic Lodge boundary.
 - An improved balance of parking solutions, so that long runs of parking have been broken-up by areas of planting, or have been provided as tandem parking, especially in visually prominent locations.
 - Improved privacy for future occupants by introduction of hedging to the front, and resiting of corner plots.
 - Four of the affordable houses to be 3 bedrooms, originally proposed as 2 bedrooms.

2.0 ISSUES RAISED BY PLANS PANEL

2.1 Setting of the Conservation Area

- 2.1.1 The three dwellings to the Bruntcliffe Road frontage have been revised so that they are now to be constructed in natural stone. In addition, the window details have been amended so that they have a more vertical emphasis, again, as is the local vernacular style, and chimneys have been added. The buildings are now considered to at least preserve the setting of the adjacent conservation area.
- 2.1.2 The existing stone wall to the Bruntcliffe Road frontage is to be retained.

2.2 Bin storage provision

- 2.2.1 The original scheme showed bin stores to the front of a large numbers of properties, mainly to the front of terrace houses. The scheme has been amended so that the bin stores are now all to the rear of the houses. For example, the two pairs of

terrace houses (plots 12 – 17) have a central access point between the two pairs of houses, which allow a rear access for pedestrians to be provided which would be gated and have good surveillance. This proposal is considered acceptable. This arrangement is repeated on plots 43 – 48.

2.2.2 For plots 97 – 100, the bins are accesses to the side of the terrace block, again, via a locked gate, and this arrangement is considered acceptable .

2.3 Areas of shrubberies

2.3.1 Panel raised concern at the creation of areas described as shrubberies, which would lead to maintenance issues. Outside of the curtilage of properties and the public open space, no such areas are now proposed. The area adjacent to the Bruntcliffe Road frontage is to be conveyed to residents, and the open areas adjacent to the pedestrian link onto Scotchman Lane will have individual trees and grass only.

2.4 Shared surfaces

2.4.1 A shared surface is proposed to the dwellings between plots 149 and 156, with a segregated footpath only to the southernmost part of the street. The shared surface serves 15 dwellings and under the Street Design Guide criteria this would fall into that of a Street Type 3a Shared Space Streets. They can serve up to 100 vehicles in the weekday PM peak or be up to 300m in length.

2.4.2 The width can vary but overall should have a minimum carriageway width of 4.8m with an adoptable corridor with of 7.4m which this does.

2.4.3 Ideally, a 2m wide pedestrian route would be provided on both sides of the carriageway with a nominal upstand of 30mm. If the street served 10 dwellings or less there would be no requirement for a pedestrian route or footway at all.

2.4.4 In this instance, one pedestrian route has been provided for 15 dwellings and whilst this isn't totally complaint, Highways Officers do not consider that a highways reason for refusal on this basis alone could be substantiated.

2.5 Masonic Lodge

2.5.1 The revised plan clearly shows the proposed highways abutting the Masonic Lodge land (which is allocated for housing). Therefore, the Masonic Lodge land would not be landlocked.

2.6 Relationship to the Arts and Crafts bungalows

2.6.1 The two nearest houses to these bungalows are Plots 1 and 7, which present their gable walls onto the bungalows at a distance of 19m. As 12m is the minimum distance, even allowing for the new buildings being two storeys, the distance is well excess of the minimum required. This relationship, therefore is considered acceptable by officers.

2.7 Acoustic fencing to the M62 motorway

2.7.1 In order to reduce noise levels externally at both the proposed façades and within the proposed garden areas, the applicant is proposing that a barrier is constructed

along the M62 boundary of the application site. In addition, there is high specification glazing proposed for noise sensitive properties, and 2.4m high wall/fences to boundaries closest to the M62 motorway.

2.7.2 Environmental Studies Officers have confirmed no objections to the above proposals.

2.8 Car parking to the front of dwellings

2.8.1 Concern was raised, mainly in regard to the terrace houses, that in some areas, parking to the front of the dwellings, rather than to the sides/ rears of houses, would dominate the public realm, to the detriment of the streetscape.

2.8.2 Revised plans have been submitted, which reduce the impact of the parking, as follows:

(i) For plots 12 – 17, the shared drive to the front has been reduced in length, to allow two parking spaces to be provided at the end of the drive. This, and the removal of the bin stores to the rear has freed up space to break up the long run of (what was) 10 parking spaces.

(ii) On the previous layout, 9 dwellings off the shared access road (plots 132 – 140) produced a virtually solid row of 15 car parking spaces, with very limited relief. On the revised plan, there are 8 dwellings, which produce 10 car parking spaces onto the street, allowing for greater landscaping to be provided. On the opposite side of the street, the layout remains largely unchanged, with plots 152 – 155 set back to allow tandem parking, with landscaped areas between. On balance, this arrangement is considered acceptable.

(iii) On the previous layout, plots 94 – 97 presented eight parking spaces onto the road leading to the footpath link on Scotchman Lane, with the additional problem that the cars would be vulnerable, being adjacent to the footpath link. The revised layout shows three dwellings facing onto the road, instead of the four, with only three drives fronting onto the highway. This is considered a material improvement on visual and community safety grounds.

(iv) Plots 98 – 101 on the previous scheme had 8 parking spaces. The terrace has been relocated further into the site, towards the eastern site boundary, so the rear facing wall of the terrace is 14m from the rear boundary, reduced from 16m previously. This allows plots 97 and 100 to have tandem parking, again allowing greater landscaping and less cars in the street scene.

2.8.3 There are still locations in the estate where cars are parked to the front, however, Officers consider that there is now a much improved balance of parking solutions throughout the estate, such that the public realm would not be adversely impacted upon to a degree whereby a refusal could be sustained on these grounds.

2.9 Privacy for future occupiers

2.9.1 In the main, properties at the various road junctions have been resited further away from the junctions, so that the occupiers would have greater privacy from activity in the street. In addition, the revised plans show sections of hedge to the front of these properties, which often wrap around the junction, which not only improves the privacy for residents, but softens the properties in the street scene.

2.10 Affordable housing

- 2.10.1 The completed Section 106 Agreement requires affordable housing to be provided at 15%, in accordance with the Plans Panel resolution at outline stage.
The relevant clause is:
- Either: 15% (rounded up) of the total number of dwellings provided that the Implementation of Development is within 2 years of the date of the grant of planning permission (i.e. by 28th March 2015), comprising 50% sub-market and 50% social rented affordable units:
- Or
- If Implementation of Development is later than 2 years from the date of the grant of planning permission the number of affordable units will accord with the affordable housing policy of the Council at the time of the implementation of the development.
- 2.10.2 There is no requirement for the development to be completed within two years. The issue of delivery of affordable housing is an issue considered at outline stage, and not subject to consideration at reserved matters stage.
- 2.10.3 The applicant has amended the original proposal, and Plots 158 – 161, which were originally 2 bedroom houses, are now 3 bedroom houses, following representations received from ward members regarding the mix of properties. This is considered acceptable.

3.0 UP- DATED REPRESENTATIONS

- 3.1 The initial representations were set out in Section 6.0 of the July Plans Panel, and further representations have now been received.
- 3.2 A second Ward member briefing was held on 8th August to discuss the first set of revisions (see 3.3.1 below), attended by Councillor Elliott (Morley South), Councillor Finnigan (Morley North) and Councillor Varley (Morley South). Two local residents were also in attendance. The removal of the bin stores were welcomed, but concerns were still raised at the dominance of cars in the street scene. Potential noise concerns remained, pending final consideration by Environmental Health Officers. Concerns were raised that the houses facing the conservation area were not in keeping with the character and appearance of the area.
- 3.3 Morley Town Council (MTC) made the following comments in respect of the first set of revisions, which MTC noted as follows :
- 3.3.1 Many of the changes are on and around the north-western leg of the L-plan main access drive and consist of improved road corners, more visitor parking in roadside lay-bys, small additions to shrubbery and the provision of public benches. Depth of buffer planting is increased along some of the north-western site boundary. Bin stores have been taken from fronts of houses and put into back gardens.
- 3.3.2 Most of the site is part of a UDP housing allocation, the rest of which lies in the adjoining Masonic Lodge grounds, but the Barratt site has been extended westwards into what the UDP Inspector meant to be a buffer between housing and employment. A compensating extension of the buffer strip beyond the red line has been agreed; it is not clear from the information now supplied what the full buffer strip will be, or how it would be secured by legal agreement and installed on the ground. An access road leading to the Masonic boundary should be kept free of any ransom strips or similar devices, as it would be essential for development of the remainder of the UDP housing allocation within the Masonic grounds.

- 3.3.3 Land in the most northerly part of the site is within the Conservation Area extension about to be confirmed; most of the house at Street Farm is to be kept, with an appropriate a "vernacular" extension replacing demolished outbuildings, and the part nearest Bruntcliffe Road moved to give a reasonable sight-line. We still believe that new houses within and near the new Conservation Area around the site entrance should be more in keeping with traditional Morley styles; they should be in stone or good quality artstone and have roofs with shallower pitches, instead of the standard estate houses which are rather uninspiring. There are some stone boundary walls which should be kept and repaired.
- 3.3.4 Affordable housing is at 15% and well spread through the estate in pairs or short terraces; there is no ghetto. However, many defects remain; the tightness of the overall layout shows in the cramped nature of the affordable and similar open-market houses, frontages taken up entirely by car parking, some houses very close to highway edges and corners, and small back gardens, some of which may be below standard in terms of area in proportion to the floorspace of the dwellings which they serve. We maintain that it will be necessary to take out a few houses to allow a freer and better layout.
- 3.3.5 Permitted development rights should be withdrawn across the estate to protect the amenity of residents from the possibility of ill-advised or excessive alterations and extensions being made by their neighbours. There are general concerns across Morley about shortages of school places and the capacity of medical practices and dental surgeries and growth of traffic which should be taken into account as each new housing proposal emerges.
- 3.3.6 MTC still object to this revision, and consider there is more work to do.
- 3.4 Three letters of objection have been received, one from a local householder, and two from further afield, in Morley and West Ardsley. The objections all relate to the principle of development, that development is not sustainable, is over and above the housing allocation, and will lead to congestion and highway safety difficulties.
- 3.5 Gildersome Parish Council objects on the grounds as in para. 3.4 above.
- 3.6 The final set of revisions were advertised on 28th August, and any further representations will be reported verbally to Plans Panel. A ward member briefing was due to take place on 5th September, to discuss the final changes, and any comments will be reported verbally to Plans Panel.

4.0 CONCLUSION

- 4.1 The proposal is a reserved matters submission, to consider the appearance, landscaping, layout and scale of the development. The scheme has been amended so that Officers now consider these reserved matters to be acceptable. The amendments to the three Bruntcliffe Road frontage plots, in terms of design and materials, addresses concerns at the impact on the setting of the conservation area. The amendments to the bin store provision, parking arrangements, and location of dwellings close to the junctions has produced a scheme which is acceptable in terms of visual and residential amenity. No technical concerns are raised.
- 4.2 As the revised plans satisfactorily address previous concerns raised by Members in respect of amenity in the public realm, residential amenity and conservation issues, the application is supported.



Leeds
CITY COUNCIL

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RECOMMENDATION: Members are requested to note the contents of this position statement, provide feedback on the questions posed and are invited to provide comments on any other aspect of the proposals.

INTRODUCTION:

- .1 The purpose of this report is to provide Members with information, raise the issues involved and seek Members initial views on the reserved matters proposal for 173 dwellings.
- .2 The earlier outline application was brought to the Plans Panel because it related to a substantial development proposal and was subject to a considerable number of objections from residents.

2.0 PROPOSAL:

- 2.1 Outline approval has been granted for residential development, with access also being approved. An indicative layout showed approximately 168 dwellings. The current reserved matters application seeks approval for appearance, landscaping, layout and scale.
- 2.2 The total site area is 7.7 hectares. The net area of development is 4.9 hectares and the open space and buffer areas amount to 2.8 hectares. The site layout shows 169 new build houses, and the conversion/new build at Street farm will form four units, so that a total of 173 units would be provided.
- 2.3 The 169 new build houses are all two storey in a mix of 85 detached houses, 50 semi-detached houses and 34 terrace properties. In terms of numbers of bedrooms, 13 x two bed houses are proposed, 83 x three bedrooms and 73 x four bedroom houses. The density is 35 dwellings per hectare.
- 2.4 Of these dwellings, 26 dwellings (15%) are proposed to be affordable units, under the terms of the completed Section 106 Agreement. 13 of these are proposed to be two bedrooms, and 13 would be three bedrooms. Four would be semi-detached, with the remainder (22) in terrace form. The affordable units are identified with asterisks on the site layout.
- 2.5 At Street Farm, adjacent to the Bruntcliffe Road frontage, it is proposed to demolish part of the farmhouse and convert and extend the barn behind the house, and demolish other outbuildings, to form four dwellings in a 'L' shape to the site frontage. These would form 1, one bedroom, 1, two bedroom and 2, three bedroom houses.

Approved access

- 2.6 The proposed layout shows the housing to be served from a single vehicular access from Bruntcliffe Road, to the west of the Street Farm buildings. A footpath/cycleway with provision for emergency vehicle access is proposed onto Scotchman Lane. The bus stop on the frontage may need to be moved to accommodate the emergency access.
- 2.3 The access arrangements would involve building out the existing footway to provide a wider footway along the southern side of Bruntcliffe Road, to the east of the proposed access. A pelican crossing is proposed to facilitate pedestrian movements across Bruntcliffe Road
- 2.4 Two new pedestrian refuge islands are proposed on the A650 west of the proposed site access. In addition, new road markings in the form of additional hatching are

proposed on the stretch of the A650 between Scotchman Lane junction of Scott Lane. These arrangements were approved at outline stage.

Greenspace and buffer

- 2.5 2.8 hectares of open land (Green Infrastructure) is proposed to the south and west of the development, in the form of buffer zone and greenspace. A pedestrian walkway is proposed through the greenspace, which would connect with the pedestrian access onto Scotchman Lane, link to the footbridge over the M62 and connect to the northern part of the estate.
- 2.6 The buffer zone extends beyond the red line site boundary to the west, to provide a more extensive buffer to the proposed employment allocation. This buffer is required under the terms of the completed Section 106, and details are not required under this reserved matters application.

Completed Section 106 Agreement

- 2.7 The applicant has completed a s106 agreement that covers the following:
- 15% affordable housing contribution provided that the development is commenced within 2 years of the date of the grant of planning permission. This would comprise 50% sub-market and 50% social rented affordable units:
- Or
- If the development is implemented later than 2 years from the date of the grant of planning permission the number of affordable units will accord with the affordable housing policy of the council at the time of the implementation of the development.
- Bus stop improvement contribution of £60K.
 - A primary education contribution based on the following: number of dwellings x £12,257 (cost multipliers) x 0.25 (yield per pupil) x 0.97 (location cost).
 - A secondary education contribution based on the following: number of dwellings x £18,469 (cost multipliers) x 0.10 (yield per pupil) x 0.97 (location cost). (see 10.65)
 - Public Transport Contribution: In the event of 168 dwelling being constructed a sum of £152,208 is provided. In any other event a sum of £906 per dwelling. (see 10.65)
 - Off-site highways contribution of £30, 321
 - Provision of on site greenspace.
 - Off site greenspace contribution of £244,117.53 in the event of 168 dwellings being constructed. In any other event the sum of £1,453.08 multiplied by the number of dwellings constructed.
 - MetroCard scheme for proposed residents (12 month card for use within zones 1 – 3).
 - Travel Plan.
 - Buffer Zone (west of the site) and Noise Buffer Zone to the south of the site.
 - Local employment scheme.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is located on the south western periphery of Morley, adjacent to the M62. The site covers an area of approximately 7.7ha. It is bounded to the north by Bruntcliffe Road, allotments and a field boundary, to the south by the M62, to the east by residential properties on Scotchman Lane and to the west by agricultural fields.

- 3.2 As set out above, a significant majority of the site is in use as agricultural land, with the exception of the northwest corner, which is occupied by Street Farm, 3 barns and a vegetable patch. The site comprises largely of a Phase 2 Housing Allocation (H3-2A.5) within the Leeds Unitary Development Plan (UDP) Reviewed and adopted in 2006. Under the provisions of UDP Policy E4:47 6.5 hectares of land to the west of the application site is allocated for employment uses.
- 3.3 Morley town centre is located approximately 1km to the north of the site and is easily accessed along the A6123 (Fountain Street). Howley Park Industrial Estate is located to the east of the application site and can be accessed from Britannia Road and Scotchman Lane.
- 3.4 Junctions 27 and 28 of the M62 are located approximately 1.6km and 2.7km to the west and east of the site respectively and allow for access to the wider road network.
- 3.5 Fountain Primary School and Morley High School are both located within 0.7km of the site and recreational facilities exist at Dartmouth Park approximately 0.11km from the sites proposed access point.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 12/01332/OT – outline planning permission granted for residential development on the site on 28th March 2013. Details of the outline are set out in para. 2.1 above and the provisions of the completed Section 106 is set out in para. 2.7.
- 4.2 Of relevance are two undetermined planning applications on the Bruntcliffe Road/A650 corridor, which contribute to traffic generation in the area:
- 4.2.1 10/04597/OT - Outline application to layout access road and erect light industry, general industry and warehouse development (Use Classes Class B1c, B2 and B8), a 115 bed hotel and pub/restaurant, with car parking, Wakefield Road, Gildersome. Approved in principle by City Panel in April 2013, and subject to a Holding Direction by the Highways Agency and completion of a Section 106 Agreement.
- 4.2.2 12/02470/OT - Outline application for proposed employment development for use classes B1(b) and B1(c) (Research and Development/Light Industrial Uses), B2 (General Industrial Uses) and B8 (Storage and Distribution Uses) with new accesses, associated infrastructure and landscaping, land between Gelderd Road/Asquith Avenue and Nepshaw Lane North, Gildersome. Submitted on 1st June 2012. Currently under negotiation.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 In respect of the current reserved matters scheme, no negotiations have been carried out as yet, whilst the application is out to consultation, and seeking views from residents and members.
- 5.2 At outline stage, extensive negotiations took place in respect of the Section 106 Agreement, and in particular with the provision of a noise buffer zone which effectively reduced the scheme from approximately 200 to 170 dwellings. In addition, Street Farm house was proposed to be retained, and new development in the vicinity to be designed to give a courtyard appearance.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 This application was advertised as Proposed Major Development, Affecting a Public Right of Way and setting of a Conservation Area by Site Notices on 21st June 2013.
- 6.2 Any representations will be reported to Plans Panel in due course.
- 6.3 A Ward member briefing was held on Friday 21st June, attended by Councillor Elliott (Morley South), Councillor Finnigan (Morley North) and Councillor Leadley (Morley North). The following comments were made:
 - 6.3.1 Concern that the terrace properties do not allow bins to be provided for at the rear, and the proposed bin storage areas to the front are unacceptable.
 - 6.3.2 Request that Officers consider whether there is scope to increase the size of the two bedroom affordable units, to provide more three bedroom family houses.
 - 6.3.3 Concern that some of the garden sizes may be substandard and Officers should consider whether the minimum space standards are being met.
 - 6.3.4 It is considered essential that permitted development rights are removed to prevent the potential overdevelopment of the site.
 - 6.3.5 Care should be given that the houses facing the existing conservation area, i.e. along the Bruntcliffe Road frontage, should respect the character and appearance of the conservation area.
- 6.4 Morley Town Council - Most of the site is part of a UDP housing allocation, the rest of which lies in the adjoining Masonic Lodge grounds, but the Barratt site has been extended westwards into what the UDP Inspector meant to be a buffer between housing and employment. A compensating extension of the buffer strip beyond the red line has been agreed; the full buffer strip should be secured by legal agreement and installed on the ground. An access road shown leading to the Masonic boundary should be kept free of any ransom strips or similar devices, as it would be essential for development of the remainder of the UDP housing allocation within the Masonic grounds.
- 6.5 Land in the most northerly part of the site is within the Conservation Area extension about to be confirmed; most of the house at Street Farm is to be kept, with an appropriate "vernacular" extension replacing demolished outbuildings, and the part nearest Bruntcliffe Road removed to give a reasonable sight-line. We believe that new houses within and near the new Conservation Area boundary, around the site entrance, should be more in keeping with traditional Morley styles; they should be in stone or good quality Artificial stone and have roofs with shallower pitches, instead of the standard estate houses which are rather uninspiring. There are some stone boundary walls which should be kept and repaired.
- 6.6 Affordable housing is at 15% and well spread through the estate in pairs or short terraces; there is no ghetto.
- 6.7 However, the tightness of the overall estate layout does show in the cramped nature of the affordable and similar open market houses; there are frontages taken up entirely by car parking, bin stores in front of houses, and small back gardens the areas of some of which may be below standard. Overall, the removal of a few houses would allow a much freer and better layout. Greenspace in the west and south forms two buffers which merge at the south-west corner; these are to give the break between housing and industry referred to above, and to give a substantial stand off from the motorway formation along the southern boundary.

- 6.8 Permitted development rights should be withdrawn across the estate to protect the amenity of some residents from the possibility of ill-advised or excessive alterations and extensions being made by their neighbours.
- 6.9 There are general concerns across Morley about shortages of school places and the capacity of medical practices and dental surgeries and growth of traffic which should be taken into account as each new housing proposal emerges.
- 6.10 We object to the application as it stands; there is more work to do.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 Highways Agency – Comments awaited.
- 7.2 Highways – Comments awaited.
- 7.3 Environment Agency – No objections.

Non-statutory:

- 7.4 Comments awaited.
- 7.5 Yorkshire Water – The indicative masterplan drawing, shows at least two trees will be within the requested 6m stand-off strip either side of the 3 YW water mains that runs through the proposed public open space area within Phase 2 of the proposed development.
If there are to be any extra dwellings within the buffer area, the condition for the water mains, it is requested a condition be included to require a 6.0 (six) metres easement either side of the centre line of the three water mains, which cross the site.
Further drainage details are required and conditions should be added to show details of surface water and foul water drainage
- 7.6 Metro – With respect to the S278 works, in order for Metro to progress the bus shelter installations, we require early payment of the funding secured in the S106 (£60,000). Without early payment, Metro will not be able to procure the shelters in line with the S278 programme of works. Finally we request that any S106 agreement which includes RMC should reflect current 2013 prices and amended terms and conditions. Metro are no longer able to issue RMC Scheme B and request that the developer funds all dwellings with a card (Scheme A). This would cost at current 2013 Prices: $170 \times £462.00 = £78,540.00$. This cost could be split into two equal phases if required.
- 7.7 Public Rights of Way – Public Footpath No.90 Morley abuts the site. The footpath does not appear to be affected by the development and as such, as long as the footpath is not encroached upon or interfered with in any way, no objection to the proposal.

- 7.8 West Yorkshire Archaeology – comments awaited.
- 7.9 Neighbourhoods & Housing comments awaited.

8.0 PLANNING POLICIES:

Development Plan

- 8.1 The Development Plan for the area consists of the adopted Unitary Development Plan Review, along with relevant supplementary planning guidance and documents.

The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage.

- 8.2 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.
- 8.3 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

Leeds Unitary Development Plan (UDP), adopted 2001

- 8.4 Under Policy N11 of the Leeds Revised Draft UDP (1993) Bruntcliffe Road, Morley was promoted as a tract of open land which represented a major visual amenity. It stated that *“on the following tracts of land, only open uses will be permitted. Building will only be allowed if it can be shown that it is necessary for the operation of farming or recreational uses and if it would not adversely affect the open character of the area”*
- 8.5 The UDP Inspector’s site specific comments regarding the allocation of land in the South Leeds area (Chapter 17) referred to Bruntcliffe Road, Morley under Topic 472 states at Paragraph 472.15 that *“the UDP be modified by deletion of this land from Policy N11 and its allocation under Policies E4 (6.5ha) and H4 (5.0ha) along the lines of the objectors’ Appendix RFH 7/2 and subject to the retention of substantial areas of open land and satisfactory highway arrangements”*. The Bruntcliffe Road site was therefore re-allocated for housing ‘New Proposals’.

UDP Review 2006

- 8.6 The Bruntcliffe Road site was re-allocated as a Phase 2 housing allocation in the UDP Review. The current allocation is referenced H3-2A.5 – Bruntcliffe Road, Morley. The UDP Review allocation describes the Bruntcliffe Road site as follows:
- 8.7 The following extract has been taken directly from the Morley Area text in Chapter 17 of the UDP Review where at paragraph 17.2.3 it states:

Bruntcliffe Road, Morley

Under Policy H3-2A.5, 5.0 ha of land are allocated for housing at Bruntcliffe Road, Morley, subject to:

- i. the provision of a satisfactory means of access;
- ii. the whole of the area between the housing allocation H3-2A.5 and the employment allocation E4(47) to remain open for amenity purposes;
- iii. retention and enhancement of existing public footpaths;
- iv. a satisfactory means of drainage;
- v. preparation of a planning framework to guide development of this site and adjoining employment allocation E4(47).

8.8 The following list of policies is relevant to the consideration and determination of this application. A short remark is made against each of these policies which are primarily dealt with in the submission of other technical reports that accompany this application.

8.9 General Policies:

Policy GP5: Development proposals should resolve detailed planning considerations including access, drainage, contamination, design, landscape. Proposals should seek to avoid environmental intrusion, loss of amenity, pollution, danger to health.

Policy GP7: Where development would not otherwise be acceptable and a condition would not be effective, a planning obligation will be necessary.

Policy GP11: Where applicable, development must ensure that it meets sustainable design principles.

Policy GP12: A sustainability assessment will be encouraged to accompany the submission of all applications for major developments.

Environment Policies:

Policy N2 & N4: Provision of Green Space.

Policy N12: Principles of Urban Design.

Policy N13: High Standards of Design expected for all new buildings.

Policy N19: Proposals adjacent to Conservation Areas should preserve or enhance the character or appearance of that area.

Policy N23: Incidental Open Space.

Policy N24 : Proposals to assimilate into the adjoining open area.

Policy N25: Boundaries of Sites.

Policy N49: Protection of natural habitat for wildlife

Policy N51: Design of new development should enhance existing wildlife habitat and provide new habitat.

Transport:

Policy SA2: Encourages development in sustainable locations.

Policy T2: Transportation and Highway Issues, and

Policy T2B: Submission of Transport Assessment, and

Policy T2C: Submission of Travel Plan

Policy T5: Provision of safe access in new developments for pedestrians and cyclists.

Policy T6: Adequate provision for access for people with disabilities within new development

Policy T7A: Provision of secure cycle parking, and

Policy T7B: Provision of secure motorcycle parking, and

Policy T24: Adequate provision of parking facilities.

Housing:

Policy H9: Balanced provision of housing types.

Policy H11: Provision of affordable housing

Policy H12: Submission of appraisal of affordable housing needs and negotiations of that provision, and

Policy H13: Affordable housing provided in perpetuity.

Building Design, Conservation and Landscape Design:

Policy BD5: New buildings designed with consideration of their own and others amenities, and

Policy BD5A: Use of materials that conserve energy and water, and

Policy LD1: Landscaping requirements.

Policy LD2: Guidance for new roads.

Policy N29: Archaeology considerations.

Leeds Interim Affordable Housing Policy

8.10 The Leeds Draft Interim Affordable Housing Policy came into force on 1st June 2011. The affordable housing requirements that make up this new interim policy are set out below:-

Existing housing market zone as in SPG	SPG policy	Informal Policy July 2008	New Interim Policy 2011
Outer suburbs	25%	30%	15%

The site is in the Outer suburbs category and so the interim policy seeks 15% affordable housing provision if delivered within 2 years.

National Guidance

8.11 The National Planning Policy Framework (2012). The NPPF seeks to achieve sustainable development and contains a presumption in favour of development that achieves this. Annex 1 makes it clear that a recently adopted local plan is capable

of continuing to be the main development plan for one year from the date of publication of the NPPF even where it does not accord with the NPPF. This means that the UDP continues to be the main policy document for development, however the NPPF is a material consideration.

- 8.12 Paragraph 47 requires that local planning authorities should identify a supply of specific, deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%. Where there has been a record of persistent under delivery of housing the buffer should be increased to 20%.
- 8.13 Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 8.14 Section 6 'Delivering a wide choice of high quality homes' and Section 7 'Requiring good design' are particularly relevant.
- 8.15 Noise Policy Statement For England (March 2010)

Local Guidance

- 8.16 SPD Designing for Community Safety (adopted).
- 8.17 SPG13 Neighbourhoods for Living (adopted).
- 8.18 SPD Street Design Guide (adopted).
- 8.19 SPG4 Greenspace relating to new housing development (adopted).

9.0 MAIN ISSUES

- 9.1 The main issues are considered to be:
- Principle of development
 - Access
 - Impact on Street Farm and extended Conservation Area
 - Amenity/Layout considerations
 - Landscape design and visual impact
 - Impact on Landscape and Ecology
 - Highway Safety
 - Implications for land allocated for housing abutting the eastern site boundary
 - Residential Amenity
 - Noise intrusion
 - Flood Risk management
 - Relationship to employment land
 - Air quality

10.0 APPRAISAL

Principle of development/Access

- 10.1 The application is reserved matters, therefore **the principle of development is not an issue to be considered here**. Members may recall that the housing proposal does not strictly accord with the housing allocation, and includes an area of unallocated land to the west. Panel members were satisfied that the proposal was sustainable, and that subject to the completion of a s106 Agreement to address particular matters, the proposal was acceptable.
- 10.2 In addition to the principle of residential development, the outline permission approves the means of access into the site. The approved works to Bruntcliffe Road will provide a continuous footway link on the southern side where none currently

exists and will provide new crossing facilities in the form of two new islands and a pelican crossing. A stage 1 Road Safety Audit was submitted and identified no safety issues. Panel members were satisfied with the access arrangements.

Impact on Street Farm and extended Conservation Area

- 10.3 Morley Dartmouth Park Conservation Area currently lies to the north of Bruntcliffe Road, with part of the conservation area having a frontage onto Bruntcliffe Road, to the north west of the application site. The draft Morley Conservation Area extension (Area E) proposes to include back-to-back and through terrace development on Bruntcliffe Road, and also further villas towards Scotchman Lane and Street Farm. Street Farm is unlisted but dates back to the 18th Century. Street Farm is an important reminder of Morley's former agricultural character and is one of the earlier surviving elements of this part of town, shown on the 1st edition Ordnance Survey map of 1852. Also proposed to be included within the enlarged conservation area is the Masonic Lodge, formerly Thornfield, on Bruntcliffe Road and Rose Villa on America Moor Lane. These are impressive 19th century villas with surviving converted coach houses.
- 10.4 The proposed extension to the conservation area has been subject to consultation, and an objection has been received from the developer. All consultation responses have been evaluated and the appraisal will be amended in light of comments received as appropriate. The final version of the appraisal and boundary modification will then be formally adopted and will become a material consideration when applications for development within the conservation area and its setting are considered by the Council. Only limited weight could be applied until the final version is adopted.
- 10.5 The Reserved Matters plan shows the retention of the original farm building, with later extensions to be removed. Other outbuildings are proposed to be demolished and extended, but the new buildings are proposed to reflect the courtyard setting. This approach is supported in principle. Comments from the Conservation team are awaited.
- 10.6 In respect of the remainder of the site frontage, the three new houses (Plots 1-3) are set back 13m from the Bruntcliffe Road frontage. The ash tree to the frontage is to be retained, with the adjoining smaller self-seeding trees removed. New trees are proposed to the site frontage. The set-back of 13m is supported in principle, as is the retention of the ash tree. The house would be sited outside the canopy of the ash tree, and has a private south facing garden which would be unaffected by the presence of the tree. The comments of the Landscape section are awaited.
- 10.7 Plots 1-3 are detached two storey houses, to be constructed in brick. Consideration is being given as to whether the house types preserve or enhance the setting of the conservation area.
- 10.8 Do Members have any comments on how the proposal impacts on the setting of the conservation area?**

Amenity/Layout considerations

- 10.9 As a reserved matters application, there is now a level of detail that requires examination, including the detail of how the streets and spaces work and the detailed forms and elevations of buildings. At this stage, early discussions are taking place between officers and the applicants, taking on board the comments received so far from local members (see paragraphs 6.4 to 6.10) in order to ensure that the proposed development carries through the high quality design principles anticipated

at outline stage. This is particularly important in regard to the 'gateway' buildings proposed to the main estate road. The buildings proposed are all two storey, with very similar roof heights, therefore the location of the buildings and their materials and building styles will need careful consideration to provide an interesting and legible layout.

- 10.10 More generally, officers consider that the broad layout is acceptable, but will be seeking to negotiate on the following points in particular:
 - 10.10.1 The main junctions around the perimeter now have an area where an 'event' can occur giving coherence to the site layout. However, more needs to be done to these areas to make them more interesting and for them to become points of interest because they are important points of reference.
 - 10.10.2 The properties that turn corners are still problematic, the corners sit uncomfortably close to the radii of the road and leave very little defensible space to the frontage, e.g. you could tap on 122's front window from the footpath.
 - 10.10.3 Access to the rears of the terraced properties are problematic, for reasons of maintenance etc access is required, this may be overcome with a through gated access shared by neighbouring houses.
 - 10.10.4 More of the houses to have increased spacing and the cars to be absorbed off the frontage up the drives along the sides of dwellings. In the denser parts of the development the cars and hard standing dominate the street scene. By moving the cars from the back edge of the footpath to what would have been front gardens does not absorb the car off the street, it just bring it closer to the house frontage and makes it difficult to achieve any defensible space.
 - 10.10.5 Generally rear aspects are down to 10m, neighbourhoods for living suggests a starting point as being 10.5m
 - 10.10.6 Some garden spaces appear on the small side, included in the calculation must be usable garden space e.g. 124, 140, 67, 109, 73, 77, 13,11, 10, 5,
 - 10.10.7 Frontages to 94 - 97 are particularly poor, given that this area is already vulnerable, due to the through route onto Scotchman Lane, it is felt that these houses in particular require proper defensible space to their frontages. If no cars were parked there, the whole of the frontage is indefensible, if it is fully parked up then the cars would be vulnerable.
 - 10.10.8 The little stub feeding 98 -109 requires a bit more imagination and possibly the loss of some units to free up the space, achieve access to the rears and relieve the extent of car parking to the frontage.
 - 10.10.9 The through route between 131 – 156 requires a bit more imagination and possibly the loss of some units to free up the space, achieve access to the rears and relieve the extent of car parking to the frontage.
 - 10.10.10 Siting bin stores in front gardens is not a good design solution, this generally occurs with the terraced houses. There may be conflict between 46 and 47, and 44 and 43 without delineation between front garden space and access to the bins should the car spaces be full. There will likely be the need for a bin store to cater for 3x240 litre bins per property, if sited to the front these enclosures need the space to be absorbed into the curtilage rather than appearing as an inappropriate after

thought see 160 and 159 (if parked up the bins cannot be accessed), 106 and 107, 99 and 100 (these enclosures will have to cater for 6x240 litre bins)

10.10.11 There are some stone boundary walls which should be kept and repaired.

10.10.12 Where the houses face onto Morley Conservation Area, the houses need to reflect the character and appearance of the CA. Morley employs a very simple robust vernacular using a lot of stone and heavy stone detailing. The window detailing also has more of a vertical emphasis than the submitted house types. It would be interesting to understand what the contextual basis is for the finer arts and crafts detailing.

10.11 Officers, therefore, will be seeking to ensure that the proposals broadly comply with the guidance contained in Neighbourhoods for Living, with respect to distances between dwellings and relationships to adjacent properties in order to ensure good quality townscape and prevent amenity problems.

10.12 A series of street-scene sections and house types have been provided in order to gain feedback to refine the detailed design. Do Members have any comments relating to design?

Landscape design and visual impact

10.13 The outline approval secured the buffer planting and the proposed greenspaces to the south and west of the application site, and these principles appear to have been carried through successfully into this reserved matters submission.

10.14 Nevertheless, given the detailed nature of this application, it is also important to consider the detailed design of the streets and spaces, including existing and proposed trees and hedges, infill planting where necessary, boundary treatments, the laying out of the greenspaces and their associated management.

10.15 Do Members have any comments on the quality of street and landscape planting throughout the development?

Impact on Landscape and Ecology

10.16 A Biodiversity Enhancement and Management Plan to discharge Condition 22 attached to the grant of outline permission has been submitted. The key measures proposed to increase long term biodiversity are:

Enhancing ecological networks

- To enhance current levels of connectivity around the site as well as supplementing existing hedgerows while providing food sources and habitats for a range of species.

Creating species rich grassland

- Helping to develop and maintain a species rich grassland area sown with an appropriate seed mix .

Providing mammal and bird refuges

- To create a variety of new opportunities for birds to nest, bats to roost and hedgehogs to shelter/hibernate.

10.17 The Council's Nature Conservation Officer fully supports the recommendations set out in the report.

10.18 Do Members have any comments on the quality of the ecology proposals?

Highway Safety

10.19 The means of access onto the A650 Bruntcliffe Road and pedestrian/emergency access onto Scotchman Lane was approved at outline stage. In respect of a detailed layout, it is considered the access can support the amount of development proposed. A loop road will allow emergency vehicles to safely access the site. Two parking spaces are proposed for the 3 and 4 bedroom houses, and 150% parking is proposed for the 2 bedroom houses.

10.20 In light of the above do members have any concerns in respect of highway safety?

Implications for land allocated for housing but not within application site

10.21 The Masonic Lodge buildings and land to the east are allocated for housing in the UDP, but not included within the application. In order to prevent this land from being land-locked, and not coming forward for housing, adopted highways are shown on the submitted layout abutting the boundaries of the site to the east and the west. These access points are supported.

10.22 In light of the above do members have any concerns in respect of the adjoining Masonic Lodge land being landlocked?

Residential Amenity

10.23 As set out in the section above, Officers are negotiating to seek compliance with the Council's standards in respect of space about dwellings. Matters in relation to noise and air quality are discussed in the section below.

10.24 In respect of impact on adjoining residents, additional pedestrian movements will take place onto Scotchman Lane, as an emergency access is proposed between houses. It is considered that the existing gap on Scotchman Lane is sufficient to allow this access without adversely impacting upon adjoining residents. In respect of the impact of the new houses, Plot 94 will present its side gable onto the nearest house at 15m. The minimum distance required is 12m, therefore 15m for a two storey dwelling is considered acceptable. Plots 98 – 102 face on to the backs of the houses on Scotchman Lane, at a distance of between 27 and 29m. The minimum required distance is 21m, therefore, there should be no undue overlooking.

10.25 The only other residential properties directly affected by the proposal are the two Arts & Crafts bungalows fronting the development at its most northerly point, adjacent to Bruntcliffe Road. The two nearest houses to these bungalows are Plots 1 and 7, which present their gable walls onto the bungalows at a distance of 19 and 20m. As 12m is the minimum distance, even allowing for the new buildings being two storeys, the distance is well excess of the minimum required. Plot 6 is close to the southern boundary of Ingleton bungalow, but at 6m from the boundary, it shouldn't adversely impact upon the bungalow. Officers consider that the existing occupiers would not be adversely impacted upon by the proposals.

10.26 In light of the above do members have any concerns in respect of the impact on residential amenity of adjoining occupiers?

Noise intrusion

10.27 At outline planning stage, a revised indicative layout was submitted which deleted dwellings on a 40m strip of land adjacent to the M62, and a revised Noise Assessment was submitted which was agreed by Neighbourhoods & Housing Officers. The note on the plan within this 40m strip states "Extent of development in this area to be determined at Reserved Matters stage through additional noise and

air quality monitoring'. The reserved matters application is now under consideration, and the 40m strip is designated as a Noise Buffer Zone.

- 10.28 In addition to the Noise Buffer Zone, the applicant is proposing either a 3m high acoustic fence or a 1m high bund with 2m high acoustic fence, close to the back edge of the M62 boundary. This would be adjacent to the proposed buffer planting, which would be to the northern side of the fence line. Advice is awaited from the Environmental Protection Team on the suitability of the acoustic fencing.

10.29 In light of the above do members have any concerns in respect of the acoustic fencing proposal?

Flood Risk Management

- 10.30 A Flood Risk Assessment was submitted at outline stage, and the Council's Flood Risk Management Section, the Environment Agency and Yorkshire Water raised no objections subject to conditions. It appears that soakaway drainage will be satisfactory without water affecting lower lying land (including the M62 motorway).

- 10.31 Yorkshire Water has commented that the indicative masterplan drawing shows at least two trees will be within the requested 6m stand-off strip either side of the 3 YW water mains that runs through the proposed public open space area within Phase 2 of the proposed development. These trees will need to be relocated.

10.32 In light of the above do members have any concerns in respect of flood risk at the site?

Relationship to employment land

- 10.33 The proposed housing intrudes onto the 'landscaped buffer' identified in the UDP to the west of the housing allocation. However, the developer has completed a Section 106 Agreement to deliver not only the greenspace, but a 'buffer zone' beyond which extends beyond the red line site boundary to the west, to provide a more extensive buffer to the proposed employment allocation. This buffer is required under the terms of the completed Section 106, and details are not required under this reserved matters application.

Air quality

- 10.34 The issue of air quality was addressed at outline stage and condition 17 of the outline permission requires detailed monitoring to take place. This is to be dealt with under an application to discharge the planning condition.

11.0 CONCLUSION

- 11.1 Members are requested to consider all the matters raised within this report in order to provide officers with appropriate comments and / or advice on the proposal. Specifically, feedback is requested from Members on:

(i) Do Members have any comments on how the proposal impacts on the setting of the conservation area?

(ii) Do Members have any comments relating to design?

(iii) Do Members have any comments on the quality of street and landscape planting throughout the development?

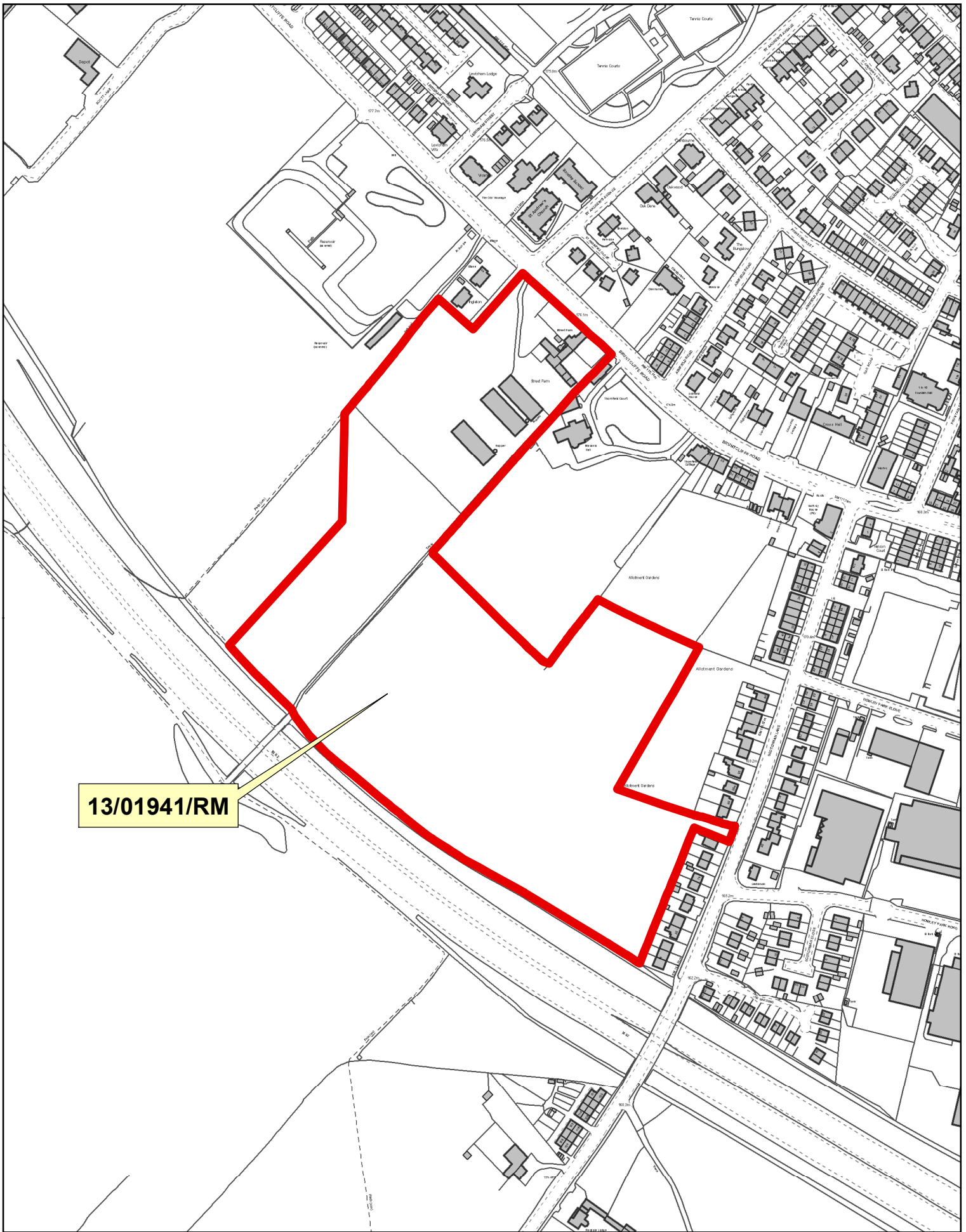
(iv) Do Members have any comments on the quality of the ecology proposals?

- (v) Do members have any concerns in respect of highway safety?
- (vi) Do members have any concerns in respect of the adjoining Masonic Lodge land being landlocked?
- (vii) Do members have any concerns in respect of the impact on residential amenity of adjoining occupiers?
- (viii) Do members have any concerns in respect of the acoustic fencing proposal?
- (ix) Do members have any concerns in respect of flood risk at the site?

Background Papers:

Application and history file 12/01332/RM

Certificate of Ownership:



13/01941/RM

SOUTH AND WEST PLANS PANEL

