



Report of the Chief Planning Officer -

PLANS PANEL SOUTH AND WEST

Date: 2nd October 2014

**Subject: Application 14/01886/RM Reserved Matters Application for the construction
Of 114 dwellings with associated car parking and landscaping on land at
Owlers Farm Wide Lane Morley LS27 8ST**

APPLICANT

Persimmon Homes
(West Yorkshire)Ltd
and Priestgate Ltd

DATE VALID

07.04.2014

TARGET DATE

07.07.2014 – extension of
time to 3.10. 2014

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:

Approval subject to the specified conditions

Conditions

1. Time limit on permission 2 years
2. Plans to be approved
3. Details of materials to be submitted
4. Submission of level details
5. Details of boundary treatment to be submitted
6. Biodiversity Protection and Enhancement Management Plan to be submitted
7. No site clearance of vegetation , trees or shrubs during wild birds breeding season
8. Bat roosting survey to be carried out and submitted
9. Submission of method statement for control of Himalayan Balsam
10. Submission of floodlighting scheme to minimise the impact on nature conservation
11. Submission of Site Investigation Methodology as outlined in submitted report
12. Reporting of unexpected contamination
13. Site Investigation details of contamination to be submitted

14. Submission of highway details specifying visibility splays, vehicle access and vehicle spaces
15. Submission of drainage details and flood management works
16. Details of treatment of watercourse
17. No trees or structures within 9m of embankment of watercourse
18. Details of surface treatment to designated footpaths to be submitted
19. Submission of archaeological programme
20. Statement of construction practice
21. Submission and implementation of landscaping details
22. Landscape Management Plan
23. Details of landscape buffer to the southern and eastern boundary to be submitted
24. Coal Investigation works prior to commencement of development
25. No building works over or within 5m of sewers crossing the site
26. Details of wildlife buffer zone to be submitted
27. Local training and employment initiatives

1.0 INTRODUCTION

- 1.1 The application site is designated as a Protected Area of Search and has been granted outline approval for dwellings (see history below). This reserved matters application is brought back to Plans Panel for determination due to the nature of the designation. The application is to consider all matters that were reserved at outline.
- 1.2 The original 13 week target has been passed, however the applicant has agreed to an extension of time taking the new deadline to 3rd October 2014.

2.0 PROPOSAL:

- 2.1 The site measures 3.83Ha and the application seeks to erect 114 dwellings in a mix of detached, semi detached and terraced forms. The houses will range in size from 2, 3 and 4 bedroom family houses. 15% of the units will be affordable.
- 2.2 The main access into the site is to be taken from the existing Wide Lane, Bedale Court Junction which currently serves the 16 dwellings on Bedale Court. This existing vehicular access stops as a cul de sac at the top end of the Bedale Court development. This access is to be further extended within the development site and was the subject of a further report to City Plans Panel on the 13th February 2014 (see history below).
- 2.3 Part of the site is on the Wide Lane frontage where 5 properties are laid out in the form of a 3 terrace block, and a pair of semis. A further detached dwelling sides onto Wide Lane. These dwellings are set back from Wide Lane with landscaping. The access road flows through the site in both linear and spur formations serving dwellings on either side. The centre of the site has detached dwellings with garden areas backing onto each other. The Open space is located towards the west of these central dwellings. This has a pedestrian access running through this space towards the south of the site where further openspace is provided. The dwellings are designed at 2 and two and half storey in height with spacing between the buildings helping to reduce the massing further.
- 2.4 This application was originally submitted as a Charles Church scheme. This has subsequently been amended and revised as a Persimmon Homes development

3.0 SITE AND SURROUNDINGS:

3.1 The application site of 3.83 hectares is located on the eastern edge of the town of Morley and is approximately 300m to the west of the A653 Dewsbury Road which links southern Leeds to the M62. Leeds City Centre is 4.5km northeast of the proposed site. The site is bounded to the north by Wide Lane (B6123). Towards the north and west are residential properties along Bedale Court, Topcliffe Crescent, Mews and Avenue. The southern and eastern boundaries are Green Belt. Topcliffe Beck runs along the southern boundary of the site and the eastern boundary is formed by agricultural farmland. Newlands Farm is located to the east of the site and Topcliffe farm is situated to the southeast. Trees and landscaping are present along and close to the north, east and south boundaries of the site. Housing towards the west and north are predominantly modern two storey dwellings. The site is designated as a Protected Area of Search (PAS) on the Leeds Unitary development Plan and is currently in agricultural use.

4.0 RELEVANT PLANNING HISTORY:

4.1 13/00902/OT Presented to City Plans Panel 21st November 2013
Deferred for more information required in relation to the access into the site.
Presented to 13th February 2014 City Plans Panel with the additional access information.
Outline Approval Granted 21st February 2014

A section 106 has been signed which provides the following:-

- 15% Affordable housing provision on site
- Education contribution of £4,763 per dwelling
- Public Transport Infrastructure £1,226.00 per dwelling
- Travel Plan Management Fee £2,700
- Management Fee £4,000
- Residential Metrocard scheme £572.55 per dwelling
- Bus stop improvements £40,000
- Local training and employment initiatives during the construction of the development
- Off site highway works consisting of parking restrictions in general vicinity of the junction as well as works for a bus clearway

23/429/01 15 three bedroom dwelling houses
Approved 30th January 2003

H23/160/82 Outline application to lay out access roads and erect residential development to vacant agricultural site
Refused 13th September 1982

H23/168/80 Change of use of rhubarb sheds to form shop and stores
Approved 28th April 1980

5.0 HISTORY OF NEGOTIATIONS:

5.1 Council Officers have met with the applicant to discuss issues around the layout of the development. Which resulted in the proposal being amended from A Charles Church Development to a Persimmon Homes Scheme. This facilitated greater feasibility to amend the layout. Particularly with regard to reflecting the urban grain of the area

6.0 PUBLIC/LOCAL RESPONSE:

6.1 At outline application the applicant submitted a Statement of Community Involvement detailing the number of meetings and Community engagement having taken place.

6.2 The application was advertised by site notice posted on site on the 17th April 2014. Publicity expiry date being 8th May 2014.

6.3 As a result of the negotiations taking place on matters of layout (see history of negotiations section). The amendments required the proposed layout to be readvertised. A further site notice was posted on site on 22nd August 2014 publicity expiry being 12th September 2014. Local Ward Members also notified of changes.

6.4 To date the following local representations have been received:-

2 Bedale Court raising the following issues:-

- Additional traffic being generated through Bedale Court
- The road is not wide enough to accommodate this as several occupants currently parking on the closed road itself. This will prove extremely problematic with the extra flow of cars
- Congestion on already narrow road to increase exponentially, particularly in the mornings and late afternoon rush hour periods. It is already difficult to join Wide Lane due to the large volume of cars in the morning
- Plans show one route into site- Bedale Court which is insufficient for the number of commuters
- Amount of pollution that residences of Bedale Court and surrounding houses will have to endure. Noise levels will need to be considered. In addition to the noise from the building work as well as machinery and vehicles of the building site.
- Mud and debris left on pavements as well as road. Noise and disturbance will be exacerbated if full works commence. No capacity to accommodate this
- Local Infrastructure at full capacity
- Too many houses being proposed, how many affordable houses will there be?
- Land susceptible to flooding
- Impact on value of property
- Loss of view

314 Wide Lane

- Building of these dwellings will cause parking restrictions in Wide Lane, restrictions outside house where will we park?
- Wide Lane is busy, road safety concerns of children crossing the road when works taking place.

Morley Town Council

Have raised the following concerns to amended plans:-

- Outline established means of access and principle of development only. Did not support the means of access at outline stage. Access from Bedale Court introduces a cul de sac at the north western corner of the site. Cross sections must be provided to confirm that appropriate gradients down from Bedale Court will be achieved
- Neither of the reserved matters access arrangements are the same as that agreed in the outline permission.
- 117 dwellings will be more cramped than 88. Affordable housing has been increased from thirteen units to seventeen to maintain the 15%. There has been an improvement in that the affordable housing has been dispersed to some degree rather than being gathered into a single ghetto, though all are along the eastern boundary rather than being scattered at random throughout estate.
- Highway problem created by clearway. Even numbered dwellings across the road on Wide Lane are totally dependant on- road parking; any form of clearing would be totally unacceptable. Unless a dedicated parking area could be provided by Persimmons?
- Occupants of 304 to 322 were not sent consultation letters from Persimmons
- Deficiencies in local infrastructure remain including the schools issue
- Object to the reserved matters application.

7.0 CONSULTATION RESPONSES:

Nature Conservation

- 7.1 Landscape Master Plan needs to reflect the details shown on the Biodiversity Enhancement and management Plan.
(Applicant has addressed this)

7.2 Highways

- Gradients of adopted roads / footways would be no greater than 1:16. However gradients of 1:20 should be achieved where possible.
- Raised junction/ plateau should be introduced at the entrance to plots 100-114
- Beneficial for a platform to be introduced along the straight section of road between plots 56 and 65. Alternatively introduce a platform at the junction next to plots 37/66 would help to contain vehicle speeds as they enter the straight section of road.
- Shared surface street serving over 10 dwellings should be designed with designated pedestrian routes (usually on both sides of the road)
- Shared surface street serving plots 1-7/14-29 (23 dwellings) should be designed with the above routes. Extension of the turning head across the frontage of plot 6 would accommodate LCC refuse vehicles
- Merit in providing a footpath connection across the grass to the existing Bedale Court
- Shared surface street serving plots 65 and 68-78 (12 dwellings) should be designed with pedestrian routes. Hammerhead at end of road needs to be extended in order to accommodate refuse vehicles
- Similar situation for hammerhead serving plots 79-83/84-88 requires a hammerhead to serve refuse vehicle
- Shared surface road serving plots 89-99 (11 dwellings) is in excess of the limit of 10 houses that can be served without designated pedestrian routes. Recommend layout be reconfigured so no more than 10 dwellings are

served by the shared surface road. Turning head to accommodate a private car should be provided at end of road

- Shared surface for plots 100-114 should be designed with designated pedestrian routes. Turning head needs to be extended to accommodate refuse vehicle
- Plots 77,78,79,87 and 88 are located beyond the maximum dustbin carry distance of 25m
- Plot 5 requires minimum drive length of 5.6m
- 1800mm high screen fence to front of plot 8 would obstruct sightlines of vehicles exiting the drive
- Drive to plot 13 encroaching onto radius of adjacent junction
- Drive to plot 30 would conflict with position of ramp at junction to plots 1-7/14-29
- Bin storage facilities for the mid terrace properties plots 18,21,35,36,49,50 and 69 should be clarified
- Gradient of all driveways should not exceed 1:12.5

(Of the above concerns the applicant has addressed all but 2 in further revised plan drawing number OF-2014.01 Revision E . A footpath connection across grass to existing road Bedale Court has not been provided as levels would create a steep footpath. The 1800mm high fence in front of plot 8 is 900mm high railings- which will not obstruct visibility)

Neighbourhoods and housing

- 7.3 Requirement for 15% affordable housing split 50/50 social rent/submarket housing in this area. Therefore there is a requirement of 17 affordable units (based on 114 units) 9 for social rent and 8 for sub market. The 17 units provided are located along the eastern boundary of the site, 5 units (plots 66 to 70) are provided in the south east corner of the site. These are in the form of a pair of semi detached, and a block of three terraces. There is a landscape break with a further 4 affordable units in a terraced block(Plots 34 to 37). The remaining 8 units are provided to the site frontage on Wide lane with 3 units (plots 17-19) as a terraced block and a semi detached pair (plots 15 - 16)

7.4 Flood Risk Management

In reference to the revised layout plan, the open balancing ponds at the bottom of the site – adjacent to Topcliffe Beck have been removed. If so revised drainage /engineering layout drawing needed. This can be addressed by condition.

Yorkshire Water

- 7.5 Further to the comments and conditions included from the outline application which are still valid. The submitted drawings should show the site surveyed position of the public sewers traversing the site with the requested 5 metre stand off distance on either side.
(The position of the existing drainage easements are shown on the submitted plans, and is conditioned)

Environment Agency

- 7.6 Comments at outline application were to recommend conditions to meet the requirements of the NPPF. These are still valid, these conditions are carried through onto this reserved matters application.

Coal Authority

- 7.7 Comments from outline application remain. These stated that the application site may have been subject to unrecorded shallow coal mining activity . Further site investigation is required, recommend conditions to be attached No further comments to make on the reserved matters application. This condition is carried through on this reserved matters application.
- 7.8 Landscaping
Overall the layout is an improvement. Scheme. Scheme layout would benefit from more detailed consideration to ensure the best development of the greenspace form amenity and biodiversity benefits.
(The landscape masterplan has been revised to address the above accordingly.)
- 8.0 PLANNING POLICIES:**
Development Plan
- 8.1 The development plan consists of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and The Natural Resources and Waste Development Plan. These are supplemented by 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. The site is not designated for any particular purpose in the UDPR. Land abutting to the east is designated Green Belt.
- 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. The Inspector`s Reports into the Core Strategy and the CIL examinations have now been received and reports on these were considered by Executive Board on 17 September 2014 with a view to the Core Strategy being referred to full Council for formal adoption. As the Inspector has considered the plan , subject to the inclusion of the agreed Modifications, to be legally compliant and sound, the policies in the modified Core Strategy can now be afforded substantial weight. Once the Core Strategy has been adopted it will form part of the Development Plan.
- 8.3 Leeds Unitary Development Plan (UDP) Review:
GP5: General planning considerations.
GP7: Use of planning obligations.
GP11: Sustainable development.
N2/N4: Greenspace provision/contributions.
N10: Protection of existing public rights of way.
N12/N13: Urban design principles.
N23/N25: Landscape design and boundary treatment.
N24: Development proposals abutting the Green Belt.
N29: Archaeology.
N34: Protected Areas of Search
N38 (a and b): Prevention of flooding and Flood Risk Assessments.
N39a: Sustainable drainage.
BD5: Design considerations for new build.
T2 (b, c, d): Accessibility issues.
T5: Consideration of pedestrian and cyclists needs.
T7/T7A: Cycle routes and parking.
T24: Parking guidelines.
H1: Provision for completion of the annual average housing requirement.
H2: Monitoring of annual completions for dwellings.
H3: Delivery of housing on allocated sites.
H11/H12/H13: Affordable housing.

LD1: Landscape schemes.

8.4 Interim Policy – Release of PAS sites – 13th March 2013 (see 1.16 to 1.17 above)

8.5 Supplementary Planning Guidance / Documents:
Neighbourhoods for Living – A Guide for Residential Design in Leeds
Street Design Guide
SPG4 – Greenspace
SPG11- Education contributions
SPD- Street Design Guide
SPG25 – Greenspace and Residential Developments

National Guidance

8.6 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%.

8.7 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.

8.8 Paragraph 85 sets out those local authorities defining green belt boundaries should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

9.0 MAIN ISSUES

- Principle of Development
- Layout and design
- Highways
- Impact on Residential Amenity
- Flood Risk Management and Drainage
- Local representations, and Morley Town Council representations received
- Section 106 Package
- All other matters

10.0 APPRAISAL

Principle of Development

- 10.1 The principle of residential development on this site was established when approval was granted for the outline permission. This carried a number of conditions and there is also a S106 Agreement which places a number of requirements on the developer. As a result of these the development can be considered acceptable in principle. The location of the access to the site was approved at outline stage, all remaining matters including appearance, layout, scale and landscaping are reserved. This current application seeks approval for these reserved matters.

Layout and Design

- 10.2 The site is bound to the north by Wide Lane , to the north and west by Bedale Court and residential properties along Topcliffe Crescent , Topcliffe Mews , and Topcliffe Avenue , which are all to the west. The southern and eastern boundaries are Green Belt. Topcliffe Beck runs along the southern boundary of the site and the eastern boundary is formed by agricultural farmland as part of newlands farm. The site slopes from north to south towards Topcliffe Beck. The northern end of the site is lower than Wide Lane and there is a drop into the site from Bedale Court. At outline stage panel members requested additional information to illustrate the degree of infill material needed and the transport delivery of this material. Further sections and levels were requested to demonstrate that the access level changes will work in practice, and the impact this will have on the existing dwellings at Bedale Court and Topcliffe Avenue and Mews. This was demonstrated by the maximum gradient of the road to be no more than 1:16 and that the drives to be conditioned to be no more than 1:12.
- 10.3 The levels plans submitted show the predominant area to be infilled raises the ground level to the required standard. This achieves the 1:16 gradient for the access road. The access road runs from north to south through the site and three quarters of the way down it crosses the site from east to west. This linear road has a public sewer below. An easement of 5m either side has to be achieved and is addressed by a condition. The dwellings on either side are set back to allow for this easement. The central area of the site has a block of mixed housing in the form of two storey detached, semi and terraced dwellings, with garden areas backing onto each other. The east of the site has a mixture of detached and terraces which face the internal access road and back onto the green belt beyond. A landscaping buffer is proposed between the garden areas and the green belt beyond. Towards the south of the site the dwellings are detached and semi detached by design with plots 75 to 83 overlooking the open space and green belt beyond.
- 10.4 On entering the proposed site along Bedale Court the gradient is 1:16 being fairly even on entrance to the site sloping down to plot 43 being approximately 3m lower. Plots 109 to 114 sit to the south of development at Bedale Court. The row of plots also sit 3m below this development with a 2m fence as screening between.
- 10.5 Residential dwellings on Topcliffe Avenue and Mews are located adjacent to the western boundary. The sections submitted demonstrate that in the north west corner of the site the ground level is flat between proposed plot 104 and existing dwelling number 31 Topcliffe Mews. The levels are similiarly flat between proposed plots 96 to 99 and 30 Topcliffe Avenue.

- 10.6 9 affordable housing units are provided in the southeast corner of the site in the form of a 4 and 3 terrace block and a pair of semis. A further 8 are provided to the front of the site 5 backing onto Wide Lane and 3 backing onto the eastern boundary landscaped buffer. This fulfils the required provision of 17 units and are spread in three locations across the site albeit on the eastern side.
- 10.7 In terms of the built form the layout has been assessed by the Councils Design Review Panel and is considered to reflect the local character of the area. Overall the houses are spaced well and the relationship of dwellings to the existing in regards to distances has been achieved. There is provision for small gardens to the front and adequate rear gardens according to plot size. There is a provision of off street parking in the form of garages and car parking spaces. The southern boundary will be landscaped and will provide public open space. The eastern boundary provides a landscaped buffer of 9m. A central area of open space is accessible to occupants of the site and the wider local community and in size is policy compliant. There is a sufficient level of landscaping and greening of the site. Site frontage to Wide Lane is landscaped, this sets the units which have their garden areas facing Wide Lane, further into the site away from the frontage.
- 10.8 The house types are from a fairly standard template, with some not featuring heads and cills, a condition is to be attached to provide these features. The mix of house types (two and two and half storey in height) are in the form of terracing semis and detached giving the development some character and assimilating with the local character of the area.

Highways

- 10.9 Highway initially have raised concerns as specified in the consultation section above. These have been addressed in the revised plans. Off site highway works in the form of provision for a bus clearway is part of the S106 agreement.

(To add further comments once received also in relation to representation received About impact of bus clearway on Wide Lane residents parking)

Impact on Residential Amenity

- 10.10 A modern residential development of approximately 16 dwellings, at Bedale Court is located towards the north of the site and is served by a vehicular access from Wide Lane. The existing development has a court layout with some of the dwellings facing the road which will be extended to be the main vehicle access into this site. Currently the residents enjoy a low level of vehicular and general activity. The proposed development will therefore give rise to a significant increase in vehicle and pedestrian movements which will impact on the living conditions of existing residents. The western boundary of the site also adjoins existing dwellings and there will be some impact. The layout and design section (above) considers the impact on neighbouring dwellings.

Flood Risk Management and Drainage

- 10.11 A Comprehensive Flood Risk Assessment and Surface Water Management Strategy (Report 3676/FRA1 (Rev A) dated January 2013) has been undertaken, and has been submitted as part of the outline application. The report acknowledges and addresses the flood related issues in accordance with the present regulatory framework, guidance and council policies appropriate for the development of this

greenfield site. The final surface water drainage design and details should be in accordance with the proposed drainage strategy set out in the Report. Conditions are to be attached for the submission, approval and implementation of flood risk management measures and drainage design details.

Representation Received

- 10.12 2 representations have been received from individual households on Bedale Court and Wide Lane. Representation has also been received from Morley Town Council. The majority of the points raised have been addressed in the relevant sections of the report and these include matters relating to:
- Highway concerns (Paras: 7.2 and 10.2 and 10.3)
 - Noise and disturbance – condition to be attached
 - Drainage and flooding concerns (Paras: 10.10)
 - Cross sections and dwelling number and layout (Paras 10.2 to 10.8)

Section 106 Package

- 10.13 The Community Infrastructure Levy Regulations 2010 set out legal tests for the imposition of planning obligations. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development. .

The Section 106 Package consists of the following:-

- 15% affordable housing provision on site
- Education Contribution of £4,763 per dwelling
- Public Transport Infrastructure £1,226.00 per dwelling
- Travel Plan Management Fee £2,700
- Management Fee- £4,000
- Residential Metrocard scheme £572.55 per dwelling
- Bus stop improvements - £40,000
- Local training and employment initiatives during the construction of the development.
- Off site highway works consisting of parking restrictions in general vicinity of the junction as well as works for a bus clearway.

All Other Matters

- 10.14 At this stage no overriding concerns exist in respect of other planning issues including nature conservation, contaminated land and landscaping.
- 10.15 It considered that the development respects the character of the area in relation to the spatial setting of the houses, their scale and appearance and the landscaping of the site.

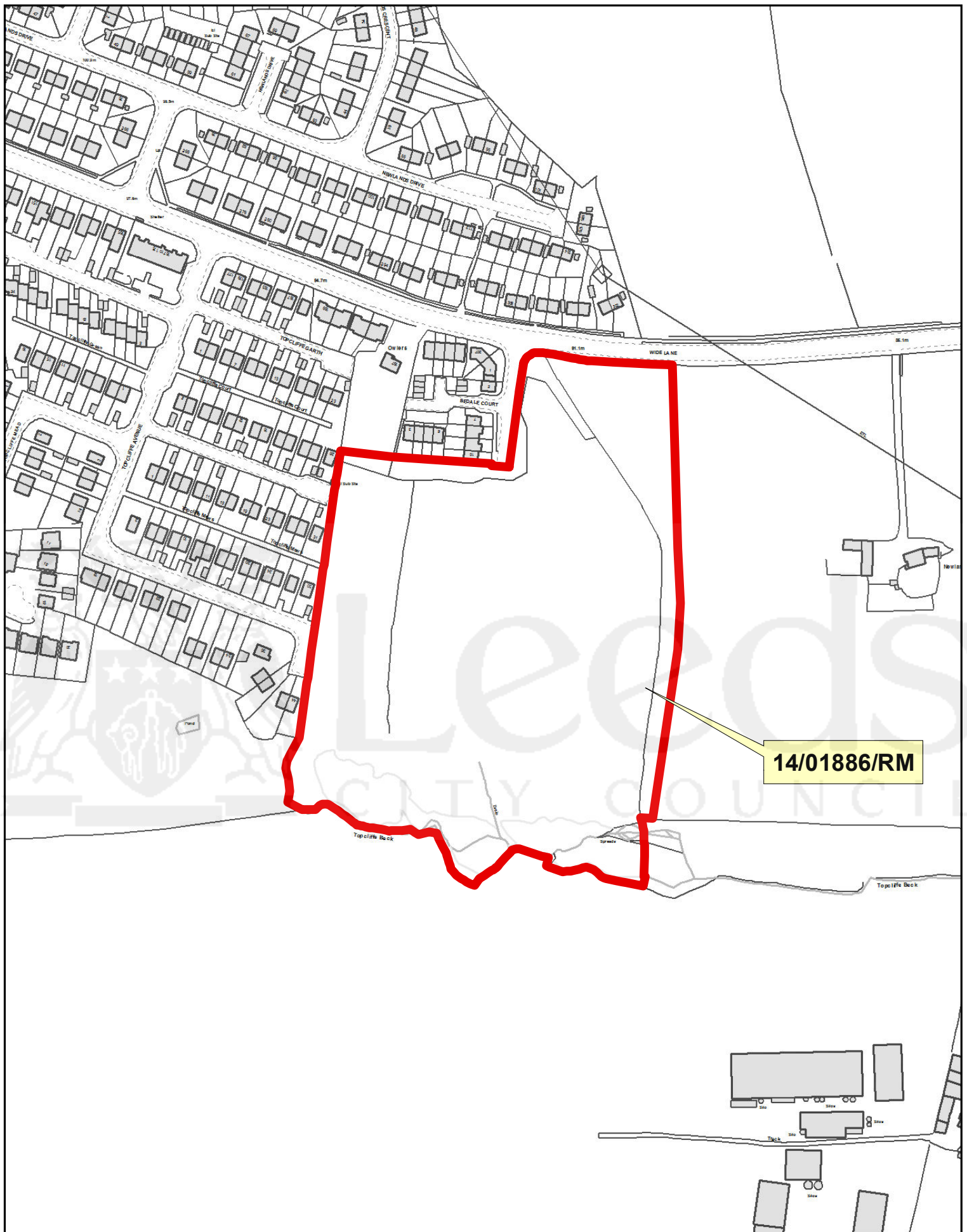
- 10.16 It is also considered that the development does not cause demonstrable harm to the amenities of neighbouring residents from the positioning of housing, and meets the guidelines set down in Neighbourhoods for Living.
- 10.17 In light of the history of the use of the site as open fields it is not anticipated that there will be a level of contamination that will count against the development of the site. Accordingly conditions are suggested that require investigation to be undertaken, any remedial works to be undertaken and that it be verified that the appropriate works have been undertaken.
- 10.18 It has been demonstrated that the layout of 114 dwellings can be accommodated by matters of design and layout and is considered acceptable.

11.0 CONCLUSION

- 11.1 The proposed development is considered to provide a suitable setting and character for its location, providing a suitable rounding off development to the edge of the Morley settlement. The proposal does not raise any significant harm regarding its impact on local character, residential amenity or highway safety and is recommended to Members for approval subject to conditions.

Background Papers:

Certificate of ownership: signed by applicant.
Planning application file.



SOUTH AND WEST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/2500

