



Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 2nd October 2014

Subject: Application 14/01474/RM – Reserved matters application for 90 houses at Land at Royds Lane, Rothwell, LS26 0BH

APPLICANT

Taylor Wimpey

DATE VALID

4th April 2014

TARGET DATE

6th October 2014

Electoral Wards Affected: Rothwell

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions (and any other subsequently considered necessary by the Chief Planning Officer) and the completion of a deed of variation to the Section 106 Agreement for the outline application (12/03400/OT) to cover:

- a) Possibility of public transport contribution (£110,339) to be used, in full or in part, towards off-site highway measures such as speed or parking restrictions or further footpath widening on Royds Lane, subject to an appropriate scheme for the delivery of such measures, in agreement with Ward Members;
- b) Additional contribution of £6000 to cover the cost of a Traffic Regulation Order (TRO) for waiting restrictions on Royds Lane along the site frontage in the event that additional on-street parking is found to be taking place along this stretch as a result of the development.

1. Approved plans
2. Parking spaces for plots 16,17, 18, 31, 32 and 33 to be marked out and allocated for the use of these properties as shown on approved site plan, and thereafter retained solely for the use of these units.

As all other matters are covered by conditions already on the outline permission, no further conditions are recommended as part of the reserved matters application. However, an informative note drawing the developer's attention to the need to comply with all conditions on the outline decision is recommended.

1.0 INTRODUCTION:

- 1.1 Outline planning permission for residential development was granted on this Protected Area of Search (PAS) site in October 2013, subject to a condition restricting the development to a maximum of 90 houses. The current application seeks detailed reserved matters approval for a scheme of 90 houses.
- 1.2 Members considered a position statement relating to this application at the meeting of Plans Panel South and West on 3rd July 2014, and raised the following concerns regarding the proposals submitted at that time:
- Size of greenspace did not meet policy requirements in terms of overall area, and Members felt that the main greenspace area should be more central, rather than in the more remote and undevelopable north eastern corner of the site.
 - Reduction in numbers of houses may give greater scope for providing larger greenspace area and addressing concerns regarding highways layout.
 - Affordable housing should be more 'pepper potted' throughout the site rather than being clustered in a single group.
 - Lack of turning area and visitor parking for affordable housing, and concerns regarding parking layout for these properties in terms of balance between hardstanding and landscaping.
 - Need to incorporate greater mix of house types.
 - Two and a half storey properties were not appropriate on the Royds Lane frontage but may be acceptable elsewhere within the site, using falls in land levels to minimize their visual impact.
 - Highways layout, in particular access for larger vehicles around the S-bend proposed to the south east of the cricket pitch, and general lack of visitor parking across the site.
- 1.3 Following a subsequent meeting with the applicant and their agent involving planning, design and highways officers, revised plans have now been received which seek to address the concerns raised by Members.

2.0 PROPOSAL:

- 2.1 The application seeks detailed approval for the layout, access, scale, appearance, and landscaping of the development, all of which were reserved at outline stage.
- 2.2 The application proposes 90 dwellings, the maximum number permitted by the outline permission. In accordance with the requirements of the section 106 agreement which forms part of the outline permission, 15% of the proposed dwellings (14 houses) are proposed as affordable homes, and areas of public open space are proposed on-site.
- 2.3 Following the discussion of the application by Plans Panel in July, revised plans have now been received which incorporate a series of revisions seeking to address the concerns raised by Members. These are detailed further below, but in summary they are as follows:

- Enlargement of the central area of greenspace. A secondary area of open space is still proposed in the north eastern corner of the site, but this would now be the smaller of the two greenspace areas.
- Increase in overall area of greenspace overall across the site so that this would now exceed the policy requirement of 3600m².
- Greater separation of affordable units throughout the site.
- Revisions to parking layouts of affordable units.
- Deletion of 2½ storey properties from Royds Lane site frontage.
- Redesign of highways layout, including removal of S-shaped bend to south east of cricket pitch.

2.4 The affordable housing is proposed to comprise two 2-bedroom properties and twelve 3-bedroom properties, which the housing team have confirmed are acceptable in terms of housing requirements in the area. In response to comments made by Members at Plans Panel in July, the affordable units are no longer proposed in a single group, but have been split up into smaller groups as follows:

- Five houses (two semi-detached, three terraced) on the site frontage on a private drive accessed via the second access point proposed from Royds Lane.
- Three terraced houses to the south of the cricket pitch, backing onto the five units on the frontage but accessed from the site's internal road to the north west of the central greenspace area.
- Six semi-detached houses in the north western corner of the site, to the east of the cricket pitch.

2.5 In response to concerns about the provision of parking for the affordable units in large courtyard areas with little landscaping, amendments have been made to the layouts of these areas to break up communal parking areas with landscaping and reduce the number of properties with parking in their front gardens, including the provision of drives to the side of some units .

2.6 Most of the remaining units are proposed as 4-bedroom detached or semi-detached houses, with a small number of larger 5 bedroom detached properties. The designs proposed are a selection of the developer's standard house types, constructed in brick with tiled roofs. Most of the properties are proposed to be 2 storey in design, although around a third would be 2½ storey, incorporating rooms in the roofspace served by dormers and rooflights. In response to concerns raised by Members at Plans Panel in July, none of these 2½ storey properties are now proposed on the site frontage along Royds Lane.

2.7 Two access points are proposed into the site from Royds Lane: one in the central part of the site frontage serving the majority of the site, and a smaller private drive serving the five properties on the northern part of the site frontage. In response to concerns raised by highways officers and Members at the Plans Panel meeting in July, the internal road network has been revised to delete the previously- proposed S-shaped bend to the south east of the cricket pitch. The internal road would now form a loop around the enlarged central greenspace area, with a series of adopted stretches of road and private drives leading off to serve properties in the northern, eastern and southern parts of the site. Pedestrian footpath connections are proposed from the eastern part of the site onto the golf course to the east, where a public right of way runs close to the site boundary, providing connections to amenities and public open space in Rothwell to the north.

- 2.8 In accordance with Leeds' policy on the provision of public open space as part of new developments, there is a requirement for 3600m² of public open space to be provided on-site as part of the development (based on 90 units), in addition to the provision of a commuted sum for enhancements to off-site greenspace provision, secured as part of the Section 106 for the outline permission.
- 2.9 It is still proposed to divide the on-site greenspace into two areas, one in the centre of the site and one in the north eastern corner. However, in response to concerns raised by Members at the previous Plans Panel meeting, the central area of greenspace has been enlarged to form the larger of these two areas, with the north eastern area being a smaller secondary area. The revisions to the highways network in the central part of the site also mean that the central greenspace would now be surrounded and overlooked on all sides by houses, whilst amendments to the layout of the north eastern corner would also provide greater overlooking of the smaller area. As a result of these changes, the total area of greenspace now proposed on site would be around 3725m².

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is an area of former farmland on the outskirts of Rothwell, designated as a Protected Area of Search (PAS) in the Leeds Unitary Development Plan. The site is L-shaped, wrapping around the southern and eastern sides of cricket and football pitches at Rothwell Athletics and Squash Club and extending southwards along Royds Lane, and eastwards towards the golf course beyond. The land slopes downhill from Royds Lane towards the golf course to the east, and also from south to north. The site frontage along Royds Lane is open, with fencing around the boundaries with the athletics club in the north western part of the site, boundary fences to the rear gardens of houses of properties on Arran Way and Rona Croft to the north, and trees and low fences along the boundaries with the golf course to the east. There is a larger area of woodland to the south of the site.
- 3.2 The site is on the southern edge of Rothwell, and is surrounded by mid-to-late 20th century dormer bungalow-type housing on the opposite side of Royds Lane to the west, relatively recently-built brick housing on Arran Way to the north, the Athletics Club to the north west, and the golf course to the south and east.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Outline planning permission for residential development on the site was granted in October 2013 (application 12/03400/OT). The decision included a condition restricting the maximum number of units on the site to 90, and is subject to a Section 106 Agreement which includes obligations relating to the provision of public open space and affordable housing on-site, a travel plan, local employment and contributions towards off-site greenspace, education provision and public transport, in accordance with the requirements of relevant supplementary planning guidance and documents.
- 4.2 A previous outline application for residential development on the site was refused in May 2008 on the grounds of prematurity and that insufficient information had been submitted with the application at that time to demonstrate that the development could be accommodated on the local highway network. A subsequent appeal was dismissed. Additional details in this respect were submitted with the 2012/2013 application which was subsequently approved.

5.0 HISTORY OF NEGOTIATIONS:

5.1 A Statement of Community Involvement (SCI) has been provided as part of the application, providing details of consultation which took place within the local community prior to the submission of the application, including:

- Letters to local residents and Ward Members advising them of the intention to submit an application and inviting them to a public exhibition in Rothwell Methodist Church Hall.
- Meeting with Rothwell Neighbourhood Forum and Ward Members.

5.2 Before the position statement report to Plans Panel on 3rd July, discussions had previously been held with the developer both at pre-application stage and following the submission of the application in the light of initial responses from members of the public and consultees, including highways and the Council's internal Design Advisory Group. The following issues were discussed:

- Layout of housing to front onto Royds Lane and primary access routes within the site was welcomed, with rear gardens backing onto each other to avoid inactive frontages, and properties overlooking cricket pitch (subject to an acceptable road layout).
- Public open space (POS) to be in a single block, centrally located and well overlooked. Area of 3400m² required based on 90 houses. Noted need to locate drainage tank in north eastern corner means this area can't be developed, but suggested if this is to be included as POS it should be as a secondary area, with the principal area more centrally located and better overlooked. Some initial revisions were made to introduce a central area of greenspace following early input from Design Advisory Group.
- Although no objection to incorporating some 2½ storey units, these should not be on the site frontage, as they are not characteristic of the scale and pattern of surrounding development or the semi-rural character of the area.
- Garden sizes of several properties within the scheme were substandard and fell well below *Neighbourhoods for Living* recommended depths and areas.
- Concerns raised regarding prevalence of closely-spaced properties with integral garages and drives to the front, leading to large expanses of hardstanding and parking in prominent locations on site frontages. Suggestion to include more drives to side, to reduce levels of hardstanding to front, provide better separation between properties, and allow for the provision of landscaping/planting in front gardens.
- Highways concerns regarding creation of a second access point onto Royds Lane and potential for additional on-street parking if visitor parking was insufficient within this part of the site.
- Highways comments regarding detailed layout, design requirements, areas of concern regarding tight bends, access and turning for refuse vehicles, numbers of parking spaces and other points of detail.
- Need for additional planting along eastern boundary to provide a landscape 'buffer' between the site and the open land to the east.
- Neighbours' concerns about a pedestrian access route proposed from the POS in the north eastern part of the site onto Arran Way, and security implications of this. Agreement that this would be deleted from the proposals, and an alternative pedestrian access link directly onto the golf course in the north eastern part of the site proposed instead.

- Possibility of making changes to the original Section 106 agreement to provide funding of speed and/or parking restrictions on Royds Lane, possibly as an alternative to providing public transport contribution.

5.3 Revised plans were subsequently received and were discussed by Plans Panel as part of the position statement report on 3rd July. Members at that time made the following comments:

- Size of greenspace did not meet policy requirements in terms of overall area, and Members felt that the main greenspace area should be more central, rather than in the more remote and undevelopable north eastern corner of the site.
- Reduction in numbers of houses may give greater scope for providing larger greenspace area and addressing concerns regarding highways layout.
- Affordable housing should be more 'pepper potted' throughout the site rather than being clustered in a single group.
- Lack of turning area and visitor parking for affordable housing, and concerns regarding parking layout for these properties in terms of balance between hardstanding and landscaping.
- Need to incorporate greater mix of house types.
- Two and a half storey properties were not appropriate on the Royds Lane frontage but may be acceptable elsewhere within the site, using falls in land levels to minimize their visual impact.
- Highways layout, in particular access for larger vehicles around the S-bend proposed to the south east of the cricket pitch, and general lack of visitor parking across the site.

5.4 After the Plans Panel meeting on 3rd July, planning, highways and design officers met the applicants to discuss the concerns raised by Members and how these might be addressed, and revised plans have subsequently been received in response to these discussions. These were re advertised to local residents, the Neighbourhood Forum and Ward Members in late August, and additional comments received are noted below.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members

6.1 Ward Members were notified of the application when it was originally submitted, and no formal comments were received. The Ward Members have been kept up to date of revisions and progress on the application, most recently upon receipt of revised plans in late August. In response to the most recent revisions, Councillor Golton and Councillor Nagle have both advised that they agree with the most recent comments submitted by the Neighbourhood Forum regarding these plans, which are noted in paragraph 6.4 below.

Rothwell Neighbourhood Interim Forum

6.2 The following comments were received from Rothwell Neighbourhood Interim Forum in response to the plans as originally submitted:

- Public open space does not contribute to the site's rural character, and is not balanced relative to the distribution of houses within the site. The area in the north eastern part of the site is not easily accessible or well-overlooked, and raises security concerns meaning that parents would not feel they could safely allow children to play there.

- Note that the surface water storage tank is proposed in the north eastern part of the site, but do not consider that the amenity and wellbeing of future residents should be compromised because of drainage requirements.
- The development needs a central village green feature, reflecting the character of the area, rather than a 'boulevard' as proposed. A centrally-located area surrounded by housing would be more integrated and better overlooked. This would also be of greater benefit to the affordable houses in the centre of the site, some of which have little amenity space and front onto roads and parking areas.
- Affordable housing should be better integrated and have better amenity space provision.
- The developer was requested at pre-application stage not to include 2½ storey houses on the site frontage, however these are still proposed. They are too high and not considered to blend aesthetically with the style and character of existing properties.
- Creation of a second access onto Royds Lane. Outline plans only showed one access – concerns regarding highway safety and additional on-street parking taking place on Royds Lane by visitors and refuse and delivery vehicles unable to park or turn within this private drive area.
- Additional traffic and pedestrians on Royds Lane. Existing parking and speeding problems at certain times. Other developments approved nearby already expected to worsen this situation. Lower speed limits and road improvements are suggested.
- Existing drainage systems may not have adequate capacity to cope with additional development.
- Education contributions secured under outline permission will not be sufficient to cover the costs of additional school places required.
- Existing problems with parking in Rothwell town centre, exacerbated by sale of existing car parks.
- Disagree that there are good public transport links to the site.
- Inadequate provision for bin storage and collection.
- Lack of local consultation or engagement by the developer prior to submitting the application and little opportunity for dialogue with the Forum.
- Problems accessing some of the information on the Council website.

6.3 The case officer attended a meeting of Rothwell Forum on 19th May. The discussion focused mainly on the concerns raised by the Forum in their comments to the local planning authority which are summarised above, particularly:

- Lack of consultation by the developers
- Drainage concerns
- Creation of a second access onto Royds Lane – additional on-street parking.
- Possibility of changing S106 requirements to allow public transport contribution to be spent on speed/parking restrictions on Royds Lane.
- Could a condition be imposed requiring construction vehicles to arrive at/leave the site outside of school drop-off/collection times?
- 2½ storey houses on the site frontage – incongruous and out of character.

6.4 Following the receipt of revised plans in mid August seeking to address the concerns raised at Plans Panel in July, the Neighbourhood Forum were re notified. They have advised that although the revised plan is an improvement on the previous submission considered by Panel in July, there are still a number of issues raised by the Forum and by Panel which have not been addressed or are still inadequate. The following specific issues are raised:

- The total number of dwellings has not been reduced – main theme relating to all issues raised is that they cannot be addressed without reducing number of houses to provide additional space.
- The second access from the site onto Royds Lane has not been removed – this could be avoided if there was more space available.
- Provision of a lay-by on Royds Lane for delivery/refuse vehicles.
- Other highways issues remain relating to parking, sightlines and traffic restrictions, which highways were ‘still considering’ at the time of the previous meeting. These should be addressed before determining the application.
- No further details of drainage have been provided.
- No bungalows are included in the scheme to address needs of ageing population.
- Distribution of affordable housing has still not been fully addressed – separated to some degree but still not pepper potted. They are now in two groups in extreme corners of the site, not integrated.
- Large expanses of parking in front of affordable housing has still not been fully addressed and some are cramped with limited outlook. These issues could be addressed by reducing number of dwellings.
- Greenspace has been increased but this is at the expense of the rest of the development, in particular the affordable units.

Other public response

- 6.5 The application was originally advertised as a major application and as affecting the character of a conservation area by site notices, posted 17th April 2014, and by press notice, published 8th May 2014.
- 6.6 2 letters of comment and 11 letters of objection to the originally-submitted scheme were received from local residents, raising the following concerns:
- Inclusion of 2½ storey houses on the Royds Lane frontage does not complement or blend in with appearance and construction of existing properties, and would be too dominant on what is effectively a country lane.
 - POS location has been proposed by the developer solely to use an isolated and ‘inconvenient’ space which cannot be developed, rather than addressing the demands for this space and siting it in the most appropriate location where it can be accessed by all residents and is visible from as many houses as possible to provide security for children playing there.
 - Additional information on materials is required – details on submitted plans are only minimal.
 - Further detail of landscaping proposals required, particularly along Royds Lane.
 - Affordable housing is contained in one area of the site rather than being integrated into the development.
 - Lack of mix in housing proposed. All properties are either allocated to those eligible for affordable housing or are much larger detached and semi-detached houses outside the price range of first-time buyers and young families. A greater mix of house types should be included to create a more diverse community reflective of the local area.
 - Overlooking of properties on Rona Croft to the north – properties in this part of the site should be no more than 2 storeys high, and landscaping should be provided along the boundary.
 - Additional traffic on Royds Lane – existing problems with its width, lack of visibility and on-street parking around schools.

- Second access onto Royds Lane – insufficient space for parking and turning within this part of the site will lead to parking on Royds Lane.
- Visibility from access points onto Royds Lane and whether this can be achieved and maintained once the development is complete.
- Inadequate refuse storage provision.
- Increased likelihood of vehicles ‘rat-running’ on surrounding roads.
- Safety implications of large vehicles using Royds Lane during construction. Can deliveries etc be timed to avoid school drop-off/collection times?
- Can school buses be rerouted off Royds Lane?
- Possibility of speed/parking/weight restrictions on Royds Lane.
- Developers previously agreed to delete pedestrian access onto Arran Way following concerns raised by residents about security and antisocial behaviour in this area. However, this access is still referred to in one of the submitted documents, and plans show removal of trees in this area. Confirmation is sought that this access will not be reintroduced.
- Inaccuracies in submitted documents relating to local amenities and public transport connections.
- Whether drainage system on Arran Way is sufficient to cope with new development, who is responsible for ensuring that this is correctly taken into account?
- A balancing pond for drainage on the site has previously been objected to. This should not be reintroduced.
- Loss of open countryside land.
- Large birds seen around the site, concern that development could impact on them.
- Insufficiency of school places in the area.
- Capacity of local GP surgeries.

6.7 A further letter has been received supporting the removal of the pedestrian access which was previously proposed between the site and Arran Way.

6.8 Following the receipt of revised plans in mid August, the application was readvertised by site notices posted 29th August 2014 and by individual notification letters to those residents who have commented previously. Two further letters of comment have been received, raising the following points:

- Although open space provision has been improved, other issues previously raised have not been addressed, including existing issues on surrounding highway network and lack of proposal to address these as part of the development, new private drive access onto Royds Lane, drainage and bin storage.
- Tandem parking is proposed to some of the units – is this practical?
- Noise and disturbance.
- Additional traffic.
- Impact on character of the area.
- Lack of capacity at local doctors and dentists.

7.0 CONSULTATIONS RESPONSES:

Statutory

7.1 None.

Non-statutory

Highways

- 7.2 Revisions were requested in relation to the layout as originally submitted. The following key issues are raised:
- Introduction of a second access point onto Royds Lane – not part of outline plans. Further details required regarding width and visibility. Concerns that this access would introduce a demand for visitor parking, which would be undesirable on Royds Lane. Provision for visitor parking and turning should be made within the site, and a TRO may be necessary along the site frontage to compel visitors to park within the site.
 - Various requirements in relation to design of internal roads, in accordance with requirement for these to be adopted.
 - A number of tight bends remain within the layout.
 - Concerns regarding dimensions of parking bays in communal parking areas around terraced houses, and lack of visitor parking in these areas.
 - Specifications for drives and garage dimensions.
- 7.3 Revised plans have subsequently been received which include the provision of additional visitor parking within the site, the deletion of the sharp S-shaped bends and revision of the road layout around the central greenspace, and increases to the size of turning heads and the widths of various parts of the internal roads to meet adoption requirements. On the basis of the revisions which have been received, the scheme is now considered acceptable in terms of the internal layout of the site.
- 7.4 Highways do not object to the provision of a second access point onto Royds Lane in principle as acceptable sightlines have been demonstrated at the junction. However, concerns remain that, although additional visitor parking is now proposed within the private drive area that this access would serve, there is still the potential for additional on-street parking, particularly by those making quick visits or deliveries to these properties, who may find it easier to park on Royds Lane than drive into the site. As this access was not indicated or considered as part of the outline application, highways have recommended that this could be addressed through the provision of an additional contribution from the developer to fund a Traffic Regulation order (TRO) for parking restrictions on Royds Lane in the event of additional on-street parking taking place as a result of the development. The developer has now agreed to pay this sum, up to a maximum of £6000.
- 7.5 Following discussions with local residents on the Neighbourhood Forum, highways have also been investigating the possibility of further off-site highway works being carried out in the local area in connection with the proposed development through the re-allocation of some of the public transport funding which was previously secured in the Section 106 agreement for the outline application (an agreed contribution of £110,3390). Again, the developer has agreed to revisions to the S106 to make provision for some or all of this sum to be re-allocated to local highway improvements, subject to an acceptable scheme being brought forward by highways and agreed with the Ward Members. A draft deed of variation to the outline S106 is anticipated shortly from the applicant to cover this and the additional TRO funding referred to above.

Affordable Housing

- 7.6 Local housing demand data supports the development of smaller family accommodation (2 and 3 bedroom as proposed). The proposed mix of affordable housing units on the site is therefore supported. Usually it would be requested that

the units be 'peppercotted' around the development, however as the other units on the development are all 4 or 5 bedroom houses, the proposed affordable terraced and semi-detached units are considered acceptable in a group as proposed.

Yorkshire Water

- 7.7 No objections to the additional information in the supplementary drainage strategy submitted in support of the reserved matters application.

Flood Risk Management

- 7.8 No objections, subject to condition requiring details of surface water drainage scheme (required as a condition of the outline permission). The drainage scheme should be designed in accordance with the principles outlined in the supplementary drainage statement submitted with the reserved matters application.

City Services

- 7.9 The refuse collection arrangements for the development appear acceptable.

West Yorkshire Combined Authority

- 7.10 Recommend improving pedestrian access links between the site and bus stops, and providing new residents with Travel Cards.

West Yorkshire Police Architectural Liaison Officer (ALO)

- 7.11 Security concerns are raised in relation to the proposed footpath links from the site onto the adjacent golf course, the proposed design of some plots which have rear access points. Recommendations and suggestions are made in relation to door and window design, security lighting, boundary treatments and alarm systems. The comments have been referred onto the developer for information.

8.0 PLANNING POLICIES:

- 8.1 Section 38 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.

Development Plan

- 8.2 The development plan for Leeds is made up of the adopted Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

- 8.3 The site is designated as a Protected Area of Search (PAS) in the UDP, however the principle of developing this PAS site was considered and has been established with the grant of outline permission in October 2013. The current application seeks approval of reserved matters pursuant to this outline permission, and therefore policies and issues relating to the principle of the development, including those relating to PAS land, are not reconsidered here. The following UDP policies are relevant to the consideration of this application for reserved matters approval:

GP5 – General planning considerations, including amenity.

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.
BD5 – New development and amenity.
T2 – Highway safety
T5 – Consideration of pedestrian and cyclists needs.
T7/T7A – Cycle routes and parking.
T24 – Parking guidelines.
H11/H12/H13 – Affordable housing.
LD1 – Landscape schemes.

8.4 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

8.5 The following DPD policies are also relevant:

WATER1 – Water efficiency, including incorporation of sustainable drainage
WATER6 – Flood Risk Assessments
WATER7 – Surface water run-off

Draft Core Strategy

8.6 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 examination has now taken place. Some modifications have been suggested and further hearings are scheduled in relation to specific aspects of the draft Core Strategy. In view of its current status, some weight can now be attached to the document and its contents.

8.7 The following draft core strategy policies are relevant to the consideration of the application:

P10 – High quality design.
P12 – Good landscaping.
H5 – Affordable housing
T2 – Accessibility.
G8 – Biodiversity improvements.

Supplementary Planning Guidance and Documents

8.8 The following Supplementary Planning Guidance (SPGs) and Supplementary Planning Documents (SPDs) are relevant to the consideration of the application:

SPG3 – Affordable Housing (including Appendix A: Interim Affordable Housing Policy 2011).
SPG4 – Greenspace Relating to New Housing Development
SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
SPD – Street Design Guide
Affordable Housing – Interim Policy

National Planning Policy

- 8.9 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.10 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

9.0 MAIN ISSUES

- 9.1 The principle of residential development on the site has been established with the grant of outline permission in 2013. This application seeks the approval of the outstanding reserved matters, namely access, layout, scale, appearance and landscaping. The following issues are relevant to the consideration of the application:

1. Affordable housing
2. Greenspace proposals
3. Housing design and layout
4. Landscaping
5. Residential amenity
6. Highway safety
7. Nature conservation
8. Drainage and flood risk
9. Other issues and representations.

10.0 APPRAISAL

Affordable Housing

- 10.1 Leeds' Interim Affordable Housing policy requires 15% affordable units on a 50:50 social rented/submarket split basis. In accordance with this, 14 of the 90 units in the detailed scheme are proposed as affordable units (two 2-bedroom and twelve 3-bedroom).
- 10.2 At the Plans Panel meeting on 3rd July, Members requested greater 'pepper potting' of the affordable units throughout the site. In response to Members' comments in this respect the layout has been revised to provide the affordable units in three groups: one on the site frontage (plots 1-5) accessed from Royds Lane, one to the rear of these on a private drive with access adjacent to the central greenspace (plots 16-18), and one in the north western corner of the site, adjoining the cricket pitch (plots 30-35). Although comments from the Neighbourhood Forum suggest a requirement for further separation and distribution of the affordable units, it is also noted that the provision of affordable units in groupings assists the Registered Providers in managing the units and helps with maintenance issues. In the light of this, it is considered that the revisions in this respect now represent an appropriate balance in providing greater integration of the affordable units within the wider development whilst still allowing for their effective management and maintenance.

- 10.3 Housing officers have confirmed that the size and number of affordable units proposed are acceptable based on local housing demand data, which supports the provision of smaller family units.
- 10.4 At the meeting in July, Plans Panel Members also raised concerns regarding the parking layout for the affordable units, with particular reference to the amount of hard surfacing and lack of landscaping to these areas, and to the lack of adequate parking for the units themselves and for visitors. Specific concern has also been raised by the Neighbourhood Forum in response to the revised plan which has subsequently been received, regarding the proposed tandem parking arrangements for some of the affordable units, and the impact these parking areas would have on the outlook from these properties. These matters, which relate to the layout, access and parking and residential amenity of the affordable units, are considered in further detail in the relevant sections below.

Greenspace

- 10.5 UDP policy N2 requires the provision of on-site greenspace at a rate of 0.2Ha per 50 dwellings, and this is re-iterated in SPG4, which advises that this rate should be applied pro-rata to all schemes. On this basis 0.36Ha (3600m²) of public open space (POS) is required as part of the current scheme for 90 dwellings.
- 10.6 SPG4 advises that greenspace should be designed taking into account the needs of all users, and the range of functions it is intended to fulfil, which may include formal and informal play, visual and residential amenity, nature conservation and green corridor functions. It also advises that 'as a general rule the greenspace should be in one block to ensure its function is performed and to facilitate maintenance, centrally located, and overlooked by dwellings (to assist in self-policing)' and that 'greenspace must not simply be relegated to 'left over' areas of land or areas which are 'undevelopable' due to gradients, drainage problems etc.'
- 10.7 Noting the constraints relating to the development of the north eastern part of the site, officers have advised that it may be possible to consider including this area as part of a wider POS strategy for the site. However, because of its relatively remote location and limited surveillance from surrounding properties, officers advised that if this area was to be included in the POS provision, it would only be considered acceptable as a secondary or ancillary area of greenspace, and that the principal area of greenspace for the development should be centrally located and well overlooked, in accordance with the guidance in the SPG. Members at the Plans Panel meeting in July were generally in agreement with this approach, but raised concerns that the total amount of POS proposed on site as part of the scheme put forward at that time was below the 3600m² area required by the SPG policy.
- 10.8 Following the Panel meeting in July, the layout of the central and northern part of the site has been revised considerably in order to provide a larger central greenspace area surrounded and faced by properties on all sides. This central area would now be the larger and principal area of greenspace within the site, and the revisions to the road layout around this area, as well as addressing concerns previously raised by highways regarding a sharp S-shaped bend previously proposed, also ensure that this central area is surrounded and overlooked by houses on all sides, providing greater surveillance and a significantly improved sense of integration of this area within the site. The north eastern area would now serve as a smaller area of public open space overlooked by a number of properties and with a footpath access leading across it and providing access to public footpath links on the golf course beyond which lead northwards towards the east of Rothwell centre and larger areas of community greenspace at Springwell Park as was

previously proposed. The developer has confirmed that the total area of these two areas of open space, at around 3700m², is now in excess of the 3600m² required for a development of this size by the SPG4.

- 10.9 In the light of the increases in the size of the central area and the improvements to the layout of this area, and the increase in the total area of greenspace across the site as a whole, it is considered that the greenspace proposals for the development are acceptable, subject to conditions relating to landscaping.
- 10.10 The plans submitted with the outline application indicated the provision of a public footpath link from the north eastern part of the site, connecting into Arran Way to the north. However, during pre-application discussions with the developer, concerns were raised by residents of Arran Way and by Ward Members that this could lead to crime and antisocial behaviour, and in response to these concerns, the proposed link was not carried forward as part of the detailed reserved matters scheme. An alternative route is proposed, linking into the public footpath across the adjacent golf course, although as this is less direct, and its narrow width and lack of surfacing and lighting may compromise its usability in some respects, this would not serve as a direct replacement for the previously proposed route. It is understood that the greater connectivity provided by the originally proposed route was a factor in calculating the commuted sum for off-site greenspace at outline stage, and that the deletion of the route from the detailed scheme is likely to have some implications in terms of the connectivity of the development to the nearby greenspace. However, the plan showing this route at outline stage was only an indicative drawing, and no conditions were imposed on the outline permission requiring such a route to be provided. In the light of this, and as this link was specifically deleted from the scheme at the request of local residents and Ward Members during pre-application discussions, on balance it is not considered reasonable to insist on its re-introduction into the scheme or that an additional contribution towards greenspace could be justified in this instance, and therefore no further information has been requested in this respect.

Housing design and layout

- 10.11 The houses proposed are a selection of the developer's standard house types, constructed in brick with tiled roofs. Most would be 2 storey in height, although around 30% of the units are proposed to be of a 2½ storey design, with higher, steeper roofs incorporating additional living accommodation.
- 10.12 The site is located on the outskirts of Rothwell, with late 20th century dormer bungalows to the west and a late 1990s housing development to the north. In this context, the proposed use of standard house type designs is generally considered acceptable. In response to concerns raised by Members at Plans Panel in July, the 2½ storey houses previously proposed on the site frontage have now been deleted, and where these houses are proposed within the site it is in less prominent positions. The proposals are therefore now considered acceptable in this respect.
- 10.13 As noted above, the public open space area and layout is now considered acceptable. In revising these aspects of the development revisions have also been made to the internal road layout within the site to remove the sharp S-shaped bend previously proposed alongside the south eastern corner of the adjacent cricket pitch, and instead to provide a central road loop around the main greenspace area, with spurs leading off into the northern, western and southern parts of the site. As well as removing a highway feature which was of significant concern to highways, this provides the opportunity to improve the layout of the central greenspace area, which is now overlooked by houses on all sides. Highways have advised that they are

satisfied with the new layout, subject to various conditions relating to its design to ensure that it meets adoptable standards, and which can be achieved based on the plans as submitted.

- 10.14 A further concern which has been raised previously remains relates to the relationships between properties in terms of their spacing and setting, and achieving a balance between providing appropriate levels of parking, whilst minimising its prominence and visual impact and ensuring that appropriate provision is made for landscaping within the site.
- 10.15 *Neighbourhoods for Living* advises that when designing parking layouts, 'the convenience of residents needs to be balanced with the need to avoid car-dominated frontages,' and recommends that residential layouts should avoid car parking dominating streetscenes and ensure that parked cars are unobtrusive. In particular it recommends the use of levels and landscaping to break up and soften the visual impact of parking areas, avoiding large groups of parked cars that can be seen from a distance and providing sufficient space for planting around these areas.
- 10.16 At the Panel meeting in July Members indicated that in general they were satisfied with the general balance of landscaping and parking across the site and the relationships between properties, with the exception of the areas around the affordable housing, where large uninterrupted car parking courtyards were previously proposed. Following further discussions with planning and design officers after the Panel meeting, a revised plan has been received from the developer which seeks to overcome some of these concerns, however as noted above, Ward Members and the Neighbourhood Forum have still expressed some concerns about certain aspects of the revised plan in this respect, with specific reference to the areas around the affordable units.
- 10.17 Whilst some of the parking to the affordable units is still proposed in 'courtyard' arrangements, including the tandem parking referred to above, greater separation of the spaces within these areas is now proposed, with spaces being angled in relation to each other and the incorporation of larger areas of planting around these areas and between groups of spaces, particularly on the site frontage, and the incorporation of front garden to provide greater separation between the built forms and these areas of hardstanding. Although slightly more densely laid out and more communal in their nature, the actual balance between parking and landscaping in some of these areas is similar to that in other parking and drive areas elsewhere in the site where properties have wide driveways to the front and are clustered around central access areas, such as that around plots 57-60 or 79-83 for example.
- 10.18 The revised plans have been reviewed again by design officers who have advised that in the light of the revisions which have been made, and taking the site as a whole, it is considered that the development now achieves an appropriate balance between hard surfacing and landscaping, and subject to an acceptable landscaping scheme and management arrangements, required by condition as discussed below, it is not considered that refusal on this basis could be justified.
- 10.19 Concerns raised by local residents regarding the mix of housing proposed on the site are noted, and Ward Members and the Neighbourhood Forum have asked for bungalows to be included as part of the development. Although policy requires developments to provide a mix of house types, it is not prescriptive in terms of this mix and there is no policy which specifically requires the provision of bungalows. The development does incorporate a mix of house types, and those shown are capable of adaptation to provide for the mobility requirements of future residents. It

is not therefore considered that refusal of the application on these grounds could be justified.

Landscaping

- 10.20 The site abuts the Green Belt to the east and south, and in addition to on-site landscaping as part of the development, the developer has previously been advised that planting may be required within the site to provide a soft landscaped transition between the built development and this open land, particularly in areas where off-site planting along these boundaries is lacking, in accordance with UDP policy N24, and as was provided to the east of the Arran Way development to the north at the time of its construction.
- 10.21 The land immediately to the south of the site is an area of woodland within the golf course, and although in general policy N24 requires planting to be carried out on-site rather than relying on off-site planting, this area is relatively well established and provides a wide 'buffer' between the site and the open land beyond, which is unlikely to be removed, and no further on-site planting has been requested in this part of the site. The proposals are considered acceptable in this respect.
- 10.22 Along parts of the eastern boundary, off-site planting is more intermittent, particularly alongside the southern part of the site. Although the scheme does not include a dedicated strip of 'buffer' planting within the site, the buildings in the southern part of the site are set further away from this boundary, separated by access areas with smaller landscaped areas adjacent to the site boundary and, in the area where off-site planting is sparsest, a wider gap between buildings affording views through from the adjacent open land onto the site's central greenspace area. Houses in the northern part of the site, where off-site planting is denser, are closer to the boundary, where the submitted plans indicate that existing boundary planting is proposed to be retained.
- 10.23 As the scheme is largely reliant on off-site planting to provide this transition between the development and the adjacent green belt land, the landscape officer has raised some concerns about the visual implications of this, and that the development is not in accordance with the requirements of policy N24 in this respect. However, as the layout does seek to respond to this relationship by providing greater separation from the adjacent open land in the southern part of the site and maintain visual connections between this land and the on-site greenspace, and as Members at the Plans Panel meeting in July did not raise any specific concerns in this respect, it is not considered that refusal of the application on these grounds could be justified in this instance.

Residential amenity

- 10.24 In response to concerns raised previously that the gardens to a relatively large number of properties within the site were deficient in terms of their area and depth, amendments to the spacing and setting of properties within the development have been incorporated as part of the revised layout plans which seek to address this, which represent a significant improvement in this respect. The majority of properties within the site now have private rear garden areas which are at least 10.5m in depth, in accordance with the guidance in SPG13, and in the small number of instances where rear gardens are irregularly shaped or fall slightly below this depth, this is compensated for by increases in width to these gardens, and revisions have been made to the layout to ensure that properties' garden areas are in excess of the 2/3 of the floor area of the house they serve, as recommended in SPG13. As the garden areas and separation distance between the proposed houses are

considered acceptable, it is considered that the development would provide an appropriate level of amenity for future residents.

- 10.25 Concerns have been raised by the Neighbourhood Forum regarding the outlook from some of the affordable units which face onto tandem parking areas for these units and their neighbours. The properties in question are set back from the parking areas behind small front gardens 3-4m deep, providing defensible space and soft landscaping to the front of these units. The relationship between the front of these units and adjoining parking areas is not dissimilar to that of other properties elsewhere in the development which face directly onto main circulation routes within the site or onto private drive accesses used by greater numbers of vehicles, some of which are closer to these roads than the affordable properties are to their communal parking areas. As well as these smaller front garden areas, all properties have adequately sized rear gardens which comply with the recommended sizes in SPG13, and it is considered that the levels of outlook and amenity to the properties within the development, including the affordable properties, are acceptable.
- 10.26 Concerns have been raised by residents of properties on Rona Croft to the north of site that the new houses which are proposed to back onto their rear gardens, some of which would be 2½ storey in height, would detract from their privacy and amenity. The closest of the proposed houses would be around 11m from the northern boundary, with a further 14-18m to the neighbouring houses themselves. There does not appear to be a significant difference in land levels between this part of the site and the neighbouring properties, and as the separation distances exceed the recommended 10.5m to the rear boundary suggested in *Neighbourhoods for Living*, it is not considered that refusal of the application on these grounds could be justified. The existing planting along this boundary is proposed to be retained, and conditions could be attached to ensure that this is retained as a screen between the development and these neighbouring properties.

Highways

- 10.27 In response to concerns previously raised by highways officers and Plans Panel Members relating to the design of sharp S-shaped bends which were previously included in the layout, parking provision for the affordable units, visitor parking across the site, and certain aspects of the design specifications including turning areas for refuse vehicles, revised plans have been received which seek to address these issues.
- 10.28 The revisions to the central area of the site around the primary public open space area have resulted in the deletion of the S-shaped bends in the internal access road which were previously proposed. Additional visitor parking has been provided through the addition of lay-bys and further parking spaces at various points across the site, including within the private drive area accessed from Royds Lane which now serves affordable units at plots 1-5 and on the private drive serving plots 16-18. Capacity for some on-street parking has also been indicated on the revised site plan. Revisions have also been made to clarify sightlines at junctions at the entrances to the site, increase the size of various turning heads to accommodate larger vehicles, including refuse collection vehicles where necessary, and confirm that road and drive gradients are in accordance with relevant guidance and requirements for those sections which would need to be adopted.
- 10.29 The revised details have been reviewed by the highways officer who has advised that they are now satisfied with the levels of parking provision across the site, including the parking and access arrangements for the affordable units. Although these include the provision of tandem parking, highways have advised that as this

provides the same level of parking in the same tandem layout as a drive to the side of a property would, they have no objection to this layout, subject to conditions requiring the spaces to be clearly allocated to the units indicated on the plans.

- 10.30 In response to concerns raised by the Neighbourhood Forum regarding bin collection arrangements for the development, further advice has been sought from highways. Highways have advised that although the Street Design Guide SPD does not provide specific guidance on size requirements for bin collection areas, the areas shown on the plans for this purpose in the private drive areas appear to be large enough based on the likelihood of only one bin per household being presented for collection on any one collection day. All sections of adoptable highway within the site meet the standards required for adoption, which are considered to make sufficient provision for bins to be placed out on collection days without obstruction to pavements or roads. Advice on the proposals was also sought from Waste Management Services, who have also advised that they have no objections to the proposals. It is therefore considered that the refuse collection arrangements proposed are adequate and that refusal on these grounds could not be justified.
- 10.31 In the light of the additional revisions and clarification which have been provided, highways have advised that the internal site layout of the proposed development is acceptable, subject to conditions as suggested above.
- 10.32 Rothwell Interim Neighbourhood Forum and a number of local residents have raised and subsequently reiterated concerns regarding the proposal to introduce a second new access onto Royds Lane, and in particular the potential for this to increase parking on Royds Lane by visitors and delivery vehicles unable to park or turn within the site itself. In response, revisions have been made to the layout of houses within this area, and to the parking arrangements to incorporate provision for visitor parking within the site.
- 10.33 Highways have welcomed these revisions, and do not object to the provision of a second access point onto Royds Lane in principle as acceptable sightlines have been demonstrated at the junction. However, concerns remain that, although additional visitor parking is now proposed within the private drive area that this access would serve, there is still the potential for additional on-street parking, particularly by those making quick visits or deliveries to these properties. As this access was not indicated or considered as part of the outline application, highways have recommended that this could be addressed through the provision of an additional contribution from the developer to fund a Traffic Regulation order (TRO) for parking restrictions on Royds Lane in the event of additional on-street parking taking place as a result of the development. The developer has now agreed to pay this sum, up to a maximum of £6000.
- 10.34 Following discussions with local residents on the Neighbourhood Forum, highways have also investigating the possibility of further off-site highway works being carried out in the local area in connection with the proposed development through the re-allocation of some of the public transport funding which was previously secured in the Section 106 agreement for the outline application (an agreed contribution of £110,3390). This is likely to include speed restrictions on Royds Lane, but may also cover further waiting restrictions or footpath improvements. Again, the developer has agreed to revisions to the S106 to make provision for some or all of this sum to be re-allocated to local highway improvements, subject to an acceptable scheme being brought forward by highways and agreed with the Ward Members. A draft deed of variation to the outline S106 is anticipated shortly from the applicant to cover this and the additional TRO funding referred to above.

Nature conservation

- 10.35 A condition on the outline permission requires the provision and implementation of a biodiversity protection and enhancement plan as part of the development, to include the protection, enhancement and ongoing management of hedgerows, water features and adjacent vegetation, semi-improved grassland areas, and provision for bats and bird boxes.
- 10.36 The main ecological features of the site are the beck that runs along the eastern boundary and the woodland to the south. Concerns have been raised that the landscaped 'buffer' along the eastern and southern boundaries which was indicated at outline stage has not been carried forward in its entirety as part of the reserved matters application, and that the inclusion of land along these boundaries within residential gardens presents a risk to its ecological value as a result of formal gardening, removal of vegetation by future occupiers, encroachment and dumping onto this land. The area of open space previously indicated has been deleted from the scheme in favour of providing useable public open space elsewhere within the site. Vegetation around the site boundaries is proposed to be retained, and parts of the development along the eastern boundary have been set back from this boundary, facing onto the adjacent open space rather than having this area included within their boundaries. There may be potential to include further landscaping in this area to supplement off-site planting and a landscaping condition is recommended to cover this. Although additional measures would be encouraged, it is considered, in view of the vegetation which is proposed to be retained and the measures incorporated in the outline permission for various biodiversity enhancements, and taking into account the considerable improvements in terms of providing larger areas of public open space within the development, on balance it is not considered that refusal on these grounds could be justified, and no further revisions have been sought.

Drainage

- 10.37 A number of residents have raised concerns regarding the capacity of existing drainage systems. As such matters relate to the principle of the development, these issues were considered as part of the outline application, when both Yorkshire Water and the Council's Flood Risk Management section were consulted and raised no objections to the development in principle, subject to the approval of the specific details of the site drainage scheme. Additional details in this respect have been submitted as part of the current application, and both consultees have been re-notified, and have again raised no objections, subject to the same conditions. In the light of this, and as the conditions on the outline permission remain relevant and would still need to be complied with, no further details are required at this stage and the development is considered acceptable in this respect.

Other issues

- 10.38 The Neighbourhood Forum have made reference to a suggestion made by Members at the previous Panel meeting that some of the concerns raised might be addressed through a reduction in the number of units on the site. Although the outline permission granted permission for up to 90 units, the developer was previously advised that this was considered a maximum, and reservations have been raised as to whether the required number of units could be accommodated within the constraints of the site. However, after further discussions, and following the receipt of revised plans and further feedback from design and highways colleagues, as discussed in the foregoing appraisal, it is considered that the revised proposals satisfactorily address all of these matters within the capacity of the site. In the light of this, it is not considered reasonable to refuse permission solely on the basis of the

number of units, since it is considered that the revised plans demonstrate that 90 units can be provided in an acceptable layout, making appropriate provision for landscaping, parking and amenity space without detriment to highway safety or local amenity.

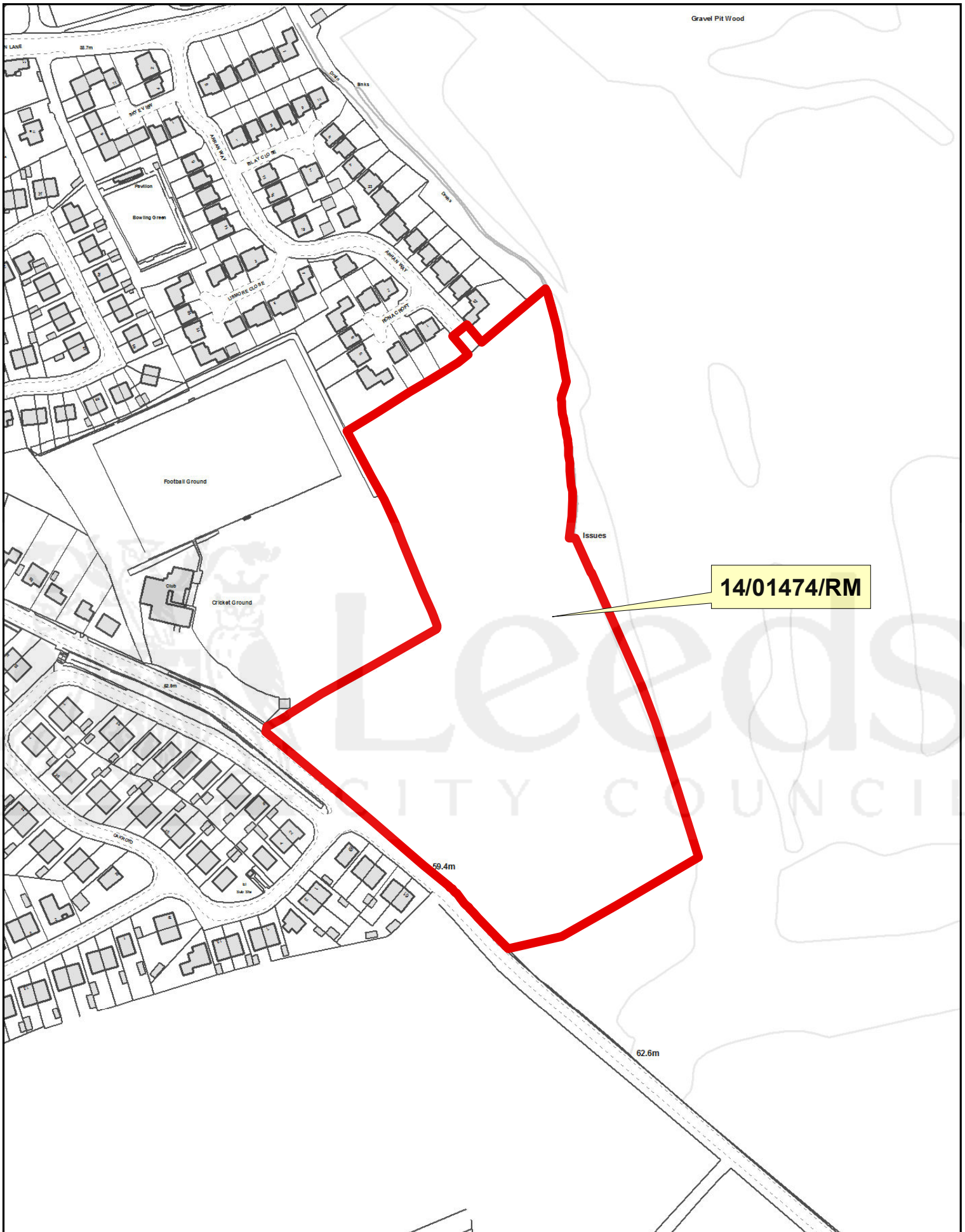
- 10.39 Concerns have been raised in relation to the capacity of local schools. Education provision is a matter relating to the principle of the development, which was considered at outline stage, and appropriate contributions secured as part of the original section 106 agreement. Such matters are not issues to be reconsidered as part of the current application, which relates solely to the approval of reserved matters.
- 10.40 Concerns raised by local residents that insufficient public consultation was carried out prior to the submission of the application have been referred to the applicants, who have advised that they would be willing to carry out further consultation in relation to the revised plans which have recently been submitted. No further details of any such consultation have been received to date.

11.0 CONCLUSION

- 11.1 Following further discussions with the developer in response to the feedback received from Members at Plans Panel earlier this year, it is now considered that the proposals are acceptable in terms of their design and layout, the levels of amenity for future residents, greenspace and affordable housing provision and landscaping, and which would not detract from the character and appearance of the wider area, the amenities of neighbouring residents or highway safety. It is therefore recommended that the application is approved, subject to the conditions suggested above and a variation to the Section 106 to provide for the possibility of allowing funds committed for public transport to be utilised instead for off-site highway measures subject to an appropriate scheme.

Background Papers:

Application file 14/01474/RM and history file 12/3400/OT



SOUTH AND WEST PLANS PANEL

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