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**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 24<sup>th</sup> March 2016**

**Subject: Planning Application 15/05484/OT – Outline application for residential development on land off Church Lane, Micklefield.**

**APPLICANT**

Great North Developments

**DATE VALID**

14<sup>th</sup> September 2015

**TARGET DATE**

14<sup>th</sup> December 2015

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**Electoral Wards Affected:**

**Kippax and Methley**

☐ Yes Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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**RECOMMENDATION:**

**DEFER AND DELEGATE** approval to the Chief Planning Officer in order to finalise the conditions and S106 agreement to cover the following matters:

1. Affordable Housing – 15% (with a 60% social rent and 40% submarket split).
2. Public open space provisions on-site.
3. Travel Plan including monitoring fee.
4. Upgrade of footpath to Great North Road.
5. Sustainable travel fund.
6. Employment and training initiatives (applies to the construction of the development).

**In the circumstances where the S106 agreement has not been completed within 3 months of the Panel resolution, the final determination of the application shall be delegated to the Chief Planning Officer.**

**Conditions**

1. Time limit
2. Reserved matters required (only access applied for)
3. Plans to be approved

4. Statement of construction practice.
5. Restriction on hours of construction to 0800-1800 hours on weekdays and 0800-1300 hours on Saturdays, with no operations on Sundays and Bank Holidays.
6. No occupation prior to agreed completion of off-site highway works.
7. Sustainability measures to be agreed.
8. Submission and implementation of landscaping details, including replacement tree planting.
9. Landscape management plan.
10. Protection of retained trees and hedges.
11. Preservation of retained trees and hedges.
12. Provision for replacement trees.
13. Details of levels to be agreed.
14. Development to be carried out in accordance with Flood Risk Assessment.
15. Surface water drainage works to be approved and implemented.
16. Surface water drainage scheme to be implemented in accordance with approved scheme.
17. Remediation conditions.

Full condition wording of conditions including any revisions/additions to be delegated to the Chief Planning Officer

## **1.0 INTRODUCTION:**

- 1.1 This outline planning application is presented to Plans Panel due to the size and sensitivity of the proposals when considered in conjunction with the other components of the housing allocation to the east of Micklefield (H3-3A.32), given their overall significance to Micklefield. These include an outline planning application for a housing development of circa 60 dwellings (15/05485/OT), an outline application for circa 70 houses (13/02271/OT) and a full application for a housing development of 291 dwellings to the south of that (15/01973/FU). Application 13/02271/OT was previously presented to City Plans Panel on 11<sup>th</sup> June 2015 where Members agreed to defer and delegate approval to the Chief Planning Officer. Applications 15/01973/FU and 15/05485/OT are also being presented for determination at this Plans Panel.
- 1.2 The application site is identified within the UDP Review as a Phase 3 allocated housing site under Policy H3-3A.31. The application is advertised as a departure (due to close proximity to the Green Belt), which also affects a right of way.

## **2.0 PROPOSAL:**

- 2.1 This outline planning application proposes a residential development with all matters reserved except for access to the site.
- 2.2 The application is accompanied by an illustrative layout to show how the site could be developed at reserved matters stage.
- 2.3 A number of planning obligations are required and so the development will be subject to a S106 agreement which is expected to provide for the following:
  1. Affordable Housing – 15% (with a 60% social rent and 40% submarket split).
  2. Public open space provisions.
  3. Travel Plan including a monitoring fee.
  4. Upgrade of footpath to Great North Road.

5. Sustainable travel fund
6. Employment and training initiatives (applies to the construction of the development).

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is a greenfield site, allocated in the UDP Review for housing, under Policy H3-3A.31. The main settlement of Micklefield is located to the north and east, with open countryside in the Green Belt to the west.
- 3.2 The site is currently used as arable agricultural land and has an open aspect, with open views to the west and south. An existing farm access runs southwards from Church Lane, towards Sheep Dike and also serves residential properties on Hallfield Avenue. A public footpath runs along the southern boundary of the site and provides access to the wider countryside, as well as linking back towards the primary school and Great North Road. The existing properties adjacent to the site are a mixture of bungalows and two-storey houses. A small local store is located on Churchville Terrace.

### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 15/05485/OT – Outline application for residential development (access only) on land east of Great North Road, Micklefield (circa 60 dwellings) (relates to the east of Micklefield housing allocation - H3-3A.32) – pending consideration.
- 4.2 15/01973/FU – Development of 291 dwellings with open space and associated infrastructure (relates to the east of Micklefield housing allocation - H3-3A.32) - pending consideration.
- 4.3 13/02271/OT - Development of circa 70 houses (relates to the east of Micklefield housing allocation - H3-3A.32) – approval delegated to the Chief Planning Officer.
- 4.4 PREAPP/13/00924 – Residential development of 270 dwellings (relates to the east of Micklefield housing allocation - H3-3A.32 )
- 4.5 12/05140/RM - 10 houses with landscaping (relates to the east of Micklefield housing allocation - H3-3A.32) – Approved.
- 4.6 12/00845/OT - Outline application for residential development (relates to the east of Micklefield housing allocation - H3-3A.32) – Approved.

### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The applicant undertook pre-application consultation in the form of a letter drop to local residents, inviting comments. Since submission of the application, Officers have also had briefing sessions with Ward Members, which have highlighted the importance of considering how the application fits in with the wider housing development in Micklefield, ensuring an equitable approach to planning obligations and any infrastructure requirements.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 5 site notices have been displayed, posted 2<sup>nd</sup> October 2015. The application has also been advertised in a local newspaper, published 1<sup>st</sup> October 2015. The application is advertised as a departure (due to close proximity to the Green Belt), which also affects a right of way.
- 6.2 One letter of representation has been received from Micklefield Parish Council, stating objection to the application on the following grounds:
- The planning framework has not been subject to input of agreement from the local community or the Parish Council.
  - Uncertainty over the ability to expand Micklefield Primary School.
  - No apparent provision of any local facilities.
  - Potentially unsatisfactory access from Church Lane.
  - Requirement for off-site highway improvements to Church Lane.
  - Existing established vehicular rights along the track to the rear of Hallfield Avenue appear to be compromised by the development as outlined.
  - Inappropriate location of tree and shrub planting along the site boundary.
  - Unduly high density of the development.
  - Advice is provided on the appropriateness of materials for the detailed design stage.
  - Concern that Micklefield Station may move in the future and that the public transport availability is not as favourable as the applicant suggests.
  - Comment is also made that the Parish Council is not convinced that the proposed accesses are acceptable and wishes these to be thoroughly assessed by highways.
  - It is also noted that matters around foul sewage, surface water, and air quality need careful consideration.
  - Comment is provided on the frequency of bus services close to the site.
  - Comment is provided that a crop mark exists to the south of the site and archaeology conditions should be applied.
  - The existing surgery is a satellite of a practice based in South Milford and there are long standing problems in terms of access to services.
  - Concerns are expressed about the ability of existing sewers to cope and it is noted that the site appears to have some flood risk according to the EA mapping system.
  - Concern about the sustainability credentials of Micklefield to cope with the amount of housing proposed.
- 6.3 11 letters of objection have been received from local residents stating concern that:
- The village lacks the infrastructure to cope with the extent of proposed housing – education provision, retail facilities and public transport..
  - Speeding already occurs through the village – Church Lane should be restricted to 30mph.
  - Concern about the drainage infrastructure and increased flood risk.
  - The impact of all of the housing applications needs to be considered.
  - The proposals lack any provision for health facilities. Concern is expressed about the ability of existing services to cope.
  - No access is proposed to the nearby shop.
  - The access track to the rear of Hallfield Avenue needs to be retained.
  - This part of the village lacks greenspace and playground facilities, so the proposals are welcome, but should incorporate more greenspace.
  - Brownfield sites and vacant housing should be utilised before greenfield sites.

## **7.0 CONSULTATION RESPONSES:**

### **7.1 Statutory:**

Highways: - It has long been noted that off-site highway works are required to improve the Church Lane / A656 junction, in addition to some works to Church Lane and information has been submitted to demonstrate that an 'in highway' solution is feasible. The proposals are acceptable, subject to addressing a number of issues including the design of the pedestrian route linking the site to Great North Road, re-positioning of the existing gateway feature to the east of the new access. As the application is in outline with only consent for access being sought, the internal layout has not been considered at this stage.

Environment Agency: - The EA does not wish to comment on this application.

### **7.2 Non-statutory:**

TravelWise Team: - Advice is provided on improving the Travel Plan. It is also noted that the S106 should make provision for a monitoring fee, bus only residential metro cards and a contribution towards cycle / scooter storage at the nearby primary school at a cost of £1,000.

West Yorkshire Combined Authority (WYCA): - It is noted that the relatively low frequency of bus services is offset by the rail connectivity. Residential MetroCards (bus and rail zone 1-3) should be provided to future residents. Electric vehicle charging points should be provided.

Children's Services: - Consideration has been given to the feasibility of extending Micklefield Primary School. However, this matter would now be covered by CIL as off-site education contributions can no longer be paid for through a S106.

Affordable Housing: - The site falls within Affordable Housing Market Zone 2 where there is a requirement for 15% Affordable Housing, split 60% social rent and 40% submarket.

Flood Risk Management Team: - The proposals are acceptable subject to conditions.

Public Rights of Way: - The proposals will result in increased use of the rights of way and so they should be upgraded with new crushed stone surfacing.

Contaminated Land: - The report provided is 7 years old. Confirmation is required that the report is still appropriate and that no material changes have taken place on site.

## **8.0 PLANNING POLICIES:**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013). The Site Allocations Plan is emerging and is due to be deposited for Publication at the end of the Summer 2015.

### Adopted Core Strategy:

- 8.2 The Core Strategy is the development plan for the whole of the Leeds district. The Core Strategy (CS) was Adopted in November 2014. The following CS policies are relevant:

Spatial policy 1	Location of development
Spatial policy 6	Housing requirement and allocation of housing land
Spatial policy 7	Distribution of housing land and allocations
Spatial policy 10	Green Belt
Spatial policy 11	Transport infrastructure investment priorities
Policy H1	Managed release of sites
Policy H3	Density of residential development
Policy H4	Housing mix
Policy H5	Affordable housing
Policy H8	Housing for independent living
Policy P9	Community facilities and other services
Policy P10	Design
Policy P12	Landscape
Policy T1	Transport Management
Policy T2	Accessibility requirements and new development
Policy G3	Greenspace requirements
Policy G4	New Greenspace provision
Policy G8	Protection of species and habitats
Policy G9	Biodiversity improvements
Policy EN1	Carbon Dioxide reductions
Policy EN2	Sustainable design and construction
Policy EN5	Managing flood risk
Policy ID2	Planning obligations and developer contributions

### Leeds Unitary Development Plan (UDP) Review:

- 8.3 The application site is identified within the UDP as a phase 3 housing site.

Under Policy H3-3A.31, 5.17 ha. of land is allocated for housing and local facilities South of Old Micklefield, subject to:

- i. PROVISION OF EXTENSIVE OFF-SITE FOUL DRAINAGE WORKS AND IMPROVEMENTS TO SHERBURN-IN-ELMET SEWAGE TREATMENT WORKS, FOLLOWING THE REALIGNMENT OF THE A1 EAST OF MICKLEFIELD;
- ii. PROVISION OF SATISFACTORY ACCESS FROM CHURCH LANE, TOGETHER WITH OFF-SITE HIGHWAY IMPROVEMENTS TO CHURCH LANE;
- iii. AN AGREED PLANNING FRAMEWORK WHICH WILL DETERMINE THE LOCATION OF HOUSING, GREENSPACE, LANDSCAPING, LOCAL FACILITIES AND ACCESS POINTS.
- iv. SUBMISSION OF A SATISFACTORY FLOOD RISK ASSESSMENT INCORPORATING AN APPROPRIATE DRAINAGE STRATEGY.

Furthermore, the developer will be expected to contribute to:

- v. PROVISION OF AN EXTENSION TO THE ADJACENT PRIMARY SCHOOL, IN ACCORDANCE WITH POLICY A2(5) AND A CONTRIBUTION TOWARDS THE PROVISION OF ADDITIONAL SECONDARY SCHOOL FACILITIES.
- vi. PROVISION OF LOCAL FACILITIES WITHIN OR CLOSE TO THE SITE.

The supporting text states that 'Development of this site provides housing to help meet local and District requirements, utilising the village's strategic location, close to the existing and proposed transport links (e.g. the existing station on the Leeds – Hull railway line, the A1, the M1 Motorway and the A63). Furthermore, additional development is likely to support further facilities for use by both the existing and future residents of Micklefield.

The site abuts the Green Belt and the requirements of Policy N24 apply.

Access should be taken from Church Lane via a priority junction. Church Lane will require improvements to cater for the increased traffic generation from this site. New sewage treatment facilities, required as a result of the A1 improvements, need to be in place prior to development.

The development of this and the Manor Farm site will result in the need for additional facilities at Micklefield Primary School (Policy A2(5)) and for extensions at the existing secondary school. Developers of these sites will be expected to contribute towards these at a level proportionally related to the development opportunities available at each site.'

Other policies of relevance are:

Policy GP5	General planning considerations
Policy N5	Improving acquisition of greenspace
Policies N23/N25	Landscape design and boundary treatment
Policy N24	Development proposals abutting the Green Belt
Policy N29	Archaeology
Policy BD5	Design considerations for new build
Policy H3	Delivery of housing on allocated sites
Policy R2	Area based initiatives
Policy LD1	Landscape schemes

#### Natural Resources and Waste DPD:

#### 8.4 Policies of relevance are:

Air 1	The management of air quality through development
Water 1	Water efficiency
Water 4	Development in flood risk areas
Water 6	Flood risk assessments
Water 7	Surface water run-off
Land 1	Contaminated land
Land 2	Development and trees

#### Supplementary Planning Guidance / Documents:

- 8.5 SPG10 Sustainable Development Design Guide (adopted).
- SPG13 Neighbourhoods for Living (adopted).
- SPG22 Sustainable Urban Drainage (adopted).

SPD Street Design Guide (adopted).  
SPD Leeds Parking SPD (adopted).  
SPD Designing for Community Safety (adopted).  
SPD Travel Plans (adopted).  
SPD Sustainable Design and Construction (adopted).

National Planning Guidance:

- 8.6 National Planning Policy Framework: 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.

DCLG - Technical Housing Standards 2015

- 8.7 The above document sets internal space standards within new dwellings and is suitable for application across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently looking at incorporating the national space standard into the existing Leeds Standard via the local plan process, but as this is only at an early stage moving towards adoption, only limited weight can be attached to it at this stage. This will be more applicable at reserved matters stage.

## **9.0 MAIN ISSUES**

1. Principle of development
2. Highway and access issues
3. Urban design and sustainability
4. Housing issues
5. Landscape design and visual impact
6. Drainage and flood risk
7. Impact on residential amenity
8. Education
9. Planning obligations

## **10.0 APPRAISAL**

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Other material considerations include the National Planning Policy Framework, the requirement for a five year supply of housing and matters relating to sustainability, highways, urban design, visual impact, housing issues, flood risk, residential amenity and Section 106 matters.

Principle of development

- 10.2 The site is a Phase 3 housing allocation in the UDPR and so the principle of bringing the site forward for residential development at this point in time is acceptable, subject to the detailed considerations set out below.



- 10.3 In light of the above, subject to detailed layout and access arrangements, it is considered that the principle of development in this instance is acceptable.

#### Highway and access issues

##### *Off-site highway issues*

- 10.4 The off-site highway considerations are set out in the highway section of the report for planning application 15/05485/OT. Accordingly, if approved, it is proposed that this application be subject to the same requirements in terms of S106 obligations for off-site highway works.

##### *On site highway issues*

- 10.5 The internal layout will be required to meet Street Design Guide parameters and shall be designed to an appropriate standard for the overall level of development proposed, taking into account future additional development of the remainder of the allocation (H3-3A.32). The internal access road will need to extend to the site boundaries, enabling continuation of the access in to the adjoining site to the south. The development shall be built with a 20mph speed limit, with the cost of road markings, signage and appropriate Speed Limit Orders being fully funded by the developer. The layout is acceptable in principle.

##### *Accessibility*

- 10.6 From an accessibility perspective, the site does not fully meet the Core Strategy Accessibility Standards. However, the land is allocated for housing under UDP Policy H3-3A.32 and Micklefield Train Station may provide alternatives to commuters other than the use of the private car. Bus stops are located within 480m and 600m respectively from the centre of the site. Services from these stops are generally one an hour to Leeds City Centre, increasing to 2 per hour in the morning and evening commuter peaks. However, the site is also located within a short walk, approximately 950m, from Micklefield Train Station which provides three services per hour to Leeds City Centre with a journey time of approximately 20 minutes. WYCA have requested that the applicant provide a sustainable travel fund which can be used on travel planning measures related to the development.
- 10.7 The site is located within the recommended distance to local primary school provision but exceeds the distance for secondary school provision. There are limited local services available within Micklefield - the site would be located within approximately 700m of the nearest convenience store and GP surgery. The convenience store also provides a small range of other local services such as a cash machine, post box and dry cleaning service. The accessibility credentials of the site have been assessed on the basis of the existing footpath route towards the primary school and Great North Road being upgraded – to be secured through the S106.
- 10.8 It is noted that some letters of representation refer to the possible movement of Micklefield Station, further to the west and therefore further away from the proposed development. WYCA are continuing to review the options for the east Leeds rail corridor generally. There is therefore no specific commitment to pursue proposals for a new station at Micklefield at this point in time.

#### Urban design and sustainability

- 10.9 The allocation masterplan indicates a vehicular access being taken from Church Land into the site, which is essentially a cul-de-sac, but containing a series of connected loops and short private drives. It is not possible to achieve vehicular access from any

other point. However, the site does allow for wider pedestrian / cycle links running north to south and east to west across the site. As discussed above, it is considered important that the footpath running towards the primary school and Great North Road is upgraded.

- 10.10 The proposed greenspaces are located in the centre and south-east corner of the site. The applicant has stated that the proposed scheme is intended to be policy compliant. While these locations are broadly acceptable, the extent of greenspace required will be determined by the amount of housing development that is actually achievable when a layout is produced at reserved matters stage. It is important that any areas used for surface water attenuation are excluded from the quantum of greenspace where they relate to areas which are wet for much of the time.
- 10.11 The comments made by local residents and the Parish Council are noted in respect of the limited facilities in Micklefield. It is also noted that the UDP text refers to the provision of local facilities. The applicant's position is that such matters are now superseded by CIL. Notwithstanding this, the nature of the site and its location is not such that it is an obvious location for such facilities. There is a need for enhanced facilities, but there is also a pressing need for new housing and, on balance, it is therefore considered that the development proposed is acceptable.
- 10.12 It is noted that the Parish Council have provided detailed comments on the use and ratio of materials which they feel should be used in the development. The applicants will be aware of this and this is something which can be explored further at reserved matters stage.

#### Housing issues

- 10.13 The Core Strategy includes a number of policies which seek to ensure the efficient use of land for housing purposes, that the mix is appropriate to housing need and that provision is made for affordable housing.
- 10.14 Core Strategy policy H3 refers to the density of development. For a smaller settlement, such as Micklefield, the stated minimum density is 30 dwellings per hectare, subject to matters relating to townscape, character, design and highway capacity.
- 10.15 Core Strategy policy H4 refers to housing mix and sets targets for particular dwelling sizes. The policy is intended to set targets for the city as a whole and acknowledges that developments will need to respond to different site circumstances. Given that the application is in outline with all matters reserved except for access, no information is currently known about the detailed mix. Accordingly, it is more appropriate to consider housing mix at reserved matters stage.
- 10.16 The affordable housing requirement in this part of the city is 15%, as set out in the Core Strategy. The applicant has stated that the scheme will be policy compliant.

#### Landscape design and visual impact

- 10.17 The site is in a very open position and the requirements of UDP policy N24 are clear with respect to the requirement for buffer landscaping. At the time of writing, the applicant has stated that they are able to provide a buffer on the Green Belt land which is also within their control. It is noted that the Parish Council object to the green buffer being located on the south side of the east-west footpath as it would block the existing views. On balance, whilst this is true, there should also be an opportunity to

allow for glimpses through to the wider countryside while also softening the impact of development.

- 10.18 As discussed elsewhere, the proposed 'in highway' solution to the junction arrangement at Church Lane / Barnsdale Road results in a significant amount of tree loss (approximately 130 roadside trees). However, a highway solution to enable appropriate access will be required in any event in order to enable this allocated housing site to be developed. Given that the proposed highway works are necessary to enable the allocation to be developed, it is considered that the degree of tree loss must be accepted. However, a condition is suggested to require a mitigation scheme which would involve new tree planting – either in highway verges (where acceptable) or within open areas in the control of the applicant.
- 10.19 In terms of greenspace requirements, the applicant has stated that the proposals are intended to be policy compliant. The comments made by Ward Members, the Parish Council and local residents are noted in respect of the lack of facilities at the northern end of the village. The proposed spaces are welcome, but officers are currently liaising with Parks and Countryside about how these might best serve local needs.

#### Drainage and flood risk

- 10.20 The application site falls within Flood Zone 1 (at lowest risk of flooding) and the Council's Flood Risk Management Team are satisfied with the proposals, subject to conditions dealing with surface water drainage matters. It is noted that attenuation basins have been indicated on the illustrative layout, which is welcomed.

#### Impact on residential amenity

- 10.21 The proposed layout is illustrative only, though officers have pointed out that some of the relationships should be improved in any reserved matters application. Generally, the proposed houses back onto the existing houses and onto one another, which is positive from a security perspective. However, some gable relationships would need to be re-thought, particularly where they abut bungalows. Otherwise, it is considered that relationships could be achieved to provide satisfactory private garden areas, without creating problems of overlooking or over-dominance.
- 10.22 The existing access track to the rear of Hallfield Avenue is to be retained and kept open for use by residents and agricultural vehicles accessing nearby fields.

#### Education

- 10.23 It is noted that the UDP policy associated with the housing allocations requires the proposed development make provision for an extension to the adjacent primary school. Historically, this would have been achieved by securing an appropriate sum of money through agreement with Children's Services. However, under the CIL regime, the Local Planning Authority cannot secure additional funds for off-site education provision in addition to the CIL sum required from the development. Therefore, any extension to the Micklefield Primary School must be funded by CIL. At 11<sup>th</sup> June 2015 Plans Panel, Members expressed concern about the uncertainty of how and when the primary school may be expanded. Children's Services are aware of the current applications and capacity of the housing allocations and are currently working on a strategy to make appropriate provision. Initial assessments are focussed on the feasibility of creating some expansion within the existing school site, which could deal with demand in the short to medium term. Longer term, it is suggested that further land may be required to aid expansion, sufficient to deal with all of the homes planned

in the existing housing allocations. It is also noted that the Protected Area of Search (PAS) land south of Pit Lane is identified in the draft Site Allocations Plan as a preferred housing site, with a potential capacity of 98 dwellings.

### Planning obligations

10.24 The requirements of the S106 are detailed below and the various clauses will become operational if a subsequent reserved matters application is approved and implemented:

- Affordable Housing – 15% (with a 60% social rent and 40% submarket split).
- Public open space provisions.
- Travel Plan including a monitoring fee.
- Upgrade of footpath to Great North Road.
- Sustainable travel fund
- Employment and training initiatives (applies to the construction of the development).

10.25 From 6<sup>th</sup> April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

**Necessary to make the development acceptable in planning terms** - Planning obligations should be used to make acceptable, development which otherwise would be unacceptable in planning terms.

**Directly related to the development** - Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. **And:**

**Fairly and reasonably related in scale and kind to the development** - Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

10.26 All contributions have been calculated in accordance with relevant guidance, or are otherwise considered to be reasonably related to the scale and type of development being proposed.

## 11.0 CONCLUSION

11.1 The application proposes a residential development on a phase 3 housing allocation in the Development Plan. The principle of development is therefore considered to be acceptable.

11.2 The submission of other planning applications, covering the remainder of the allocated sites in Micklefield, has helped to provide greater certainty to the delivery of the necessary off-site works. Plans Panel has agreed the works previously and the S106 will help to ensure delivery. The revised layout is now also considered to be acceptable in highway terms.

11.3 The layout forms a logical extension to the village and streets and houses interrelate in a positive manner. The proposal is fully compliant in terms of the provision of Affordable Housing. The layout provides for an area of greenspace and it is stated that the intention is that the site will be policy compliant. The site is at low risk of flooding

and the proposals contain measures to deal with surface water drainage and ensure that there is no increased risk of flooding. The indicative layout has sought to ensure that each property has a reasonable level of amenity in terms of private garden areas, though this can be explored further at reserved matters stage. Additionally, the relationships between both existing and proposed properties are considered to be generally acceptable.

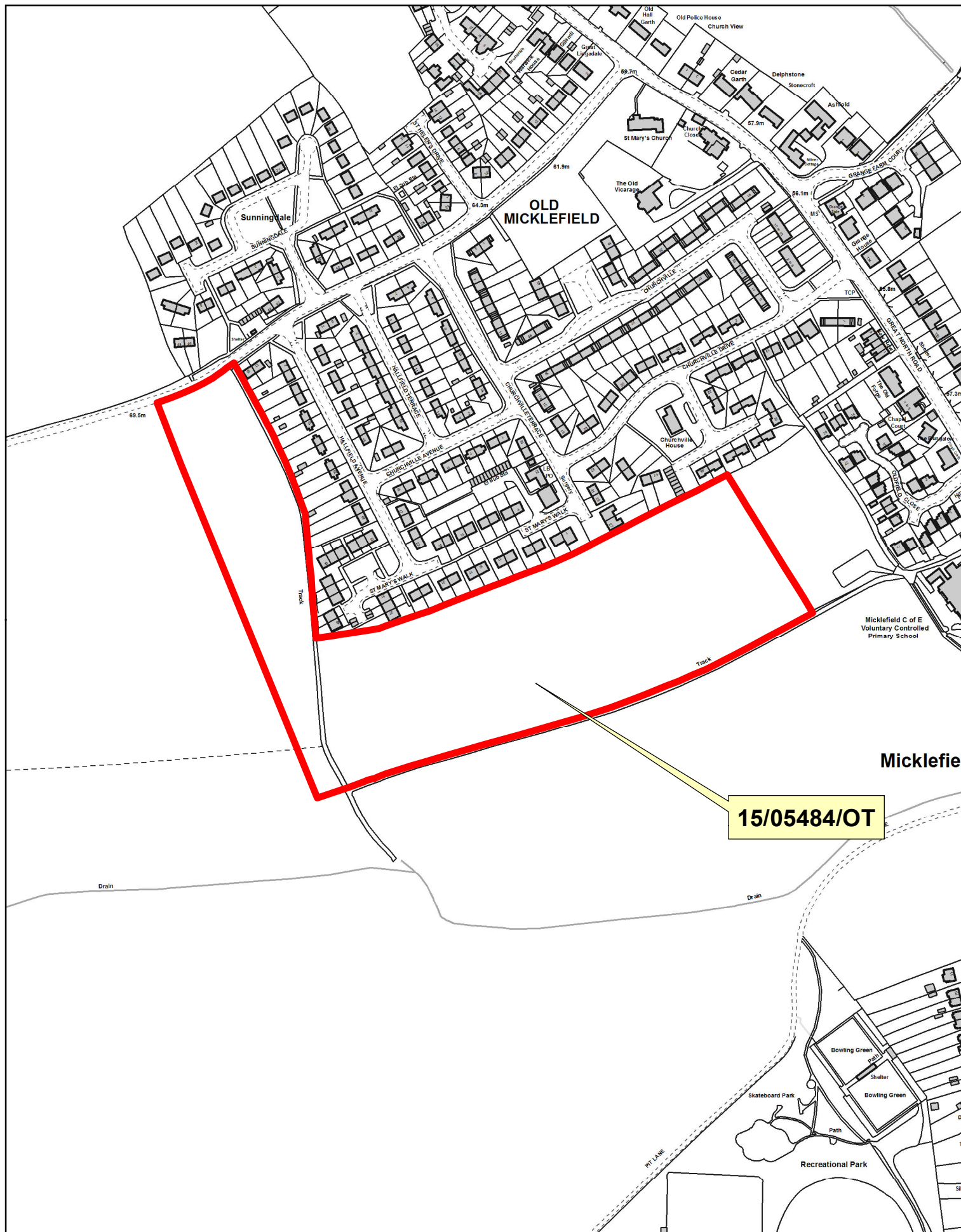
- 11.4 Members have understandably queried the impact on education provision previously, particularly with respect to primary provision. Whilst the development itself will generate a CIL sum which could be used for education provision, Children's Services have been exploring the ability to expand Micklefield Primary School. This is considered to be sufficient to deal with all of the allocated housing sites, though consideration is also being given to longer term expansion onto neighbouring land.
- 11.5 A S106 agreement is currently being prepared which will secure a number of planning obligations including Affordable Housing, public open space provisions, travel planning measures, upgraded path to Great North Road, a sustainable travel fund and employment and training initiatives. In addition, the proposals are liable for a CIL contribution.
- 11.6 Overall, the revised proposals are considered to be acceptable. It is therefore recommended that Members defer and delegate the approval of planning permission to the Chief Planning Officer in order to finalise the conditions and S106 agreement.

#### **Background Papers:**

Application and history files.

Certificate of Ownership – Notice served on:

- Hilary Jane Crute, 6 Barnard House, Ledbury Road, Sunderland, Tyne and Wear.
- Susan Jean Swan, 12 Royal Road, Sutton Coldfield.
- Ashdale Land, c/o Ian Cox – Dacre, Son and Hartley, 1 The Grove, Ilkley, LS29 9HS



# CITY PLANS PANEL

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

SCALE : 1/3500

