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**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

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

**Subject: Planning Application 15/05485/OT – Outline application for residential development on land east of Great North Road, Micklefield.**

**APPLICANT**

Great North Developments

**DATE VALID**

17<sup>th</sup> September 2015

**TARGET DATE**

17<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. Sustainable travel fund.**
- 5. Employment and training initiatives (applies to the construction of the development).**

**In the circumstances where the S106 agreements 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. Laying out of areas to be used by vehicles.
9. Programme of archaeological recording.
10. Submission and implementation of landscaping details, including replacement tree planting.
11. Landscape management plan.
12. Protection of retained trees and hedges.
13. Preservation of retained trees and hedges.
14. Provision for replacement trees.
15. Details of levels to be agreed.
16. Feasibility of infiltration drainage to be investigated.
17. Surface water drainage works to be approved and implemented.
18. Surface water drainage scheme to be implemented in accordance with approved scheme.
19. Finished floor levels to be 0.6m above bank of Sheep Dike.
20. Remediation conditions.

Full wording of conditions including any amendments/additions as considered necessary shall 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, given their overall significance to Micklefield. These include an outline planning application for a housing development of circa 70 houses to the south (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. Application 15/01973/FU is 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.32. The application is advertised as a departure, due to the close proximity to the Green Belt.
- 1.3 In the context of Micklefield, it is also worth noting that an outline planning application for circa 180 dwellings (15/05484/OT) has also been submitted for the housing allocation to the south of Old Micklefield, under UDP Review (2006) policy H3-3A.31. This application is also being presented for determination at this Plans Panel.

## **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 both an illustrative masterplan to show it accords with the wider development of the allocation, as well as an illustrative layout of how the site could be developed. An access is to be taken from Great North Road, to the north of North End Bungalow, providing the start of the spine road through the

allocation. The spine road will connect to the development to the south (subject to planning application 13/02271/OT). That development takes a principal access which has already been constructed by virtue of planning permission 12/00845/OT and reserved matters consent 12/05140/RM, for 10 dwellings and landscaping. That access will therefore also benefit the development proposed in this current application.

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 on site.
3. Travel Plan including monitoring.
4. Sustainable travel fund.
5. 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.32. The main settlement of Micklefield is located to the west of the site and the A1(M) is located further away to the east, beyond which is open countryside within the Green Belt.

3.2 The site is largely arable land and contains a small number of mature trees and some vegetation around the boundaries of the site. A watercourse, Sheep Dike, runs north to south through the site. The site falls in a north-easterly direction, steeply in parts, towards Sheep Dike. Beyond the site boundary, to the north-east of Sheep Dike, is a landscaped bund and tree belt adjacent to the A1(M). The site is at a lower level than the properties on Great North Road and slopes accordingly.

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

4.1 15/01973/FU – Development of 291 dwellings with open space and associated infrastructure (relates to the southern end of the same housing allocation) - pending consideration.

4.2 15/05484/OT – Outline application for residential development (access only) on land off Church Lane, Micklefield (circa 180 dwellings) (relates to the south of Old Micklefield housing allocation - H3-3A.31) – pending consideration.

4.3 13/02271/OT - Development of circa 70 houses (to the south of the application site, but within the same housing allocation) – approval delegated to the Chief Planning Officer.

4.4 PREAPP/13/00924 – Residential development of 270 dwellings (relates to the site of application 15/01973/FU)

4.5 12/05140/RM - 10 houses with landscaping (to the south of the site, but within the same housing allocation) – Approved.

4.6 12/00845/OT - Outline application for residential development (to the south of the site, but within the same housing allocation) – 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 applications fit in with the whole of the allocation, ensuring an equitable approach to planning obligations and any infrastructure requirements.

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

- 6.1 2 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 the close proximity to the Green Belt.
- 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.
  - Potentially unsatisfactory effect of the access from Great North Road.
  - The indicative density is too high and the application includes incorrect information in this regard.
- 6.3 7 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.
  - Brownfield sites and vacant housing should be utilised before greenfield sites.

## **7.0 CONSULTATION RESPONSES: (TO UPDATE)**

### **7.1 Statutory:**

Highways: - It has long been noted that off-site highway works are required to improve the Church Lane / A656 junction and information has been submitted to demonstrate that an 'in highway' solution is feasible. Subsequently, it is also considered that the applicant should contribute to the solution for improving the kink in Church Lane.

Environment Agency: - The EA do not wish to be consulted on this application.

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

TravelWise Team: - A travel plan monitoring fee will be required.

West Yorkshire Combined Authority (WYCA): - It is noted that the relatively low frequency of bus services is offset by the rail connectivity. It is unlikely that a bus

service at the service level set out in the Core Strategy could be sustained. Residential MetroCards (bus and rail zone 1-3) should be provided to future residents.

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.

Yorkshire Water: - No objections, subject to conditions not to control foul and surface water drainage.

Flood Risk Management Team: - No objections, subject to conditions relating to surface water drainage matters.

Air Quality Management Team: - No objections – the proposals are not likely to have a significant air quality impact. However, it is recommended that electric vehicle charging points are included in the development.

Environmental Policy: - Consideration should be given to enhanced glazing in properties adjacent to the A1(M) taking a precautionary approach.

Contaminated Land: - The submitted report is 7 years old and confirmation is required that it is still appropriate for consideration.

## **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.32, 15.54 ha. of land is allocated for housing and local facilities between Old Micklefield/New Micklefield and the realigned A1, subject to:

- 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;
- Provision of satisfactory access;
- An agreed planning framework which will determine the location of housing, greenspace, landscaping, local facilities and access points;
- 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;
- Provision of a green wedge between Old Micklefield and New Micklefield;
- The completion of the A1 realignment
- Noise attenuation measures necessary to achieve satisfactory standards of residential amenity.
- Submission of a satisfactory flood risk assessment incorporating an appropriate drainage strategy.

The supporting text in the UDP Review goes on to say that ‘the development of this and the site South of Old Micklefield will result in the need for additional facilities at Micklefield Primary School [Policy A2(5) – *since deleted*] 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.’

The text goes on to say that ‘Old and New Micklefield are separated by open countryside which provides a valuable visual feature and permits long distance views over the countryside. This open aspect should be retained in the form of a green wedge between Old and New Micklefield.’ This aspect is of particular importance to this application.

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. UDPR Policy H3-3A.32 does not preclude applications for separate parcels of the allocation being submitted, approved and implemented in their own right. However, this is subject to any proposals having due regard to the deliverability of the remainder of the allocation. It is important that proposals demonstrate not merely that development does not prejudice delivery, but that it positively contributes to the ultimate solution.

- 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 site is proposed to take a principal access from Great North Road, which is considered to be acceptable. Traffic exiting Micklefield is likely to do so from a limited number of junctions, particularly the junction of Church Lane and the A656 Barnsdale Road. Given the proportion of traffic assigned to the Church Lane/A656 junction and the sensitivity of the network in this location i.e. a high speed road with known recorded fatalities, highway officers considered that this junction should be upgraded to provide a ghost island right turn facility on the A656 and associated carriageway widening and to secure the appropriate visibility splays for the speed of traffic on Church Lane.
- 10.5 The applicants for planning applications 13/02771/FU and 15/01973/FU have endeavoured to work together to promote a highway solution for improvements to the junction of Church Lane and Barnsdale Road (A646). Given the nature of the existing adopted highway boundaries, this has resulted in the need for a very detailed scheme to be drawn up which has taken some time.
- 10.6 Highway officers have noted the importance of a comprehensive approach being required to deal with the traffic impacts of the whole of the Phase 3 housing



allocations in Micklefield (H3-3A-31 and H3-3A-32). Given the proportion of traffic assigned to the Church Lane/A656 junction it has been requested that the junction should be upgraded to provide a right turn lane, associated carriageway widening and improved junction visibility.

- 10.7 The proposed improvements have been subject to design review and offer meaningful safety improvements over the existing junction arrangement. The Highway Authority is satisfied that the proposed improvement works can be accommodated within the highway boundary and that there is sufficient scope to address any minor issues identified through the detailed design process.
- 10.8 With regard to bringing forward the South of Old Micklefield site (H3-3A-31), the UDPR site proposals identify the need for improvements to Church Lane. Whilst the proposed junction improvements are sufficient to accommodate predicted traffic flows from both sites (H3-3A-31 and H3-3A-32), highway officers have historically reserved the right to require the need for alignment improvements to Church Lane immediately east of the A656 should an application for H3-3A-31 be submitted.
- 10.9 Since that time, planning application 15/05484/OT has been submitted on housing allocation H3-3A-31, as referred to in the introduction. The improvements originally sought to Church Lane essentially focused on the potential to smooth out a kink in the road, although this was likely to require third party land. In re-considering this issue, it is considered that the kink does in fact offer something of a traffic calming feature, but would benefit from some localised widening, lining and other works to make it acceptable in order to deal with the overall amount of development proposed. It is now considered that all of these works could be accommodated within the highway boundary, negating the need for any third party land. Given the changed circumstances with regard to the submission of other applications, it is now considered appropriate for the developers of all of the allocations to share the costs of all of the off-site highway works between them.
- 10.10 Whilst, the junction improvements are considered acceptable in highway terms, it is noted that the works have a significant impact on trees, discussed later in the report. Furthermore, it is noted that a Grade II Listed mile stone is located in the verge of Barnsale Road, some way to the south of the junction with Barnsdale Road. The precise location and how this relates to the proposed highway works has now been investigated and it is confirmed that the mile stone would be unaffected by the works.
- 10.11 In summary, the proposed highway works are considered sufficient to enable development of housing allocation H3-3A-32 to come forward.

#### *On site highway issues*

- 10.12 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 outline nature of this application is such that these matters can be fully addressed at the reserved matters stage and accordingly the layout is acceptable in principle.

#### *Accessibility*

- 10.13 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 in either direction are located within 500m of the site access, but the services at these stops are infrequent – one an hour with an increase to two an hour in the AM and PM peaks. However, the site is also located within a short walk, approximately 1400m, from Micklefield Train Station which provides three services per hour to Leeds City Centre. With a journey time of approximately 20 minutes this makes the train an attractive mode of travel.

- 10.14 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 600m 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.
- 10.15 Officers have historically been in discussions with Metro (now the WYCA) regarding public transport enhancements. Arriva currently provide some low frequency services, the main service being the 402 providing an hourly service to Leeds via Garforth. However, in this instance, it is considered that any enhancements could be provided for via CIL. Notwithstanding this, WYCA have requested that the applicant provide a sustainable travel fund which can be used on travel planning measures related to the development.
- 10.16 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

- 10.17 The allocation masterplan indicates a single access from the northern end of the site, as provided for on the proposed layout. This provides access to take a spine road from Great North Road through to the development proposed in outline application 13/02271/OT.
- 10.18 Whilst the application is in outline only, the illustrative layout does demonstrate that all of the proposed houses are to provide passive surveillance through the overlooking of streets. Equally, rear gardens are shown to back onto each other which is positive from a security perspective. At detailed design stage, some thought will need to be given as to how the proposed houses positively address Sheep Dike. Whilst the application form refers to circa 60 dwellings, full consideration of the amount of houses that can be achieved can only be fully known at reserved matters stage.

#### Housing issues

- 10.19 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.
- 10.20 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. In this instance, the application site is located in a housing allocation, sandwiched between the edge of the settlement and the A1(M). Given the character

of the village and nature of the site, a density similar to that in the Core Strategy is anticipated as being appropriate. The concerns raised by the Parish Council are noted, but it is also noted that corrections have been made to the red line boundary and that when a detailed scheme is designed, the extent of required greenspace will also affect the area available for development.

- 10.21 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.
- 10.22 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

- 10.23 The application site relates to an area of land which currently has a rural appearance, but is sandwiched between the existing settlement of Mickelfield and the A1(M). Whilst the site is largely grazing land, it does also include a small number of mature trees and some vegetation and hedgerows. The retention of these features wherever possible, as demonstrated on the current layout, is welcomed.
- 10.24 The proposal indicate a permanent buffer between the proposed dwellings and Sheep Dike. The buffer has a dual function of providing visual screening and habitat. This area is important in providing a biodiversity enhancement, particularly for Great Crested Newts and Water Voles. The land beyond Sheep Dike, between the site and the A1(M) is designated as Green Belt and would remain as open land.
- 10.25 As discussed above, 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.
- 10.26 In terms of greenspace requirements, if the whole allocation was developed as expected, with approximately 400 dwellings, it would create a requirement for 3.2 hectares of greenspace overall. Core Strategy policy G4 requires 80sqm of greenspace per dwelling, with a preference for on-site provision in the first instance. In addition to incidental landscaping, a more formal greenspace is indicated at the southern end of the site. The applicant has stated that the scheme will be policy compliant. It is noted that the illustrative masterplan indicates an area to be used as a detention basin for surface water, which is welcomed from a sustainability perspective. However, it is noted that while the formal greenspace area may include areas used for these purposes, it must exclude any areas which are wet for much of the time. This can be assessed further at detailed design stage as part of a reserved matters application.

### Drainage and flood risk

- 10.27 The application site largely falls within Flood Zone 1 (at lowest risk of flooding), although limited areas immediately adjacent to Sheep Dike do fall with Flood Zones 2 and 3. Accordingly. The layout has been drawn up such that all of the housing development only takes place within the Zone 1 land. The Council's Flood Risk Management Team are satisfied with the proposals and have suggested a number of conditions in relation to surface water drainage matters.

### Impact on residential amenity

- 10.28 The proposed layout indicates a run of properties backing onto the existing properties on Great North Road, which is welcomed from the perspective of ensuring that the rears of properties are secure. Officers have noted the changes in level, with the application site being lower than the existing properties. Whilst the layout is purely indicative, officers have stated that the properties may need to be pulled away a little at reserved matters stage to ensure that rear gardens are of an acceptable depth and usable – not being too steeply sloping or requiring a significant amount of engineering work, such as retaining walls.
- 10.29 Elsewhere within the indicative layout, properties are shown to be fronting onto streets with rear gardens backing onto each other. The overall relationships appear to be generally acceptable and detailed matters can be resolved in a reserved matters application.
- 10.30 It is noted that the site is in relative close proximity to the A1(M) motorway, to the north-east. Following consultation with the Environmental Studies team, it is noted that enhanced glazing has previously been suggested as being likely to be required for other properties in this allocation. Accordingly, it is suggested that a similar precautionary approach is taken with properties on this site. Overall, the proposals offer a reasonable level of amenity and do not have a detrimental impact on the amenity of existing properties.

### Education

- 10.31 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

10.32 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:

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

10.33 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.

10.34 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 acceptable.

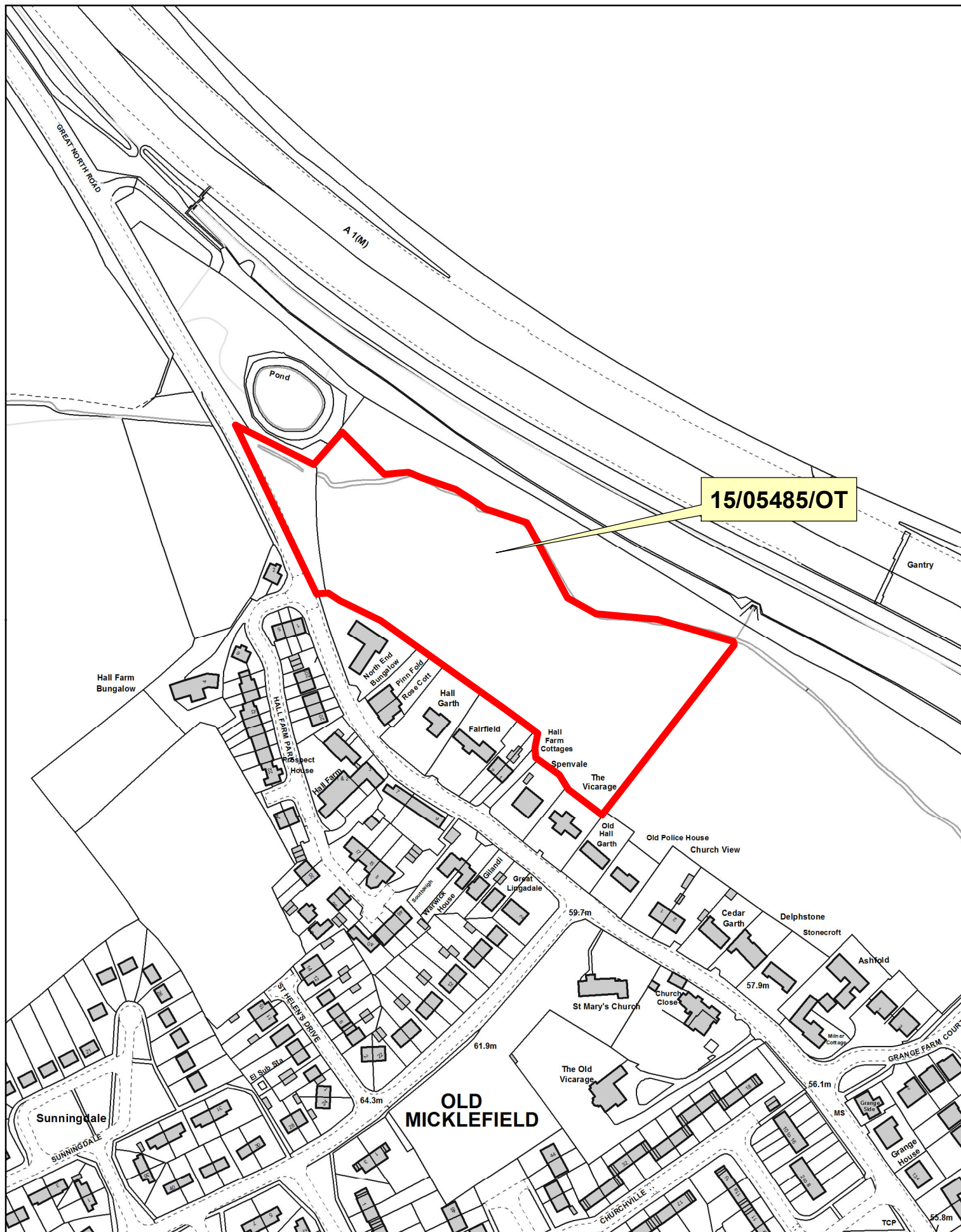
- 11.4 Members have understandably queried the impact on education provision previously, particularly with respect to primary provision. Whilst the development itself will generate a CIL sum which could be used for education provision, Children's Services have been exploring the ability to expand Micklefield 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, 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:

- Helen Jane Crute, 6 Barnard House, Ledbury Road, Sunderland, Tyne and Wear.
- Susan Jean Swan, 12 Royal Road, Sutton Coldfield



# CITY PLANS PANEL

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