



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 02 June 2016

Subject: 15/07291/RM – Reserved matters application for residential development of up to 325 dwellings, access and associated works including open space and structural landscaping, including addition of pelican crossing to land at Spofforth Hill, Wetherby.

APPLICANT

Bellway Homes Limited

DATE VALID

07/12/15

TARGET DATE

24/06/16 (Agreed extension)

Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE APPROVAL to the Chief Planning Officer, subject to the completion of a unilateral undertaking under Section 106 to secure the landscape buffer, and conditions to cover those matters outlined below (and any others which he might consider appropriate):

1. Plans list to be approved.
2. Adherence to submitted phasing plan.
3. Scheme of safety measures for bridleway crossing points.
4. Phased site wide levels (notwithstanding details under condition of outline).
5. Details of photovoltaic panels to be submitted for approval.

1.0 INTRODUCTION

1.1 This application is a Reserved Matters submission which seeks approval for the appearance, structural landscaping (including landscape buffer), layout and scale for a residential development of 325 dwellings. Outline planning permission was granted for a maximum of 325 dwellings and means of access on 02nd April 2015, following consideration at the 30th October 2014 meeting of City Plans Panel, where it was resolved to defer and delegate approval to the Chief Planning Officer subject to a legal agreement under S106 of the Planning Act.

1.2 As this application relates solely to the appearance, landscaping (structural), layout and scale of the development, it has been agreed by Plans Panel Chairs that this application ought to be considered by the North and East Plans Panel as opposed to City Plans Panel, the application being of local interest and as it does not raise issues of strategic importance.

2.0 PROPOSAL:

2.1 The application seeks approval for the reserved matters relating to the layout, scale, appearance and structural landscaping for a residential development of 325 dwellings together with associated infrastructure, pursuant to Conditions 1 and 2 of outline planning permission reference 13/03051/OT. The main access points remain as approved at outline application stage from Spofforth Hill and Glebe Field Drive. A pelican crossing on Spofforth Hill was also approved at outline, as a response to the Stage 1 Road Safety Audit.

2.2 Under 13/03051/OT permission was granted for a maximum of 325 dwellings and means of access. Two access points from the existing highway network were approved; the main access approved is from Spofforth Hill to serve up to 285 units, the secondary access approved is from Glebe Field Drive to serve a maximum of 40 units (together with an emergency access link from the main internal loop road). As part of the outline application a masterplan was considered and which established the basic layout, an off-site landscape buffer, open space areas and approximate densities and housing numbers. Illustrative plans showed the principles of a loop road with linking streets and residential areas focused around public open space.

2.3 The submitted layout plan follows up the outline masterplan and incorporates the existing north/south bridleway within the layout, punctuated at two points to allow for the loop road, following the design code submitted with the outline application. The main concepts include wide tree-lined boulevards linking through the site and positive dwelling frontages, limiting on-street parking, and drawing its influence from 'Garden Suburb' principles with landmark buildings at key termination points.

2.4 The application proposes two estate lodge style dwellings with square hipped roofs with chimneys at the entrance from Spofforth Hill. Boundary treatment is a mixture of timber fencing, metal estate railings and brick walling. Precise materials are covered by condition of the outline permission. The main central area of public open space is fronted by three-storey dwellings to the east with a wide tree-lined boulevard leading to three-storey flats with a clock tower as a landmark building.

2.5 The application is accompanied by the following supporting documents:

- Design and Access Statement
- Consultation Report
- Streetscenes
- Detailed layout plans
- Detailed house type plans
- Phasing Plan
- Tree Removal Plan
- Boundary treatment details
- Chimney layout plan
- Levels and sections in relation to existing dwellings
- Details of POS and structural landscaping

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is a greenfield site that is located towards the north-western edge of Wetherby. The site measures 15.7 hectares and is currently in agricultural use. Part of the site abuts Spofforth Hill, which is the road which links Wetherby with Harrogate. Along the Spofforth Hill frontage is a line of mature trees and hedges which helps screen the site from public views.
- 3.2 In terms of surrounding land uses the land to the east comprises two-storey residential housing, bounded by trees and hedges along the boundary with the site. To the south is housing, partly along the north side of Spofforth Hill and entirely on the south side. The housing along the north side of Spofforth Hill comprises mainly large detached and some semi-detached houses with long rear gardens which feature mature planting along their rear boundaries. On the south side of Spofforth Hill, the houses are similar, albeit with smaller rear gardens than the houses to the north side. Beyond these houses to the south is a large suburban housing estate, comprising mainly two-storey detached dwellings with moderate gardens. Access to this housing area is taken off Spofforth Hill from Chatsworth Drive and from Wentworth Gate.
- 3.3 To the north is open countryside that falls within the District of Harrogate. This is unallocated within Harrogate's Local Plan, although the land to the south western side of Spofforth Hill within Harrogate District is allocated as Green Belt. The north eastern boundary to the site is formed by the Harland Way (set within a dismantled railway cutting), which is a popular walking and cycling route between Wetherby and Spofforth.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/15/00388: Pre-application enquiry for proposed reserved matters applications for a residential development of 325 dwellings.
- 4.2 13/03051/OT: Outline application for up to 325 dwellings, including means of access, approved subject to conditions and S106 Legal Agreement on 02nd April 2015.
- 4.3 31/333/99/FU & 31/334/99/FU: 82 dwelling houses: Disposed of in April 2002.
- 4.4 31/338/98/OT: Outline application to layout access and erect residential development: Disposed of in February 2002.
- 4.5 H31/94/81: Outline application to lay out access roads and erect residential development, sports centre and clubhouse: Refused in July 1981 and appeal dismissed in August 1982.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant undertook extensive pre-application discussions with officers prior to submission and a number of meetings have been held between officers and the applicant under PREAPP/15/00388. Further to pre-application advice given at those meetings, under cover of the current application, highways and planning officers have met with Bellway to discuss the detail of the proposals.
- 5.2 From the submitted Statement of Community Involvement and in line with advice at paragraph 186 of the National Planning Policy Framework (NPPF) and the Council's Statement of Community Involvement (SCI), back at outline application stage Bellway Homes engaged in pre-application public consultation between November 2012 and

February 2013. Following the grant of outline planning permission a public exhibition was held on 08th September 2015 at Wetherby Town Hall, which was open to all residents and interested parties. Prior to opening a session was held for Ward and Town Councillors, the Neighbourhood Plan Forum Chair and local Member of Parliament. The exhibition was publicised by around 3,000 leaflets, posted to local residents and businesses in the vicinity, and to those who had registered an interest in the project during earlier public consultation (approximately 110 individuals). The adjoining Local Planning Authority, neighbouring Ward Councillors and Parish Councils, Wetherby Civic Society and Business Association were also invited.

- 5.3 Following the Leeds SCI advice that information should be made available in a range of accessible formats a website was set up and comments were invited at events, by post, or via a web-based form. Following the above 190 people attended the public exhibition, the website was visited 586 times (between 17th August and 16th September 2015) and 2% of visitors gave web-based feedback. A total of 50 responses were received during the consultation period (76% by feedback form at the consultation event and 24% from the website). The applicant states that comments and feedback received have been reviewed, and that they have responded to comments and suggestions made to retain and enhance the bridleway though the site under the proposed layout, to enforce the use of the emergency link as such by the installation of traffic bollards, and by considering residential amenity for existing residents by consideration of the design, orientation and separation distances of proposed dwellings in relation to them. The full record of comments made and the applicant's response is set out in Table 5 of the submitted Consultation Report.
- 5.4 Accordingly the applicant suggests that the proposals should be looked upon more favourably by the Council in view of the advice at paragraph 66 of the NPPF (under Section 7 Requiring good design), which states: *"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."*
- 5.5 In the life of the application amended plans have been received detailing minor revisions to detailed layout and appearance, in the interests of improving permeability, public safety, highway safety and design considerations, though the overall layout and the scale of development have not fundamentally altered. Additional information on levels and structural and POS landscaping have also been received. The changes in context are minor, though neighbours and contributors have been re-consulted and any further responses received will be reported at the meeting.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by site and press notices. Neighbours were notified in writing. In response 38 objections have been received. Objection raised therein may be summarised as follows:
- The site does not fully meet Core Strategy Accessibility Standards, being outside the recommended distances for access to local services, schools, employment or Town Centres.
 - The application lacks detail on the structural planting.
 - Impact of the pelican crossing on aural amenity and air quality of immediate neighbours from queuing traffic and exhaust fumes.
 - The pelican crossing should be located closer to Glebe Field Drive and no evidence supports its current location, which is not optimal.

- A pelican should be considered crossing Glebe Field Drive close to the junction with Spofforth Hill.
- Zig-zag lines around the pelican will prevent delivery vehicles from parking outside nearby property.
- A simple pedestrian refuge could be a viable alternative and less visually intrusive.
- The south side of Spofforth Hill lacks a pavement (between Chatsworth Drive and Wentworth Gate) and this makes the pelican of little use and a footway should be provided here.
- Adverse impact on highway safety.
- Increased congestion and parking pressure in the locality.
- Increased air pollution and carbon dioxide emissions from increase traffic.
- The emergency access via Glebe Field Drive will be a short cut to Wetherby.
- Rat running through the Linton Park estate will be increased.
- The proposal should not be built on high quality agricultural greenfield land.
- Building on brownfield land at Thorp Arch should be preferred as it has better access infrastructure.
- Traffic lights and speed cameras should be installed on Spofforth Hill.
- Parking restrictions should be imposed in front of 39, 41, 43 Spofforth Hill at the site entrance and the entrance to Leconfield Court.
- Impact of street furniture and signage on visual amenity.
- Resultant increased pressure on schools, surgeries and sewerage infrastructure.
- Impact on the character and appearance of the locality.
- The density is too high, especially in the east, and contains 3 storey dwellings. 200 dwellings would be more appropriate than 325.
- The relevance of a 20th century design strategy in the 21st century is debatable.
- Wide boulevards, clock towers and 3 storey apartments are out of character with the surroundings and harmful to the skyline and visual amenity and the development does not respect the rural setting.
- The clock tower and massing of the roof on which it would sit would be on rising land, and will be highly visible from the Glebe Field estate and its surroundings.
- The proposal stated that the scheme should not be dominated by the car but this is contradicted by the provision of 956 parking spaces.
- Affordable units are unevenly distributed. The western section has none and this would create social division and the Glebe Field area should not have the largest percentage.
- The proposal is dominated by family housing whereas Wetherby needs bungalows and small units so that older generations can downsize.
- The bridle path is the last rideable bridle path in the Wetherby Area and horse rider's safety must be considered and measures put in place.
- Loss of light and privacy for occupants of 25 Glebe Field Drive and concern over height of landscaping impacting on daylighting.
- Noise disturbance for the occupants of 25 Glebe Field Drive due to the access link running adjacent to it.
- Loss of light and privacy for the occupants of 14 Glebe Field Chase who would prefer a single larger dwelling to the rear of their garden than the two dwellings as proposed.
- Loss of light and privacy for occupants of 11 Ashburn Drive.
- Loss of evening sunlight at sunset for residents to the east generally and this is exacerbated by the proposal for three storey dwellings.
- Concern over where the commuted sum for affordable housing provision will be spent within the City, as opposed to Wetherby.
- The field is waterlogged to the south and inadequate drainage and flooding studies have been carried out.

- Increased risk of flooding to properties on lower land than the development and elsewhere.
- Concern over the future maintenance of planting and landscaping.
- A covenant should be secured to cover the retention of the width of hedgerow and tree lined areas around the existing housing, and to prevent future occupiers from taking this over and removing as it acts as visual screening to existing properties.

6.2 A re-consultation exercise has been undertaken in relation to the minor amendments negotiated to the proposal referred to under negotiations above and any further comments received will be reported at the meeting.

6.3 Within one letter of objection is recognition that the proposal will have positive benefits for the local economy. Within another native species hedge planting between the development and Glebe Field drive is welcomed.

6.4 Ward Councillor John Procter been briefed on the proposals and a meeting held with officers on site to discuss access arrangements and tree removal proposals in relation to the access from Spofforth Hill. Concern has been raised in relation to proposals to orientate the front elevations of properties to face Spofforth Hill, as opposed to backing onto it.

6.5 Wetherby Town Council have responded to notification of the application with the comment that Members of their Planning Committee having considered the application have no specific objections.

6.6 Wetherby Civic Society objects to the application on the basis that there is a lack of detail on the position of the pelican crossing on an already hazardous stretch of road [Spofforth Hill] and which lacks a footpath [southern side]. Concern is expressed over the assessment of existing traffic flows and the Society comments that any approval should be conditional on pedestrian improvements in advance of any work on the site, and more detail should be provided on how surface water run-off is directed and retained in light of recent flood events. The Society go on to state that the distribution of affordable housing in the planning application does not honour promises made at outline, and that assumptions regarding the current capacity of local community facilities do not consider other development already taking place and in the planning stage.

7.0 CONSULTATION RESPONSES:

Statutory:

7.1 Health and Safety Executive: Do not advise against the grant of planning permission on safety grounds in this case.

Non-statutory:

7.2 LCC Highways: No objections.

7.3 LCC Flood Risk Management: No objection.

7.4 LCC Public Rights of Way: No objection: Public Footpath No.23 Harewood crosses the site on its southern boundary. The demolition of the existing cottage and the erection of the new dwelling do not affect the right of way, as long as the footpath is not obstructed or encroached upon in any way. Care should be taken when entering

and exiting the development for pedestrian's safety when they are using the public footpath.

- 7.5 Architectural Police Liaison Officer: The amendments are a significant improvement and overall this is an excellent development proposal. The developer is encouraged to consider building some if not all properties to Secured by Design Standards (SBD). The developers proposal to install 3* TS007 locks in all doors is excellent. The parking courts are not supported by the Police or SBD however after viewing the plans it would now appear that only a few spaces have limited surveillance and this is encouraging progress though illumination cover should be provided with no dark or shaded areas. The majority of burglary is carried out to the rear of properties out of sight and all rear access should therefore be gated off with 1.8m high fencing of choice with a locking facility. Adequate traffic calming measures should be in place and where possible meters should be located to the front of properties to reduce the risk of bogus meter readers needing access. The footpath link to Ashburn Drive [currently obstructed] is favoured to remain closed as this would tend to be a primary target due to the ease of escape. Any seating in green spaces should be located close to the roadside to discourage them becoming a gathering place.

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 following sections are most relevant:

Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds District. Some saved policies of the UDP Review also apply. The following policies within them are relevant:

Policy T1	Transport Management
Policy T2	Accessibility Requirements and New Development
Policy EN1	Carbon dioxide reductions
Policy EN2	Sustainable Design and Construction
Policy EN5	Managing Flood Risk
Policy G1	Enhancing and Extending Green Infrastructure
Policy G4	New Green Space Provision
Policy G8	Protection of species and habitats
Policy G9	Biodiversity Improvements
Policy H3	Density of residential development
Policy H4	Housing mix
Policy H8	Housing for independent living
Policy P9	Community facilities and other services
Policy P10	Design
Policy P12	Landscape
Policy ID2	Planning obligations and developer contributions

Saved Policies of the Leeds Unitary Development Plan Review (2006):

- 8.3 Policy GP5 General planning considerations
Policy BD5 Design considerations for new build

Policy H3	Delivery of housing on allocated sites
Policy LD1	Landscape schemes
Policy N23/N25	Landscape design and boundary treatment

Relevant Supplementary Planning Guidance:

- 8.4 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 Sustainable Design and Construction (adopted).

National planning policy guidance:

- 8.5 The National Planning Policy Framework was published on 27th March 2012 and sets out the Government's planning policies for England and how these are expected to be applied alongside other national planning policies. In this case the following sections are most relevant:

Section 7 Requiring good design
 Section 10 Meeting the challenge of climate change, flooding and coastal change
 Section 11 Conserving and enhancing the natural environment
 Section 12 Conserving and enhancing the historic environment

Decision-taking
 Annex 1 Implementation

DCLG - Technical Housing Standards 2015:

- 8.6 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.

9.0 MAIN ISSUES:

- Principle of development
- Section 106 agreement
- Phasing
- Layout Appearance and Scale
- Privacy and Amenity
- Highways
- Housing Mix
- Open space
- Landscaping
- Flood risk
- Technical Space Standards

- Representations
- Community Infrastructure Levy

10.0 APPRAISAL:

Principle of development

- 10.1 The principle of the development of the site for up to 325 dwellings with accesses from Spofforth Hill and Glebe Field Drive was established under outline planning permission reference 13/03051/OT which was granted on 02nd April 2015. The principle of development is therefore established and the only matters that fall to be considered are those relating to the reserved matters of layout, scale, appearance and landscaping. The submitted layout meets guidance contained within Neighbourhoods for Living in terms of separation from existing dwellings, the open space provision and commuted sum secured at outline meets open space policy requirements, and the design and scale of the development responds to prevailing local characteristics, and overall is therefore considered to be policy compliant. The following information on the terms of the S106 Legal Agreement pursuant to the outline permission and on phasing is presented simply for Member's information.

Section 106 agreement

- 10.2 The outline planning permission granted was subject to a section 106 Legal Agreement which in summary covers the following:
- The provision of 49 sub market/intermediate/affordable units on site;
 - £8.5 million contribution towards off-site affordable housing provision within the City;
 - £965,900 contribution towards education provision;
 - £324,818 contribution towards the provision of and/or enhancement of greenspace within the community area;
 - £398,450 contribution towards off-site highway improvement works;
 - £398,450 contribution towards public transport or other environmental improvements;
 - £40,000 contribution towards upgrades of local bus stops to provide real time information displays;
 - A 12 month Metro travel card for residents of the development for use on buses in West Yorkshire;
 - A legally binding link with and commitment to a regeneration project in East Leeds, which involves a commitment to restart the stalled EASEL 7 housing development, and which requires that for every 50 dwellings built at Spofforth Hill in Wetherby 20 dwellings of the remaining 83 must be completed at the site in East Leeds (this was necessary in policy terms at the time of decision, in order to allow for the earlier release of this site under the former interim PAS site policy);
 - A monitoring fee of £9,250 for review of compliance and implementation of the above clauses, and;
 - A travel plan review fee of £3,625, towards the cost of reviewing the approved Travel Plan.

Phasing

- 10.3 Condition 26 of the outline permission requires any reserved matters submission to include a revised indicative masterplan, to allow for an appreciation of the possible development phases proposed. A phasing plan has been requested and received which details the build out phases proposed. The submitted phasing plan, reference 166/Phasing, splits the site into two sections, one to the west and one to the east of the bridleway which traverses the site north/south. The phasing proposed is reflective of the different housing products proposed. It proposes that each section is built out concurrently as follows:
- 10.4 Phase 1 includes those dwellings which would back onto part of Glebe Field Drive and part of Ashburn Way in the eastern section, and those dwellings which would front Spofforth Hill and back onto open countryside in the western section.
- 10.5 Phase 2 includes those dwelling in the eastern section which would back onto the remainder of Glebe Field Drive, and those dwellings which would form the southern half of the central part of the development, and those which back onto the existing woodland belt to the north-western section.
- 10.6 Phase 3 includes the remaining parts of the western section which would complete it, and the northern half of the central part of the development in the eastern section.
- 10.7 Phase 4 would see the completion of the remaining part of the eastern section where it abuts the bridleway, Harland Way and the proposed landscape buffer.
- 10.8 The phasing plan proposes the building out of dwellings immediately adjoining existing neighbours under Phase 1 and 2 and this is desirable in many respects as the establishment of new housing adjacent to existing housing first provides a level of visual and acoustic screening for existing residents earlier in the development than would otherwise be the case.

Layout, Appearance and Scale

- 10.9 Overall the development proposals are of good quality and would result in an attractive layout, varied streetscenes and an interesting roofscape, with a significant number of fully functional chimneys and varying roof heights creating interest. Bellway have sought through a contextual analysis of the Spofforth Hill road frontage to introduce a significant number of different house types (40), so as to create variety and avoid the homogeneity that has historically characterised a significant number of volume house builder's major proposals.
- 10.10 Improvements have been secured to the small number of units which have garages at ground floor, so that they are book-ended with units with ground floor accommodation, in order to secure better natural surveillance. It should be noted that units with ground floor parking are book-ended either by dwellings with ground floor habitable accommodation, or by flats with ground floor habitable accommodation. It should also be noted that these units only feature where facing the largest area of public open space, and that they are only on one side of the main area of open space to its east, with facing dwellings to the west all having ground floor habitable accommodation. Therefore, whilst ordinarily unacceptable on tight streets and where there is no natural surveillance, in this case and in this context this detail is considered on balance to be acceptable.

- 10.11 The scale of the development includes two and two and a half storey dwellings and three storey flats and town houses. In the central part of the development, which is pentagonal in shape, there is a formal, wide, tree lined boulevard, which leads from the main area of public open space to a three-storey block of flats with a clock tower, which creates a landmark building at its termination point. This layout has a sense of formality, with simple symmetry of house types on opposite sides of the boulevard creating a good sense of place. Whilst a number of objectors comment on the clock tower being on higher land and express concern that this impacts adversely on the skyline, in the context of the overall development this is considered to add variety to the roofscape and is not considered that it would not be unduly harmful to visual amenity and it not considered to pose a threat to the rural setting of the development.
- 10.12 The applicant is working with the Council's highway adoptions team to ensure that the generous tree planting to highway verges can be secured, without commuted sums for their maintenance being unduly prohibitive, and it is hoped that this will help secure black street furniture which will in turn help reduce the impact of highway structures and result in a higher quality development.

Privacy and Amenity

- 10.13 Saved policy GP5 notes that extensions should protect amenity whereas policy BD6 notes that "*all new buildings should be designed with consideration given to both their own amenity and that of their surroundings*". Criterion (iii) of Core Strategy Policy P10 Design also seeks to protect residential amenity. Neighbourhoods for Living provides traditional separation guidelines. In relation to existing properties the proposal meets or exceeds separation guidelines and the proposal is policy compliant in this regard. Within the development, save for a small number of minor exceptions where there are slight shortfalls, the layout is also policy compliant. In relation to levels between existing and proposed dwellings, a point raised by some objectors, Condition 31 of the outline requires that proposed ground levels are supplied as part of any reserved matters application. Additional information has been received detailing levels in relation to existing dwellings including sections. These details demonstrate that separation distances would meet Neighbourhoods for Living guidance and that the proposed dwellings would not have an overbearing impact or lead to any unacceptable degree of loss of privacy or light for existing residents. The proposal provides for fencing and native species hedge planting which is an acceptable form of boundary treatment between existing and proposed dwellings and is considered to be policy compliant.
- 10.14 The occupants of Numbers 25 Glebe Field Drive, 14 Glebe Field Chase, and 11 Ashburn Drive have expressed concern over the impact on their privacy and daylighting. In relation to the latter, the proposed dwellings by virtue of their siting to the northwest would not be of such a scale that they would lead to any undue loss of light, nor would they have any undue overbearing impact. A separation distance from the gable of Plot Number 91 (the nearest dwelling to the west) and Number 11 Ashburn Drive is in excess of 21m. In relation 25 Glebe Field Drive, the nearest dwelling to the north is separated by 22m at its nearest point. Dwellings on Glebe Field Chase have a minimum separation distance between proposed dwellings of 22m, rising to over 25m. This is acceptable and policy compliant.

Highways

- 10.15 Saved UDP policy GP5 states that "development proposals should seek to resolve detailed planning considerations including highway safety". Core Strategy Policy T2 sets out accessibility standards. Access details were approved at outline stage as set

out above. Having reviewed the proposals amended plans have been received to address concerns in relation to vehicle tracking, traffic calming measures and sight lines, and to which there are no highway objections. Notwithstanding public objection received that parking provision is over-provided for, the parking provision proposed meets Parking SPD requirements and is policy compliant. In relation to concerns expressed by objectors over off-site impacts, the S106 agreement provides for off-site highway mitigation works to be provided in consultation with Ward Councillors.

Housing mix

10.16 Core Strategy Policy H4 Housing Mix aims to ensure that the new housing delivered in Leeds is of a range of types and sizes to meet the mix of households expected over the Plan Period, taking account of SHMA preferences and difference in demand in different parts of the City, and changing demand. With this aim in mind, the Policy is worded to offer flexibility, including the need for independent living (Policy H8). Policy H4 sets out the following preferred housing mix:

Table H4: Preferred Housing Mix (2012 – 2028)

Type*	Max %	Min %	Target %
Houses	90	50	75
Flats	50	10	25
Size*	Max %	Min %	Target %
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

*Type is applicable outside of City Centre and town centres; Size is applicable in all parts of Leeds

10.17 The application proposes the following:

Houses	293	(90.15%)
Flats	32	(9.85%)
1 bed	16 units	(5%)
2 bed	58 units	(17.8%)
3 bed	60 units	(18.4%)
4 bed+	191 units	(58.8%)

*133 no 4 bed, 40 no 5 bed, and 18 no 6 bed.

10.18 From the above it can be seen that the provision of flats is close to the minimum preferred mix but below the target, whereas the housing provision is above the target and close to the maximum preferred mix. The number of 4+ bed units exceeds the maximum, whereas the number of 2 bed and 3 bed units are below the minimum. No independent living accommodation is provided, though such accommodation has been approved more recently in more central locations within Wetherby. Overall the proposal offers a range of house size that is considered to be acceptable in this specific Housing Market Character Area.

Open space

- 10.19 Core Strategy Policy G4 states that on site provision of green space of 80 square metres per residential unit will be sought for development sites of 10 or more dwellings that are outside the City Centre and in excess of 720 metres from a community park, and for those which are located in areas deficient of green space. In areas of adequate supply, contributions of an equivalent value towards the safeguarding and improvement of existing green space will take priority over the creation of new areas. In this circumstance, qualitative improvements would be needed to address the pressures placed upon existing green space in the form of increased usage and increased demand arising from new residential development.
- 10.20 On the basis of 325 units the above would equate to a provision of 2.6 hectares of open space. The submitted open space provision proposed provides for 1.15 hectares of open space, a further 0.21 of greenspace in the form of a SUDS pond, 0.51 hectares of tree lined avenues, and the proposed landscape buffer of 0.40 hectares. The submitted layout details a number of useable public open spaces interspersed throughout the development, the largest of which forms the centrepiece of formally laid out streets within the pentagonal shaped area of the development. The development also benefits from good public access to the bridleway running through the site and to the popular Harland Way.
- 10.21 The existing legal agreement entered into out outline also provides for a £324,818 contribution towards the provision of and/or enhancement of greenspace within the local area, to be considered in consultation with Ward Members, and when taken together these measures are considered to satisfactorily address the open space policy requirements generated by the development.

Landscaping

- 10.22 The outline application was accompanied by a structural landscaping plan which detailed the retention of existing semi-mature woodland planting to field margins to the north east of the site. This reserved matters application details native hedgerow planting and tree planting to the boundaries with existing dwellings to the south and southeast. Hedgerows are proposed to the frontage of a significant number of dwellings. The submission also details indicative tree planting to areas of public open space, and shows generous tree planting to highway verges to create wide tree lined central boulevards.

Landscape buffer:

- 10.23 The outline structural landscaping plan approved also details the planting of a significant off-site landscape buffer around the existing bridleway, to the north east of the site, on land within Harrogate District. Condition 8 of the outline permission requires that development does not commence until full details of all hard and soft landscaping, including the landscape buffer, have been agreed in writing, together with an implementation programme. The condition goes on to require that the landscaping including the buffer is implemented in accordance with any implementation program as may be approved. Condition 9 covers replacement planting in the event any tree/hedge or shrub is removed, destroyed, is diseased damaged or otherwise defective. Condition 10 precludes removal of any retained trees/hedges and shrubs and Condition 11 requires their protection in accordance with British Standard 5837 (2012). Condition 13 requires an Ecological Design Statement (EDS), to ensure satisfactory establishment and maintenance of wildflower areas shown within the landscape buffer.

10.24 The situation here in relation to the buffer is however slightly complicated by the fact that the buffer is on land within Harrogate District, and there is therefore an issue in relation to the enforceability of any conditional requirement to secure the landscape buffer, it being outwith the jurisdiction of Leeds City Council. This has been discussed with Bellway who in response have submitted a unilateral undertaking under Section 106 of the Act, enforceable on the development site in the event that the buffer is not provided. This approach has been considered by Legal Services who are of the view that such an undertaking to provide the buffer, enforceable on the development site itself, is lawful and normal.

10.25 In summary the supplied draft undertaking would require:

- Prior to first occupation to submit a scheme detailing the long term design objectives, management responsibilities and maintenance schedules for the off-site landscape areas;
- Prior to first occupation to provide planting plans and specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, numbers and densities to be provided;
- Prior to first occupation to provide proposals for the future management of the off-site landscaping areas (which for the avoidance of doubt may involve the transfer to a management company for the purposes of future management (providing details of whom it will be transferred to and what the future maintenance proposals are (including estimated costs to be applied));
- Not to occupy more than 50 dwellings until approval has been given to the above submissions;
- Not to occupy more than 100 dwellings until the off-site landscaping has been fully laid out in accordance with the approved landscaping scheme.

10.26 From the above the landscape buffer would be fully laid out prior to the occupation of the 100th dwelling, which at a projected build out rate of 50 units per year would be 2 years into the development. This is considered to be acceptable and the recommendation is therefore to defer and delegate approval subject to the completion of this undertaking.

Access trees:

10.27 At outline application stage there was a debate whereby, at City Plans Panel, Members sought the deletion of a proposed right-turn lane, albeit with provision in the S106 agreement for such provision in the event that a post-completion Road Safety Audit deemed one to be necessary. This was in order to mitigate against the unnecessary loss of significant mature tree specimens from Spofforth Hill in the formation of the main access point. This was also to ensure that the highway into the Market Town of Wetherby was not over-engineered, in the interests of protecting the semi-rural character of the approach into Wetherby.

10.28 The deletion of the right turn lane resulted in a significant reduction in the number of trees that would be lost so that it currently results in three trees which are definitely required to be removed, and one further tree that may need to be removed, but which

will be monitored by an arboriculturalist during the works to see if it can be retained. Replacement of these trees is to be on a 3 for 1 basis with semi-mature trees to be planted in replacement. For this level of development, to only lose three trees in the formation of the access is reflective of the chosen location for the access point to minimise tree loss and testimony to the outcome of the debate at outline stage. Meetings have taken place on site with Ward Cllr John Procter to identify these trees, in recognition that this is a matter of concern for existing residents opposite the proposed access on Spofforth Hill. The loss proposed is in accordance with the outline permission granted, the replacement on a 3 for 1 basis is policy compliant.

- 10.29 Maintenance of the landscaping measures is to be by way of a management company. Protection of proposed internal landscaping measures (where adjacent to existing residents) from future occupiers potentially removing them is to be secured by way of restrictive covenants.
- 10.30 Objection raised to the lack of detail over the structural planting proposed is well founded, however, further landscaping details have been received and which satisfactorily addresses these concerns and, subject to the recommended unilateral undertaking will secure an enforceable and policy compliant landscape buffer and structural planting, as approved in principle at outline. Subject to this undertaking the proposed landscaping measures would create an acceptable setting, however further submissions will be required for the landscaping of gardens on a phase by phase basis.

Flood risk

- 10.31 Whilst flood risk considerations were dealt with at outline, and therefore the only matters in relation to flood risk that fall to be considered relate to the proposed layout, in light of recent flood events in Wetherby and Leeds, and Yorkshire in general, the potential for new development to increase the risk of flooding elsewhere has been brought into sharp focus. A number of objectors and the Civic Society express concern over the impact the layout of the development would have on the risk of flooding elsewhere.
- 10.32 During times of heavy precipitation the application field becomes waterlogged, especially to the south east where due to the fall of the land surface water naturally flows as objectors point out. The site itself however is not in a flood risk zone or prone to flooding. Section 10 of the NPPF (Meeting the challenge of climate change, flooding and coastal change) requires that when determining applications local planning authorities should ensure that flood risk is not increased elsewhere. Criterion (ii) of Core Strategy Policy EN5 Managing Flood Risk requires flood risk to be considered for all development, commensurate with the scale and impact of the proposed development and mitigate where appropriate.
- 10.33 Yorkshire Water favours a conventional series of underground storage techniques, including hydraulic brakes and on site attenuation. However, this issue was addressed at outline stage which saw the submission of a flood risk assessment, with which the Council's Flood Risk Management Team and the Environment Agency were satisfied.
- 10.34 The outline permission granted reinforces the need for Sustainable Urban Drainage Systems (SUDS). Condition 16 of the outline permission requires a scheme of surface water drainage works to be agreed. Condition 28 requires that development takes place in accordance with the agreed Flood Risk Assessment produced by Sanderson Associates reference 7059/JMcK/001/02 dated February 13, and Condition 34 requires that a feasibility study into the use of infiltration methods is submitted with the

requisite soakaway tests and an appraisal of the various infiltration drainage methods that could be reasonably employed on the site. Informative 7 gives Environment Agency advice and reinforces the need for surface-water run-off to be controlled as near to source as possible through a SUDS approach, attenuating the rate and quantity of surface water run-off. The Council Flood Risk Management Team will continue to work with Yorkshire Water over the detail under these conditions and subject to further details under conditions the proposed layout would not increase the risk of flooding elsewhere and is policy compliant in these regards.

Technical Space Standards

10.35 Of the 325 units proposed 274 comply with the minimum standards. The majority of the affordable houses (house type A1 – A4) also comply, with the exception of the Milton, which as is set out below is 10sqm short (though the bedrooms meet the minimum standard for one double and one single including storage space). The following units do not however meet the overall standard (all figures are approximate):

- Bardale - 2 bed flat is 3sqm short.
- Milton - 2 bed house is 10sqm short (although the bedrooms meet the minimum standard for a double and a one double and one single, including storage space). The applicant advises that this unit is designed as an entry level 2 bed for a single person/couple, rather than a family home, and it therefore doesn't have a dining area, only a kitchen and separate lounge, hence the shortfall.
- Beswick – 3 bed house is 4sqm short.
- Shipley – 3 bed house is 2sqm short. The applicant advises that these are their entry level 3 bed products and that two of the bedrooms in each meet the standards, with a smaller third bedroom/study. The other 3 bed units (Hawthorn, Willow, Chestnut & Purley) all meet the standard.
- Shipley Special – 4 bed house is 2sqm short. Again, this is the smallest 4 bed on the site, with a smaller 4th bed/study, and the remainder of the 4 beds all meet the standard.

10.36 Where a shortfall is a matter of a few square metres this is not considered to result in dwellings that are so deficient that it would warrant them being considered to be unusable. Bellway say in many cases this is simply reflective of the different market segments, where some units are targeted towards new households without families, and where bedrooms and storage space in them is compliant with the standards.

10.37 Housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises however 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 Members are reminded that only limited weight can be attached to it at this stage. However, in view of the fact that a number of units including affordable units fall 10sqm short of the standard, this has been raised with the applicant. They are looking to address this and their response to this concern will be reported at the meeting.

Representations

ALL DIMENSIONS TO BE CHECKED ON SITE. DISCREPANCIES, AMBIGUITIES AND/OR OMISSIONS BETWEEN THIS DRAWING AND INFORMATION GIVEN ELSEWHERE MUST BE REPORTED TO THIS OFFICE AND CLARIFICATION SOUGHT BEFORE PROCEEDING.

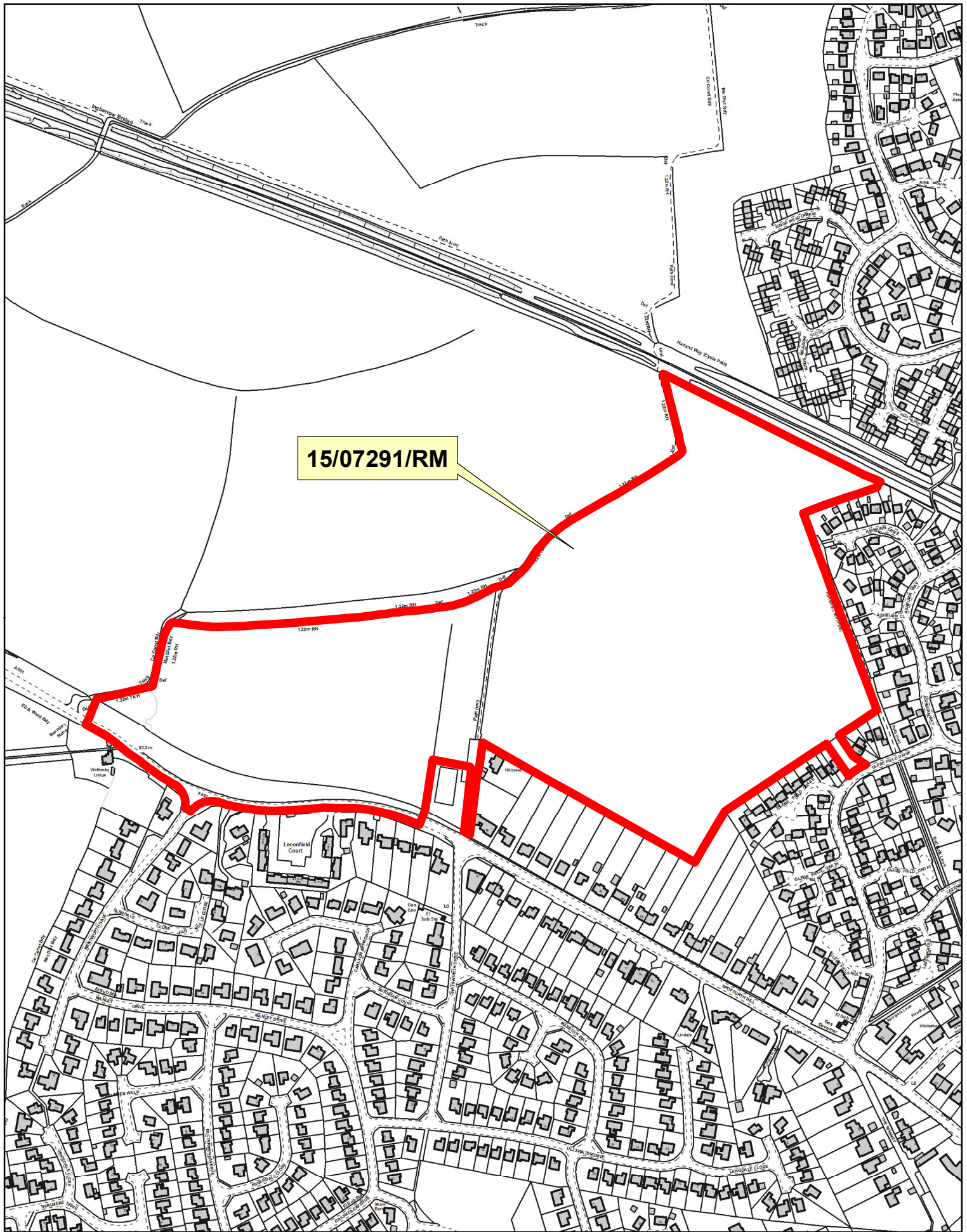


PROJECT	SPOFFORTH HILL WETHERBY
CLIENT	BELLOWAY
DATE	NOVEMBER 2015
SCALE	1:1000 @ A1
DRAWN	JW
CHECKED	CS
DATE	NOVEMBER 2015
NO.	3570/11
REV.	C

SPOFFORTH HILL WETHERBY

COMPOSITE SITE LAYOUT PLAN

Accommodation Type	Name	Bed	sqm
A1	A1	1 bed house	400
A2	A2	2 bed house	450
A3	A3	3 bed house	480
A4	A4	4 bed house	210
Ba	BARDALE	2 bed 3d apartment	240
Bb	ASHFORD	2 bed 3d apartment	400
Bc	SPACKHILL	2 bed 3d apartment	200
Bd	CLOCKTOWER	1 bed flat	210
Bf	WIKLEY	2 bed 3d apartment	380
M	MILTON	2 bed house	230
Ba	BRIBWICK	2 bed house	100
Bb	SHIPLEY	2 bed house	200
Bc	HARTFORD	2 bed house	180
Bd	WILLOW	2 bed house	100
Ca	CHESTNUT	3 bed house	110
Pa	PURLEY	3 bed house	350
Ca	OAK	4 bed 2 1/2	800
Pa	HIGHAM	4 bed 2 1/2	1000
Pa	HORSLEY	4 bed 2 1/2	800
Pa	BANDSEY A/B	4 bed 2 1/2	800
Sp	SHIPLEY SPECIAL	4 bed house	400
Sp	MAPLE	4 bed house	200
Sp	LATCHHOUSE	4 bed house	200
Sp	ACACIA	4 bed house	900
Sp	HAMILTON	4 bed house	1000
Sp	BANDON	4 bed house	1000
Sp	ALDER	4 bed house	1000
Sp	BRASSINGTON	4 bed house	1000
Sp	SPACKHILL	4 bed house	300
Sp	PLANE	4 bed house	300
Sp	KETTLEWELL	4 bed house	900
Sp	GALLOWAY	4 bed house	700
M	MAYFIELD	5 bed 2 1/2 house	1200
M	MARLBATH	5 bed house	1000
M	STANLEY	5 bed house	1100
Ca	DEWTON	5 bed 2 1/2 house	300
Ca	LANGSETT	5 bed house	300
Ca	DEWTON SPEDAL	6 bed 2 1/2 house	1000
Ca	OTLEY	6 bed 2 1/2 house	300
TOTAL			3250



15/07291/RM

NORTH AND EAST PLANS PANEL

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SCALE : 1/4500

