



Report of the Chief Planning Officer

PLANS PANEL NORTH & EAST

Date: 4th August 2016

Subject: 16/01509/FU – Outline application for residential development including vehicular and pedestrian access at Land at Micklethwaite Farm, Wetherby Road, Wetherby LS22

APPLICANT
Evans Homes

DATE VALID
8 March 2016

TARGET DATE
7th June 2016

Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

1. Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, in writing before the development is commenced.

Layout, Scale, Appearance, landscape

2. Standard time limits for outline permission.
3. Development to comply with approved plans
4. Details of the ghost island junction at the proposed site entrance to be submitted and agreed.
5. Details of speed limit relocation & gateway to be submitted and agreed.
6. Details of footway improvement works along the site frontage with Wetherby Road to be submitted and agreed.
7. Details of a feasibility study into the use of infiltration drainage methods to be submitted.

8. Scheme detailing surface water drainage works to be submitted
9. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (within 24 hours) the works commence
10. Bat roosting and bird nesting opportunities (for species such as House Sparrow, Starling, Swift, Swallow and House Martin) to be provided within buildings and elsewhere on-site
11. Details updating the desk study to reflect the sites use as part of a site compound during the construction of the residential development to the north (approximately 2006).
12. Submission of a Phase I and Phase II Desk Studies and implementation of any remediation works.
13. If remediation is unable to proceed in accordance with the approved Remediation Statement, the Local Planning Authority to be notified.
14. Remediation works shall be carried out in accordance with the approved Remediation Statement.
14. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme.
15. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use.

1.0 INTRODUCTION

- 1.1 The application seeks outline permission for establishing the principle of developing the site for housing and for the access road. The application is reported to Plans Panel at the request of Cllr J Procter who feels that the site should form part of the wider plan to re-develop the hotel site and that the Green Belt buffer should be located within the site.

2.0 PROPOSAL:

- 2.1 Outline permission is sought for a residential development comprising up to 7 dwellings, including means of access from Wetherby Road. Permission is sought for the principle of development and means of access only with all other matters reserved.
- 2.2 As part of the scheme a belt of trees that runs along the northern and eastern boundary of the site, buffering hotel and the residential estate of Micklethwaite shall be removed.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located within the south western limit of the town of Wetherby. The site is an open field which once formed part of a large agricultural unit. It is bound to the south by Wetherby Road and to the west by agricultural fields within the Green Belt. The residential development of 'Micklethwaite Grove', built in 2004, lies to the north and north east and the Mercure Wetherby Hotel adjoins the site on its eastern boundary. The site falls entirely within Flood Zone 1 and is at limited risk of flooding. There is a large tree to the front which is protected by a Tree Preservation Order (TPO). The group trees located close to the eastern boundary also protected by a TPO.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/15/00562- Residential development in order of 13 units. The following advice was given;
- Principle of the development acceptable.
 - Landscape buffer required to be set within the red line plan.
 - Concerns with layout including space between dwelling and garden sizes
 - Width of the access road in adequate.
- 4.2 H31/196/74/- Outline application to lay out access roads and erect residential development consisting 58 houses & garages and alterations. Refused
- 4.3 31/279/97/FU- Change of use of farm building to offices and laying out of access and erection of retail unit. Refused

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant was advised to submitted further details of the access point to the site with the lane widths at the proposed ghost island junction clearly dimensioned. This advice was given, following consultation comments received from the Highway Officer.
- 5.2 The original indicative layout showed 13 dwellings being constructed on site. There were numerous concerns with the layout of the original scheme including the impact on trees, size of the drives, garden sizes and the location of parking spaces in relation to the dwellings they served. Therefore, the applicant was advised of these concerns and has consequently revised the indicative layout to show seven dwellings.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site Notice Posted 01.04.2016 and a Press Advert was published on 30.03.2016
- 6.2 Wetherby Town Council: Raise concern that the housing development will be located adjacent to the A58 and that the proposal makes the adjacent hotel site vulnerable to housing.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Landscape Officer- comments that the Arboricultural Impact Assessment fails to address the site issues. The key concern highlighted by the Landscape Officer with regards to the original layout, related to the impact the scheme would have on Tree labelled as T1. Other comments related to the small sizes of the gardens and that a drainage and service layout plan needs to be submitted.
- 7.2 Although, the issues concerning landscaping and the layout of the scheme in general reserved and will not be approved as part of this scheme, the applicant has submitted revised drawing to try to overcome some of the concern raised by the Landscape Officer. The revised layout plan has reducing the density of housing on the site from 13 to 7. The revised plan offers much more space to accommodate the houses within the site without affecting T1 whilst also providing adequate private garden space. Although an impact assessment on tree T1 has not been submitted, the revised layout plan offers comfort that small adjustments to the layout can easily be made at the Reserve Matter stage of the application in order to protect tree T1, should the need arise.

- 7.2 Land Contamination Officer- raises no fundamental issues concerning the suitability of developing the site for housing. However, it is request that the applicant submits a Phase II site investigation report and additional information that explains why gas monitoring is not required on the site.
- 7.3 The Land Contamination Officer would prefer the additional information to be submitted before the decision is made on the application. However, the Land Contamination comments indicate that the decision can be issues without the submission of the outstanding information provided that suitable conditions are imposed on the decision notice. For this, the Land Contamination Office has listed a number of conditions. The conditions recommended by the Land Contamination Officer have been put forward at the head of the report. Subject to these conditions being imposed, it is not considered that the proposal would raise Land Contamination issues.
- 7.4 Highways Officer: No objection, subject to conditions.
- 7.5 Flood Risk Management– No objection subject to conditions.
- 7.6 Nature Conservation- No objection, subject to condition.

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.

Development Plan

- 8.2 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.
- 8.3 The site was allocated under Policy S6 of the UDPR as a site for potential convenience goods retailing, together with the adjacent former Micklethwaite Farm site. However, the main part of the site has since been developed for housing and Policy S6 has been deleted. The site is adjacent to the Leeds Habitat Network.
- 8.4 The following Core Strategy policies are relevant:

General Policy – Presumption in favour of sustainable development
SP1 – Location of development in main urban areas on previously developed land
P10 – High quality design
P11- Conservation Area
P12 – Good landscaping
H2 – New housing on non-allocated sites
H3 – Housing density
H4 – Housing mix
G4 – On-site greenspace for major residential developments
T2 – Accessibility
EN5 – Managing flood risk

- 8.5 The following saved UDP policies are relevant:

GP5 – General planning considerations
N25 – Landscaping
BD5 – General amenity issues
LD1 – Landscaping
N19 – Development within the Conservation Area
N24 – Landscape buffer required where development abuts the Green Belt or open countryside
N23/N25- Landscape Design and boundary treatment

Supplementary Planning Guidance/Documents

8.6 The following SPGs and SPDs are relevant:

- SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds (including 2015 Memoranda)
- Street Design Guide SPD
- Parking SPD

National Planning Policy

8.7 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.8 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

DCLG – National Minimum Space Standards

8.9 This document sets a nationally-defined internal space standard for new dwellings. 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 its local plan to the nationally described space standard. With this in mind the city council is in the process of gathering evidence in relation to the adoption of the national standard as part of a future local plan review. The housing standards are a material consideration in dealing with planning applications, however as this process is at a relatively early stage in Leeds, only limited weight can be attached to them at this stage.

9.0 MAIN ISSUES

- Principle of Development
- Highways and Access
- Indicative site plan
- Representations

10.0 APPRAISAL

Principle of development

- 10.1 Issues around the principle of the development were discussed in the pre-application submission with colleagues in the Planning Policy. It was agreed that the site is suitable for housing development, that it is in a sustainable location and that the proposal can be accepted in principle subject to the proposal meeting all other planning considerations as outlined below.
- 10.2 It is noted that the site was previously allocated for Convenience Goods Retailing under Policy S6 of the UDPR. However, following the adoption of the Core Strategy, Policy S6 has been deleted. As such, the site is unallocated within the development plan. Unlike the adjoining hotel site, the subject site has not been identified for housing in the emerging Site Allocations Plan (SAP). Having said this, given the need for new housing in this Market Characteristic Area of North East Leeds and the sustainable location of the site, it is considered that the use of the site for housing can be considered to be appropriate.

Highways/ Access

- 10.3 The access road proposed off the A58 Wetherby Road is considered to be acceptable in principle. The Highways Officer states that the design of the junction is in general accordance with DMRB TD42/95. The Highways Officer had asked conditions to be imposed requiring the lane width at the ghost island to be increased by a further 0.5m, for the speed limit/ gateway sign on the main road to be re-located and also for improvement works being carried out along the footway adjoining the site frontage. The conditions that are recommended have been attached to the head of the report. Subject to the recommended conditions being attached to the decision notice, it is considered that the access road that has been proposed is acceptable and does not raise highway safety issues.
- 10.4 The Highways Officer also states that the site does not fully meet the draft Core Strategy Accessibility Standards. It has been assessed that the centre of the site is just about within the designated 400m walking distance of bus stops located on Boston Road, but the frequency of the services to the major public transport interchanges of Leeds, Bradford and Wakefield does not meet the requirement of 4 buses per hour. However, the local services within Wetherby Town Centre are all located within the designated 1200m walk distance of the site and there are two primary schools (Hallfield Lane & Crossley Street) and a medical centre (Wetherby Health Centre – Hallfield Lane) within the designated 1600m of the site. Additionally, the nearest secondary school (Wetherby High School) is within the recommended walking distance of 2400m. Therefore it is considered that, on the whole, the site is situated in an accessible location.

Indicative Site Plan

- 10.5 It is noted that this application seeks only to establish the principle of the development and the access into the site with all other matters being reserved, an indicative plan showing the potential layout of the development of 7 dwellings has been submitted. Ward Members have expressed concerns with regards to the removal of an existing belt of trees that runs along the northern and eastern boundary of the site, buffering hotel and the residential estate of Micklethwaite. There is also concern with regards to the soft landscape buffer zone being constructed within the Green Belt. In considering the proposed Green Belt buffer due regard should be given to Saved Policy N24 of the UDP which establish the requirement to provide a landscape buffer were developments adjoining the Green Belt or any green open areas. The supporting paragraphs of this policy states the following;

This transition planting may be acceptable on land outside the development site but immediately adjacent to it, provided that the LPA is satisfied that the applicant has control over the land, that the planting will be retained for the foreseeable future and that the planting on adjacent land would not itself be harmful to the appearance of the nearby open land. (Para 5.3.13)

- 10.6 As per the above advice the area where the landscape buffer will be planted is owned by the applicant and through conditions it would be possible to ensure the landscaping can be retained. In relation to the impact on the Green Belt, such landscaping would normally not require planning permission within the Green Belt and that green shrubs and trees are commonly found within rural locations. Therefore, it is considered that the proposal will not appear harmful to the character or the openness of the Green Belt.
- 10.7 With regards to the removal of an existing established tree buffer, consideration needs to be given as to why this buffer was established and what purposes it serves. This buffer was introduced as part of the scheme for the residential development now located to the north of the site and its intention was to assimilate the hotel development and a small section of the northern residential estate in with the landscape as per policy N24. It is considered that the impact of removal of this buffer will be mitigated by the proposed buffer, which will achieve desired objectives the warranted the establishment of the existing buffer in the first place i.e. to assimilate the hotel and the residential estate in with the open landscape. Therefore, it is considered that the removal of the existing trees can be accepted.
- 10.8 There were also numerous concerns from Officer's with the original layout of the scheme which showed 13 dwellings being constructed. The concerns included issues around the impact on trees, size of the drives, garden sizes and the location of parking spaces in relation to the dwellings they served. Revised indicative plan has been submitted that reduces the density of housing in the site to 7 dwellings and provides a generally provides a more spacious layout with larger gardens and a good separation distance from the tree T1. It is considered that the revised scheme appears to overcome many of the concerns initially raised by Design, Landscape and by Highways Officers. As the revised plan is indicative and will be considered in much more detail at the Reserve Matters stage of the application, it has not been considered further by the internal consultees. Further analysis of the layout will be carried out under any future Reserved Matters submission when much more information regarding the development will be submitted.

Representations

- 10.9 Wetherby Town Council (WTC) has raised concerns that the housing development will be located adjacent to the A58 and that the proposal makes the adjacent hotel site vulnerable to housing.
- 10.10 The WTC does not elaborate on why the location of the site next to the A58 is a concern. However, if the concern is related to highway safety, this issue has been considered by the Highways Officer who has raised no concerns.
- 10.11 The concern raised that the proposal makes the adjacent site vulnerable to housing, is not necessarily correct. This is because all applications are judged on their individual merits.
- 10.12 The concern raised by the Ward Councillors that this site should developed as part of the wider scheme to develop the adjacent site, is acknowledged. Given that the owners of this and the adjacent site are different, it is not considered that the LPA can justifiably insist on this site being included within any future re-development of the adjacent hotel site nor can the application be refused on this basis.

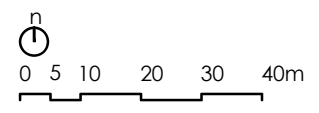
11.0 CONCLUSION

- 11.1 It is considered that the principle of the proposed residential development and the site access is acceptable and that outline permission for these to matters should be granted with all other matters reserved.

Background Papers:

Application files: 16/001509/OT

Certificate of ownership: Signed by Agent on behalf of Evans Homes No.2 Ltd. Leeds City Council Highways were also notified.



d	landscape area shown	12.07.16	cb	cb
c	boundary adjusted	07.06.16	ap	cb
b	boundary adjusted, scale altered	24.02.16	cb	cb
a	blue line added	08.01.16	cb	cb
revision		date	by	chk



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Construction staff and operatives must ensure the principal contractor has provided thorough and accurate information on all health and safety aspects relating to the designs identified on this drawing including the review of:

- Designers/contractors risk assessments
- Method statements
- Permit to work
- Pre construction information

The designers note that the following health and safety risks relating to this drawing have not been eliminated during the design process:

All dimensions to be verified on site, and the Architect informed of any discrepancy. All drawings and specifications should be read in conjunction with the Health and Safety Plan; all conflicts should be reported to the CDM Co-ordinator.

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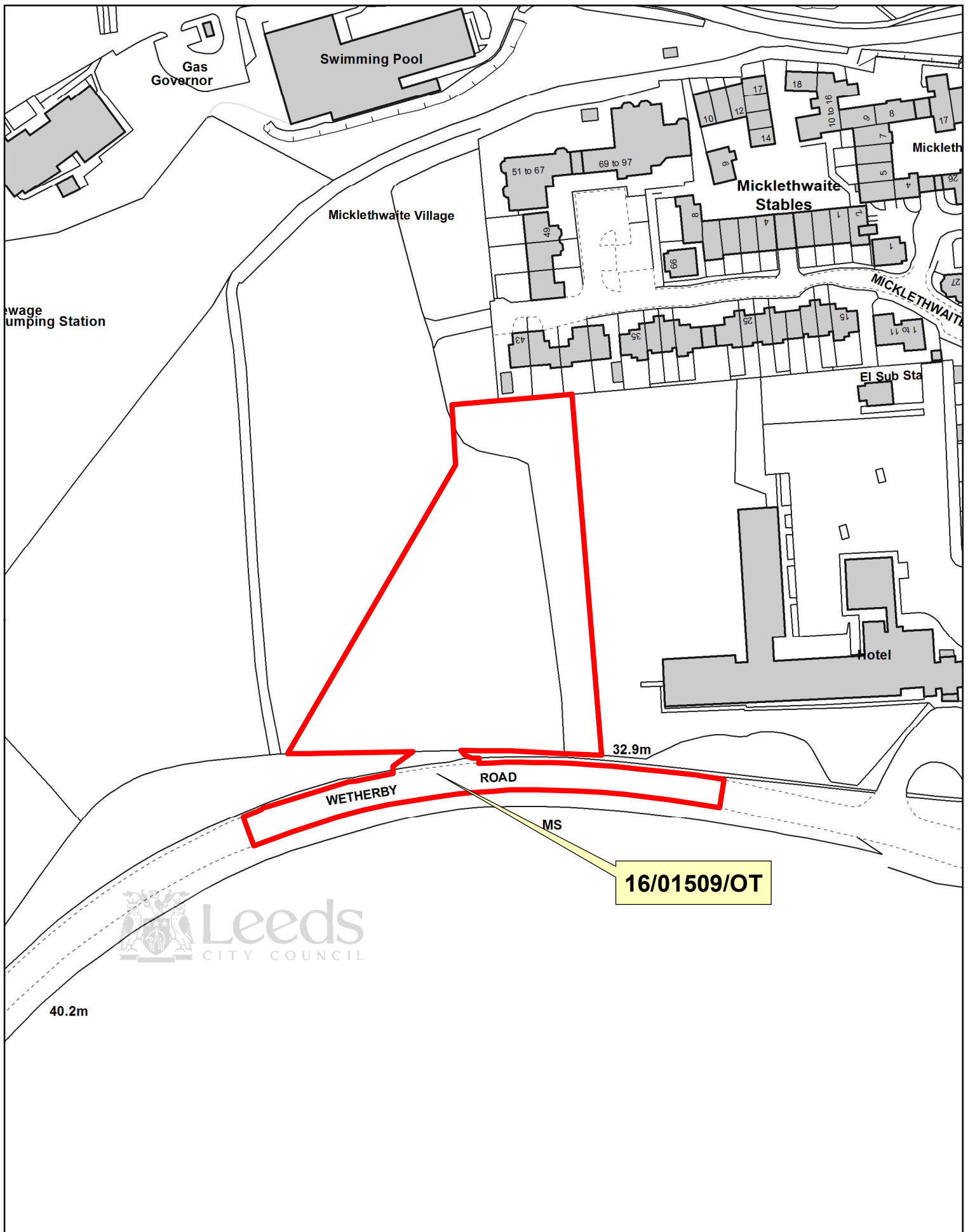
- Preliminary
- Planning
- Comment
- Tender
- Construction
- Record

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CB	CB	12.03.15	1:1250

Wetherby Road, Micklethwaite
Evans Property Group

Site Location Plan		
project number	drawing number	revision
7613	(000) 001	D

P:\17613 - Wetherby Road, Micklethwaite\17613 - 03 Cad\1000 Existing, Presentation, Planning\17613 (000) 001.dwg



NORTH AND EAST PLANS PANEL

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SCALE : 1/1500

