



## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 21<sup>st</sup> September 2017

Subject: Application 17/04055/FU: Detailed application for the Manston Lane Link Road (East - West Route), Thorpe Park, Leeds, LS15 8ZB

APPLICANT	DATE VALID	TARGET DATE
Thorpe Park Developments Ltd	12.07.17	01.11.17

#### Electoral Wards Affected:

Crossgates and Whinmoor

Yes

Ward Members consulted  
(Referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

To **APPROVE** the application subject to the conditions below.

#### Conditions:

1. Time limit (3 years).
2. Plans to be approved.
3. East/West section not to open before North South section (14/01216/FU).
4. Full details of highway design.
5. No site clearance during bird nesting season.
6. Dust prevention measures.
7. Measures to prevent mud and dirt on highways.
8. Construction management plan (to include hours of construction, access routes, and contractors parking and compounds).
9. Tree protection measures (including arboricultural method statement).
10. Prior approval and provision of visibility splays for the access to Lazencroft Farm.
11. Hard and soft landscaping details and implementation.
12. Landscape management plan.
13. Ecological protection and enhancement plan.
14. Archaeological Written Statement of Investigation.
15. Surface water drainage scheme.

## 1.0 INTRODUCTION

- 1.1 The application seeks full planning permission for the east west section of the Manston Lane Link Road (MLLR). The application is submitted following expiry of planning permission reference 12/03888/FU in October last year, however, consent remains in place for the north south section under application reference 14/01216/FU and works relating to this section have already commenced. The application is reported to City Plans Panel as it concerns an important piece of infrastructure that is of a strategic nature and as this would be consistent with the consideration of previous proposals for the same development.

## 2.0 PROPOSAL:

- 2.1 The application proposes approximately 650m of carriageway. The road ties into the existing Manston Lane at the western end of the proposal and the approved roundabout at the eastern end [approved under application reference 14/01216/FU], where it then joins the MLLR north south link. A northerly arm from the roundabout would form the start of the East Leeds Orbital Road which would create access to saved UDPR policy East Leeds Extension allocation H3-3A:33. The proposals involved road widening and changes in the horizontal and vertical alignment, and the provision of detailed accesses for the existing properties along the route. The road is designed for 30mph speeds and will comprise a 7.3m carriageway with a 2m footway to the northern side and a 3m shared cycle way/footpath to the southern side.
- 2.2 The horizontal alignment generally follows the corridor of the existing highway as does the vertical alignment for most of its length, before rising to meet the roundabout at Lazencroft Farm. Drainage works are to comprise a closed conduit system of gullies, chambers and drains, to collect and carry surface water run-off. Filter drains are to be provided at the bottom of embankments where necessary, with kerbs proposed at the edge of the carriageway to facilitate drainage. In order to maintain continuity of the existing road network the MLLR is proposed to be lit by LED street lighting which is to be designed to reflect the type of usage on the road and to minimise impact on any adjacent dwellings and light pollution generally from upwards light spill. Tree and shrub planting is proposed to embankments.
- 2.3 This application is accompanied by the following documents:
- Environmental Statement Addendum
  - Proposed plans
  - Technical note reviewing the 2013 Transport Assessment

## 3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located to the north of the Leeds to Selby railway line to the east of the former Vickers tank factory. Austhorpe Lane is to the far west and Barnbow Social Club is situated south of the site. To the northwest are Longs of Leeds and a number of other businesses. Adjacent to the north of the road are a number of dwellings accessed from Manston Lane adjacent to which is a Grade II listed dovecote. To the northeast of the site is Lazencroft Farm which is also a Grade II listed building.
- 3.2 In terms of the wider area Cross Gates centre is located to the west, Garforth to the east, and Colton Retail Park across the A63 to the southeast. In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.

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

- 4.1 16/07938/OT - Variation of conditions 4, 23, 24, 25, 26, 27 and 28 of 15/06583/OT relating to the retail floorspace mix. Awaiting completion of S106 agreement following non-intervention letter from the Secretary of State.
- 4.2 16/2381/RM – Reserved Matters application for the detail of the appearance, scale, layout and landscaping for the retail and leisure elements – Granted 06.04.17
- 4.3 15/06583/OT - Variation of conditions of approval 15/02217/OT to allow a cinema use and submission of amended parameter plans – Granted 26.02.16.
- 4.4 15/02217/OT - Variation of conditions of Outline Planning Permission 14/05483/FU to introduce greater flexibility to allow the 9,000 sq.m of gross retail floorspace within the approved foodstore unit to be reconfigured to provide up to 2,000 sq.m of gross convenience goods floorspace and 7,000 sq.m gross for non-food operators (including resultant changes to the total permitted net sales floorspace) – Granted 06.11.16.
- 4.5 14/05481/OT - Outline application for residential development (maximum 300 units) together with other uses and revised landscaping. Granted 02/04/15.
- 4.6 14/01216/FU - Detailed application for the Manston Lane Link Road (North - South Route).
- 4.7 12/03888/FU - Detailed Application for the Manston Lane Link Road (East - West Route). Granted 28/10/13.
- 4.8 12/03886/OT - Outline Planning Application for mixed use development comprising offices (business park) (B1A), (B) and (C), retail and bar/restaurant (A1, A2, A3, A4 and A5), hotel (C1), leisure facilities (D1, D2), multi-storey car park, together with internal roads, car parking, landscaping and drainage – Granted 20/03/14.
- 4.9 32/140/96/FU – Variation to outline condition to extend the total permitted floorspace within the development - Granted 31/03/04.
- 4.10 32/356/01/RM – Laying out of new access and roundabout diverting footpaths and bridleway and construction of cycleway/footpath (option 2) – Granted 22/01/02.
- 4.11 32/199/94/OT – Outline permission Thorpe Park – Granted 04/10/95.
- 4.12 Under the restrictions placed on the above permissions none of the retail and leisure or housing developments approved at Thorpe Park can be occupied until the MLLR is constructed and open to traffic. Under the above permissions the east west section cannot open before the north south section and vice versa.

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

- 5.1 Prior to submission the applicant has sought advice on air quality management objectives in relation to the Environmental Impact Assessment Addendum and the approach followed has been agreed.
- 5.2 Prior to formal submission, a consultation event has also been held with the residents who directly face onto the section of Manston Lane which is the subject of this application. The purpose of the meeting was to explain the proposals in detail and

also to understand and respond to any specific access requirements in advance of the formal submission.

## 6 PUBLIC/LOCAL RESPONSE:

6.1 The application was publicised as a major development that is accompanied by an Environmental Statement. Site notices dated 21<sup>st</sup> July 2017 were displayed along the route of the road and on residential streets in the wider area. Immediate neighbours were notified in writing and the application was advertised in the press on 08<sup>th</sup> August 2017 (expiry date 29<sup>th</sup> August). In response four letters of objection have been received to date. Objection raised therein can be summarised as follows:

- The proposal will adversely affect wildlife interests and impact on the Grade II listed Lazencroft Farm.
- Lack of written evidence from Highways and Scarborough Development in relation to the safety for occupants of Number 2 Manston Lane Drive accessing the property.
- Smeaton Approach would become a shortcut for car users accessing from Whinmoor, Swarcliffe and Stanks.
- A 20mph speed restriction on the whole of Smeaton Approach from Barwick Road to Sandreas should be implemented and the current weight limit enforced.
- Improved access to dwellings on Manston Lane should be demonstrated to residents.
- The road is currently popular with runners, cyclists, walkers and horse riders as it continues east and connects with the bridleway and footpath towards Garforth and Garforth Golf Course. The proposed East Leeds Orbital Road provides such segregated facilities for its entire length but the MLLR does not appear to provide for this in the interests of safety.
- Given the cycle way introduced to the A64 the same standard of cycle route should be introduced on this road.
- The proposals will create unacceptable levels of noise pollution.
- The proposal will create highway safety and parking problems.

6.2 Ward Members have been advised of the proposal and Councillor Gruen has been specifically briefed by officers. Councillor Gruen was also in attendance at the initial residents consultation event.

## 7.0 CONSULTATION RESPONSES:

### 7.1 Statutory:

Highways England: **No objection**: Summary: We have reviewed the estimated trip generation for the revised development proposals and are satisfied that the traffic impact is expected to be lower than that estimated in the original 2013 Transport Assessment. We have reviewed the revised scheme and are satisfied that the estimated impacts in terms of flood risk and noise are not a concern for Highways England. In light of the comments above, we are satisfied for the application to proceed.

Environment Agency: **No objection**: Cock Beck and its tributaries are classified under the Water Framework Directive (WFD) as designated waterbodies and all efforts should be made to prevent deterioration in water quality. Currently Cock Beck is failing for fish under the WFD with suspended solids as the reason for failure. Measures should be put in place to reduce the impact of any increased drainage to

this watercourse. SUDS should be considered for land drainage with the area of land adjacent to the outfall on Manston Lane which may be a suitable area for SUDS. Any discharges to the watercourse during the construction phase will need a permit to discharge.

Historic England: **No objection:** Summary: We do not consider that the proposal will have any additional impact on the scheduled monument to that previously agreed, the east west section of the MLLR having been taken into account when the site was scheduled. Whilst the new road will have direct impact on the scheduled monument this impact is considered to be minimal. The works and a detailed mitigation strategy have been granted Scheduled Monument Consent by the Secretary of State for the Department of Digital, Culture, Media and Sport on 25<sup>th</sup> January 2017. We therefore have no objection on heritage grounds.

Network Rail: **No objection.** It is noted that the proposed development is near to the railway Manston level crossing adjacent to the Gate House. During the construction and subsequent use of the proposed road access over the crossing should not be obstructed at any time to enable crossing users to enter and exit the crossing area safely. The safety of railway level crossings and their users is of paramount importance to us. For this matter we would be pleased if an informative could be attached to the decision notice.

Health and Safety Executive: **No objection:** The Health and Safety Executive **do not** advise, on safety grounds, against the granting of planning permission in this case.

Coal Authority: **No objection:** Summary: A condition is recommended requiring further intrusive investigation works recommended in the Environmental Statement to be undertaken prior to commencement of development, and to ensure any remedial works required are carried out.

## 7.2 **Non-statutory:**

LCC Transport Development Services: **No objection:** The application is supported (detailed comment considered below).

LCC Conservation: **No objection:** Summary: The proposed road does not require listed building consent but will harm the setting of the Scheduled Monument of Barnbow World War I National Filling Factory and the Grade II listed Lazencroft Farmhouse and Grade II listed dovecote. It is recommended that consideration is given to mitigation and landscaping to ensure their survival and enhance their condition, and that some form of green screening is secured on the resulting bank between Lazencroft Farmhouse and the rising road around the approved roundabout. In terms of the NPPF, paragraph 134 applies in relation to the public benefits that will result in the construction of the road. With improved mitigation and landscaping, the application can be supported from a conservation perspective.

Public Rights of Way: **No objection:** Leeds Footpaths Nos. 116, 117 (two forks) and 126 join the Manston Lane Link Road and maps showing these paths have been provided with the earlier applications and to the developer. The diversions required for the affected paths have already been made and confirmed. Any new signposting required to mark the end of the footpaths following the widening of the road will need to be provided by the developer and agreed with the Public Rights of Way Service.

Yorkshire Water: **No objection:** The developer has applied for a diversion of the water supply infrastructure that would otherwise be affected by the development. We

have no further comment in this regard. Additional surface water drainage will be directed to watercourse so there will be no impact on the public sewer network. The layout of highway and any potential impact on sewerage will be dealt with via the Roads & Street Works Act.

Nature Conservation: No objection: Summary: As per comments on the previous elapsed scheme (12/03888/FU) there will be an adverse biodiversity impact through loss of pond and swamp habitat to the southwest of Lazencroft Farm (and on water course sections linking to Cock Beck). The current proposals are to offset this biodiversity loss through provision of ponds in Central Park (outside of this red line area) however consideration should be given to be compensation carried out as part of this scheme.

Environmental Protection Team: No objection: Summary: Conditions recommended to limit hours of construction and to require a construction management plan.

Flood Risk Management: No objection: Drainage scheme recommended by condition.

West Yorkshire Archaeological Advisory Service (WYASS): No objection: Condition recommended requiring a written scheme of archaeological investigation with recording and post-investigation assessment and subsequent analysis and publication of resulting material.

## 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), and any made Neighbourhood Development Plans. The following policies are most relevant:

### Local Planning Policy

#### 8.2 Core Strategy:

Spatial Policy 1	Location of Development
Spatial Policy 8	Economic development priorities
Policy EN1	Sustainability targets
Policy EN2	Sustainable design and construction
Policy EN5	Managing flood risk
Policy G1	Enhancing and extending green infrastructure
Policy G8	Protection of important species and habitats
Policy G9	Biodiversity improvements
Policy T1	Transport management
Policy T2	Accessibility requirements and new development
Policy P10	Design
Policy P11	Heritage considerations
Policy P12	Landscape

### Saved Policies of Leeds Unitary Development Plan Review (UDPR):

8.3 Policy H3-3A:33 East Leeds Extension

Policy E4 (6)	Austhorpe Business Park allocation
Policy GP1	Land use and the proposals map
Policy GP5	General planning considerations
Policy N23/25	Landscape design and site boundaries
Policy N24	Transition between development and the Green Belt
Policy N29	Sites of Archaeological Importance
Policy ARC1	Scheduled Ancient Monuments
Policy ARC4	Presumption in favour of physical preservation
Policy ARC5	Planning decisions affecting monuments or their setting
Policy ARC6	Preservation by record
Policy LD1	Landscape schemes

Relevant Supplementary Planning Guidance:

8.4	SPG22	Sustainable Urban Drainage (adopted)
	SPD	Street Design Guide (adopted)
	SPD	Sustainable Design and Construction (adopted)

Natural Resources and Waste Local Plan (adopted):

8.5	AIR 1	Management of air quality through development
	WATER 1	Water efficiency
	WATER 7	Seeks to ensure no increase in the rate of surface water run-off and the incorporation of sustainable drainage techniques.

National planning policy guidance:

8.6 The National Planning Policy Framework was published on 27<sup>th</sup> 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:

8.7	Achieving sustainable development via:	
	Section 1	Building a strong, competitive economy
	Section 4	Promoting sustainable transport
	Section 8	Promoting healthy communities
	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

**9.0 MAIN ISSUES:**

- Principle of the Development
- Highways
- Heritage Considerations
- Biodiversity Considerations
- Drainage
- Representations
- Other Considerations

## 10.0 APPRAISAL:

### Principle of Development

- 10.1 The Core Strategy was formally adopted by the Council on 12<sup>th</sup> November 2014. The long term ambition of the Core Strategy (and the UDPR before this) is to maintain and strengthen Leeds' position as the economic hub at the heart of the City Region, and to provide new jobs and appropriate locations which meet the needs of future employers. The focus of this approach is to continue the growth of a strong, diverse and successful urban and rural economy, with skilled people and competitive businesses which are sustainable, innovative, creative and entrepreneurial, and which support the delivery of the Council's Growth Strategy.
- 10.2 Thorpe Park has an important role to play in achieving this growth, particularly in East Leeds, as it delivers the Manston Lane Link Road (MLLR). Extant permissions granted for the retail and leisure and housing developments at Thorpe Park all require the opening of the MLLR before they are brought into use. The MLLR also feeds into the East Leeds Orbital Road (ELOR), currently under consideration under application reference 17/04351/LA, and ELOR in turn provides the first stage in enabling the East Leeds Extension to come forward. The proposal therefore represents a key component of a wider highway infrastructure assembly that is central to delivering Core Strategy Objectives. The application is also noted to be resubmission of a recently lapsed planning permission, and from the above the application is therefore supported in policy terms and acceptable in principle.

### Highways

- 10.3 LCC Highways comment that the application is effectively a resubmission of a lapsed planning permission and seeks to upgrade a length of Manston Lane so as to tie in with extant planning permission 14/01216/FU for the north south route that provides a new dual carriageway connection between Manston Lane and J46 of the M1 Motorway. Together these proposals form the MLLR which is associated with the large mixed use proposals on the Thorpe Park site, south of Manston Lane and the Leeds/York railway line. The MLLR also forms the southern section of the proposed ELOR that provides a new outer ring road for the east and north east of Leeds. A planning application for ELOR has recently been submitted.
- 10.4 Highways further advise that the mixed use Proposals at Thorpe Park first approved in 2013 were supported by a major Transport Assessment, but that as the Thorpe Park proposals have progressed the developer has achieved greater certainty over the precise end users / occupiers. The original 2013 permission and the quanta of development has therefore been modified with revised transport work, demonstrating that the traffic impact of the changes would be less than was envisaged and approved in 2013. The submitted transport Technical Note summarise these changes and the conclusions are accepted. Currently there are no footways or cycle ways along this section of Manston Lane. The proposals include a footway to the northern flank of the road and a shared footway/cycleway to the southern flank, segregated from the carriageway. The road will also open up additional public transport options in the area which are currently not available, including serving Thorpe Park itself. For these reasons support for the proposal is given.
- 10.5 The condition of the earlier permission to require a construction management plan to include access routes and contractors compounds is re-attached in the interests of highway safety. Furthermore, the condition that requires the road does not open



before the north south section is open to traffic is also repeated, again in the interests of highway safety. Subject to these conditions the road is acceptable and policy compliant in highway terms.

### Heritage Considerations

- 10.6 In considering whether to grant planning permission for development which affects a listed building or its setting, under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.7 Core Strategy policy P11 Conservation states that archaeological remains, historic buildings, townscapes and landscapes and their setting will be conserved and enhanced and that development proposals will be expected to demonstrate a full understanding of historic assets, including any known or potential archaeological remains. Where appropriate mitigation measures will be required to be submitted by developers to accompany development proposals.
- 10.8 Saved UDPR policy N29 states that sites and monuments of archaeological importance will be preserved and appropriate investigation will be required in accordance with the policies in Appendix 4 of Volume 2. Appendix 4 states that the intent of this policy is to preserve sites and monuments of archaeological importance in recognition of their contribution to local, regional and national heritage, and that Scheduled Ancient Monuments and their setting are recognised for special protection.
- 10.9 Within Appendix 4 policy ARC1 Scheduled Ancient Monuments (SAMs) states that the Council will seek to ensure that SAMs and their settings are preserved intact. Policy ARC4 states that there will be a presumption in favour of physical preservation of Class I and Class II areas and their settings and that, where other planning considerations outweigh this established principle, policies ARC 5 and ARC 6 apply. Policies ARC 5 and ARC 6 in turn state that in cases where planning decisions adversely affect a Class I or Class II area, or their settings, the Council may require the applicant to provide an archaeological evaluation of the area, and that where preservation by record is required planning conditions or obligations will be imposed to secure an appropriate programme of archaeological investigation before development commences.
- 10.10 Paragraph 129 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset), taking account of the available evidence and necessary expertise. Paragraph 131 states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of new development making a positive contribution to local character and distinctiveness.
- 10.11 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation, and that the more significant the asset the greater the weight should be. It also states that significance can be harmed through development within its setting, and that substantial harm to or loss of designated heritage assets of the highest significance (Grade I and II\* listed buildings and Scheduled Ancient Monuments) should be wholly exceptional.

10.12 In this case the development affects three heritage assets:

- i) The Scheduled Barnbow First World War Munitions Factory site;
- ii) The Grade II listed dovecote on the north side of Manston Lane at Manston Cottages, and;
- iii) The Grade II listed Lazencroft Farm to the east of the site.

10.13 In relation to i) This is a new designation and did not exist when the previous application was considered. Notwithstanding this, the revised supporting information responds to this change and the applicant has worked directly with Historic England prior to formally submitting this replacement application. The site is of national importance under the terms of the ancient Monuments and Archaeological Areas Act 1979. The site is mainly focussed in the valley of Cock Beck, either side of Barnbow Lane, with southwards extensions to the east and west of both Lazencroft Farm and Shippen House Farm. The summary of the monument's description is that it contains a former First World War National Filling Factory. It was the country's first National Filling Factory and the principle elements are the surviving building foundations, earthworks, and demolished and buried building remains. The site had an almost entirely female workforce and played a significant part in the changing status of female workers and contributed to women winning the eventual right to vote. As was recently commemorated on the centenary, the site was the country's first major loss of civilian lives during the First World War.

10.14 The part of the site affected by the proposals is the former railway loop near Lazencroft Farm which provided access to the munitions factory. Historic England comments that at the time of the site being scheduled on 26<sup>th</sup> September 2016 they were fully aware of the proposed East Leeds Orbital Road and the Manston Lane Link Road (East West link), and that whilst the road will have a direct impact on the SAM the impact will be minimal. Historic England has given advice to the applicants and a detailed mitigation strategy and scheduled monument consent have been granted. Historic England does not therefore object on heritage grounds. Subject to recommended Condition 14 to require an archaeological Written Scheme of Investigation as was applied to the earlier permission, the application would thereby policy compliant in this regard.

10.15 In relation to the affected listed buildings an objector raises concern over the impact of the road on the setting of their home, Lazencroft Farmhouse. Historic England has not commented on the impact on this or on the other affected listed building. In seeking the Council's own expert advice on the matter the Council's conservation team comments that the proposed development will cause some harm to both their settings. In relation to ii) above, the listed dovecote near Manston house which is currently in poor condition, the new road does not require such a significant degree of engineering works at this location that its setting would be seriously harmed. It will be impacted upon nonetheless, by virtue of the introduction of lighting and the upgrading of the road, and the harm is therefore less than substantial. The proposal will impact more significantly impact on the setting of iii) above, Lazencroft Farm, by virtue of the road rising towards this listed building. This is in order to meet the roundabout approved as part of the extant north south link, which is elevated above the farmhouse due to the need to achieve appropriate levels, as the north south link rises above and then crosses the railway line, before dropping down again moving westwards towards the dovecote. This would not result in loss of the heritage asset but would result in less than substantial harm to its rural setting.

10.16 Having special regard to the preservation of the setting of the farmhouse, in order to mitigate the impact of the road a condition is recommended to require landscaping details. Significant weight should be given to the less than substantial harm to the setting of both heritage assets identified above, however, following the advice at paragraph 134 of the NPPF it is considered that the public benefits that delivery of the MLLR brings, in terms of achieving long term Core Strategy economic development ambitions and objectives and in addressing traffic pressures through Cross Gates Centre, clearly and demonstrably outweigh the identified harm. The application is therefore policy compliant in these regards, subject to the conditions set out at the header of this report.

### Biodiversity Considerations

10.17 Core Strategy policy G9 and the NPPF seek to secure not only biodiversity protection but habitat creation. Under policy G9 development is required to demonstrate that there will be an overall net gain for biodiversity, commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement. A third party objection has been received that the proposal would adversely affect wildlife. In considering the above policy requirements and objection received it should be noted that the application is the subject of an addendum under the EIA regulations 2017, and that the Environmental Statement considers and addresses the likely wildlife impacts. As internal consultees comment there will be some adverse biodiversity impact through the loss of pond and swamp habitat to the southwest of Lazencroft Farm, and on water course sections connecting to Cock Beck, however, the wider linked proposals approved at Thorpe Park south of the railway line sufficiently compensate for this biodiversity loss, through provision of substantial ponds in what will become Central Park.

10.18 Consideration is asked by LCC nature conservation to be given to compensation as part of this scheme, by way of further habitat creation on site. This was not however a requirement under the lapsed permission, which was considered to be acceptable on its merits in these regards, and any such additional requirement would incur significant additional cost and delay and could affect deliverability. Such provision would also likely need to be provided on third party land not within the control of the applicant. Given the provision of the ponds at Thorpe Park was previously considered to be sufficient it is therefore considered that it is not necessary and moreover would be unreasonable to require any further provision under what is essentially a re-application, with no material change in biodiversity considerations on the ground. Conditions are also still recommended to require that there is no site clearance during the bird nesting season and to require an ecological protection and enhancement plan, as were applied under the earlier permission. Subject to such conditions the application is therefore considered to be acceptable in respect to nature conservation considerations.

### Drainage

10.19 The Development Plan which includes the Natural Resources and Waste Local Plan, and the NPPF, together, require that development is not at risk of flooding and that it does not increase the risk of flooding elsewhere. In these regards the site itself is not located within a flood risk area. Yorkshire Water have no objection and confirm that the developer has applied for a diversion of water supply infrastructure which would otherwise be affected by the development, with additional surface water discharge being directed to a watercourse with no impact on the public sewer network. Highways England comment that they are satisfied with the estimated impacts in terms of flood risk and that it does not create any concern for the highway network.

The Environment Agency and the Council's Flood Risk Management Team similarly have no objections to the proposal, but recommend that sustainable urban drainage solutions as espoused by the Councils own SPG are consider for land drainage, and that a condition is attached to require a drainage scheme. Subject to such a condition as is recommended above the application would be policy compliant in these regards.

### Representations

- 10.20 The objection received to the impact of the road on the setting of Lazencroft Farm has been fully considered in detail above. In relation to concerns over the impact of traffic using Smeaton Approach, there is currently a 20mph zone on Smeaton Approach between Barwick Road and Bower Road, along the frontage of the school and leisure centre. The remaining areas around Sandreas Way and Smeaton Approach and not currently covered by a 20mph zone are still subject to a 30mph speed limit. A 20mph programme is currently being developed which will take in those areas not already captured under the annual program and which is expected to take in these areas. In relation to comment made over the need to make provision for cyclists, walkers and horse riders, Manston Lane currently does not provide for footways or cycle ways along this section, whereas the road does make provision for a footway to the northern flank of the road and a shared footway/cycle way to the southern flank segregated from the carriageway. The north south link also makes provision for a green bridge linking local bridleways, providing a link for horseback riders over the MLLR. In relation to the remaining objections raised: the proposal will bring additional traffic and noise but these impacts are considered to be acceptable in accordance with the earlier approval, noting that significant benefits will accrue from the removal of traffic through Crossgates; the same applies to air quality impacts, and; the proposal is acceptable in terms of highway safety, with no objection from the councils Highway Team or Highways England.

### Other Considerations

- 10.21 The Environmental Statement addendum has considered the changes to the overall masterplan for Thorpe Park and the MLLR, as compared to the masterplan considered within the 2012 Environmental Statement and subsequent updates. The proposed scheme for the MLLR east west link has not changed substantially from the original application, though there are minor amendments to access layout for specific residents in response to their detailed feedback, though these remain within the overall boundaries for the scheme. The updated assessments that have informed the addendum have not identified any new significant environmental effects. The condition requested by the Coal Authority was previously addressed by way of informative advice and it is proposed to give the same advice again on any planning permission granted.

## **11.0 CONCLUSION**

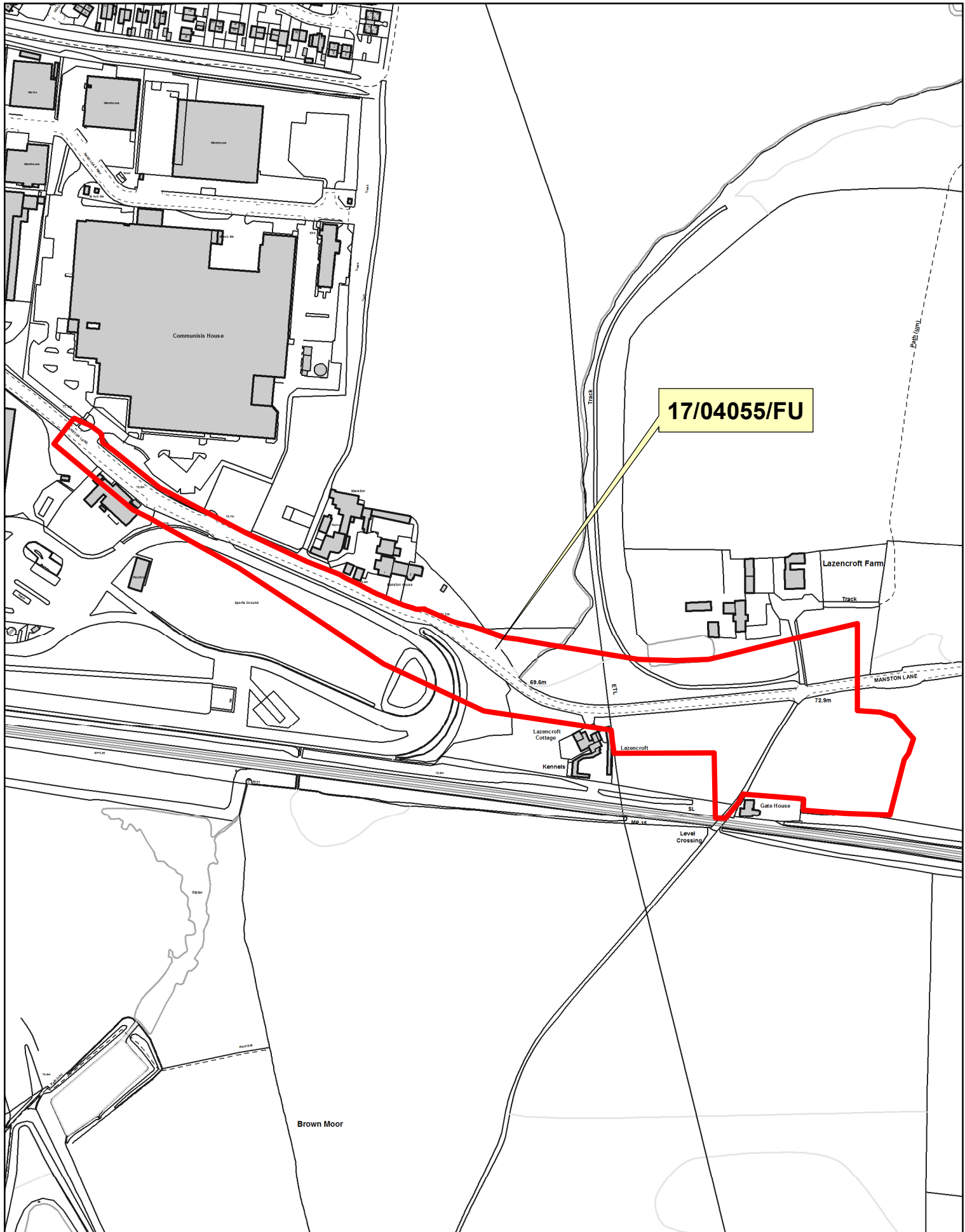
- 11.1 The application represents a key piece of strategic highway infrastructure which is central to achieving Core Strategy policy ambitions and objectives. The proposed road will also bring benefits in relieving traffic through Cross Gates Centre. Planning permission has previously been granted for the road, no significant new environmental effects have been identified, and it remains acceptable in highway terms. The harm to the Scheduled Ancient Monument will be minimal and Historic England do not object, having given advice to the applicants, and a detailed mitigation strategy and scheduled monument consent having been granted by the Secretary of State. Whilst substantial weight must be given to the harm to the setting of the Grade II listed buildings identified above, there are very significant public benefits that the road

delivers, that are considered to clearly and demonstrably outweigh the identified harm. Subject to the conditions set out at the header of the report the application is considered to be policy compliant and it is therefore recommended for approval.

**Background files:**

Application case files 17/04055/FU, 16/07983/OT, 16/2381/RM, 15/06583/OT, 15/02217/OT, 14/05481/OT, 14/05843/FU, 14/01216/FU, 12/03887/FU, 12/03888/FU, 12/03886/OT and related condition discharge applications (as set out under history above).

Certificate of Ownership – Certificate B completed (Leeds City Council, Lucy Michael and Charles Whitefoord and Zurich Assurance Ltd notified).



17/04055/FU

# CITY PLANS PANEL

