



Leeds
CITY COUNCIL

Originator: Paul Wilson

Tel: 0113 247 8000

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 6th October 2011

Subject: Reserved Matters application 11/01713/RM – 120 houses, land South of Queen Street, Allerton Bywater, Leeds, WF10

APPLICANT

Taylor Wimpey UK Ltd

DATE VALID

27 April 2011

TARGET DATE

27 July 2011

Electoral Wards Affected:

Garforth and Swillington

☐ Yes

Ward Members
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

POSITION STATEMENT:

Members are requested to note this progress report and to give views in relation to a number of issues set out in the report to aid progression of the application.

1.0 INTRODUCTION:

- 1.1 The application is reported to the Plans Panel at the request of the Chief Planning Officer because of the size of the proposed development and its potential impact on the character and visual amenities of the area.
- 1.2 The application relates to residential development comprising 120 houses on a greenfield site at Queen Street, Allerton Bywater which is allocated under UDP Review Policy H3-3A.20 for housing subject to:

Provision of linear greenspace along the route of the former mineral rail-line, immediately to the south of the site, to create a footpath link to Leeds Road and the Garforth to Allerton Bywater

footpath/cycleway.

1.3 Following the grant of outline planning permission on appeal the applicant submitted a pre-application enquiry on a detailed layout for the site. This layout reflected the indicative layout that had been tabled at the Public Inquiry and which showed 120 dwellings.

1.4 It was this indicative layout that the Inspector had regard to when he imposed a condition that no more than 120 dwellings be built on the site.

2.0 PROPOSAL:

2.1 The application seeks the approval of Reserved Matters to an outline planning permission for residential development which was granted consent on appeal on 26th January 2011. The reserved matters relate to details in respect of layout, scale, appearance and landscaping (means of access was considered and approved as part of the outline application). The scheme relates to a development of 120 dwellings with associated road infrastructure, parking, amenity space and landscaping.

2.2 Vehicular access, which has already been approved as part of the outline planning permission, is proposed directly from Queen Street.

2.3 The outline planning permission was granted subject to a S106 agreement which related to:

1. 30% of the housing to be provided as affordable units
2. a contribution to the provision of bus stops on Queen Street
3. an education contribution
4. a contribution to the provision of off site greenspace
5. the implementation and maintenance of footpaths/cycleways through the site
6. the provision and maintenance of the on-site public access areas
7. the provision and maintenance of a SUDS
8. a public transport improvements contribution
9. procurement of an agreement with Metro for the offer of single Metrocard for each occupier
10. Travel Plan monitoring contribution
11. Local High School Bicycle shelter contribution

2.4 The applicant has submitted a Design and Access statement and a Reserved Matters and Conditions Submissions Statement in support of the application.

2.5 The Design and Access Statement identifies the development guidance (local and national) that was used to inform the design of the layout. It also explains the evolution of the design, its framework and the justification for the design.

2.6 The Reserved Matters and Conditions Submission Statement provide the details, which, as part of the reserved matters, seek to provide the pre-commencement information to discharge the outline conditions .

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is located towards the western edge of the main Allerton Bywater settlement and is approximately 3 miles from Castleford (to the south) and some 10 miles from Leeds City Centre (to the west).
- 3.2 The site is confirmed as being agricultural (through the submission of an Agricultural Holding Certificate) and covers an area of approximately 4.2 ha. It comprises of a single field which appears to have been ploughed historically for arable crops but currently is grassed over and fallow.
- 2.5 The boundaries of the site are well defined for the most part by mature hedges and trees.
- 3.4 The topography of the site is relatively consistent with the land falling away from Queen Street in a north/south direction. The field is completely open with the exception of some power lines which cross the site on an angle in two separate places.
- 3.5 The application site is bounded to the north by Queen Street, beyond which there is mostly older terraced housing and a woodland area (identified to be a 'Site of Ecological or Geological Interest (SEGI)' within the UDP Review proposals map).
- 3.6 To the east is a strip of land used for allotment gardens and this runs the length of the site's boundary. The southern boundary abuts land within the green belt and which previously contained a railway line but which is now a public foot/cycle/bridleway running east to west. This area of land is to form part of the St Aiden's Country Park currently being established as part of the restoration requirements associated with a previous mineral extraction use concentrated to the west/southwest. Once this work is completed the ownership of the land will be transferred to the City Council and will be leased to the RSPB.
- 3.7 The western boundary of the site is divided into two main areas with the most southerly part abutting a coal bagging depot. The more northerly part (beyond a relatively narrow access road which serves the coal bagging depot) abuts a recently constructed residential development which replaced a previous industrial/storage use. An outline application for a residential development has been submitted for the coal bagging depot and adjacent Biffa site (to the west) under reference 09/04606/OT. This application remains undetermined.

4.0 RELEVANT PLANNING HISTORY:

- 09/04353/OT – outline application for residential development granted on appeal 26/01/11
- PREAPP/ 11/00243 – pre-application enquiry in respect of the details of the residential development of the above site, following the grant of outline planning permission on appeal
- 11/01867/FU – detached electricity sub-station,

(to serve the above residential development not yet determined. To be dealt with as a delegated item)

- 33/392/01/FU – residential development of 24 houses on site adjacent to the bagging depot separated from application site by access to bagging depot which runs along the west boundary of the site - granted 19/08/2003
- 08/03738/FU – residential development of 12 three-bedroom terraced houses in 3 blocks on remainder of above site – refused and dismissed on appeal 16/09/2008
- 09/02870/FU – retrospective application for planning permission for residential development of 6 semi-detached and 4 terraced houses on remainder of site ref: 33/392/01/FU – granted 27/01/2010
- 09/04606/OT - outline application for a residential development on adjacent coal bagging depot - Not yet determined.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Following the grant of outline planning permission on appeal, the applicant submitted a pre-application enquiry on a reserved matters submission. The indicative layout submitted as one of the reserved matters reflected the one that had been tabled at the Public Inquiry and which showed 120 dwellings.
- 5.5 During the course of the reserved matters application amendments to the layout were secured relating to landscaping, highways and design/amenity aspects.
- 5.6 Potential problems with drainage outfall for the site were also highlighted. These related to the prospect of three separate developments all discharging into a watercourse to the south of the site. This watercourse was both overgrown and of insufficient depth to accommodate the likely level of discharge with a potential to cause flooding in the near vicinity.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notices, posted 13th May 2011 and by individual neighbour letters dated 5th May 2011, to persons in the area who made representations in respect of the outline planning application. The application has also been advertised in a local newspaper, published 19th May 2010.
- 6.2 20 letters of objection have been received in respect of this proposal, including one from the Great and Little Preston Parish Council.
- 6.3 Comments received are as follows:

PRINCIPLE

1. Should develop brownfield sites ahead of greenfield sites

2. Use of Green Belt land should not be allowed

HIGHWAY ISSUES

3. Queen Street is a busy and dangerous road where drivers often exceed the speed limit
4. Increase in road traffic through the development
5. Congestion on roads
6. Road has been narrowed in front of site which makes it difficult for large vehicles to pass parked vehicles. This will be exacerbated by new development with vehicles from that parking on street
7. Two bus stops in this area, therefore causing problems for vehicles getting past
8. Development will increase the volume of traffic on roads in the area
9. Garages proposed are not of sufficient size to accommodate cars thus pushing them out onto street with an impact on road safety and width of Road

AMENITY

10. Disruption during building – noise, dirt, general inconvenience
11. Retain open land
12. Development will have a detrimental visual impact
13. Not enough Greenspace for children which means children play on the street which is dangerous
14. Full impact of Millenium Village development in local area not yet known, should not allow more development until this is known
15. Need for large gardens for children to play in
16. Loss of view
17. Will join two villages together
18. Character of village will be affected because the development is up to road side and it appears as urban sprawl
19. Housing design and layout detrimental to the area
20. Not good motorway access or public transport links

IMPACT ON INFRASTRUCTURE

21. Schools in the area at capacity, difficult to get a place
22. Strain on local doctor's surgery
23. Impact on infrastructure
24. Problems with electricity supply at present which will be exacerbated by the development
25. There are drainage problems on adjacent housing sites
26. Potential for flooding problems

ECOLOGY

27. Wildlife in field at present which will be affected by the development and could be lost

- 28. Pylons which currently cross the site may have to be diverted across the nature reserve
- 29. Proximity of the development site to the local nature reserve

OTHER

- 30. Job creation by the development of the site?
- 31. Open cast mining has taken place in the past and material from this is on site – this could affect stability of properties
- 32. Devaluation of property
- 33. Struggling to sell affordable housing on adjacent residential development
- 34. Global food shortage likely so why build on arable land
- 35. Crime rates will increase

COMMENTS FROM PARISH COUNCIL

- 1. Local infrastructure is already overwhelmed
- 2. Only one bus an hour
- 3. Junior and Infant schools at both Allerton Bywater and Great Preston are full
- 4. Long waiting times to see doctors
- 5. Nearest dentists are in Castleford or Garforth
- 6. Nearest train is 3.2 km away from site
- 7. A656 just been named as the highest risk road in Yorks and the Humber – 18 fatalities over a two year period
- 8. A642 also in list of dangerous roads
- 9. Development on agricultural land – this is the only open space between two communities – Hollinhurst and Bowers Row
- 10. Loss of local heritage
- 11. Presence of mine shafts on site
- 12. Need for methane/CO2 membrane to new houses
- 13. Lots of other housing developments not selling
- 14. Biffa/Hargraves site may be developed

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

Environment Agency – no objections

7.2 Non-statutory:

Yorkshire Water – no objections

Coal Authority – no objection subject to condition requiring mine entry treatment works carried out before development commences on site

Environmental Health – no objections subject to conditions specifying operating

hours and no operations on Sundays or Bank Holidays

Architectural Liaison Officer – concerned about creation of a ginnel on eastern boundary which makes houses on boundary vulnerable. Are three footpath links to the south necessary

Policy – No objections. Specifies required affordable housing provision and greenspace contribution.

Highways – Initial comments: Proposal is acceptable in highway terms subject to revisions to the layout and parking provisions on certain plots. Revisions have been made which address this.

Drainage – Concern regarding outfall for surface water run off as watercourse proposed to accept flows is overgrown and not very deep. Could result in flooding in near vicinity. Suggests new culvert instead of watercourse, to be designed and constructed by the Local Authority.

Also concern about potential for contamination in adjacent nature reserve from oil/petrol from parking areas. Need measures to mitigate this issue, through the use of petrol/oil interceptors. Surface water drainage to be adopted by Yorkshire Water and they will not adopt interceptors so no more that Local Authority can do about this aspect.

Access – No objections

Contamination – No objections subject to conditions

Metro - discounted residential metro cards to be provided by developer

Parks and Countryside - Initial comment : Will not adopt the detention basin or pumping station as part of the Public Open Space and will not maintain such features.
Revised comment: are happy to allow a private management company to maintain such facilities

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level

8.2 Regional Spatial Strategy (adopted May 2008):

H4: Affordable housing.

YH4: Focus development on Regional Cities

YH4(b): Informs detailed design considerations

8.3 Government Guidance:

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS9: Biodiversity and Geological Conservation
PPS25: Development and Flood Risk
PPG13: Transport
Manual for Streets

8.4 UDP Review (adopted July 2006):

SA1: Secure the highest possible quality of environment.
GP7: Use of planning obligations.
CP11: Sustainable development.
N2: Greenspace hierarchy.
N4: Provision of greenspace.
N24: Development proposals abutting the Green Belt
N38a: Prevention of flooding.
N38b: Flood Risk Assessments.
N39a: Sustainable drainage.
N49: Habitat protection.
N51: Habitat enhancement.
T2: New development and highways considerations.
T2D: Public transport contributions.
T5: Safe access for pedestrians and cyclists.
T7: Development and cycle routes.
T7A: Requirement for secure cycle parking.
LD1: Landscape schemes.

8.5 Leeds City Council: Supplementary Planning Guidance / Documents:

SPG4 Greenspace relating to new housing development (adopted).
SPG3 Affordable Housing (adopted) and Affordable Housing interim policy (applicable to all applications received after July 2008)
SPG10 Sustainable Development Design Guide (adopted).
SPG11 Section 106 Contributions for School Provision (adopted).
SPG13 Neighbourhoods for Living (adopted).
SPG22 Sustainable Urban Drainage (adopted).
SPG25 Greening the Built Edge (adopted).
SPD Street Design Guide (adopted).
SPD Public Transport Improvements and Developer Contributions (adopted).
SPD Designing for Community Safety (adopted).
SPD Travel Plans (draft).
SPD Sustainability Assessments (draft).

9.0 MAIN ISSUES

Principle

- 9.1 By virtue of the outline planning permission granted on appeal the principal of residential development is established. In addition the site is identified by UDP Review Policy H3-3A.20 for housing subject to:

Provision of linear greenspace along the route of the former mineral rail-line, immediately to the south of the site, to create a footpath link to Leeds Road and the Garforth to Allerton Bywater footpath/cycleway.

Layout

- 9.2 The layout shows a single point of access to the site which was agreed at appeal. This gives access to a hierarchy of roads and culs-de-sac with, in the main, 2 to 5 bed detached and semi-detached houses of conventional design facing onto these roads. All properties have private rear gardens where access is gained only from the front of the house. Thus there are no issues of security. Each house is also provided with two off street parking spaces.
- 9.3 On the street frontage in general, as much of the existing vegetation as possible, is being retained and some additional tree and under-planting provided. Houses on the street frontage will be set back from back of footway and views of these houses will be filtered and softened by the retention of existing planting and the proposed new planting. In the main this land on the frontage will be adopted by the Local Authority as highway land and will subsequently be maintained by the Council.
- 9.4 The proposed development will be served by an area of on site public open space located to the south and south west of the development. This accords with policy H3-3A.20. The area to the south west forms the widest and most useful area of public open space. It is proposed to locate, in this area, a detention basin and pumping station. This will effectively split the open space, leaving a small area to the north of the pumping station and basin with a larger area to the south but which is less useful as open space because the useable area is compromised in width by existing trees and vegetation which it is desirable to keep. The area to the south is much narrower and existing vegetation renders it less usable as open space for general play or kick about facilities for example.
- 9.5 The basin will be no deeper than 1.5 metres with gently graded sides. It is to be demarcated by low level pegs around the top of the basin. As such, the applicant suggests that the detention basin can be used as part of and contribute to the open space on the site.
- 9.6 Parks and Countryside have indicated, however, that they will not adopt or agree to maintain the detention basin shown within the open space.
- 9.7 The applicant has indicated that it would appoint a private management company to maintain and manage the open space including the detention basin. However, the applicant has also indicated that the detention basin would be adopted by Yorkshire Water, but it is not clear how the responsibilities between Yorkshire Water and the Management company would be defined. Indeed Yorkshire Water may require the detention basin to be completely fenced off, and not wish it to be

used for public open space. In which case the basin cannot be considered to form part of the public open space.

- 9.8 As these facilities form part of the open space on the site, and will not be adopted or maintained by the Council, there is still a requirement that there should be a minimum of 10% of the site area given over to useable open space.
- 9.9 Excluding the detention basin and pumping station there is still more than 10% of the site area provided as open space overall, but the actual usable area is significantly reduced by existing vegetation.
- 9.10 In the pre-application discussions for this application it was pointed out to the developer that the detention basin was not acceptable in this form. It was suggested that the use of underground tanks would be more appropriate with an underground pumping station.
- 9.11 The use of underground tanks have been agreed for the Biffa site adjacent. Parks and Countryside have agreed that they would adopt and maintain the land above these tanks.
- 9.12 In the light of the above it is not considered that the detention basin or pumping station in this location can be supported.

Do Members concur with this view?

- 9.13 Neighbourhoods for Living provides guidance that private garden sizes should be no less than 2/3 of the total gross floor area of the dwelling. Several of the plots have a garden size which does not accord with this guidance. This is not considered to be acceptable.

Would Members support this approach in relation to garden sizes?

Are Members happy with the layout and the mix of housing?

Appearance

- 9.14 The development adjoins two other sites which are or have the potential for residential development.
- 9.15 Immediately adjacent on the Queen Street frontage is the Queen's Court development which has recently been completed. Whilst adjacent to the southern part of the site boundary is the Biffa waste disposal site for which there is a current outline planning application for 79 dwellings. This site wraps around the south of the Queen's Court development and sits immediately adjacent to the western frontage of the Queen's Court development.
- 9.16 The application for the Biffa waste site is also presented as a position statement to this Plans Panel.

- 9.17 The presentation to this Panel will include a street scene which indicates the relationship between the existing houses of the Queens Court development and the two proposed developments and the proposed materials. On the street frontage of this particular development it is proposed to use two different types of red brick with grey tiled roofs. This will sit satisfactorily with the materials used in the recently constructed residential development and the existing church and terraces opposite and the houses adjacent to the eastern boundary of the site. Within the site, in addition to the red bricks, there will also be a buff brick and some render used. The houses are of a traditional design.
- 9.18 The street scene view shows the position of the vegetation on the street frontage.

Are Members satisfied with the relationship between the developments shown on the street scene?

Are Members happy with the proposed mix of materials on the site frontage?

Scale

- 9.19 The layout provides a mix of house types which are mainly two storey. However, just over 20% of the proposed houses are more than two storeys high. Where they are this high (typically between 9.5metres to 10.7 metres to the ridge and 5 metres and 7.7 metres to the eaves) they are located well into the development or set gable to the road where, together with the lower land level of the site to the carriageway their impact is modified. One of these houses, in such a position, is also situated behind trees which filter views of the property.
- 9.20 It is considered that the overall scale of the proposal is satisfactory and will present a balanced street frontage and relationship with existing buildings in the area.

Do Members concur with this view?

Access and Highways

- 9.21 Means of access was approved as part of the outline planning permission. It is, therefore, not a reserved matter and is not for consideration as part of this application.
- 9.22 The access is being designed and built by the Local Authority. This design involves the widening of the highway on Queen Street to accommodate a ghost island turning facility from Queen Street into the site.
- 9.23 Comments from the Parish Council refer to the impact they consider the development will have on the wider local road network, particularly in respect of roads in the area considered to be dangerous or high risk.
- 9.24 In this connection it is acknowledged that the highway safety issues on the roads highlighted by the Parish Council is a serious matter and the lengths of road and

sites specified are monitored by the relevant authority with remedial measures undertaken as necessary. However the impact of this development on these lengths / sites is negligible and certainly less than natural day to day variations in traffic flows.

- 9.25 In addition to the above minor amendments to layout and improved parking provision to certain plots were highlighted and amended plans reflecting the changes suggested were prepared by the applicant. These are considered to address the matters highlighted.

Landscaping

- 9.26 In the main the boundaries of the site are well established with mature vegetation. These will be retained and in certain areas supplemented with additional planting. Various amendments to the layout have been made to move dwellings away from these existing hedges and trees in certain locations within the site. This has reduced to acceptable levels or overcome the impact of proposed dwellings on this existing vegetation.
- 9.27 Improvements to planting adjacent to the open space to the south of the site has also been provided and this proposed planting has incorporated comments from the Nature conservation officer regarding the species to be used.
- 9.28 The eastern boundary sits between the site and the adjacent allotment gardens and comprises a mix of hedgerow, trees and dilapidated fencing and doors. This boundary, within the proposed development, will form the rear boundary to the gardens of certain dwellings. Whilst it is accepted that the existing boundary is rather scrappy and would not be appropriate or indeed secure as a garden boundary in its present form, the existing vegetation that does exist is very mature and robust and shouldn't be lost. The applicant has, therefore provided, in relation to this boundary, the details of works to the hedge, a method statement to show how the works will be carried out, and a future maintenance scheme. In the main the method to be employed is that the existing hedges and trees will be faced up to a level and gaps in between these existing trees/hedges be planted with appropriate species. In front of this hedge will be placed a low fence to protect the hedge whilst the new planting becomes established. Once established the low fencing will be removed.

Are Members happy with the proposed landscaping and the specific approach to the treatment of the eastern boundary?

10.0 CONCLUSION

- 10.1 Members are asked to note the contents of this report and provide comments on the proposals. In particular Members are asked to consider the following questions:

Do Members concur with officer's view that the provision of a detention basin within the Public Open Space should not be supported?

Would Members support the approach of officers that garden sizes should accord with guidance given in 'Neighbourhoods for Living'?

Are Members happy with the layout and the mix of housing?

Are Members satisfied with the relationship between the developments shown on the street scene?

Are Members happy with the proposed mix of materials on the site frontage?

Do Members concur with officer's view that the overall scale of the proposal is satisfactory?

Are Members happy with the proposed landscaping and the specific approach to the treatment of the eastern boundary?

If Members generally accord with the views expressed by officers and the details of the scheme presented to them, would they agree, subject to officers obtaining amended details in respect of the detention basin and garden sizes, to defer and delegate the application to officers for approval subject to conditions?

11.0 Background Papers:

11.1 Application and history files.



- KEY TO LAYOUT**
- 1800 High Boundary Wall
 - 1800 High Boundary Wall with Timber Infill Panels
 - 1800 High Ventilat Screen Fence
 - 600 High Post and rail Fence
 - 1000 High Black-finished mild Steel Railings
 - 500 High Timber Knee Rail
 - Denotes Affordable Units
 - EXISTING TREES TO BE RETAINED
 - EXISTING TREES TO BE REMOVED

INDICATIVE SCHEDULE OF ACCOMMODATION

1735	Monyash 1735	5 BED	8 No.
1396	Woodleigh 1396	4 BED	8 No.
1326	Cavendish 1326	4 BED	6 No.
1400	Buxton 1400	4 BED	11 No.
1227	Sheldon 1227	4 BED	6 No.
1100	Durham 1100	4 BED	7 No.
1236	Oxford 1236	4 BED	4 No.
1225	Theakston 1225	4 BED	10 No.
1159	Calver 1159	4 BED	5 No.
1089	Ingleton 1089	3 BED	4 No.
865	Ripon 865	3 BED	12 No.
819	Ashford 819	3 BED	8 No.
745	Ripley 745	3 BED	22 No.
621	Ashdale 621	2 BED	9 No.

Total 120 Units

REV	DATE	DESCRIPTION	BY	CHECKED
F	06.09.11	Various changes as discussed at meeting with Planning/Highways/Landscape Officers	LB	
E	17.08.11	Layout updated to accommodate the Sub-Station's amended footprint	RAN	LB
D	15.07.11	Definitive layout area updated	SPN	LB
C	15.07.11	Layout amended to Landscape Officer's comments	LB	
B	04.07.11	Layout amended to reflect Tree Survey	ALP	JRP
A	17.05.11	MINE SHAFT POSITION ADDED	CAH	CAH

Architectural design
PLANNING
LANDSCAPE ARCHITECTURE

John R Paley Associates

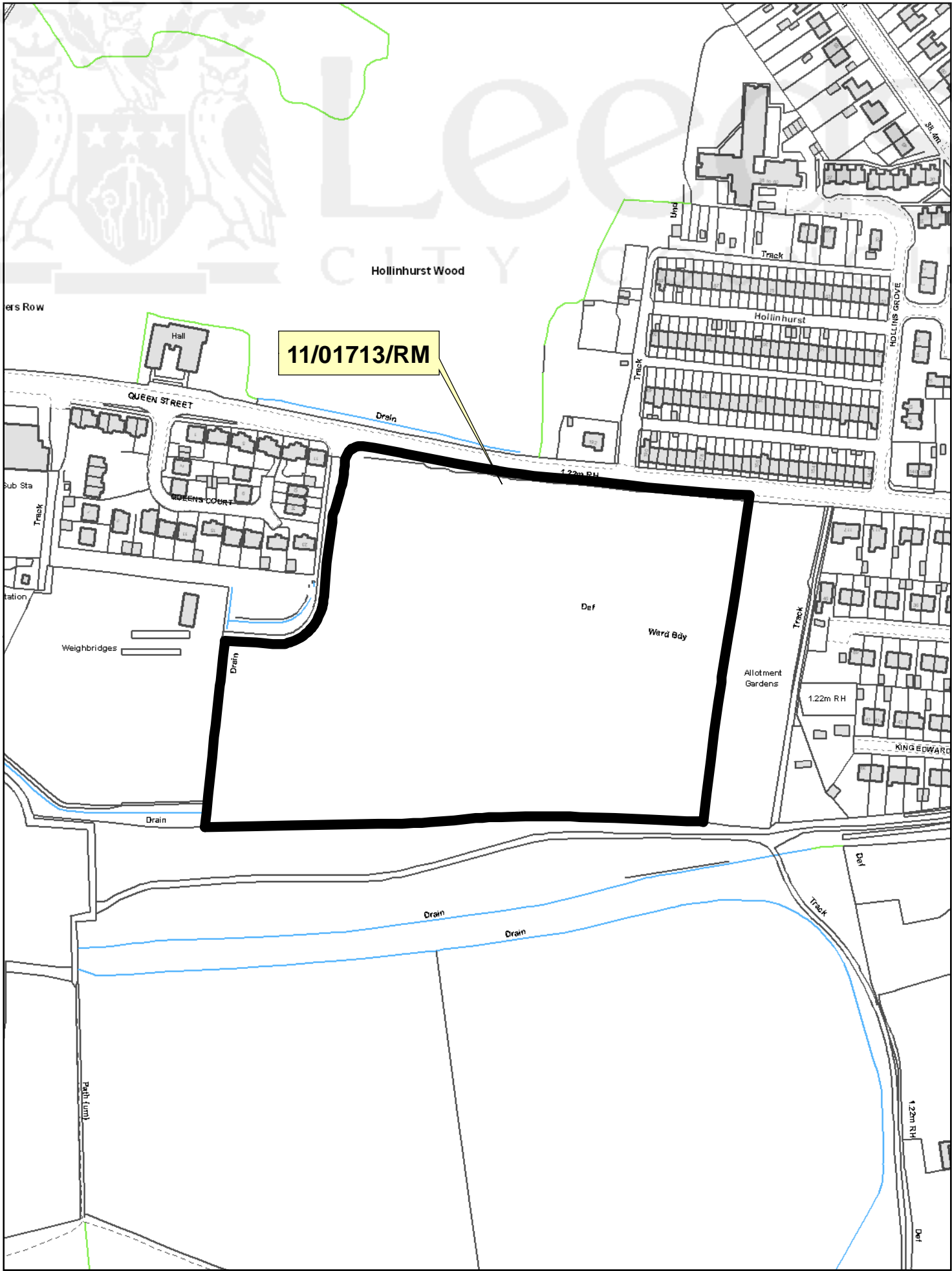
CLIENT
TAYLOR WIMPEY UK LTD

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
QUEEN STREET, WOODEND,
GREAT PRESTON

DRAWING OF
PLANNING LAYOUT
MARKETING NAME

drawing no	rev	date
P11:4446:01	F	MARCH 11
scale @ A1	drawn	check
1:500	CAH	CAH
		date
		MARCH 11

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EAST PLANS PANEL

