



Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21 July 2011

Subject: APPLICATION 11/01843/FU – ERECTION OF 74 DWELLING HOUSES WITH PUBLIC OPEN SPACE AT LAND OFF NETHERFIELD ROAD, GUISELEY, LEEDS, LS20 9NZ

APPLICANT

Bellway Homes

DATE VALID

06 May 2011

TARGET DATE

15 August 2011

Electoral Wards Affected:

Guiseley & Rawdon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE approval subject to the signing of a 'recession proof' Section 106 agreement within three months from the date of the resolution to ensure contributions to Greenspace, of £44,400 for public transport improvements, of £2,500 for Travel Plan monitoring measures, of £35,918 for a residential Metrocard scheme, of £347,757 for education contribution; of 15 affordable housing units, and subject to the following conditions:

1. 2 year Time Limit;
2. In accordance with the approved plans;
3. Permitted Development rights removed for garages;
4. Details of proposed levels;
5. Submission of phasing plan including dwellings, roads, footpaths, parking, landscaping and drainage (if required);
6. Samples of walling and roofing materials to be submitted;
7. Samples of surfacing materials to be submitted;
8. Submission and implementation of landscape (hard and soft) details;
9. Landscape management plan;
10. Protection of existing trees/hedges/bushes;

11. Provision for replacement trees/hedges/shrubs;
12. Details of fencing and/or walls to be provided;
13. Details of proposed boundary treatments along the eastern boundary to the open countryside and details of wall to south boundary adjacent Greenshaw Terrace
14. Areas used by vehicles laid out, surfaced and drained;
15. Details of cycle parking;
16. Details of bin storage;
17. Submission of a travel plan implementation of travel plan measures;
18. Detail of footpath links
19. In accordance with the approved flood risk assessment
20. foul drainage scheme / implementation;
21. surface water scheme / implementation;
22. Specified Operating Hours:
23. No Sunday and bank holiday operations
24. Minimising of dust
25. Details of unexpected contamination

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

- UDPR Policies GP5, GP11, GP12, BD5, A4, H4, N2, N4, N12, N13, N23, N24, N25, N27, N38B, LD1, T2 and T24.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Plans Panel because it relates to a substantial development proposal and is subject to a Planning Performance Agreement with the applicant, which agrees that the application will be presented to Plans Panel for determination.

2.0 PROPOSAL:

- 2.1 This application seeks detailed planning permission for the erection of 74 dwellings within the eastern portion of the *Edison Fields* residential redevelopment site at Netherfield Road, Guiseley.
- 2.2 The proposed development comprises five main areas; four relatively formal sections around an area of public open space and vehicular access, and a section in the south of the site that is more informal adjacent to dwellings along Greenshaw Terrace.
- 2.3 The proposed development has been designed to complement the adjacent residential phases of development to the north, west and south-west. The main vehicular entrance from Netherfield Road will lead to an area of public open space through the centre of the site, providing a vista to the Green Belt beyond and

achieving a separation between the proposed dwellings on either side. This also provides pedestrian access through the site to the public open space beyond.

- 2.4 The scheme provides a mix of family house types, with the majority of accommodation comprising three and four bedroomed detached and semi detached housing. Each dwelling has parking provision and a private garden.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site relates to approximately 2.5 hectares of land to the east of Netherfield Road, Guiseley, forming the eastern portion of a larger residential redevelopment site known as '*Edison Fields*.' Construction has commenced on the adjacent land and some of the units have now been completed.

- 3.2 The application site is within the defined development limits of Guiseley, as identified by the Leeds UDP proposals maps. The site constitutes previously developed land, having previously been in manufacturing use. The site has been cleared of all structures and ground works undertaken to remediate the site from contamination.

- 3.3 The Green Belt lies beyond the eastern boundary of the site, with residential development to the north and south. Across the road to the west are industrial and commercial uses and a car park.

- 3.4 The site is close to the town centre of Guiseley and its railway station. The character of the locality generally is a mixture of stone and brick-built properties, which all vary in age and design. The area is predominantly residential in nature although there are commercial units to the west of Netherfield Road.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The overall development site has a considerable planning history. The following applications are considered to be of relevance to this application:-

4.1.1 Outline planning permission was granted in October 2006 to redevelop the site for a mixture of residential and commercial uses, under reference 28/198/05/OT.

4.1.2 A subsequent reserved matters application was granted in October 2007 and implemented for laying out of access road and erection of 24 flats and 36 houses with landscaping, under reference 07/04780/RM.

4.1.3 Changes to the house types approved under the previous applications prompted the submission of a full planning application for the erection of 94 dwellings in the western portion of the site under planning permission 09/04684/FU. This consent was granted in January 2010 and construction has been ongoing with units now completed and occupied.

4.1.4 Outline planning permission was obtained in December 2007 in respect of the south-western portion of the site for the erection of 5 terrace houses and a detached block of 15 two-bedroom flats, with car parking spaces, under planning permission 07/06163/OT.

4.1.5 The subsequent application for reserved matters approval was approved in March 2011, under application reference 10/05731/RM.

4.2 There is also an extensive planning history relating to the site the majority of which is connected to the previous commercial use. These applications related to extensions and alterations to the former factory buildings.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Comprehensive pre-application discussions were undertaken with Bellway Homes prior to the submission and additional publicity with the local community was agreed. During the course of the determination of the application detail alterations have been achieved to the highway layout of the scheme and to the design of the house type to make them more contextual to the site.

6.0 PUBLIC/LOCAL RESPONSE:

Statement of community involvement:

6.1 Prior to the submission of the application, the developer discussed the scheme with Local Ward Members, completed a letter drop to local residents and made the plans available at the sales office on the site.

The application:

6.2 The application has been advertised on site by the means of six site notices on Netherfield Road (x4) and within the residential estate that is currently occupied (x2). They were posted 27 May 2011 and made reference to a major application affecting the a right of way. The application proposals were also made available for public inspection at Guiseley Library from the 27 May 2011. All notices gave a publicity period which expired on the 17 June 2011. Notice was also published in the local press, in the Wharfe Valley Times on the 9 June 2011.

Further consultation:

6.3 Following the end of the publicity period, the applicant have stated that they are intending to arrange for the revised plans to be made available at the sales office on the site for the local residents to view.

Councillors:

6.4 We have not received any formal comments from the Local Ward Members to this scheme.

6.5 Councillor Colin Campbell has objected to the scheme and has stated that he feels that the application should be refused until such time as the developer or the Council take steps to mitigate the effect of the extra traffic movements on the A65 corridor.

Local Amenity Groups:

6.6 We have not received any formal comments from Local Amenity Groups to this scheme.

Local Residents:

- 6.7 3 letters of objection have been received from local residents and their objections can be summarised as follows: -
- Guiseley can't sustain any more development on this scale. The Silver Cross, Highroyds, Greenwoods White Cross, and YEB Back Lane sites have created thousands of extra dwellings, the majority of which use cars. The A65 is grinding to a halt. Schools, doctors and dentists are over subscribed.
 - Confirmation that a new boundary will be provided between the proposed Bellway development and Greenshaw Terrace.
 - Impact of layout on residential amenity from plots 109 to 111 to the residents of Greenshaw Terrace.
- 6.8 A letter of objection relating to an adjacent housing site that recently gained outline permission at appeal has also been received.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory Consultees

YORKSHIRE WATER:

- 7.2 No objections, subject to the imposition of conditions relating to foul and surface water drainage.

ENVIRONMENT AGENCY:

- 7.3 No objections, subject to the imposition of conditions relating to surface water discharge rates.

7.4 Non Statutory Consultees

HIGHWAYS:

- 7.5 No objections, subject to conditions.

TRANSPORT POLICY (TRAVEL WISE):

- 7.6 No objections, subject to the provision of a travel plan and monitoring fee.

NGT/PUBLIC TRANSPORT:

- 7.7 No objections, subject to the requirements of a commuted sum in lieu of public transport improvements.

METRO:

- 7.8 No objections, subject to the provision of travel cards for new residents.

CONTAMINATED LAND TEAM:

- 7.9 Awaiting comments. A verbal update will be give to Members at Plans Panel.

NEIGHBOURHOODS AND HOUSING:

- 7.10 No objection, subject to the imposition of conditions to ensure the protection of residential amenity during construction.

CITY SERVICES STREETSCENE SERVICES:

- 7.11 No objections.

PUBLIC RIGHTS OF WAY:

- 7.12 No objections.

7.13 MAINS DRAINAGE:
No objections.

7.14 ACCESS OFFICER:
No objections.

7.15 WEST YORKSHIRE POLICE:
No objections.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application should comply with the Development Plan which consists of the adopted Regional Spatial Strategy for Yorkshire and the Humber of May 2008 and the Leeds Unitary Development Plan (Review 2006), unless material considerations indicate otherwise.

8.2 REGIONAL PLANNING POLICIES:
The Regional Spatial Strategy for Yorkshire and the Humber to 2026 (RSS) was adopted in May 2008 and sets out a strategic framework for development up to 2026.

8.3 The RSS for the Region was revoked by the Secretary of State on 6 July 2010. However, following a High Court Judgement on 10 November 2010, the RSS was re-established as part of the development plan until such time as the Localism Bill is enacted. At present, the government's intention to abolish the RSS can be a material consideration in the determination of planning applications.

8.4 However, it is not considered that this proposal raises any issues of regional significance.

8.5 LOCAL PLANNING POLICIES:
Locally Leeds City Council has begun work on our Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

8.6 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

8.7 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows;

- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: Secure highest quality of the environment throughout the District; and
- Policy SP3: Seeks to ensure that new development will be concentrated within or adjoining main urban areas and settlements, with existing public transport provision or a good potential for new provision.

- 8.8 The application site is within the within the urban area of Guiseley and is unallocated with no specific land use allocation. The relevant Leeds Unitary Development Plan policies are considered to be: -
- Policy GP5: development control considerations;
 - Policy GP11: requires that, where applicable, “development must ensure that it meets sustainable design principles.”;
 - Policy GP12: goes on to suggest that a sustainability assessment should be included in all applications for major development;
 - Policy BD5: new buildings design consideration given to own amenity and surroundings;
 - Policy A4: development and refurbishment proposals designed to ensure safe and secure environment;
 - Policy H4: residential development on non-allocated sites;
 - Policy N2: support given to establishment of a hierarchy of greenspaces;
 - Policy N4: refers to provision of greenspace to ensure accessibility for residents of proposed development;
 - Policy N12: all development proposals should respect fundamental priorities for urban design;
 - Policy N13: design of new buildings should be of high quality and have regard to character and appearance of surroundings;
 - Policy N23: open space around new development should provide a visually attractive setting;
 - Policy N24: development abutting the Green Belt or other open land should achieve assimilation into the landscape;
 - Policy N25: site boundaries should be designed in a positive manner;
 - Policy N27: where a landscaping scheme will be required, an application should be accompanied by an illustrative scheme;
 - Policy N38B: applications must be accompanied by a Flood Risk Assessment.
 - Policy LD1: landscape schemes should meet specific criteria;
 - Policy T2: development must be capable of being served by highway network and not adding to or creating problems of safety;
 - Policy T24: refers to parking guidelines for new developments.

SUPPLEMENTARY PLANNING GUIDANCE:

- 8.9 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:
- SPG3: Affordable Housing (various);
 - SPG4: Greenspace Relating to New Housing Development (1998);
 - SPG10: Sustainable Development Design Guide (1998)
to be replaced by Sustainable Design and Construction SPD once adopted
 - SPG13: Neighbourhoods for Living (2003);
 - SPG22: Sustainable Urban Drainage (2004); and
 - SPG25: Greening the Built Edge (2004).
- 8.10 As well as the supplementary planning guidance documents that have been retained, new supplementary planning documents are relevant:
- Affordable Housing SPD (2009);
 - Interim Affordable Housing Policy (2011);
 - Designing for Community Safety - A Residential Guide SPD (2007);

- Public Transport Improvements and Developer Contributions SPD (July 2008);
- Sustainable design and construction Draft SPD (2008);
- Street Design Guide SPD (2009) ; and
- Travel Plans Draft SPD (2008).

NATIONAL PLANNING GUIDANCE:

- 8.11 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes: -
- PPS1: Delivering Sustainable Development (2005);
 - PPS3: Housing (2006); and
 - PPG13: Transport (2001).

9.0 MAIN ISSUES:

- 9.1 Having considered these applications and representations, it is considered that the main issues in this case are: -
- Principle of development;
 - Layout, design and scale matters;
 - Residential amenity and general living conditions;
 - Green Space and Landscaping and Green Belt Issues;
 - Highway issues;
 - Developer contributions; and
 - Other material planning considerations.

10.0 APPRAISAL:

Principle of development:

- 10.1 Although unallocated, the application site constitutes previously developed land and is situated within the urban area as denoted on the UDP proposals map. The site is sustainably located, with access to public transport immediately adjacent the site and being close to the centre of Guiseley and its railway station. In this respect the residential development of this site is in broad conformity with national, regional and local policy objectives to maximise the use of previously developed land in sustainable locations. UDP Policy H4 permits the residential development of suitable 'windfall' sites throughout the plan period, and in this respect the development will assist in meeting current housing targets.
- 10.2 More importantly, previous planning applications have established the principle of residential development on this site and the site forms part of a wider residential development granted outline planning permission and which is currently under construction (and with some plots completed) by Bellway Homes, known by them as 'Edison Fields'.
- 10.3 It is therefore considered, as a result of both the planning history and in the context of relevant policy, that the principle of residential development of this site is acceptable.

Layout and design and scale issues:

- 10.4 The design ethos is housing laid out around a central area of public open space which will form part of a pedestrian link from Netherfield Road to the green belt recreational space beyond. The positioning of the open space within the site allows

for a vista through the development from Netherfield Road to the green belt. This area of public open space was part of the indicative layout for the previously approved outline consent.

- 10.5 However, unlike the indicative outline layout, in the scheme currently under consideration the dwellings have been laid out so that their principal elevations overlook the open space. This forms the dual function of framing the open space with built form and providing natural surveillance of this public area from principal windows. The open space will be enclosed by low level railings to maintain the open aspects of the dwellings which overlook it.
- 10.6 The remaining dwellings are largely laid out so that they front the loop road system which provides both vehicular and pedestrian access. This provides a series of street scenes within the development and helps create a sense of place consistent with the wider scheme which is partially completed/under construction. Where the scheme varies from this formal layout, is in response to the existing built form, in particular that of Greenshaw Terrace.
- 10.7 The scheme provides for mixture of house types which create variation whilst maintaining consistency in design features. The houses are largely a mixture of detached and semi-detached dwellings which are two storeys in height (some utilising the roof space). The central roof is generally pitched, although the use of different house types provides variety in height. The overall massing of the roof design is further broken up through the use of projecting front gables set into the main roof pitch.
- 10.8 It is considered that the mix of house types on this scheme is sufficient to achieve both cohesion and visual interest which, taking into account the use of appropriate and suitable materials, will integrate into the adjacent new development.

Residential amenity and general living condition:

- 10.9 The layout of the dwellings is intended to provide a good standard of residential amenity for future occupiers. Each of the houses has a private garden which is particularly important for three and four bedroom dwellings which may be occupied by families with young children. The layout is such that adequate separation distances are achieved between dwellings, to avoid an unacceptable degree of overlooking from principal windows.
- 10.10 Consideration has also been given to the existing residential properties surrounding the site, both on the wider development and on Greenshaw Terrace to the south. In this respect, revised plans have been receive amending the plots adjacent Greenshaw Terrace to avoid direct overlooking of existing properties. All plots are now in excess of 21 metres from the existing dwellings. As the new dwellings are to the north of Greenshaw Terrace, there will be no loss of sunlight to the existing properties as a result of this development.
- 10.11 It is therefore considered that the layout as proposed offers a good standard of residential amenity for future occupiers and will not have a significantly detrimental impact on the amenity of existing occupiers adjacent to the site.

Green Space and landscaping and Green Belt issues:

- 10.12 The red-line boundary around the application site to the north east follows the Green belt boundary, and as such no area of Green Belt land is included within the

application. The area of Green Belt land which lies directly adjacent to this application site is within the ownership of the applicant and the long term management of this has been secured through the original application Section 106 agreement.

- 10.13 Policy N24 requires a buffer zone within new developments where it adjoins designated Green Belt land. The 'green' areas within the site are largely placed around the site boundaries, adjoining the adjacent Green Belt land, and as such it is considered that this buffer arrangement is acceptable and provides sufficient space to buffer the development from the green belt. It is considered that due to the extent of the buffer zone and the supplementary proposed and given that the land towards the open countryside is much more elevated, on balance this will not create any significant visual intrusion sufficient to warrant the refusal of this application. The proposal will not therefore conflict with policy N24 of the Revised UDP.
- 10.14 In respect of landscaping arrangements, the Council's landscape architect had requested amendments to address issues of concern relating to adding relief to areas of hard standing, changes to boundary treatment, design details for paths across POS, more robust and native planting required along the Green Belt boundary. The plans have been modified to reflect in most instances these changes and where this has not occurred these matters are covered by the imposition of suitable planning conditions.
- 10.15 The delivery of on site green space is to be delivered as part of a wider green space strategy and relates to the original outline consent. Against this background the Council's Landscape officer has raised no objections to the principle of development. The proposal will not conflict with policy LD1, N23 and N25 of the Revised UDP.

Highway issues:

- 10.16 The internal layout has been re-designed to meet the requirements of the Street Design Guide. Parking provision and size of garages and driveways are also in accordance with the Street Design Guide. Cycle parking has been provided for each dwelling. Details for the storage of wastes from the dwellings and access for their collection have also been submitted and would be controlled via condition.

OFF SITE HIGHWAY WORKS:

- 10.17 No additional off site highway works are required further to those already agreed as the scheme does not increase the amount of development already approved and the various works are being progressed via a Section 278 Agreement (Highways Act 1980) as part of the previous approvals.

TRAVEL PLAN:

- 10.18 A travel plan framework was submitted with the application proposals. It is considered that the Travel Plan itself is acceptable in principle and any revisions that are required could be secured through conditions.
- 10.19 In accordance with adopted supplementary planning policy, the Travel Plan and monitoring and evaluation fee, should be included and secured through a Section 106 Legal Agreement.

ENHANCEMENTS TO STRATEGIC PUBLIC TRANSPORT INFRASTRUCTURE:

- 10.20 Application proposals for this site would be expected to provide enhancements to strategic public transport infrastructure. To achieve these requirements, a S.106

legal agreement would be secured to provide a commuted sum of £44,400 for a range of public transport measures benefiting the site.

PUBLIC TRANSPORT SITE ACCESS PROVISION:

- 10.21 Application proposals for this site would also be expected to provide basic public transport site access provision and encourage and promote access by sustainable modes of travel. There are several bus services running next to the development on Netherfield Road serving various locations including Leeds, Yeadon and Otley. Physical bus stop improvements to adjacent stops have already been achieved through the original permission on this site and the adjacent outline residential consent recently granted on appeal. However, through discussions with Metro the applicant has agreed to the provision of Residential MetroCards for new residents in this scheme. This will be secured through S.106 legal agreement. Metro have confirm that, to date, 36 zone 1 to 3 MetroCards have already been issued to the existing new residents on the previous phases.

Developer contributions:

- 10.22 In accordance with planning policy requirements, application proposals such as this would be subject to the developer contributions to cover the following elements:-

AFFORDABLE HOUSING:

- 10.23 The site is within the Outer suburbs. Therefore the current Interim Affordable Housing Policy requires 15% of the development to be affordable housing with a 50% - 50% split between social rental and submarket/intermediate.
- 10.24 This would equate to 11 (*5 social rent and 6 submarket intermediate*) of the properties being affordable and the Council would normally require a pro rata mix of property sizes proposed and pepper potted within the development.
- 10.25 The applicant (Bellway Homes) have already provided affordable housing units on the previous phases. They have provided these with the help of Leeds and Yorkshire Housing Association. As these parties have a working relationship, there is an agreement in principle for this Registered Social Landlord (RSL) to take the affordable units on this last phase.
- 10.26 The applicant have stated that Leeds and Yorkshire Housing Association have identified (through the advertising of the affordable units in preceding phases) a high demand for two bedroom units in this location and that demand could not be met through the provision of such properties in the preceding phases.
- 10.27 For that reason, this Registered Social Landlord have expressed an interest in the 2 bed flats which form part of planning permissions 07/06163/OT and 10/05731/RM (erection of 5 terrace houses and a detached block of 15 two-bedroom flats) which were granted permission on the front of the site earlier this year, but have yet to be built. As the sites are part of the same development and within the same ownership this could be secured through a section 106 linking the two applications.
- 10.28 Although the number requirement under the new policy would only require 11 affordable units, due to the problems faced by the RSL in managing and maintaining only part of a block of flats (*including controlling service charges*) discussions between the RSL and the applicant have proceeded on the basis of the RSL acquiring the entire block of flats, i.e. 15 two bed units. This would amount to an affordable housing provision of 20% of the new dwellings proposed, rather than the 15% required by the new policy.

- 10.29 However, the applicant have stated that, in order to make this arrangement workable to both parties, the tenure model proposed for this level of provision is the new Affordable Rent product introduced in June 2011. This is a form of social housing available to registered providers where homes are made available to tenants at up to a maximum of 80% of the gross market rent and allocated in the same way as social housing.
- 10.30 The government introduced a technical change to annex B of PPS3 in June 2011 which included this model within the definition of affordable housing in national planning policy.
- 10.31 The applicant has also confirmed, that if this is acceptable to Members, in terms of the phasing, it is proposed that the flats can be delivered as 'phase 1' as subject to the timely discharge of conditions construction could commence on the completion of the s106 as proposed.
- 10.32 In summary, whilst the affordable housing offer is contrary to policy in terms of percentage provision and a mix of unit sizes and types, it is considered acceptable as there are overall benefits which include: -
- This offer of 15 units represents 20% of the number of units proposed more than the 15% required by current local policy;
 - The tenure proposed, 'affordable rent', is now included in Annex B of PPS3 and thus meets the definition of an affordable housing tenure;
 - These units will add to the existing affordable housing and mix of tenures on the site as a whole, which already has 27 pepper potted affordable dwellings (13 social rental and 14 submarket/intermediate);
 - The flats can be constructed upon completion of the contractual agreements (already agreed in principle) between LYHA and Bellway, thus completing the Netherfield Road frontage of this development;
 - Leeds and Yorkshire Housing Association are the affordable housing partner for the 'Edison Fields' development and already manage affordable units on the site;
 - Taking the entire block means the housing association can manage the maintenance and servicing of the whole building;
 - The RSL have identified, through the advertising of the affordable units in preceding phases, a high demand for two bedroom units in this location, This demand cannot be met through the provision of such properties in the preceding phases.

EDUCATION:

- 10.33 As the residential development exceeds 50 dwellings, in accordance with adopted policy, there would be a requirement for a contribution to secure the provision of education facilities which will be needed as a result of the family housing proposed.
- 10.34 The birth rate within the planning area has steadily increased year on year from a low in 2003 of 314 births to an excess of 410 for 2009. The nearest schools are projected to be full by 2010/11 and across the Guiseley Yeadon, Rawdon area there is little surplus capacity. With reception intakes being close to the combined admissions limit, any current capacity in higher year groups will soon be removed as the existing population progress through the year groups.
- 10.35 Therefore, under the current requirements, the education contribution based on 74 dwellings is £216,979 for primary and £130,778 for Secondary schools.

PUBLIC OPEN SPACE:

- 10.36 At the original outline (which covered the whole site except for the small area where the flats 20 units are) the s106 included the green belt land to the rear of the site plus an offsite contribution for play space and open space to be determined at reserved matters. The following reserved matters pursuant to this outline was implemented but not completed, and was followed by the submission of a full application for 94 units. A deed of variation to the original section 106 was completed for the full application and it included an off site greenspace contribution of £95,092.01, calculated in accordance with SPG4.
- 10.37 There is no reference in either s.106 to the on site open space which forms part of this scheme, therefore the area within the red line on this application has not previously been counted towards any open space calculation and therefore may count as provision for this calculation.
- 10.38 At the time of writing this report further investigations and discussions with the applicant were ongoing into what greenspace financial contributions may be required for this planning application. Members will be verbally update on this element of the scheme at Panel.
- 10.39 These Greenspace, Affordable Housing and Education enhancements would need to be secured through a Section 106 Legal Agreement.

Other material planning considerations:

CAPACITY OF A65:

- 10.40 In relation to comments from Councillor Colin Campbell and local residents regarding A65 traffic capacity principle matters. The cumulative impact of the development and other ongoing housing development at the High Royds Hospital site in Menston, developments on Netherfield Road and elsewhere in Guiseley was considered with the granting of outline consent for the site in 2006 and as recently as February 2010 by the Planning Inspector, when outline residential consent for circa 98 dwelling at the Abraham Moons site adjacent was granted on appeal.
- 10.41 Whilst we accept that the A65 carries high traffic flows at certain times in the day, particularly during the morning peak, the proposed and completed highway improvement works at the Netherfield Road/Oxford Road and Oxford Road/Otley Road junctions secured through the original outline consent for the site and through the former Abraham Moons site would ensure that these junctions were capable of satisfactorily accommodating the increase in traffic flows that would arise from the housing sites on Netherfield Road.
- 10.42 It is also accepted that the A65 is the only arterial road from the centre of Leeds with little or no dual carriageway or space for dualling, and limited carriageway width in places to accommodate bus lanes. This has an effect on some journeys to and from the City centre by road, lengthening peak hour travel. The A65 Quality Bus initiative will however be able to secure some improvement in bus journey times along the A65 inside the Leeds Ring Road, although the initiative does not extend into Guiseley.
- 10.43 It is therefore considered that an objection on capacity matters could not be sustained. The objective of reaching the right balance between employment and housing development in Guiseley and infrastructure capacity issues might need to be further considered as a strategic planning matter in the context of the Council's

emerging Core Strategy and any subsequent Allocations Development Plan Document (DPD) or other DPD.

FLOOD RISK ASSESSMENT:

- 10.44 The site is situated within Flood Zone 1 on the Environment Agency Flood Zone maps, which is the lowest risk of flooding from river and tidal sources. However, due to the size of the site a Flood Risk Assessment of the site is required. The Environment Agency have confirmed that the FRA submitted with this application does now comply with the requirements set out in Planning Policy Statement 25 (PPS 25).

LAND CONTAMINATION:

- 10.45 An assessment of ground conditions and associated remediation of contamination from former uses has already been undertaken at this site. A remediation completion statement was submitted as part of this application.

11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable. This scheme represents the final phase in a wider residential development currently under construction. The scheme will deliver a mix of family housing and public open space on previously developed land in a sustainable location.
- 11.2 The scheme has been redesigned to respond to the challenging issues facing the housing market and is family housing orientated. The scheme has been the subject of several design changes which have been required to ensure that the quality and layout of the development remains. This process of engagement and dialogue has involved Local Ward Members. The development will not adversely affect the amenity of existing residents of the area or prospective residents of the development. It is considered that the development is of a sufficient scale and quality to assist in positively improving the quality of the area.
- 11.3 The application is therefore considered to comply with the relevant policies of the Unitary Development Plan and National Planning Guidance and as such the recommendation is that the application be approved. There are no other material planning considerations that outweigh this finding.

Background Papers:

Application file.

Planning permission 28/198/05/OT

Planning permission 07/04780/RM

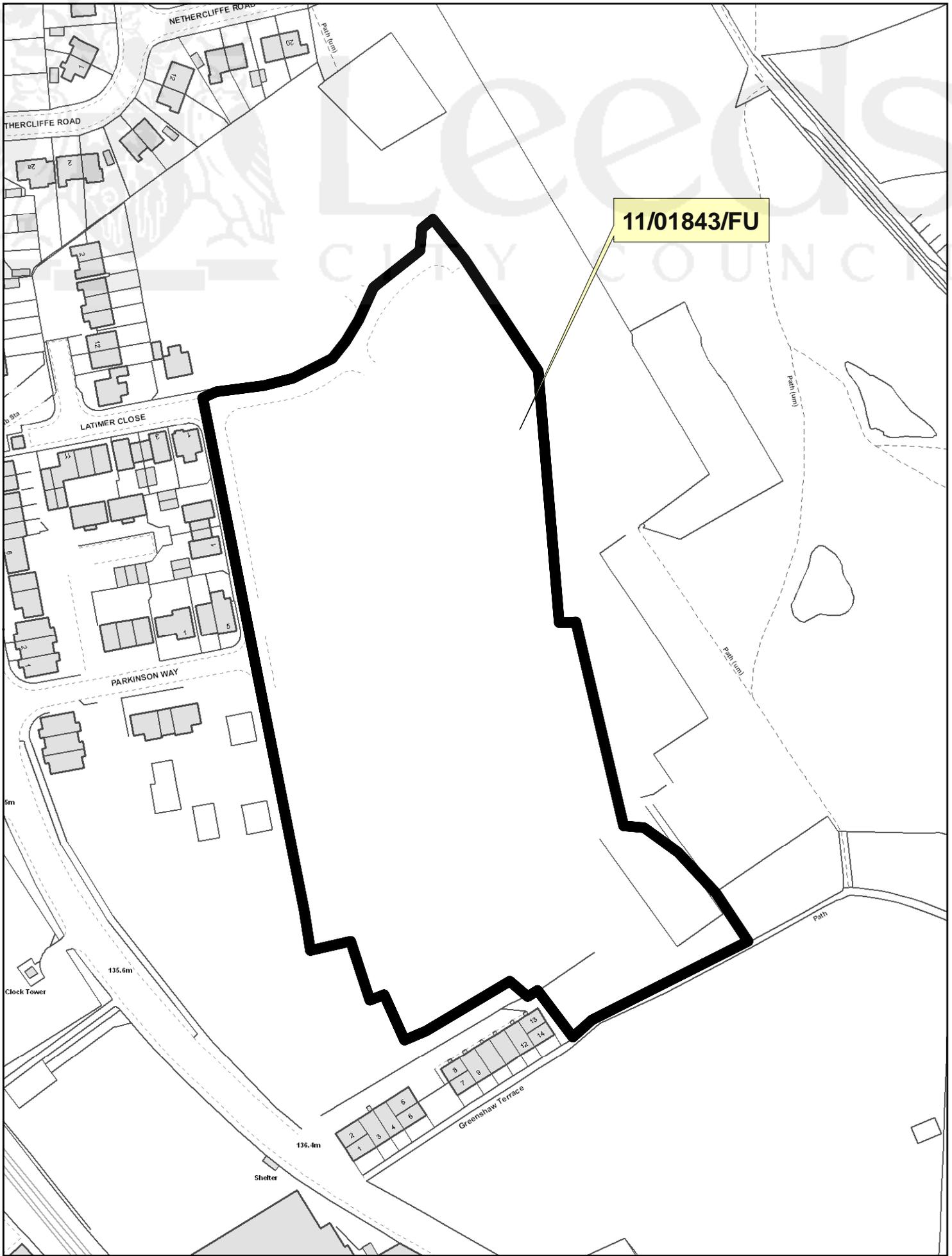
Planning permission 09/04684/FU

Planning permission 07/06163/OT

Planning permission 10/05731/RM

Interim Affordable Housing Policy

Certificate of Ownership



EAST PLANS PANEL

