
SOUTH AND WEST PLANS PANEL

Meeting to be held remotely on
Thursday, 23rd July, 2020
at 1.30 pm

MEMBERSHIP

Councillors

B Anderson
K Brooks
C Campbell
C Gruen (Chair)
S Hamilton
J Heselwood
D Ragan
J Shemilt
P Wray
R Finnigan

Note to observers of the meeting:

To remotely observe this meeting, please click on the link below. This will take you to Leeds City Council's YouTube channel, and the meeting can be viewed live from there.

<https://www.youtube.com/user/Leedscouncil>

Agenda compiled by:
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Governance Services
Civic Hall
Tel: 0113 37 88665

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES- 4 JUNE 2020</p> <p>To confirm as a correct record, the minutes of the meeting held on 4 June 2020.</p>	7 - 14
7			<p>MATTERS ARISING FROM THE MINUTES</p>	
8	Adel and Wharfedale		<p>APPLICATION 18/04343/RM - LAND TO THE EAST OF OTLEY ROAD, ADEL, LEEDS, LS16 8FE</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a reserved matters application for residential development (use class C3) for up to 100 dwellings and land reserved for primary school with construction of vehicular access from Otley Road to the north west and Ash Road to the south, areas of open space, landscaping, ecology treatments and associated works.</p>	15 - 46

Item No	Ward	Item Not Open		Page No
9	Otley and Yeadon		<p>APPLICATION NUMBER 19/06632/FU – CT CARS GARAGE ADJACENT HIGHFIELD STABLES, CARLTON LANE, GUISELEY, LS20 9PE</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for Demolition of car storage facility and construction of a dwelling.</p>	47 - 58
10			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 27 August 2020 at 1.30 p.m.</p> <p><u>Third Party Recording</u></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete. 	

SOUTH AND WEST PLANS PANEL

THURSDAY, 4TH JUNE, 2020

PRESENT: Councillor C Gruen in the Chair

Councillors K Brooks, C Campbell,
S Hamilton, J Heselwood, D Ragan,
J Shemilt, P Wray, R Finnigan and G Latty

1 Chair's Opening Remarks

Councillor C Gruen, Chair of the South and West Plans Panel welcomed everyone to this remote meeting of the Panel and explained the procedure to be followed.

Due to potential for connectivity problems a Deputy Chair for the meeting was sought. A nomination was made for Councillor J Heselwood to deputise should Councillor Gruen lose connectivity.

RESOLVED – That Councillor J Heselwood act as Deputy Chair for the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information to be discussed which would require the exclusion of the press and public.

4 Late Items

There were no late items.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest.

6 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Barry Anderson. Councillor Graham Latty was in attendance as substitute.

7 Minutes - 13 February 2020

RESOLVED – That the minutes of the meeting held on 13 February 2020 be confirmed as a correct record.

8 Application 18/04343/RM – Reserved matters application for residential development at Church Lane, Adel.

The report of the Chief Planning Officer presented a reserved matters application for a residential development at Church Lane, Adel.

A position statement had been presented to the Panel in September 2019 when Members had also undertaken a site visit.

Site plans and photographs were displayed and referred to throughout the presentation and discussion of the application.

Prior to the presentation, it was reported that there had been further letters of representation from the Adel Neighbourhood Forum and a local Ward Councillor. These had not raised any new issues that had previously been received or considered.

Issues highlighted in relation to the application included the following:

- The land was allocated in the Site Allocation Plan (SAP) for up to 104 houses. This application was for a total of 99 houses.
- Outline permission for up to 100 houses had already been approved at the site.
- Panel comments following the presentation of the position statement in September 2019 were detailed in the report.
- The site was outside the conservation area.
- There was a public right of way through the site.
- Details of the entrance to the site.
- The current proposed layout was displayed. Differences to previous plans were highlighted. These included the removal of the attenuation pond which was to be replaced with a pumping station elsewhere on the site and only one house at the entrance which would prevent more tree loss. The current proposals also met policy requirements with regard to housing mix, garden size and policies EN1 and EN2.
- Affordable housing would consist of 2 and 3 bedroom units.
- The proposals did not comply with Policy H9 in relation to sizes of the 5th bedroom of the 5 bedroom properties.
- Garden sizes met Neighbourhoods for Living guidelines.
- CGI images of proposed properties were displayed. Materials to be used included artificial stone and red brick.
- The public right of way would run between the houses in its existing location.
- A plan showing the proposed tree loss was displayed. There would be opportunity for significant re-planting and landscaping. The only protected trees to be removed would be for the access to the site.
- Affordable housing would be developed in 4 clusters across the site.

- There had been improvements to the external design of properties to take account of Panel comments following presentation of the position statement. These included bay windows, porches and features to sills and gables.
- There would be a condition to the kinds of materials to be used.
- The pumping station which would replace the proposed attenuation pond would also require an underground tank. This would be better for high flow events and have less of a visual impact.
- Surfacing for the public right of way.
- The revised layout included a bus turnaround and parking for the proposed school.
- There were no objections to the application from Highways.
- The application was recommended for approval subject to conditions as outlined in the report and additional conditions subject to the kinds of materials to be used and materials for the underground tank.

A representative of the Adel Neighbourhood Forum addressed the Panel with concerns and objections to the application. These included the following:

- This was a special site adjacent to the Adel Conservation Area.
- The concerns of the Panel raised in September were shared and it was felt that little had changed to reflect these concerns.
- The architecture and proposed use of materials did not reflect the surrounding area.
- The proposed layout was cramped.
- There was no evidence to support a net increase in biodiversity of the site. The North West corner of the site was a valuable wildlife corridor to Golden Acre Park and these plans would destroy that corridor.
- Concern regarding tree loss, particularly those with preservation areas.
- There should be more provision of solar panels.
- Historic England have noted the open element of the land surrounding Adel Church and there should be no development to the East of the beck.
- Concerns regarding the design of the house at the entrance to the site.

A local Ward Councillor addressed the Panel with concerns and objections to the application. These included the following:

- There was a need to push for a quality development that was befitting of the area.
- There was no provision of bungalows as had previously been requested.
- No provision of greenspace within the site.
- The proposals did not adequately address climate concerns.
- Larger garden sizes could be achieved if the site had a more realistic number of houses and was not so cramped.
- Concerns that the buffer zone will not be delivered.

In response to questions to the speakers, the following was discussed:

- The density of the proposed development was similar to that of the development to the south of the site. This had been the cause of much upset as it didn't fit in with the locality.
- There was a need for more smaller properties for older people to downsize which would release more family sized properties elsewhere in the area.
- When the Site Allocation Plan was drafted it was proposed that the site was recommended for 85 properties. When it was finally adopted it was recommended for 104.

The applicant's agent addressed the Panel. The following as highlighted:

- The site already had outline planning permission with approval for access to the site.
- Following the presentation of the position statement in September 2019 the applicant had responded to comments of the Panel and of Officers. Changes to the application following that had included the following:
 - There had been a reduction of 1 property and the total proposed was lower than the Site Allocation Plan permitted.
 - There was a comprehensive mix of 2,3,4 and 5 bedroom houses with 2 and 3 bedroom affordable housing provision.
 - The property sizes had been increased.
 - The affordable housing would be pepper potted across the site whilst balancing the needs of an affordable housing provider to manage this.
- Landscaping and biodiversity provision would be excessive for a scheme of this size and would be covered by a condition to the application.
- Further information had been submitted with regard to how the proposals would meet climate change requirements.
- Visitor parking would be provided for the proposed school site.
- Public right of way – there would be a formal path running through the scheme that linked up to the existing right of way.

In response to questions to the Applicant's Agent, the following was discussed:

- Biodiversity gains – a detailed biodiversity report had been submitted and reference was made to greenspace surround and within the site.
- Housing mix – this had been revisited and information had been taken from market research and estate agents to take account of property needs in the local area.
- The number of houses proposed for the site in the Site Allocation Plan was indicative and the proposals were lower than the indicative number.
- There was no policy requirement for the provision of solar panels. The houses which would have solar panels fitted would be south facing and therefore the most efficient for solar panels. A detailed report with

regard to meeting climate change requirements had been submitted as part of the application. Properties without solar panels would have other energy efficiency features.

- Preference of the affordable housing providers was to have smaller properties.
- It was felt that the site was on the edge of an urban area.
- It had not been proposed to include bungalows on the site.
- The 5 bedroom houses would be marketed as 5 bedroom houses although the smallest bedroom would not meet space standards.
- The pumping station would require fencing due to maintenance arrangements. There would be landscaping to minimize the visual impact.

In response to questions and comments, the following was discussed:

- With regard to concern that there would only be 2 or 3 bedroom houses within the affordable housing quota. It was reported that there was no requirement of the Section 106 agreement for the affordable houses to be pro-rata within the development.
- It was recognised that new trees did not absorb the amounts of carbon that mature trees did. On balance, it was felt that the new tree planting and landscaping would compensate for proposed tree loss should additional planting to the boundaries be enhanced.
- Encroachment on the public right way could be enforced under conditions to the application.
- With regard to housing mix there had been significant change with a higher proportion of 2/3 bedroom houses.
- When an application is granted at outline stage it must include all conditions that must be reserved for future consideration. They cannot be insisted on at a later stage.
- Further to concerns with regard to Policies EN1 and EN2, it was reported that the submitted report had been assessed by a specialist and it was concluded that the scheme was policy compliant.
- There would not be solar panels on any of the affordable housing properties.
- There was no specific definition of the distinction between urban and semi-rural areas.
- The existing public right of way was maintained by the Council and would continue to do so after the development. The section across the developed site could potentially be adopted as public highway.
- In response to a question of why affordable properties wouldn't have solar panels it was reported that they would not be at a disadvantage and that other measures were just as efficient.
- Whether solar panels could be applied to affordable housing on a pro-rata basis.
- The need for permeable surfacing on the public right of way and other hard standing areas.
- Although there had been some improvements the plans were not of the required quality for this site.

- A balancing pond would be more environmentally beneficial than the pumping station.
- Concern that the 5 bedroom houses did not meet size guidelines.
- The house at the entrance to the site was a gateway feature and should have been of a higher quality design. The roofscape could have been improved with a chimney and it was hoped the red brick material looked different to the CGI image.
- The housing density was too intense.
- Concern regarding the lack of evidence that policy EN1 had been met.
- Why couldn't there be 4/5 bedroom affordable properties.
- Solar panels should be included with affordable housing as these occupants could be more likely to fall into fuel poverty.
- Bungalows would have been an improvement.
- Concern that many of the issues raised following the position statement had not been properly addressed.
- Further consideration should be given to the needs of the community.
- All properties should have the same insulation design as those with the solar panels.
- It was recognised that the scheme had been improved but not enough. It was felt that there was still scope for further improvement.

The Area Planning Manager summarised the points raised by Members and provided clarity on issues which had been addressed following the position statement and those which were policy compliant. As the proposal was almost policy compliant in its totality further information was requested as to how Members felt the application could be further improved.

Further issues highlighted included the following:

- There needed to be further design improvements including the roofscape. Both the houses and roofscape were felt to be bland.
- Concern regarding sustainability and energy efficiency of properties – assurance was sought that they were all built to the same quality of efficiency.
- Improvements needed to be made to the house at the entrance to the site. The developer had built more attractive properties on other sites.

A motion was made to refuse the application on the basis that EN1 had not been complied with; over intense development in a semi-rural area and concerns that non-provision of larger properties for affordable housing was not policy compliant. A second motion was made to defer the application.

The first motion for refusal was seconded and following a vote of the Members present, was not carried.

The motion for deferral was seconded and following a unanimous vote of Members present it was:

RESOLVED – To defer the application for the following:

- A bespoke gate way type house. That more reflects other older existing properties along the road.
- Further detailing to the proposed properties and clearer detail to be shown on revised CGI's
- Prove that regardless of the mix of sustainability/energy efficiency methods all properties achieve the same overall standard.
- Roofscape needs more detailing principally by employing chimneys particularly at key focal points.
- 4 Bed affordable homes need to be provided to ensure policy compliance.

9 Date and Time of Next Meeting

To be confirmed.

Subsequent to the meeting, the date and time of the next meeting of the South and West Plans Panel was set for Thursday, 23 July 2020 at 1.30 p.m.

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Originator:	Carol Cunningham
Tel:	0113 378 7964

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 23rd July 2020

Subject: **Application 18/04343/RM** – Reserved matters application for residential development (Use Class C3) for 99 dwellings and land reserved for primary school with construction of vehicular access from Otley Road, to the North West and Ash Road to the South, areas of open space, landscaping – at Church Lane, Adel, LS16.

APPLICANT
David Wilson Homes

DATE VALID
6th July 2018

TARGET DATE
31st March 2020

Electoral Wards Affected:

Adel and Wharfedale

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER AND DELEGATE APPROVAL TO OFFICERS FOLLOWING EXPIRY OF CURRENT CONSULTATION subject to the specified conditions:

1. Reserve matters approval
2. Development in line with approved plans
3. Electric vehicle charging points to be provided on every property and retained
4. Climate change measures including location of solar panels to be submitted and approved
5. Finished floor levels to be submitted and approved
6. Details of materials for proposed attenuation tank to be submitted, approved and installation in accordance with the same

1.0 INTRODUCTION

- 1.1 This item was reported to Plans Panel on the 4th June 2020. A copy of the full Officer Report relating to the item is included below and this addition is provided by way of an update report for Members' information.

- 1.2 The item was deferred at Plans Panel by Members for the following 5 reasons:
1. A bespoke gate-way type house needs to be considered that reflects other older existing properties along Otley Road
 2. Further detailing to the proposed properties and clearer detail to be shown on revised CGI's
 3. Prove that regardless of the mix of sustainability/energy efficiency methods all properties achieve the same overall standard
 4. Roofscape needs more detailing principally by employing chimneys particularly at key focal points
 5. 4 bed affordable homes need to be provided to ensure policy compliance.

2.0 UPDATE

2.1 Points 1, 2 and 4

2.2 After Panel the developer has taken on board the comments from Members and has completely redesigned not only the gate house under point 1 but has redesigned all of the properties. They have examined the variety of house types that are within the Adel area and the various materials that are used and incorporated these into the new designs. As stated at Plans Panel, the Adel Neighbourhood Plan states that there are currently 12 character areas within Adel so there is already a variety of properties within the area in terms of designs and materials with no one character design in the locality. Correspondingly, the scheme still involves the four character areas (as was seen at the last Plans Panel) with each of these having the following characteristics. Within these four character areas 70 of the 99 properties will have a chimney.

2.3 Character area one - Kingsley Gate – this is the stand alone property at the entrance to the site on the Otley Road. This property takes on the characteristics of existing properties on the Otley Road and is now constructed from rendered walls with a red brick plinth, above the windows will be red brick 'voussoirs' and there is a gable to the front with the upper part having red hanged tiles. There will be a projecting bay window and a canopy above the front door. The roof will be red tiled and will have a chimney. The windows will have multiple glazing bars and will have the appearance of sliding sashes.

2.4 Character area two – Church Villas – these are the houses on northern and eastern boundary. One of the housetypes here will be the same design as the Kingsley Gate property above. The other house types within this area incorporate red brick plinth, mixture of red brick and rendered walls, gables, bay windows and red roofs with chimneys. The window designs will match the Kingsley Gate property having multiple glazing bars and the appearance of sliding sashes.

2.5 Character area three – Willow Lane – these are the properties which are south of Church Villas and north of the existing PROW. This area links the character area two and character area four so there is a mixture of design and materials within this area. There are properties which have the red brick and render with red or grey roofs and others which have the reconstituted stone and grey roofs. Some have the windows with multiple glazing bars matching character area two whilst others have the windows with fewer glazing bars matching character area four. Some of the properties will also have chimneys.

- 2.6 Character area four – St Johns Walk – this is the southern part of the site between the PROW and centurion fields. This area will be constructed from reconstituted stone with red and grey roofs with some of the properties having stone chimneys. The windows will have a few glazing bars with green heritage coloured doors. Some of the properties will have bay windows and/or timber canopies above the front doors.
- 2.7 POINT 3
- 2.8 In terms of this point the developer has submitted further clarification in relation to this matter which shows that the scheme complies with policies EN1 and EN2 of the Core Strategy. In this way, the developer has gone beyond what was required, as these policies were not attached to the conditions on the outline consent.
- 2.9 In terms of policy EN1 (Carbon Dioxide Reduction), this is fully complied with using solar panels on some of the properties and having a fabric first approach. This fabric first approach involves the following on every property upgraded heating and water controls, delayed start thermostat, design air permeability of 5.091m³/hr/m², bespoke thermal bridging details, ideal logic condensing boilers, enhance hot water cylinder insulation, 100% low-e lighting fixtures, building fabric improvements to reduce the space heating requirement on each property. All of these help to reduce the need for gas and electricity for heating and lighting. Some of the properties approx. 35 will have PVs but at this stage it is not know which of the properties will benefit from them. Which homes have them will depend on the plot orientation, efficiency, proximity to trees, with a preference for a rear elevation to meet the energy requirement for this site. As there are 35 affordable homes out of 99 houses and the PVs need to be inserted on the most efficient plots it is inevitable that the spread of the PVs will be across both private and affordable plots. To conclude policy EN1 requires a 20% reduction in carbon dioxide emissions and this scheme results in a 22.2% reduction. This policy also requires a minimum of 10% of the predicted energy needs of the development from low carbon energy and this scheme will have 10.3%
- 2.10 In terms of policy EN2 (Sustainable Design and Construction), this is exceeded on all of the properties on the site. The policy states that there should be a water efficiency standard equating to water use of no more than 110 litres per person per day and this scheme proposes a water use of no more than 97 litres per person per day.
- 2.11 POINT 5
- 2.12 Members should be firstly made aware and bear in mind that there are no conditions on the outline application or within the s106 agreement which requires a pro rata mix of affordable homes on the site.
- 2.13 Since last Plans Panel the developer has considered providing some 4 bedroomed properties even though there is no mechanism for officers to request this. They have decided not to provide any 4 bedroomed properties. The developer has given a number of reasons for this which include the fact that the larger properties have risk for registered providers and their tenants as the majority of them are unaffordable especially in high value market areas. Whilst the affordable houses would be higher in this area they are still considerably lower than market value properties in the area. Affordable rent is based on circa 80% of market rent whilst social rent is a formula of the house price and an index relative to local wages so the affordability of these tenures is exacerbated in higher value areas. The way Leeds City Council operates

with the providers and the developers ensures that truly affordable units are available in all areas around Leeds. There is also the consideration of a spare bedroom subsidy or 'bedroom tax' which is an additional sum payable when bedrooms are not fully occupied which is a regular problem in larger houses should personal circumstances change. If peoples circumstances changes they can move to a smaller property and bedroom tax is only applicable to social rented affordable housing not intermediate.

- 2.14 The Councils 2017 SHMA shows that the 4 bed affordable homes are not a priority in Leeds with there being a requirement for 6.23% over the whole of the Leeds district. However whilst this only shows a small need for 4 bedroomed properties there is still a need and these need has so far not been met.

3.0 PUBLIC RESPONSES

- 3.1 At the time of writing the report the revised scheme is out for re-consultation with residents with letters only just being posted due to COVID restrictions. The re-consultation expires on the 23rd July and so far there have been two letters of objection. Further comments will be reported verbally to Plans Panel. The two letters of objection so far are concerned with

- Housing mix still not compliant with planning officer request with no 4 bedroomed properties in affordable housing
- Would like to see bungalows for people to downsize into
- House types lacking in character and do not respond to context
- Gardens too small not enough space for children to plan or grow vegetables and/or fruit/flowers
- Object to use of Ash Road for site access
- Object to emergency access via Ash Road
- Highway network cannot accommodate the additional traffic

4.0 CONCLUSION

- 4.1 Members requested on 4th June 2020 that 5 matters needed to be addressed relating to design, sustainability and affordable housing, as noted above. The developer has made significant changes to the design elements with the properties now being bespoke for the site itself and taking on board elements from properties within the Adel area. In terms of sustainability it has been clarified that the scheme not only meets policy EN1 and EN2 but it goes beyond the requirements. Finally, the developer has stated why 4 bedroomed affordable homes cannot be provided on this site which is accepted by officers as there is no legal requirement to request a pro-rata mix.

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 4th June 2020

Subject: **Application 18/04343/RM** – Reserved matters application for residential development (Use Class C3) for 99 dwellings and land reserved for primary school with construction of vehicular access from Otley Road, to the North West and Ash Road to the South, areas of open space, landscaping, – at Church Lane, Adel.

APPLICANT

David Wilson Homes

DATE VALID

6th July 2018

TARGET DATE

31st March 2020

Electoral Wards Affected:

Adel and Wharfedale

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

7. Reserve matters approval
8. Development in line with approved plans
9. Electric charging points
10. Climate change measures
11. Finished floor levels

1.0 INTRODUCTION:

- 1.1 A position statement was presented to Plans Panel on 5th September 2019 when Members also undertook a site visit. Members raised concerns at that Plans Panel regarding the following matters.
- 1.2
- Proposed housing mix not being policy complaint and reflecting the need in the area
 - The internal size of properties not meeting policy H9 and the Nationally Described House Standards
 - Affordable housing needs to be 'pepper potted' throughout the site
 - Gardens must be policy complaint including space about dwellings
 - Design of house type's poor, lacking character and not responding to the context
 - Members requested better understanding of the pumping station over a balancing pond which would be better for bio-diversity
 - In terms of PROW support the western section but would prefer a softer treatment on the eastern side but still allowing for pram/wheelchair access
 - In terms of highway issues requested that school should have bus turnaround within the site and not rely on street parking for parent drop off and collection
 - Requested more landscaping to the periphery of the site particularly to the south and remain unconvinced that there is a case for a pumping station and its location east of the Beck
 - Application needs to be more ambitious regarding climate changes with solar panels, charging points and to look at the whole site in relation to carbon footprint.
- 1.3 Since this Panel, revised plans have been submitted to address Member and officer concerns which are now brought to you for a decision.
- 1.4 A Panel report for this scheme was previously published in March 2020 but the Panel on the 19th March 2020 was postponed due to the Covid19 Pandemic. This report is now presented for member's consideration as the Council meetings have resumed.

2.0 PROPOSAL

- 2.1 The application is a Reserved Matters application following outline approval for up to 100 dwellings. The outline consent also involved land be reserved for a school along with school playing fields which do not form part of this reserved matters application. The site is allocated within the SAP under reference HG2-18 for 104 dwellings.
- 2.2 During the processing of the planning application, in response to comments received from Officers, members and the community, the scheme has changed numerous times with the latest set of plans subject to this report being submitted in January 2020. These revised plans show a layout which has 99 dwellings. The Table below shows the break down between Affordable and Market units (the figures in brackets are the breakdown when the position statement was submitted to Plans Panel in September 2019).

Number of bedrooms	Affordable units	Market units	Total
2	23 (16)	7 (0)	30 (16)
3	13 (19)	12 (15)	25 (34)
4	0 (0)	24 (28)	24 (28)
5	0 (0)	20 (22)	20 (22)
Total	35 (35)	64 (65)	99 (100)

- 2.3 All of these properties will be two storey and constructed from either red brick or reconstituted stone with mainly grey roofs but some properties with red roofs. A third of these properties will have solar panels within the proposed roofs. There will be a mixture of designs on the properties with features such as bay windows, gables, contrasting head and cills plus different designs of porches. The layout and design of the development is presented as four complementary character areas. These are the entrance, Church Villas to the upper part of the site, Willow Lane for the centre of the site and St Johns Walk south of the site, including the PROW.
- 2.4 The access to the development is the same as the outline scheme with a new junction on the Otley Road to the North of the site. Within the site there is a main spine road which goes through the site and links to the existing residential development to the South of the site by a pedestrian and cyclist access. There is a loop road around the upper part of the site north of the school land and a number of cul-de-sacs South of the school land off the main spine road. Residential development will be on either side of the existing PROW with the majority of the properties having their front elevations and gardens onto this PROW. There will be a grassed area on either side of the path separating the houses from the path.
- 2.5 The residential development is located on the Western side of the existing Beck with the eastern side of the Beck proposed for public green space, landscaping and biodiversity areas, except for the land reserved for the school playing fields (already approved at outline stage) and a new pumping station.
- 2.6 This pumping station is located to the Northern part of the site on the Eastern side of the Beck. The pumping station itself consists of a range of small structures no higher than 2 metres in height which will be surrounded by a 1m high fence and then a hedge with landscaping. There will also be a large underground surface water storage tank which will be covered with grass. There will be an access road across the Beck from the development to the pumping station which will be constructed from Grasscrete. Grasscrete consists of a porous grid paviour system which allows for grass to grow through the grids offering stability and improving visual appearance.
- 2.7 The existing band of landscaping to the south of the site will remain and there will be a new belt of landscaping to the north of the site, between the new development and the agricultural land beyond, which are located on green belt.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is currently open fields located to the East of Otley Road and sandwiched between Otley Road and Church Lane. The land slopes down from Otley Road towards the Beck which is situated in the middle of the fields between Otley Road and Church Lane. The land then slopes back up to Church Lane although the fields which form a boundary with Church Lane are not included in the application site. There are a small number of houses to the west of the site off Otley Road in an area known as

Adel Willows and the back gardens for these properties have their boundary with the application site. To the South of this application site is a recently constructed residential development known as Centurion Fields and beyond this the main urban area of Adel. On the other side of Otley Road are further residential properties. This side also includes a public house and a small parade of shops including a small supermarket. To the north of the site are open fields which are in green belt. On the other side of Church Lane is a grade 1 listed church known as St John the Baptist's Church. This church is one of the finest examples of twelfth-century church buildings in the country. The setting of this church and associated conservation area retain a strong rural character and this enables an appreciation of the early origins and historically isolated position and therefore makes a positive contribution to the significance of both heritage assets. The site is outside of the Conservation Area with the boundary of the Conservation Area being Church Lane itself. Some of the trees on the site are covered by a Tree Preservation Order, mainly the groups of trees which form the boundaries on the site.

3.2 The site is allocated for housing within the adopted Site Allocations Plan (reference HG2-18) with an indicative capacity of 104 units under policy HG2.

4.0 RELEVANT PLANNING HISTORY:

4.1 14/01660/OT – Outline Application for residential development was refused on 9th October 2014 after a City Plans Panel decision on the same day. The application was refused for the following reasons:-

1. The site would be premature and contrary to policy N34 of the UDP and fails to meet the interim housing delivery policy
2. The applicant has failed to demonstrate that the proposals can be accommodated safely and satisfactory on the local highway network in relation to the impact on the proposed NGT junction designs
3. The applicant has failed to demonstrate that the proposals can be accommodated safely and satisfactory on the local highway network
4. The proposed signalised junction on the A660 will delay movements and increase accidents on the A660.
5. The absence of a signed s106 agreement

4.2 16/06222/OT - Outline Application for residential development (Use Class C3) for up to 100 dwellings and land reserved for primary school with construction of vehicular access from Otley Road, to the north west and Ash Road to the south, areas of open space, landscaping, ecology treatments and associated works. This was approved by South and West Plans Panel on the 20th April 2017 subject to a S106 agreement and conditions and was granted planning permission on the 20th November 2017.

4.3 The s106 agreement that related to the outline consent included the following:

- 35% affordable housing
- On site greenspace in line with policy G4
- £20,000 for two new bus shelters
- Off site highway works to improve junction Church Lane/Farrer Lane/Otley Road
- Off site highway contribution of £100,000
- Retain land for school and school playing fields
- Sustainable travel fund £481.25 per dwelling
- Travel plan

4.3 A position statement for this application was presented to Plans Panel on the 5th September 2019.

5.0 HISTORY OF NEGOTIATIONS:

5.1 There were no pre application discussions in relation to the application. The application was submitted in August 2018 and since this time officers have been negotiating with the applicant in relation to a number of matters which include housing mix, national space standards, affordable housing, design, layout, highways, conservation, landscaping, ecology and PROW. The applicant submitted the latest plans for consideration in January 2020.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised as a major application through press and site notices. There have been eight occasions when the plans have been revised and the application has been re-advertised via communication with the original contributors with the plans for consideration today being re-consulted on in January 2020.

6.2 The original consultation in August 2018 received objections from Cllrs B and C Anderson, Adel Neighbourhood Forum and 149 contributors with one letter of support.

6.3 Further consultations have also each time received objections from Cllrs B and C Anderson, Adel Neighbourhood Forum and the following number of objections

September 2018 – 71 objections
October 2018 – 41 objections
January 2019 – 41 objections
May 2019 – 45 objections
October 2019 – 17 objections
December 2019 – 68 objections
January 2020 – 16 objections

The issues that have been raised by all of these objections involve

Principle of development

- Greenfield site
- Loss of agricultural land and opportunity for food production
- Development on green belt
- Number of properties higher than the SAP allocation of 85 so development too cramped and not in keeping with Adel
- Adel seen its fair share of development recently

Housing Mix

- Housing mix unacceptable for Adel
- Need smaller houses especially bungalows (should be 10% of the site)
- No two beds houses for sale and no 4 plus bed houses allocated for affordable units
- No provision for policy H8, Housing for Independent Living

Design

- The layout is unattractive, cramped, lacking in greenspace and lacking in finesse.
- The developer should be looking at the development in Boston Spa as a good starting point
- The proposed show houses should be within the development and not in the biodiversity area at the entrance to the site
- Houses within existing buffer to Centurion Fields
- The Design and access statement (DAS) plays down the sloping nature of the site and persists on trying to present the site as a flat site
- Some of the room sizes are too small
- Design is still 'identikit' standard which are not appropriate for the area
- Concerned about plot 1 which should have gate lodge design but it will suffer with noise and pollution from the Otley Road with its driveway close to the entrance junction
- Affordable housing needs to be distributed throughout the site
- Red brick inappropriate the site should be all stone
- There are no apartments in the layout as requested by planning officer
- The submitted Character area statement details 4 character areas with no evidence of the significant distinction between the 4 areas
- Plot 1 is most visible part of the proposed development with the character area statement stating it is a 'gate lodge feature' when it is a standard house and looks nothing like a 'gate lodge'

Pumping station

- Opposed to pumping station on eastern side of the Beck and its impact on the Grade 1 Listed Church ... should be relocated to the western side
- Two ponds on outline application removed
- Disagree with conservation officers comments that impact on the church will be 'minimal'

Traffic

- Internal layout leaves little room to move around and parking will be extremely difficult
- Access to and from the site on Otley Road is unacceptable especially if you add the school
- Will involve rat running on the Kingsley's and Gainsborough's
- Any traffic from Centurion Fields is unacceptable as the roads are inadequate for construction traffic
- The site is not well served by public transport
- Construction compound should not be east of the Beck
- Highways works should be completed prior to building work commencing
- Should be sufficient parking for visitors
- Narrowing off footpath on Otley Road will put pedestrians at risk being closer to the busy road
- Loss of bus stops currently in optimal spot for local people
- No allowance in the layout for drop off for school
- Ash Road no longer an access so increases pressure on Otley Road access point
- Garages too small for cars

- Concerned regarding emergency access into Centurion Fields and if this will lead to rat running

Trees, landscaping and wildlife

- Impact on trees including removal
- Impact on wildlife
- Inadequate shelter planting
- No facilities to aid hedgehogs such as hedges and gaps in the bottom of proposed fences, hedgehog's houses and ponds in each garden for water
- A wildflower meadow is required to aid bees, butterflies etc
- No shelter belt around Adel Willows
- Assessment of bats is insufficient
- The information submitted with the Biodiversity Management Plan is out of date
- Using herbicides for wildflower patches which is unacceptable
- The buffer for Centurion Fields never been completed so no faith that this site will be any better in terms of compliance with the approved plans
- Should be more greenspace in the developed areas of the site
- The biodiversity areas to the east will be unpressured and could be damaged by the public having access
- There should be hedgehog access to gardens
- Impact on bat foraging

Climate emergency

- All the houses should have solar energy
- Each house should have electric charge point and solar panels
- Traffic pollution
- No green power generation plans
- No mention of water butts
- Gardens too small to grow fruit, vegetables and children to play

School

- The school playing fields and fencing should not be allowed
- The school should be built first to ensure residents are not disturbed by the school construction.
- Remain concerned regarding the location of the school as too far inside the site and should be at the entrance

Other matters

- Impact on the ancient path through the site
- Existing steps and stiles should remain as these are heritage assets
- No proper survey for archaeology has been undertaken especially in relation to the potential for a Roman Road on the site
- Lack of GPs and other facilities within Adel
- No consultation with Ward Members or the Neighbourhood Forum
- Destroying Adel to satisfy housing targets
- Parts of the development is within 5m of the watercourse
- Impact on schools which are full
- Noise levels for occupiers is unacceptable as too close to Otley Road
- The path on the eastern side should remain undisturbed but recognise it needs to be ungraded for access to all so as part of the work the medieval stone work

should be preserved in situ which will involve diversion at some points from the original route

- The only existing GP surgery in Adel is scheduled for closure and will move to the sister practice in Alwoodley.

The one letter of support states

- The objections are not representative of the whole community whose children and grandchildren require good quality development

Images of the proposed development were published in March 2020 with objections from Cllrs B and C Anderson and two residents concerned regarding the impact of plot 1 in terms of visual impact plus noise and pollution to this property, design being unacceptable and not in line with Adel

The Panel Papers were made public in March 2020 before lockdown when Plans Panel on the 17th March was postponed

Comments have been received regarding the panel report which include

Alex Sobel MP objects to the development and further supports comments made by Adel Neighbourhood Forum, many residents do not feel that the previous objections have been taken into account and the new plans don't differ much from the original plans and the previous objections from residents have been ignored. I urge you to consider the documents submitted by ANF and Cllr Barry Anderson on behalf of residents.

Councillors Barry and Caroline Anderson have commented on the following

- Accept that housing will happen on this site but do not accept 99 and there are plenty of windfall sites to make up the shortfall of 14/15 if they amend the scheme to 85 which was the original number in the SAP
- Housing mix does not comply with SHMA carried out some years ago
- Not all the properties comply with policy H9
- The garden sizes are minima not aspirational for the area
- The design of the houses is not what we feel plans panel actually meant
- No detailed evidence regarding the need for a pumping station
- No reference made to views from PROW
- Not enough car parking spaces for the school and how do we know the bus turnaround is deliverable
- Plans Panel critical of developments that don't improve the landscaping from a Climate Change perspective so are you sure Plans Panel would agree with this
- Are you sure Plans Panel don't want more ambitious climate change changes
- Still not had detailed analysis from the planner on the revisions and changes to the plans since last Plans Panel
- Do Plans Panel agree that this site isn't semi rural and should be dealt with as being urban
- No mention of family affordables and bungalows which have been forgotten by planners
- No reason why developer cannot use same tiles as Centurion Fields to provide additional climate change mitigation measures
- Officers have expressed the view that the development would benefit from a main road through the site being a tree lined boulevard

- How will pedestrian and cyclists access to the south of the site be controlled to stop motorcyclists but ensure disabled access
- How will landscaping on the site be controlled and implemented as belt north of Centurion Fields has not been enforced
- Panel should be advised that Adel doctors surgery is consulting on its potential closure and moving to Alwoodley
- Nothing in the report as to why officers have not been ambitious in getting a top quality development that will enhance the area
- Report dismissed residents comment that red brick is inappropriate and development should all be in stone
- The report is very choosy as to what Heritage England has said and should be made clear that previously they supported the Inspectors direction of no built development east of the Beck and the pumping station is built development
- Flood risk management are investigating flooding at Adel Mill which need to be completed before the application is determined
- Panel should also look at 'Lake Bramhope' on the Miller Homes site and the problems it has caused
- The report does not address the Councils Concerns on Climate Change Emergency
- Why no 4 bedroomed properties in the affordable housing mix
- Certain officers wanted apartments and bungalows and now officers are saying they didn't say that
- The report does not set the case law justifying the statement where something at outline should not be included in reserved matters when other things at outline can be changed i.e. the pumping station.
- Whilst the report states the gardens are of an appropriate size this doesn't mean they are in keeping with the area not that they support a development of this quality or that they comply with Climate Change initiatives.
- Plans Panel have previously said attenuation ponds should be a feature of development and this is not reflected in the report
- Members and officers have worked together at Moseley Wood Bottom and this lead to a development greater than minimum standards why can this scheme have the same considerations
- Five spaces is not enough for a school of 400 pupils
- No comments from refuse collection service
- Proposed tree planting does not make up for loss of carbon capture within the mature trees being sacrificed.
- Climate change sections do not clearly set out Councils Climate Emergency declaration and whether scheme is in compliance and how it will be measured and complied with
- One third of the houses will not have solar energy its only 10 houses the planning officer has confused the markings on the plans
- What is the energy rating of the properties and will the energy initiatives be future proofed for residents
- How will the greenspace to the east of the Beck be protected from future development and hence the required greenspace for the scheme lost.
- Is it useable green space rather that useable allocated green space
- No mention in report of briefing to Ward Members regarding school here and in Bramhope
- Realistically how can you build a school once housing in place due to school location
- Have traffic engineers been properly consulted and their views taken into consideration
- Cllr Mulherin argued against a site in her Ward that it had taken too much development why can't this be the case for Adel

- Officer error not attaching a condition for the requirement of policy H8 so why should residents suffer
- Need proper consultation on location of compound
- Officer have previously stated that school should be built first
- Why can't the location of the school be reconsidered
- In terms of gate house the comment that other houses in Adel are closer to roads doesn't make it right as they were built before traffic was heavy

Adel Neighbourhood Forum

The report is shameless lobbying on behalf of the development and omits important input from consultees such as Historic England and it ignores, downplays or distorts many valid and well-argued written representations, the report is depriving members of a balanced picture of planning issues and written representations. We will not accept 900 years of history being blighted just because planning officers are being pressed to meet housing targets or stand up to an unchanged proposal.

In terms of the Plans Panel report Adel Neighbourhood Forum have the following comments

- Revisions to the plans have been virtually the same as its predecessor and none have responded to comments from the community which have been ignored
- The house designs are standard BDWH house types which can be found anywhere in the UK and there are no difference in the 4 character areas
- the proposal to the PROW cannot be described as a wide green corridor
- Many of the trees in the landscaping belt north of Centurion Fields are dead
- Only a small proportion of the western boundary is on Otley Road with the majority alongside Adel Willows which is not a suburban boundary like Otley Road.
- Mentioning pubs shops etc away from the site makes the site sound more suburban than it is
- The developer has built bespoke designs on two sites in York and should be doing the same here not standard house types
- the proposed images show trees in 30 years time and a flat site so it's not a true representation
- Heritage England's comments are inaccurate
- No provision for the disabled at any age
- The house at the entrance does not take the form of a lodge
- Materials are not local to the area and the buildings surrounding the site are stone or stone/render
- Design does not reflect characteristics of housing in the vicinity
- The site is adjacent to and impact on conservation area
- Bare minimum garden sizes are not adequate
- Planning officers have low aspirations in terms of design
- No evidence to support ecological gain, destruction of mature woodland will result in ecological loss
- No justification for the pumping station being on the east of the Beck
- Insufficient parking for the school
- No facility for safe cycling through the site
- Tree loss unacceptable
- Disagree with the quality of trees that are to be loss
- No details about landscaping to the east of the site
- Photo voltaic cells should be on every house
- Site does not have capacity of 104 houses due to damage to heritage and ecological/biodiversity assets

- The development no way reflects the aspirations of the emerging neighbourhood plan
- Red brick not a characteristic of this area
- Mistake of housing too close to the road must not be repeated here
- Community comments ignored by the developer

Three further objections are concerned with

- impact on flooding in the area
- strongly propose use off Ash Road as 'emergency' road
- strongly propose use of Ash Road for construction vehicles
-

7.0 CONSULTATION RESPONSES:

Heritage England

71. During the processing of the outline planning application Heritage England requested no built development on the eastern side of the Beck. As part of the consultation on this reserved matters application Heritage England have stated that the pumping station and the provision of gravel paths would have a neutral/negligible impact on the setting of the Church and the setting of the conservation area. We therefore neither support or object to this development.

Highway Authority

- 7.2 Highways comments awaiting

Contaminated Land

- 7.4 Conditions and directions were attached to the outline consent so no further comments to make

Flood Risk Management

- 7.5 Conditions attached to the outline consent for drainage are still applicable

Yorkshire Water

- 7.6 No comments regarding the Reserve Matters application and await consultation on the conditions attached to the outline consent

8.0 PLANNING POLICIES:

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 8.2 The development plan for Leeds is comprised of the adopted Core Strategy as amended (2019), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP), Site Allocations Plan (2019) the Aire Valley Leeds Area Action Plan (2017) and the Natural Resources and Waste Local Plan (2013) and any made Neighbourhood Plans.

Relevant Policies from the Core Strategy 2014 as amended 2019 are:

Spatial Policy 1 Location of development
Spatial Policy 6 Housing requirement and allocation of housing land
Spatial Policy 7 Distribution of housing land and allocations
Policy H1 Managed release of sites
Policy H3 Density of residential development
Policy H4 Housing mix
Policy H5 Affordable housing
Policy H8 Housing for Independent Living
Policy H9 Minimum Space Standards
Policy H10 Accessible Housing Standards
Policy P10 Design
Policy P12 Landscape
Policy T1 Transport Management
Policy T2 Accessibility requirements and new development
Policy G1: Enhancing and extending green infrastructure
Policy G4 New Greenspace provision
Policy G6: Protection and redevelopment of existing Greenspace
Policy G8: Protection of important species and habitats
Policy G9: Biodiversity improvement
Policy EN1: Climate change and carbon dioxide reduction
Policy EN2 Sustainable design and construction
Policy EN5 Managing flood risk
Policy EN8 Electric Vehicle Charging Infrastructure
Policy ID2 Planning obligations and developer contributions

Relevant Saved Policies from the UDP are:

GP5: General planning considerations.
N23/ N25: Landscape design and boundary treatment.
BD5: Design considerations for new build.
T7A: Cycle parking.
LD1: Landscape schemes.

Natural Resources and Waste Local Plan

GENERAL POLICY1 – Presumption in favour of sustainable development.
AIR1 – Major development proposals to incorporate low emission measures.
WATER1 – Water efficiency, including incorporation of sustainable drainage
WATER7 – No increase in surface water run-off, incorporate SUDs.
LAND1 – Land contamination to be dealt with.
LAND2 – Development should conserve trees and introduce new tree planting.

Site Allocations Plan

- 8.3 The SAP was adopted by the City Council in July 2019 and therefore carries full weight in any decision making. The site is allocated within the SAP under reference HG2-18 with an indicative capacity of 104 houses. The policy within the SAP which is relevant to this application is

Policy HG2 – housing allocations.

Supplementary Planning Guidance and Documents

8.4 The following SPGs and SPDs are relevant:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
Street Design Guide SPD
Parking SPD
Travel Plans SPD
Sustainable Construction SPD

National Planning Policy

8.5 The revised National Planning Policy Framework (NPPF), published in 2019, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.6 Relevant paragraphs are highlighted below.

Paragraph 12	Presumption in favour of sustainable development
Paragraph 34	Developer contributions
Paragraph 59	Boosting the Supply of Housing
Paragraph 64	Need for Affordable Housing
Paragraph 91	Planning decisions should aim to achieve healthy, inclusive and safe places
Paragraph 108	Sustainable modes of Transport
Paragraph 110	Priority first to pedestrian and cycle movements
Paragraph 111	Requirement for Transport Assessment
Paragraph 117	Effective use of land
Paragraph 118	Recognition undeveloped land can perform functions
Paragraph 122	Achieving appropriate densities
Paragraph 127	Need for Good design which is sympathetic to local Character and history
Paragraph 130	Planning permission should be refused for poor design
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

Neighbourhood Plans

Adel Neighbourhood Plan Pre Submission Document September 2016

9.0 CLIMATE EMERGENCY:

9.1 The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.

9.2 The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.

9.3 As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the

NPPF. These are material planning considerations in determining planning applications.

- 9.4 The appraisal below discusses relevant matters at paragraphs 10.34 to 10.38. This includes an assessment of the proposal in relation to the policy requirements of Leeds Core Strategy policies EN1, EN2 and EN8.

10.0 MAIN ISSUES

- 1. Principle**
- 2. Housing mix**
- 3. Space standards**
- 4. Affordable housing**
- 5. Design and layout**
- 6. Pumping station**
- 7. PROW**
- 8. Highways**
- 9. Landscaping and ecology**
- 10. Climate emergency**
- 11. Greenspace**
- 12. Residential amenity**
- 13. Representation**
- 14. SAP requirements**
- 15. Adel Neighbourhood Plan**
- 16. Representations**
- 17. Comments received in response to Panel report**
- 18. Members comments**

1. Principle

- 10.1 Outline planning permission has been granted on this site under planning application number 16/06222/OT in November 2017. This is the Reserved Matters application in relation to that outline consent. Consequently, in addition to the adopted SAP, the principle of development has therefore been established. The outline consent was for principle and access with all other matters reserved. The outline approval was for up to 100 houses with the SAP allocation having an indicative capacity of 104 dwellings. This application is for 99 homes and therefore complies with both the outline consent and the SAP allocation in terms of overall numbers.

2. Proposed Housing Mix

- 10.2 The Housing Mix on the site consists of a range of 2, 3, 4 and 5 bedroomed properties shown in the Table in paragraph 2.2. The Table also compares the change in housing mix since Plans Panel commented on the scheme in September 2019. The scheme now includes 2 bedroomed houses for the open market with more 2 and 3 bedroomed houses overall. This mix is now within the maximum and minimum levels within the supporting text for Policy H4.
- 10.3 The housing mix proposed by the revised scheme (incorporating smaller units for market housing) would provide a range of house sizes to accommodate the needs of both smaller households (for example first time buyers, single people and older people) as well as larger family units to provide for a range of housing needs.

Whilst the developer has considered providing apartments and bungalows on the site, they have stated that in order to achieve overall and other Policy objectives, including Policy H9 (minimum space standards), as well as accommodating numbers close to the SAP allocation (which also ensures the supply of housing for Leeds overall), these are not included.

- 10.4 Members are also advised that when outline permission is granted, it is determined that the application is acceptable in principle, subject to the matters reserved being subject to a later detailed assessment. Thus, where a reserved matter condition is not imposed, policy requirements should not be applied as the LPA determined the application is acceptable without agreeing the detail. Housing Mix was not a matter which was reserved as part of the outline permission and therefore this scheme should not strictly be assessed against the requirements of Policy H4. However, through continued negotiation on the scheme (within the context of comments previously made by officers and members), it has been accepted that Housing Mix is an important aspect of the proposal and the mix proposed reflects with H4 policy requirements.

3. Space standards

- 10.5 The previous scheme that was submitted which Members commented on in September 2019 was assessed in relation to the national space standards (NDSS) and also Policy H9 in the CSSR. The smaller properties in particular the provision of 2 and 3 bedroomed properties for affordable units did not comply with Policy H9 and the national space standards.
- 10.6 This scheme has now been revised and the floorspace of the smaller houses have been increased in size so that all of the proposed houses in terms of overall floorspace now comply with both Policy H9 and the NDSS. There 20 five bedroomed houses were the fifth bedroom/study is 5 square metres short which is considered overall not to have a detrimental impact on the amenity of the proposed occupants. Consequently, taken as a whole, the overall internal space standards of the homes are considered to be acceptable.

4. Affordable housing

- 10.7 The scheme will provide 35% affordable housing. This is a matter that was conditioned as part of the outline permission but the outline s106 agreement does have a clause which states that affordable housing should be pro rata on the site. The affordable units proposed are 2 and 3 bedroomed units and were in the scheme presented to Members in September 2019 located in 3 clusters on the site. The revised scheme now has the affordable housing in 4 clusters across the site, which is considered acceptable for a development of this size. Whilst there are no larger properties provided as affordable homes, as part of a pro rata mix in terms of sizes and house types of the total housing provision, it is considered that the mix proposed is acceptable for a development of this size.

5. Design and layout

- 10.8 In response to comments received, the proposed layout has been subject to a number of iterations, in relation to design and layout since the initial application was submitted. In terms of the outline approval, the land set aside for the proposed school is shown in the same position, along with the approved location for the

playing fields and the approved access of Otley Road to the north of the development.

- 10.9 The layout consists all of the houses on the western side of the existing Beck, with landscaping, green space and biodiversity areas on the eastern side except for the proposed pumping station (discussed below).
- 10.10 The layout has one spine road through the site in a north to south direction, with a loop to the part of the site north of the proposed school land with a number of smaller cul de sacs off the main spine road to the south of the school land.
- 10.11 The overall layout is presented as four identifiable but related character areas on the site. These are the entrance area (Kingsley Gate), the northern and western boundaries (Church Villas), the central part of the site (Willow Lane) and the southern part of the site (St Johns Walk).
- 10.12 The entrance property (Kingsley Gate) will be reconstituted stone with a grey roof and its takes the form of an entrance lodge property. The boundary treatments in this area will be low dry stone walls which match the dry stone walls that already exist on the A660 and provide any important entrance to the development which blends in with the existing street scene.
- 10.13 The other three character areas are a mixture of reconstituted stone and red brick properties with the majority of the site having grey roofs with the properties on either side of the PROW and below having red roofs. The reconstituted stone and red brick will be mixed throughout the development reflecting the wider local vernacular building materials and piecemeal development of the local area, with properties within Adel having a mixture of traditional materials including red brick, stone, reconstituted stone and grey and red roofs.
- 10.14 The composition of the new homes proposed are a mix of detached, semi-detached and terraces. These reflect the overall and established character and mix of house types, which have evolved throughout Adel.
- 10.15 The detail design of the properties reflects the local vernacular with elements of gables, bay windows, and a variety of porch designs. The elevational treatment will have heads and cills along with window reveals. All these provide interest to the properties and take on board the characteristics of housing within the vicinity of the site.
- 10.16 Whilst objectors have requested that natural stone should be used on this site, it should be emphasised that there is a variety of materials within the area, not a predominance of natural stone. In addition, the site is not located within a Conservation Area, where there is likely to be more of a justification for natural stone, in balancing building design and fabric with other Policy considerations. There is concern that the materials used will be similar to Centurion Fields (adjacent to the site) where issues have been raised about materials used. It should be noted however, that with regard to this proposal, a condition on the outline consent was included for samples of materials to be submitted. Consequently, the precise materials can be controlled to ensure that the reconstituted stone proposed is good quality in reflecting local vernacular and the roof tiles are sympathetic and are more in keeping with other properties in Adel.
- 10.17 In terms of the sizes of garden and the distances between properties the development now complies with the City Council's Neighbourhoods for Living SPG.

The distances between properties meets the distances within The SPG and the proposed gardens are off an appropriate size for the floorspace proposed.

Overall it is considered that the development is acceptable in terms of the layout and design and complies with Policy P10 of the Core Strategy, as well as advice within the Neighbourhoods for Living SPG

6. Pumping station

- 10.18 The outline consent provided drainage for the scheme using attenuation ponds which as well as accommodating surface water drainage they were located within an biodiversity area. The submitted scheme has now changed the surface water drainage from attenuation ponds to a pumping station and underground tank which is located on the eastern side of the Beck. This raises a number of issues to consider which includes impact on the listed church, visual amenity and ecology as well as its drainage function.
- 10.19 In terms of the impact on the listed church, the pumping station is a significant distance from the listed church being over 300 metres away. The pumping station is modest in scale (less than 2 metres in height) and is to be screened by a surrounding hedge and the landscaping that is proposed on the site. Because of this, the pumping station will not be visible from views from the church or views of the church. At the time of the outline planning application Heritage England raised concerns regarding any built development to the east of the Beck. Heritage England have since been specifically been consulted on the pumping station and state that they neither object or support the pumping station and its location to the east of the Beck which has a neutral/negligible impact on the listed church and the conservation area.
- 10.20 In terms of visual amenity, not only is the pumping station a modest structure above ground it is located at the northern part of the site and also at the sites lowest point. Due to the scale, location and landscaping it is considered that the pumping station will not have a detrimental impact on the visual amenity of the area.
- 10.21 The outline consent showed this area to have attenuation ponds within a proposed biodiversity area. Concerns have been raised that the use of a pumping station loses the opportunity to use the attenuation ponds to add to the biodiversity of the area. However, additional areas on the layout have been put aside for biodiversity to compensate for the loss of the attenuation ponds. Because of this there will still be an ecological gain overall on this site, considering the land is currently farmed with little inherent ecological value.
- 10.22 Members in September 2019 raised concerns regarding the pumping station rather than the use of attenuation ponds and further information has been obtained to justify the need for a pumping station within this area. Firstly the attenuation ponds would not have been able to deal with the drainage function alone and a pumping station would also have been required as part of the drainage strategy. The differences are that the storage function for this development involves an underground tank whilst the outline consent detailed attenuation ponds.
- 10.23 The attenuation ponds were suggested at outline stage before any detailed analysis of the site and drainage was undertaken. The attenuation ponds were dismissed for the following reasons

1. Due to the levels on site with both the western and eastern side of the site sloping down to the Beck and attenuation pond would have required significant excavations and would have resulted in an 'engineered attenuation' pond with retaining walls to hold the attenuation pond in position. This would have had a detrimental visual impact on the side of the Beck and would be far more visually intrusive than an underground tank which is hidden.
2. As both an attenuation pond or underground tank would be at a lower land level than Church Lane both would have involved a pumping station. The engineered attenuation pond along with a pumping station would be more visible in the environment than the proposal of an underground tank and pumping station above.
3. The attenuation pond could be potentially dry for the majority of the year and would have engineered not natural banking which would not have created the correct environment for biodiversity. Also the land around the pond would be sterilised and could only have been planted with grass whilst the land above an underground tank can be planted over with low level planting and be usable. This will be visually more attractive as well as adding to biodiversity

10.24 Flood risk management officers are also satisfied that sufficient technical evidence has been submitted which proves that above ground SuDs is not appropriate for this site and the underground tank along with the pumping station will be adequate in terms of dealing with surface water on this site.

Overall the use of an underground tank along with pumping station and its location on the eastern side of the Beck is considered acceptable.

7. PROW

10.25 There is a public right of way (PROW) which crosses the site. This is understood to be an ancient footpath and whilst this has no statutory status as an ancient footpath its treatment in relation to this application is still important. The part of the path through the residential development on the Eastern part of the site will be open with front gardens of the housing facing onto the public footpath. Part of the housing layout has been amended so that there is a greater separation of dwellings on either side of this PROW. This allows for a safe attractive footpath which has natural surveillance through the residential development. Conditions can be attached to ensure that boundary treatment on these frontages will remain low. On the Western side of the Beck the path will be through the proposed public green space and continue through the existing agricultural fields towards Church Lane. A condition on the outline consent states that this part of the footpath has to be widened to 3m width with a permanent surface. However, objectors to the scheme wish for this path to retain its heritage and have no alterations but this could render it unusable to some particularly in winter. The path still needs to be upgraded to comply with the outline condition but an appropriate surface can be used which ensures that the surface is useable for bikes, prams, wheelchairs but it is not a harsh visible 'tarmac' track. There are some historic steps at the Church Lane end of the path which can be retained and the path in this area can take a slight detour.

Overall the treatment of the PROW is considered acceptable with the relevant conditions attached as to its treatment which was on the outline consent.

8. Highways

- 10.26 When outline consent was granted for the proposal it granted full permission for the main access off Otley Road and a secondary access to the Southern part of the site. There is a condition on the outline approval that the secondary access to the South should serve no more than 36 dwellings during construction and thereafter be closed. The approval involved a new junction on the Otley Road and the transport assessment submitted included both the traffic for the residential development and the school.
- 10.27 This scheme still involves an access and new junction on the Otley Road with the approved junction arrangements with the difference being that the access off Otley Road will now be the sole access to the site throughout the construction period with the previous temporary access to the south of the site being for pedestrian and cycling traffic only.
- 10.28 Officers consider that the access on Otley Road can support the whole development along with the traffic proposed to the school. The closing of the access to the south of the site improves the amenity for the residents on the existing estate during construction.
- 10.29 Members at the Panel in September 2019, requested that there was a bus turning circle for the school on the site and parking for parents drop off. Any vehicle going to the future school for drop off including any school bus could if there is no turning facility provided in the school grounds (which is unknown at this time as it does not form part of this application) use the road loop that is being provided as part of the housing layout to the north of the school. The amended layout also shows five parking spaces in a layby to the north of the school site which can be used at school drop off and collection and by visitors to the residential development at other times.
- 10.30 The internal layout includes each property having an electric (EV) charging point and provision for cycles and bins.

Overall, providing the revisions requested by officers are received before Plans Panel the scheme will not have a detrimental impact on highway safety and will comply with policy T2 of the Core Strategy.

9. Landscaping and ecology

- 10.31 Some of the trees on the site are covered by a TPO with the majority of these being on the Western side of the Beck. In total there will be a loss of 67 trees on the site which consists of 7 cat B trees, 55 cat C trees and 6 cat U trees. Out of these 21 trees are covered by a Tree Preservation Order.
- 10.32 Some of the trees (20) are within one the area for the proposed access road which was approved at outline stage. It was always anticipated that there would tree loss in the location of the access road when the scheme was approved at outline stage. The other main group of trees to be removed is located where plots 55 to 61 are located along with the main spine road and plot 6. The indicative layout at outline stage did show housing in these areas so again there was an anticipated tree loss. The line of trees adjacent to plots 55 to 61 which are to be lost are category U trees and they are adjacent to a line of category B trees which are being retained. The layout has also been revised so the new dwellings have been moved further away from this row of cat B trees.

- 10.33 Whilst the scheme does entail the loss of 67 existing trees the proposal is to plant 138 specimen trees, 1750 small trees and shrubs, 925 square metres of native hedgerow and 13,500 square metres of planting of wildflower/biodiversity areas in the area of land to the east of the Beck. This doesn't include any trees and landscaping that will be planted within the front and rear gardens of the new properties.
- 10.34 Trees will remain along the western boundary of the development and amendments have been sought to ensure that the new development is of adequate distance away from these trees to ensure their long term health. The development has also been altered to move further away from the planted vegetation to the Southern boundary. This boundary will be supplemented with addition planting obtained through the landscaping conditions on the outline consent.
- 10.35 The scheme now includes a landscaping belt to the north of the site which separates the housing from the green belt. This will not be within the proposed gardens and will be managed alongside the other landscaping areas on the site. This landscaping buffer also provides an ecological link between the existing biodiversity area at the entrance to the site and the proposed biodiversity area around the pumping station.
- 10.36 The scheme will also involve substantial landscaping on the eastern side of the Beck both within the public open space proposed and the boundaries of the development. The precise details regarding this landscaping will also be obtained by the landscaping condition on the outline consent but there is significant land available on this side of the site to ensure a strong landscaping setting for the development.
- 10.37 There are a number of biodiversity areas proposed on the eastern side of the Beck with their implementation and management controlled by conditions on the outline consent. The provision of these biodiversity areas will improve overall biodiversity on the site as its biodiversity is limited due to it being predominantly agricultural land it is considered that there will be a net gain in biodiversity.

Overall the scheme complies with Policy P12 and G8 and G9 of the Core Strategy in terms of landscaping and biodiversity.

10. Climate emergency

- 10.38 At the time of the determination of the outline consent in November 2017, (following the Plans Panel resolution to support the application in April 2017), it is important to note that the Council's Core Strategy had previously been adopted in November 2014. The Core Strategy, at that time, included Policy EN1 in its current form. As such, it would have been appropriate for the Council in issuing the outline consent to attach any planning conditions it saw fit to require measures to ensure compliance with Policy EN1. The outline consent doesn't include any such conditions. These matters go to the principle of development and would not fall under any of the matters reserved. As such it would not ordinarily be for the reserved matters application to revisit such matters.
- 10.39 Notwithstanding this position, in response to comments made the applicant has recognised that there has been a change in emphasis at both local and wider levels in respect of the consideration of climate change issues (particularly in light of the Council's declaration of a climate change emergency in March 2019). The applicant has subsequently offered to introduce a combination of measures which meet the

requirements of Policy EN1. These include enhanced building fabrics and air tightness to limit heat loss from dwellings, energy efficient heating technologies on 38 of the 99 properties, insulation techniques, and the use of solar panels on approximately a third of the properties. These matters can be controlled by a planning condition attached to any reserved matters consent granted for the current application. In addition to this, the applicant has committed to provide electric vehicle (EV) charging points in compliance with Core Strategy Policy EN8 and, as noted previously, provide extensive new tree planting at the site in addition to the creation of new biodiversity areas. This will provide significant additional benefits in respect of climate change, and also air pollution, over the outline consent. The applicant has also committed to complying with Policy EN2 of the Core Strategy with the current policy requiring a compliance with 125 litres per person per day. The applicant has submitted information which shows their development can achieve 97 litres per person per day.

- 10.40 The applicant also operates sustainable procurement employing where possible a local site manager, local tradesmen and sub-contractors and sourcing materials from local builder's merchants reducing the travel distances and therefore their carbon footprint. The site intends to recycle site waste with 99.8% of waste taken from Boddington site in 2019 recycled.
- 10.41 Every property will have a water butt, electric charging point and cycle storage. The lighting within the properties will be LED low energy down lighter and low energy lightbulbs and flow restricter will be fitted to all the service pipes installed to domestic appliances.

Overall, it is considered that the development will comply with Policies EN1, EN2 and EN8 of the Core Strategy.

11. Green space

- 10.42 The vast majority of the green space for the development is located on the eastern side of the Beck with some green space at the entrance to the site, between plots 67 and 68 almost opposite the school land and some land alongside the PROW on the western side. The reason for its location to the eastern side is that the SAP states that the built development should be on the western side.
- 10.43 Whilst the green space within the development on the western side is limited the amount of greenspace provided on the eastern side far exceeds the amount of greenspace required for the overall level of development. The green space will be informally laid out including biodiversity areas offering land for walking with informal regular cut grassed areas for ball games. The green space is well connected to the development either by the PROW which will be upgraded so the green space can be accessed by all parties and the area of biodiversity around the pumping station can be access via the informal road to the pumping station. Ideally the site would benefit from a link between the biodiversity area around the pumping station to the other areas of green space on the Eastern side of the site but this would involve land for the school for the connection which is not available at the current time.
- 10.44 The s106 agreement for the outline consent stated in relation to green space that it should be provided in line with Policy G4 of the Core Strategy which previously was 80 square metres per dwelling. This resulted in a requirement for 7,920 square metres. The policy has now been altered so that 4,706 square metres is required. The land to the east of the Beck is 13,371 square metres which far exceeds the required land. This doesn't include the biodiversity area proposed over the pumping

station and the small pockets of land on the Western side of the development. The green space therefore complies with the s106 agreement as well as Policy G4.

Overall the quantity and quality of green space on the site is in excess of the level required and therefore complies with Policy G4 of the Core Strategy.

12. Residential amenity

- 10.45 The development now complies with Neighbourhoods for Living SPG, with the properties being adequate distance away from each other to prevent issues of overlooking, overshadowing and over dominance. The garden lengths and areas also comply with the SPG, providing adequate garden areas for the sizes of properties involved.

Overall the scheme complies with Policy GP5 of the UDP and will not have a detrimental impact

13. School

- 10.46 The outline consent involved land being set aside for a school and school playing field (this reflected the overall approach of the SAP to ensure that there is provision for new school places, alongside meeting housing needs). Detailed discussions were therefore undertaken with Children's Services regarding their requirements. In terms of the land required and the location of the school and playing fields, this was approved by Plans Panel at outline stage.
- 10.47 This scheme retains the land and playing fields in a position approved at the outline stage. Children Services have provided a recent update to confirm that using this land for a new primary school is still a necessary option, although no formal decision has been made at this stage.

14. SAP requirements

- 10.48 The site is allocated for housing within the SAP under reference HG2-18 with an indicative capacity of 104 units so this scheme for 99 units complies with this element of the SAP. The SAP also has a number of site requirements which include the following:

Highway access – site access arrangements with traffic management measures on Church Lane and highway improvements to the A660 – *this have been provided within the proposed scheme*

Contribution towards measures to improve the cumulative impact upon the A660/A6120 Lawnswood roundabout – *Since the SAP publication it was decided to obtain a financial contribution for highway works closer to the site rather than this roundabout*

Ecological assessment is required with mitigation measures including buffer to the Beck – *the scheme has involved an ecological assessment and as discussed in section 9 there will be biodiversity areas provided as part of the scheme*

In terms of the listed church there shall be no built development east of the Beck with landscaping provided to screen the development – *there is no built development in terms of houses on the east of the Beck with the development of a*

small pumping station being provided to the east of the Beck which has previously been discussed in section 6. The scheme involves substantial landscaping to screen the development

In terms of the conservation area the development shall preserve and enhance the conservation area – *it is considered that the proposed development complies with section 72 of the Act and will preserve and enhance the conservation area*

Part of the site shall be retained for a school – *land has been set aside for the provision of a school*

Overall it is considered that the proposed development complies with the site requirements of the SAP.

15. Adel Neighbourhood Plan

- 10.49 Objectors are concerned that the development does not comply with the Adel Neighbourhood Plan. However, this is at draft stage and carries little weight. This site is not specifically discussed within the Neighbourhood Plan but there are a number of policies within the plan which are relevant to this scheme. These policies relate to new housing development, respecting the landscape character and setting, respecting Adel's green and wooded environment, protection and enhancement of nature conservation assets, impact on St John the Baptist church, design and, housing type and mix.
- 10.50 These policies are generally in line with the policies adopted in the Unitary Development Plan and the Core Strategy. As this report has already discussed the scheme is in compliance with these policies and therefore officers consider that is generally reflects aspirations of the emerging Adel Neighbourhood Plan.

16. Representations

- 10.51 The majority of the matters raised in the representations have been covered above except for the following matters
- Development on green belt – *the land is not green belt as was a protected area of search before it was allocated in the SAP*
 - Number of properties higher than the SAP allocation of 85 so development too cramped and not in keeping with Adel – *the draft SAP had an allocation of 85 units which was increased to 104 in the adopted SAP .*
 - Adel seen its fair share of development recently – *this is an allocated site within the SAP so needs to be brought forward to meet the Councils five year supply*
 - No provision for Policy H8 Housing for Independent Living – *as mentioned before for other policies within the core strategy no conditions were attached in relation to policy H8 so it is not a requirement that needs to be met*
 - Red brick inappropriate the site should be all stone – *there are red brick properties within Adel so it is a local characteristic*
 - There are no apartments in the layout as requested by planning officer – *this is requested as part of Policy H4 which was not attached as a condition to the outline consent so cannot be requested*
 - Plot 1 is most visible part of the proposed development with the character area statement stating it is a 'gate lodge feature' when it is a standard house and looks nothing like a 'gate lodge' - *plot 1 is located in a mature landscaped setting and will provide an entrance feature to the development*

- Plot 1 will suffer from noise and air pollution from the access road and the A660 – *the property is set back from both roads and the garden is to the rear with the proposed house shielding the occupiers, there are existing houses in Adel closer to roads than this property*
- Construction compound should not be east of the Beck – *this will not be the case and is controlled by condition on the outline, its likely to be on the proposed school land*
- The school playing fields and fencing should not be allowed – *this does not form part of this application and was approved at outline stage*
- The school should be built first to ensure residents are not disturbed by the school construction. - *This does not form part of this application and was approved at outline stage*
- Remain concerned regarding the location of the school as too far inside the site and should be at the entrance - *this does not form part of this application and was approved at outline stage*
- No proper survey for archaeology has been undertaken especially in relation to the potential for a Roman Road on the site – *information has been submitted which shows there is not a roman road on the site which WYAS has confirmed*
- Lack of GPs and other facilities within Adel – *Provision of GPs is market led*

17. Comments received in response to Panel report

- 10.52 Cllrs Andersons and Adel Neighbourhood Forum have raised concerns regarding the Panel report that was published in March which are detailed at the end of the representation section. Some of the issues that they both raised have been previously as part of their representations which have either been addressed in the report or in section 16 above. Other matters include that they do not agree with officers comments within the report. Members are requested to note these comments before making a decision.

18. Members comments

- 10.53 As stated in the introduction Members commented on the scheme when it was presented to them in September. Below are these comments and how the revised plans have addressed these comments.
- Proposed housing mix not being policy compliant and reflecting the need in the area – *the policy mix has now been amended so that it now within the maximum and minimum thresholds within the table attached to policy H4.*
 - The internal size of properties not meeting Policy H9 and the national described house standards – *the smaller properties have been increased in size so they comply with policy H9, as stated previously there are a few properties (4 and 5 bedroomed) where the smallest bedroom does not meet policy H9 and the national described house standards, which officers consider is acceptable and does not have a detrimental impact on the residential amenity of the proposed occupants*
 - Affordable housing needs to be ‘pepper potted’ throughout the site – *the layout has been changed so that the affordable housing is located in four areas which is adequate for a development of this size*
 - Gardens must be policy compliant including space about dwellings – *all the gardens comply with space about dwellings*

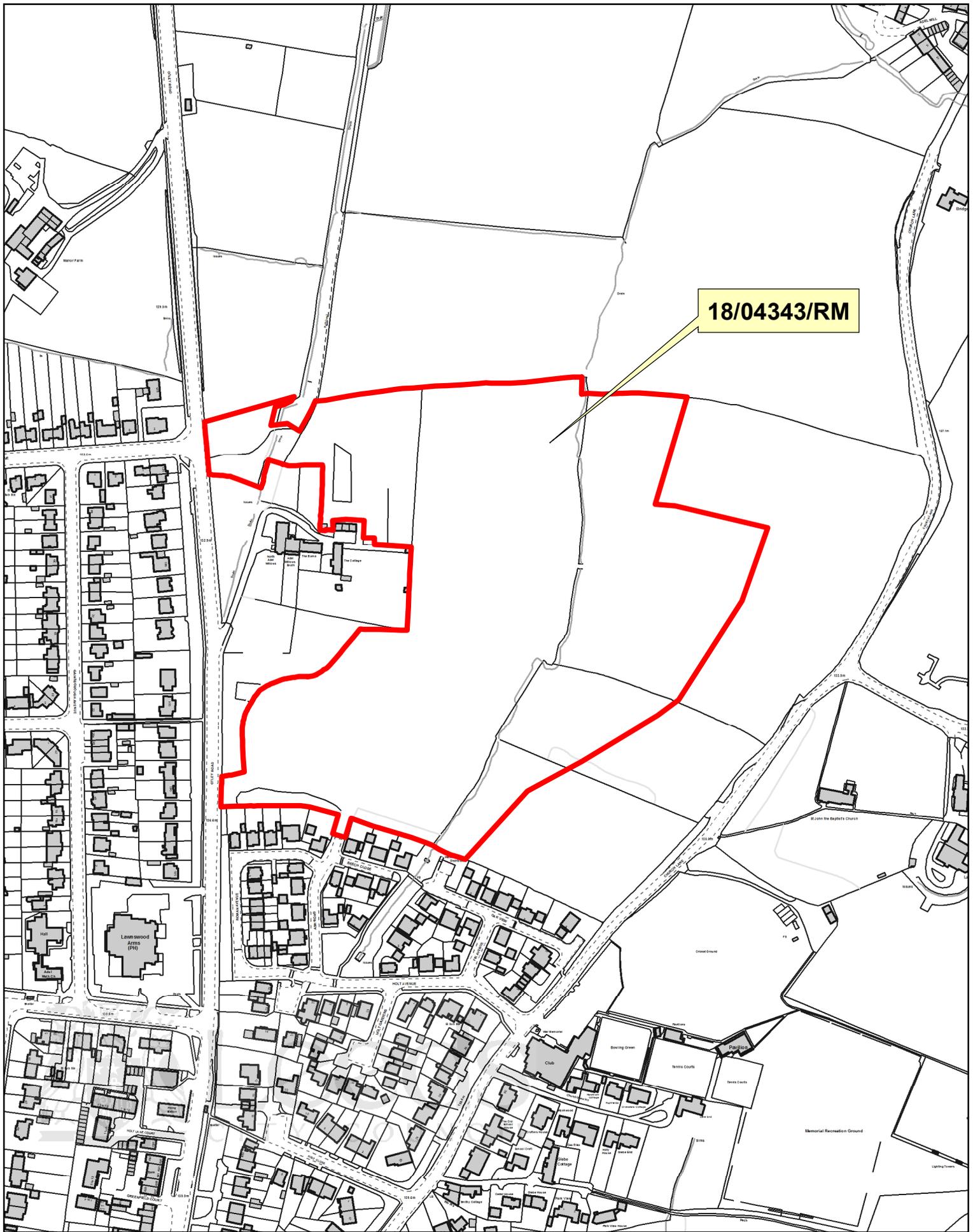
- Design of house type's poor, lacking character and not responding to the context – *there is now a mix of materials and designs across the site which are acceptable for this site in this location*
- Members requested better understanding of the pumping station over a balancing pond which would be better for bio-diversity – *full details regarding this are included in section 6 which detail that due to levels and biodiversity an underground tank is required rather than an engineered attenuation pond plus both would require a pumping station again due to levels.*
- In terms of PROW support the western section but would prefer a softer treatment on the eastern side but still allowing for pram/wheelchair access – *this softer treatment can be achieved with a diversion at the Church Lane end to ensure that historical features are retained*
- In terms of highway issues requested that school should have bus turnaround within the site and not rely on street parking for parent drop off and collection – *There is now a loop allowing for a bus turnaround and spaces provided for drop off*
- Requested more landscaping to the periphery of the site particularly to the south and remain unconvinced that there is a case for a pumping station and its location east of the Beck – *more landscaping is to be provided and this can be achieved by the condition on the outline consent. The case of the pumping station is as above.*
- Application needs to be more ambitious regarding climate changes with solar panels, charging points and to look at the whole site in relation to carbon footprint - *measures for fabric first approach, local employment, recycling, water butts, electric charging, cycle stores, some properties with solar panels and heat recovery systems plus tree planting and vegetation are now being offered*

Overall it is considered that the application has responded positively to member comments.

11.0 CONCLUSIONS

- 11.1 As set out in this report, this application has been the subject of lengthy and ongoing discussions with the developer, in order to taking into account comments made by officers, members and the community. A number of factors have therefore been taken into account and based upon the balance of considerations, overall officers consider that the proposed development is acceptable and policy compliant. There has been regard to its design and layout (in reflecting the local character and vernacular), complying with housing (NDSS) standards in terms of size and layout in terms of Neighbourhoods for Living SPG. The Housing Mix is acceptable with the level of affordable housing is considered to be appropriate for this site. The access has previously been approved at outline stage with the internal layout being acceptable. Impact on trees and ecology has been taken into account with the proposed development providing more trees and a net gain in biodiversity terms. The pumping station and underground tank are considered acceptable solution for surface water drainage. The proposed development seeks to address the climate emergency declaration by virtue of it is policy compliance and is considered acceptable. On balance when taking all these consideration into account officers recommend this application be approved subject to the conditions set out above.

Application Recommended for Approval



18/04343/RM

SOUTH AND WEST PLANS PANEL



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Originator: Ben Field

Tel: 0113 3787951

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 23 July 2020

Subject: Application number 19/06632/FU – Demolition of car storage facility and construction of a dwelling at CT Cars Garage adjacent Highfield Stables, Carlton Lane, Guiseley, LS20 9PE

APPLICANT

Mr and Mrs J & H Thornton

DATE VALID

25th October 2019

TARGET DATE

20th December 2019

Electoral Wards Affected: Otley and Yeadon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: 'Minded to' approve subject to the following conditions:

1. Commencement within 3 years
2. Development in line with approved plans
3. External materials to be approved
4. Vehicle spaces to be laid out
5. Hardstanding to the front to be permeable
6. Statement of Construction Practice to be approved
7. Electric Vehicle Charging Points to be provided
8. Cycle/motorcycle and bin store details to be approved
9. Front boundary treatment not to exceed 1m height above highway
10. Surface water and foul water drainage works to be approved
11. Inclusion of water butts
12. Noise insulation scheme to be approved
13. Hard and soft landscape scheme to be approved
14. Phase I Desk Study and if necessary Phase 2 site investigation to be approved
15. Amended remediation statement to be approved
16. Imported soil tests to be approved
17. Removal of asbestos to be approved

18. Removal of permitted development rights for extensions and outbuildings

1.0 INTRODUCTION

- 1.1 The application is presented to Plans Panel at the request of Councillor Colin Campbell, on the grounds that the proposal will have a detrimental impact on the openness of the Green Belt and it is in an unsustainable location. The application is now the subject of an appeal against the Council's non-determination of the application. A determination of the application cannot now be made by the Council as a result of the appeal, and a resolution of the Panel is therefore sought as to the decision the Council would have made on the application had it been able to do so.

2.0 PROPOSAL:

- 2.1 The applicant seeks planning permission for the demolition of an existing vehicle storage and office building and the construction of a detached dwelling with associated landscaping and parking.
- 2.2 The scheme will allow for a family home comprising of kitchen/dining/living areas, utility room, WC, office and one bedroom at ground floor and three bedrooms and two bathrooms at first floor. There will be garden areas to the front, side and rear and off street parking facilities for three vehicles. The materials will be stone to the elevations and slate to the roof.

3.0 SITE AND SURROUNDINGS:

- 3.1 The existing building has a lawful use as a commercial business for vehicle storage and office located within the Green Belt along Carlton Lane in Guiseley. It has a gated entrance directly off Carlton Lane leading to a tarmaced forecourt and further area of hardstanding beyond. Given the topography of the area the site slopes downwards slightly from the rear to the front. The building is stepped away from all site boundaries which are characterised by low stone walls to the front (south) and side (east), fence to the other side (west) and mature conifer hedge to the rear (north). The building was originally a barn in agricultural use which gained consent to change to a commercial use in 2006 and is constructed in blockwork which is painted green with a corrugated metal roof. There is a small stable abutting the site to the east, open fields to the west and an agricultural shed and open fields to the north. Beyond Carlton Lane and fields to the south there is a group of buildings of residential and agricultural use which all have access points to Carlton Lane in relatively close proximity to the host site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 06/02356/FU - Retrospective application for change of use of farm building to vehicle storage and office – Approved 02.10.2006
- 4.2 H29/194/87/ - Detached stables and barn, with toilets, tack room and hay loft to field. - Approved 26.10.1987

5.0 HISTORY OF NEGOTIATIONS

- 5.1 During the processing of the application negotiations between officers and the agent have been ongoing. These have been to address the comments made by the

Highway's Officer in relation to details of the gates, site lines, bin stores and cycle storage.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was advertised by site notice which was posted on 12th November 2019 and expired on 3rd December 2019.

6.2 1 letter of objection was received concerned with the following matters:

- The composition of the existing building may contain asbestos therefore the demolition may be harmful to humans and animals within the immediate vicinity.
- The current use is commercial with a proliferation of vehicles therefore is not agricultural as the application form suggests.
- The proposal may have an impact on the water supply pipework.
- The land is within the Green Belt therefore residential development would appear to be at odds with this.
- Concern that the proposal will lead to surface run off of water and leeching of foul water given the topography of the land.

6.3 Cllr Colin Campbell has also objected to the proposal raising the following points:-

- The proposal for the building of a house along with garden and parking area would be an incongruous intrusion into this important area of Green Belt, resulting in loss of openness contrary to local and national planning policy
- The proposal could cause traffic safety issues on the already busy Carlton Lane.
- The proposal is some distance from any services or bus route therefore the site not in a sustainable location.
- Any pedestrian trying to access the site would be in danger as there is no safe footpath in the area.

6.4 Bramhope and Carlton Parish Council – Objects as the proposal does not comply with Green Belt Policy as it will have a greater impact on the openness of the Green Belt as it is higher and contains a significant number of windows, new doors etc in comparison to the existing building.

7.0 CONSULTATION RESPONSES:

7.1 **Highways** – Initially required further information relating to the site lines, access gates, bin and cycle store. The applicant submitted an amended scheme with the required changes which addressed the highways concerns.

In addition they stated that whilst the site is not located in a sustainable area with no close access to public transport or suitable pedestrian links, the Core Strategy guidance applies to developments of 5 or more dwellings. A highways objection would be hard to justify on accessibility / sustainability grounds given that it is for a single dwelling only.

Therefore no objections subject to conditions relating to a method of construction practice, electric vehicle charging points, waste collection are provided.

7.2 **Flood Risk Management** – It would need to be shown that surface and foul water can be adequately discharged from site. Therefore no objections subject to conditions.

- 7.3 **Contaminated Land** – No objections subject to conditions relating to the submission of a desk top study and subsequent remediation statement if required, the removal of possible asbestos, and the importing of soil.
- 7.4 **Environmental Studies – Transport Strategy** – Given its proximity to Leeds Bradford Airport noise insulation methods will be required. This can be controlled by condition.

8.0 **PLANNING POLICIES:**

- 8.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 8.2 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), The Core Strategy Selective Review (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP), the Site Allocations Plan (2019) and the Natural Resources and Waste Local Plan (2013 and 2015).
- 8.3 The application site is designated Green Belt but has no other specific allocations or proposals.

Adopted Core Strategy

- 8.4 The Core Strategy 2014 (as amended by the Core Strategy Selective Review 2019) is the development plan for the whole of the Leeds district. The following Core Strategy policies are considered most relevant:

General Policy – Sustainable Development and the NPPF
 Spatial Policy 1 – Location of Development
 Spatial Policy 6 – The Housing requirement and allocation of housing land
 H2 – New housing development on non allocated sites
 H9 – Minimum Space Standards
 H10 – Accessible Housing Standards
 P10 – Design
 P12 – Landscape
 T2 – Transport
 EN5 – Managing Flood Risk
 EN8 – Electric Vehicle Charging Infrastructure
 G9 – Biodiversity Improvements

Adopted Site Allocations Plan

- 8.5 HG1 – Identified Housing Sites
 HG2 – Housing Allocations

Natural Resources and Waste Local Plan

- 8.6 Water 1 – Water Efficiency
Water 7 – Surface Water Run-Off
Land 1 – Contaminated Land
Land 2 – Development and Trees

Saved Policies - Leeds UDP (2006)

- 8.7 The following saved policies within the UDPR are considered most relevant to the determination of this application:

GP5 – Requirement of Development Proposals
BD5 - New Buildings
N32 – Green Belt
N33 and Appendix 5 – Green Belt
N25 – Boundaries
LD1 – Landscape Design

Relevant supplementary guidance:

- 8.8 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:

SPG13 – Neighbourhoods for Living: A Guide for Residential Design in Leeds
SPD – Street Design Guide

National Planning Policy Framework (NPPF)

- 8.9 The National Planning Policy Framework (NPPF), published February 2019, and the National Planning Practice Guidance (NPPG), introduced March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 8.10 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
- 8.11 The following parts of the NPPF have been considered in the consideration of this application. Paragraph 127 of Part 12 'Achieving well designed places', paragraphs 143 -145 of Part 13 'Protecting Green Belt Land' and paragraph 170 of Part 15 'Conserving and enhancing the natural environment' is applicable to this proposal.

9.0 MAIN ISSUES

1. Principle of development
2. Visual amenity and the Green Belt
3. Residential amenity

4. Highway safety and sustainable location
5. Flood Risk Management
6. Climate Emergency
7. Representations

Other Issues

8. CIL
9. Conclusion

10.0 APPRAISAL

Principle of development

- 10.1 The site is unallocated within the Site Allocations plan within a rural location in the Green Belt but has an existing building of a lawful commercial use. As such it is considered the site is previously developed land (as defined in the NPPF).
- 10.2 Policy H2 of the Core Strategy includes a number of criteria that new housing development on non-allocated land should meet and states “*New housing development will be accepted in principle on non-allocated land providing that (i) the number of dwellings does not exceed the capacity of transport, educational and health infrastructure, as existing or provided as condition of development (ii) For developments of 5 or more dwellings the location should accord with the Accessibility Standards in Table 2 of Appendix 3, (iii) Green Belt Policy is satisfied for sites in the Green Belt.*”
- 10.3 The proposal is for a single dwelling and whilst the site is located some distance from amenities, educational and health infrastructure and public transport facilities, an additional dwelling in this location will not exceed their capacity. In turn although the proposal falls short of accessibility standards for new development, these standards relate to the construction of 5 or more dwellings. Given the existing site use it is considered that the principle of the development is acceptable in this instance. The circumstances of this will be discussed within the report. The proposal will replace the existing building on the site with a detached dwelling of similar scale and design which will not have a greater impact on the character and openness of the Green Belt which will satisfy Green Belt policy.
- 10.4 As such it is considered the proposal for residential development in this location is acceptable in principle subject to all other material planning considerations.

Visual amenity and the Green Belt

- 10.5 The application site comprises land which has a current lawful use as a vehicle storage and office facility since 2006 therefore the building is no longer in agricultural use. National Planning Policy allows for the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land. In addition national and local policy allows the re-use of buildings provided they are of permanent and substantial construction, therefore the conversion of the existing building to a dwelling could also be an option in this instance.

- 10.6 Although the scheme will result in the demolition of the existing building the new dwelling will be positioned in approximately the same location within the site but on a smaller footprint. It will also be comparable in design by retaining the cat slide roof characteristic of the existing building and will be of similar scale being only 1.06 metres higher. This increase in height is very modest over the existing building and given the low profiled roof design it will not dominate the plot or surroundings. Therefore nor will it result in an increase in sprawl within the site or have a detrimental impact on the openness of the Green Belt. The dwelling will also be constructed in coursed stonework and slate to the roof which will be an appropriate material palette and will be an improvement on the materials used for the existing building.
- 10.7 As such it is considered the proposal will not have an increased detrimental impact on the character and appearance or on the openness of the Green Belt than the existing development. It will also be of an appropriate scale and design and will utilise materials which will not be detrimental to the character and appearance of the site or streetscene.
- 10.8 The proposal is therefore considered to comply with section 12 achieving well designed places and section 13 Protecting Green Belt Land of the NPPF, Policy P10 of the Core Strategy, saved policies GP5, BD5, N33 and Appendix 5 of the UDPR.

Residential amenity

- 10.9 Consideration has been given to the impact the development will have on the residential amenity of future occupants of the proposed dwelling and the occupants of neighbouring properties.
- 10.10 In order to provide a sufficient level of residential amenity there must be an acceptable level of outlook and amenity space for the enjoyment of the occupiers within the site. The site must also be protected from being overlooked and from overlooking other sites.
- 10.11 The development of the plot has been appropriately designed to ensure the amenity of future occupants is not compromised. The dwelling will be constructed over two floors which incorporate kitchen/dining/living areas, utility room, WC, office and one bedroom at ground floor and three bedrooms and two bathrooms at first floor. It is considered the dwelling will have rooms which are adequate in size conforming to the Local Authority's adopted space standards and will also provide a sufficient level of light and outlook. The proposed dwelling is positioned within the plot to allow a garden area to the front and generous private garden area to the side and rear with enough off street parking for at least three vehicles. As such it is considered the scheme will provide an acceptable level of amenity for future occupants of the development.
- 10.12 Changes to national planning policy and the building Regulations in 2015 enable Local Authorities to require the provision of accessible dwellings as part of new residential development so to meet the needs of residents. Leeds Core Strategy policy H10 (Accessible Housing Standards) was formally adopted through the Core Strategy Selective Review process in September 2019 which requires new build residential dwellings to meet accessible housing standards. The dwelling will have a step free principal entrance and a step free downstairs with access to a WC, kitchen, living area and bedroom. Easy access will also be achievable to the outdoor area with further adaptations easily made in future if necessary.

- 10.13 Given the site is located in close proximity to Leeds Bradford Airport it is important that the property is sufficiently insulated from external noise for future occupants to enjoy a good standard of residential amenity. A condition is therefore being proposed requiring a noise insulation scheme to be submitted to and approved in writing by the Local Planning Authority prior to the building works commencing.
- 10.14 Given the location of the site, distance to neighbouring properties and because the dwelling will be constructed on approximately the same footprint and will be comparable in height and form to the existing building, it is considered the proposal will not lead to any issues in relation to the living conditions of occupiers of nearby properties.
- 10.15 Overall, it is considered that the proposed development will enable a good level of amenity for future occupants without having an adverse impact on the amenity of the occupants of nearby sites.
- 10.16 The proposal is therefore considered to comply with Policies P10, H9, and H10 of the Core Strategy and saved policies GP5 and BD5 of the UDPR.

Highway Safety and sustainable location

- 10.17 The proposed scheme will replace an existing use of a car storage business with one detached family dwelling. It is considered a single family dwelling will generate less comings and goings than could be generated by a commercial use on this site. Whilst Carlton Lane is relatively narrow and there have been accidents recorded at several locations along the whole length of the road, none have been recorded in close proximity to the site. The nearest recorded accidents for the last six years are 750m to the west and 1000m to the east therefore this site should not be associated with these accidents.
- 10.18 The site has good visibility sight lines and the proposed entrance gates will be set back from the road and open inwards therefore negating the possibility of vehicles overhanging the highway when waiting to enter the site.
- 10.19 The proposal also provides three vehicle parking spaces within the site and a turning facility to enable vehicles to enter and exit in a forward gear. Bin and cycle stores are also provided within the site.
- 10.20 Whilst the proposal is in a location with no direct public transport links from the site, it is relatively close to the centre of Guiseley being 1.5 miles away and is considered on balance that the new dwelling is acceptable in this respect, also having regard to the established commercial use of the existing building on the site.
- 10.21 Whilst a residential use would be likely to lead to a different pattern of trips to a commercial use, the comings and goings of a single family dwelling are likely to be less frequent than those associated with a commercial use.
- 10.22 The Highway Authority has advised that an objection would be difficult to justify on sustainability grounds due to the location of the building.
- 10.23 As such subject to conditions the scheme is considered acceptable in highway terms. The proposal is therefore considered to comply with Policy T2 of the Core Strategy.

Flood Risk Management

- 10.24 Given the site is previously developed land with an active use which generates both surface and foul water discharge it is considered the proposal is acceptable in flood risk management terms providing the surface water runoff does not exceed the sites existing runoff rate. This should be achieved by the use of infiltration drainage through SuDS (Sustainable drainage systems) however if this is a non viable option an alternative method for the surface water disposal would need to be provided by the developer. Given the location of the site there are no public sewers in the nearby vicinity or any sewers on the site, however the existing building uses a cess pit on site for the foul drainage. The dwelling proposes to utilise the existing system however it will need to be demonstrated that the proposed foul drainage arrangements are appropriate. A condition is therefore being proposed which requires full details of surface and foul water drainage to be submitted to and approved by the Local Planning Authority prior to the commencement of building works.

Climate Emergency

- 10.25 The proposal relates to a minor development and does not meet the thresholds for compliance with Core Strategy policies EN1 (Climate Change – Carbon Dioxide Reduction) and EN2 (Sustainable Design and Construction). The proposal does however relate to the re-development and efficient use of previously developed land. The development will also provide Electric Vehicle Charging Points. The inclusion of water butts and ensuring the hardstanding to the front will be permeable will be secured by planning condition. Furthermore, the proposal will result in a net increase in vegetation and soft landscaping at the site in particular in relation to new lawn area replacing the majority of hardstanding. A hard and soft landscaping scheme (secured by planning condition) will have biodiversity and carbon capture benefits. Overall, the proposal is not considered to raise any notable concerns in relation to the Council's Climate Emergency declaration.

Representations

- 10.26 The material planning issues raised in the representations have been covered within the report above.

CIL

- 10.27 The Community Infrastructure Levy (CIL) Charging Schedule was adopted on 12th November 2014 with the charges implemented from 6th April 2015 such that this application is CIL liable on commencement of development at a rate of £90 per square metre of chargeable floorspace. However the applicant intends to submit a self build exemption prior to commencement therefore this scheme will generate no contribution to CIL. This is not a material planning consideration and is presented for information purposes only.

11.0 CONCLUSION

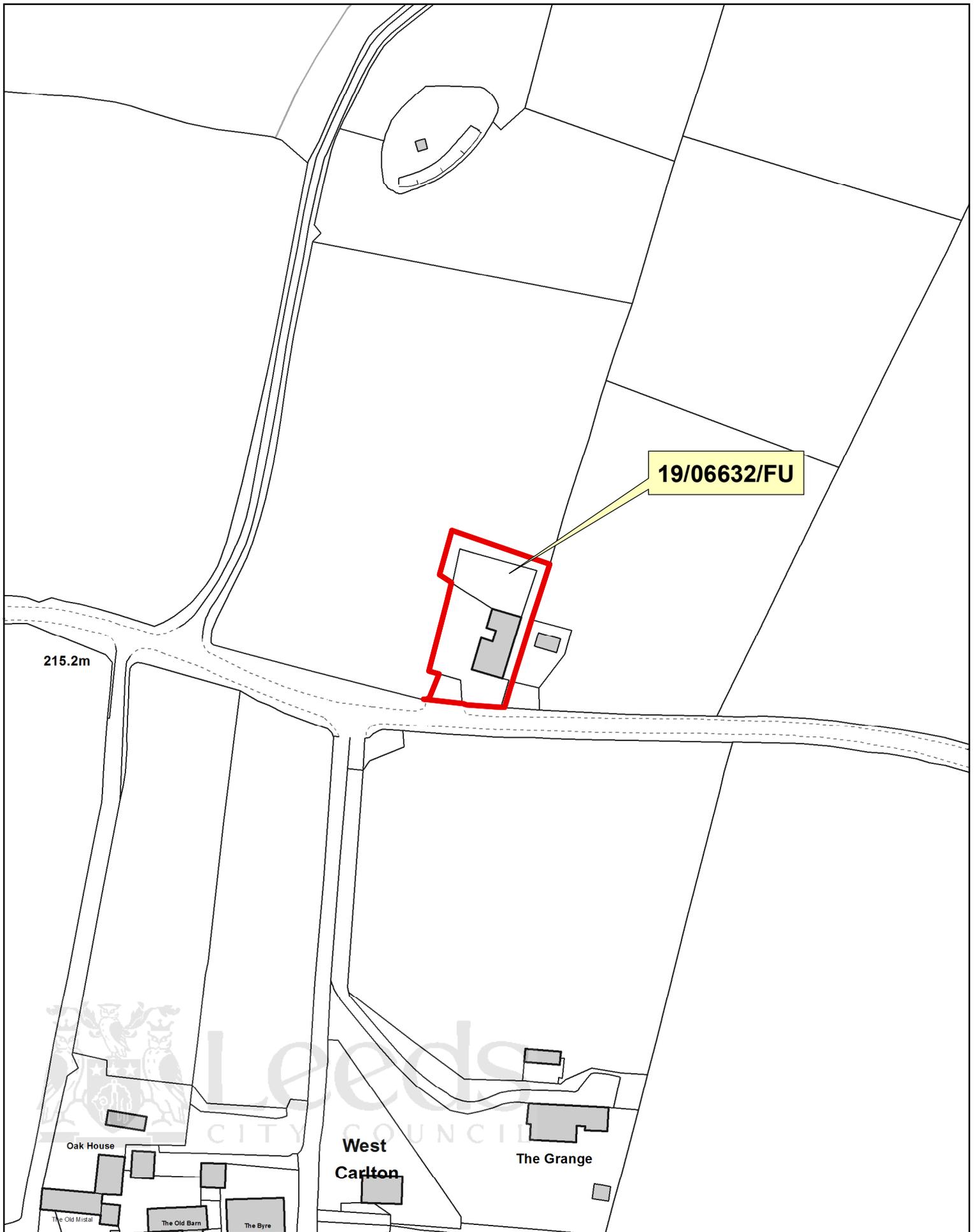
- 11.1 To conclude, the principle of residential development on this previous developed site is considered acceptable. The proposal will provide a development that is visually appropriate to its setting and wider locality, paying due care to the character and openness of the Green Belt. The dwelling will provide an appropriate level of amenity for future occupants whilst preserving the amenity of occupants of

neighbouring sites. Given the existing use it is considered that on balance a residential development in this location is acceptable and will not have a detrimental impact on highway safety. The proposal is therefore considered to comply with development plan policies and the NPPF and taking all other material considerations into account including representations received, it is recommended to Members for approval subject to the conditions set out.

Background Papers:

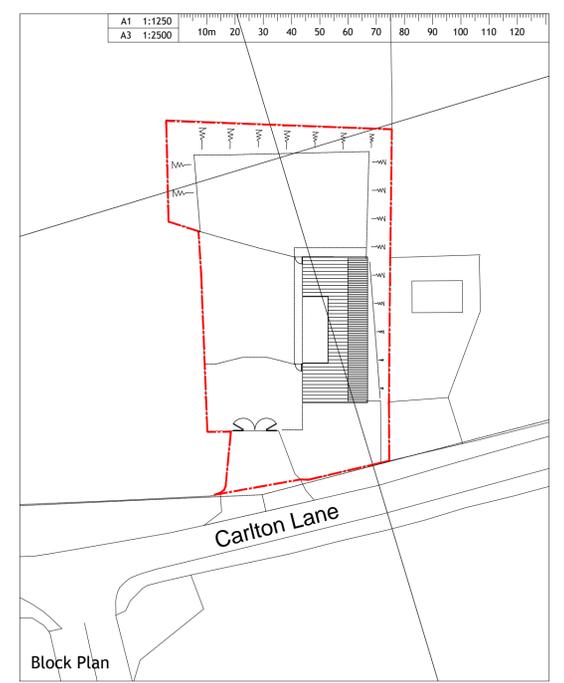
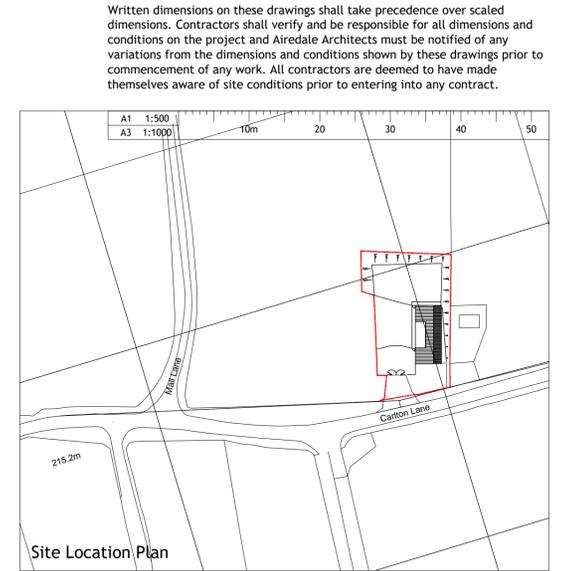
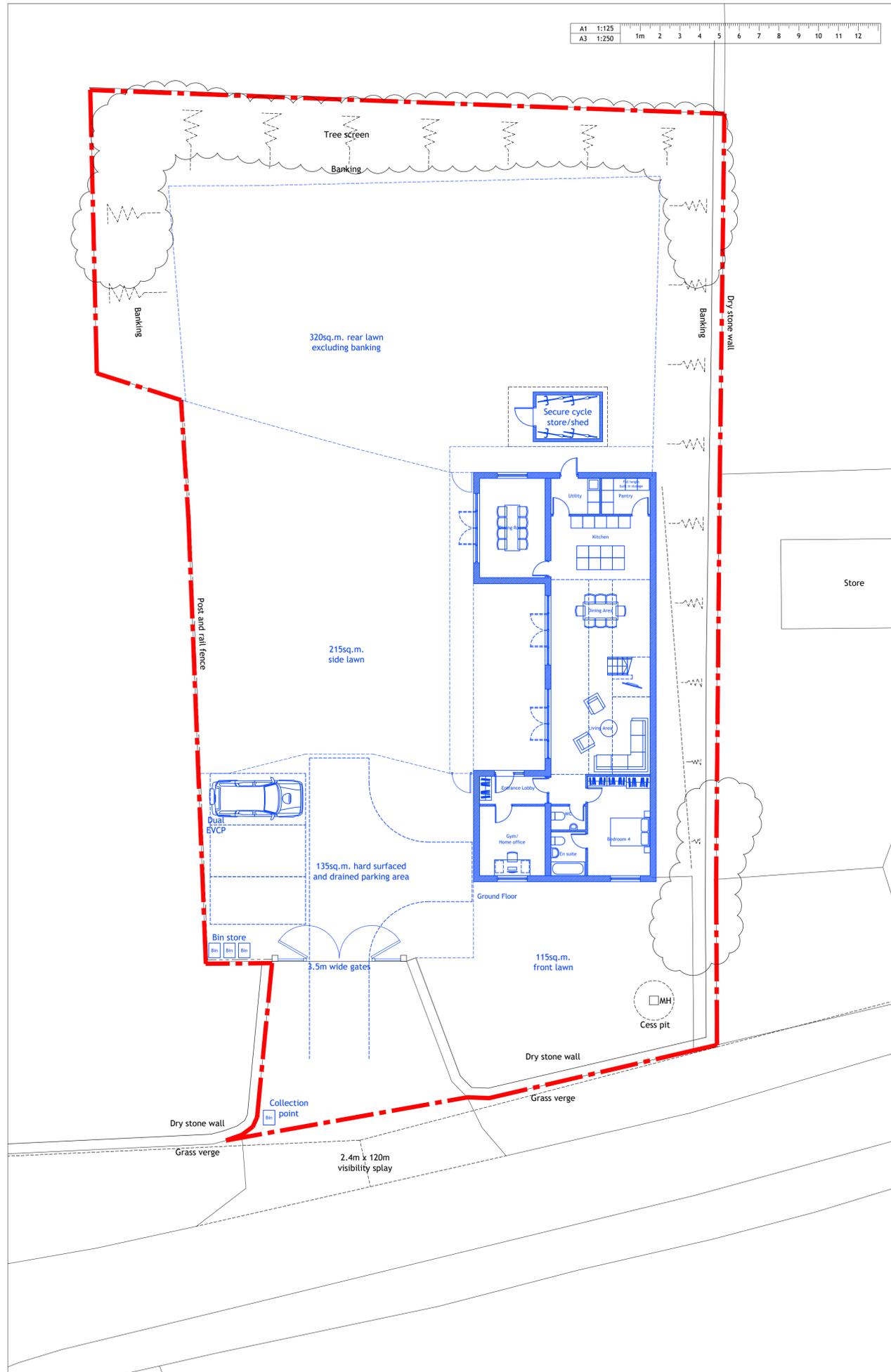
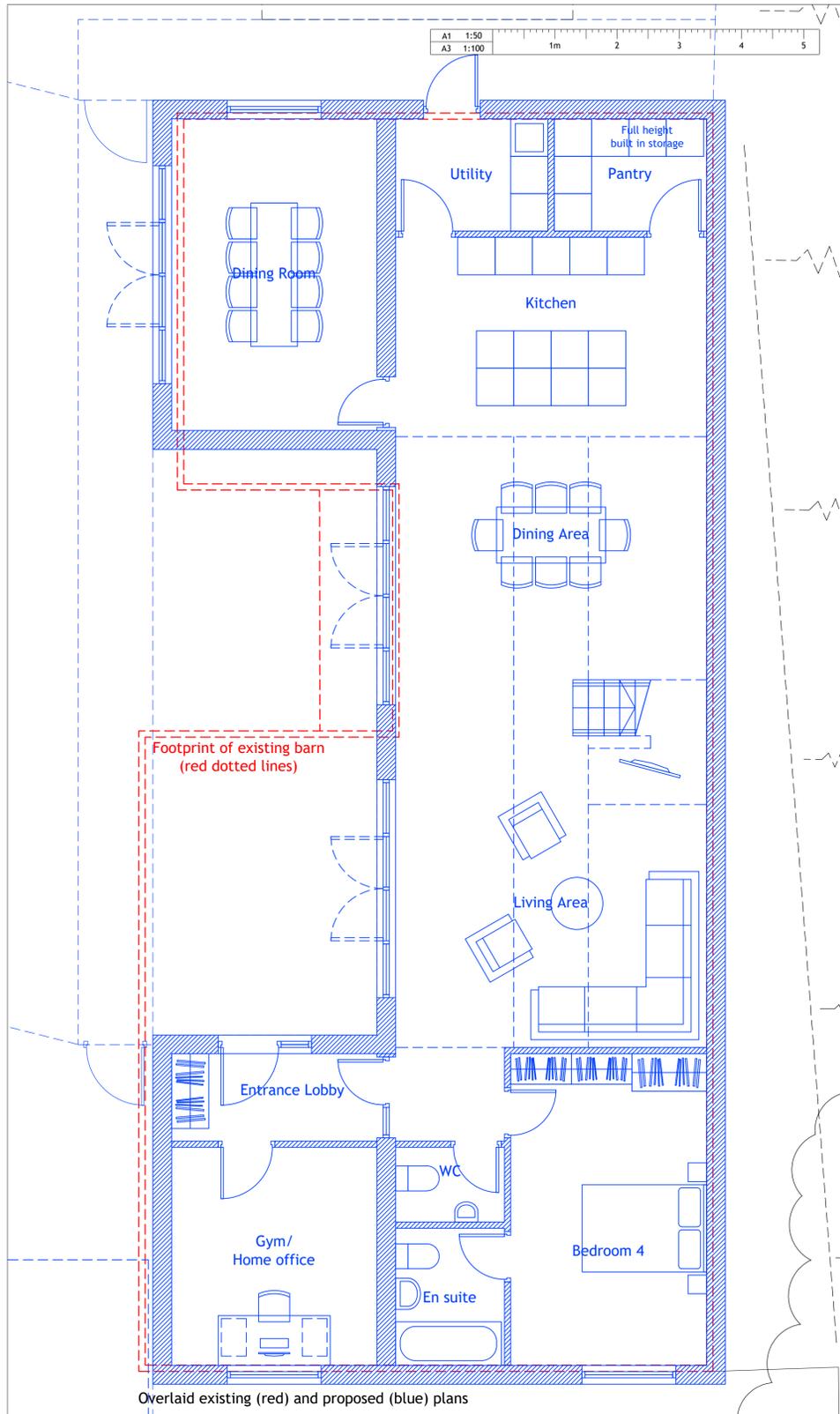
Certificate of ownership: signed by applicant.

Planning application file.



SOUTH AND WEST PLANS PANEL





Written dimensions on these drawings shall take precedence over scaled dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the project and Airedale Architects must be notified of any variations from the dimensions and conditions shown by these drawings prior to commencement of any work. All contractors are deemed to have made themselves aware of site conditions prior to entering into any contract.

REV	DESCRIPTION	DATE	DRAWN
A	EXTERNAL WORKS UPDATED FOLLOWING HIGHWAYS DEPT COMMENTS	21.11.19	ML

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CLIENT	Mr and Mrs Thornton
ADDRESS	Highfield Stables, Carlton Lane Guseley, Leeds, LS20 9PE
PROJECT	Conversion of barn to family dwelling
DRAWING	Proposed Site Plan
DRAWN	ML
DATE	Sept 2019
SCALE	1:50@A1
DWG No.	1998/04A
STATUS	PLANNING