
SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 22nd November, 2018
at 1.30 pm

MEMBERSHIP

Councillors

K Brooks	C Campbell	B Anderson	A Hutchison
M Gibson		J Shemilt	
C Gruen (Chair)			
J Heselwood			
D Ragan			
P Wray			

**Agenda compiled by:
Andy Booth
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>	

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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 18 OCTOBER 2018</p> <p>To confirm as a correct record, the minutes of the meeting held on 18 October 2018.</p>	3 - 12
7	Morley North		<p>APPLICATION 18/00251/FU - LAND AT SNITTLES FARM, GELDERD ROAD, WORTLEY, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for 87 dwellings with associated access and public open space.</p>	13 - 34
8	Armley		<p>APPLICATION 17/06830/FU - LAND ADJACENT TO 4 REDCOTE LANE, ARMLEY, LEEDS, LS4 2AL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the development of a 49.99mw battery energy storage system (BESS) comprising 25 containers, transformers, sub-stations, cabling and other ancillary apparatus and enclosure.</p>	35 - 48
9			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 20 December 2018 at 1.30 p.m.</p>	

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Third Party Recording

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.

Use of Recordings by Third Parties-- code of practice

- 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.

To all Members of South and West
Plans Panel

Planning Services
The Leonardo Building
2 Rossington Street
Leeds
LS2 8HD

Contact: Steve Butler
Tel: 0113 224 3421
steve.butler@leeds.gov.uk

Our reference: SW Site Visits
Date: 13/11/18

Dear Councillor

SITE VISITS – SOUTH AND WEST PLANS PANEL – THURSDAY 22nd Nov 2018

Prior to the meeting of the South and West Plans Panel on Thursday 22nd Nov 2018 the following site visit will take place:

Time	
10.10 am	Depart Civic Hall
10.35 – 11.00	18/00251/FU - 87 dwellings with associated access and public open space - Land at Snittles Farm, Gelderd Road, Churwell, Leeds
11.20 – 11.40	17/06830/FU – Development of a 49.99mw Battery Energy Storage System (BESS) comprising 25 containers, transformers, sub-stations, cabling and other ancillary apparatus and enclosure - Land adjacent to 4 Redcote Lane, Armley
12.00am	<u>Return to Civic Hall</u>

Please notify Steve Butler (Tel: 3787950) if this should cause you any difficulties as soon as possible. Otherwise please meet in the Ante Chamber at 10.00 am.

www.leeds.gov.uk

general enquiries 0113 222 4444



Can members please be aware that both sites may have wet grass on them so sturdy waterproof shoes are recommended.

Yours sincerely

Steve Butler
Group Manager
South and West

www.leeds.gov.uk

general enquiries 0113 222 4444



SOUTH AND WEST PLANS PANEL

THURSDAY, 18TH OCTOBER, 2018

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,
C Campbell, S Hamilton, A Hutchison,
J McKenna, E Nash, P Wadsworth and
P Wray

25 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

26 Exempt Information - Possible Exclusion of the Press and Public

The Panel was advised that Agenda Item 8 Application 17/08294/FU – Construction of 22 dwelling houses and associated works – Land off Tyersal Close, Tyersal, Leeds had an appendix which contained information relating to financial matters and was considered to be exempt under Access to Information Procedure Rule 10.4(3).

27 Late Items

There were no late items.

However, it was noted a revised report had been circulated to the Panel prior to the meeting in relation to Agenda Item 9 – Application 18/00846/FU – Former site of Benyon Centre, Ring Road, Middleton, Leeds.

28 Declarations of Disclosable Pecuniary Interests

Cllr. Hutchison informed that Panel that he had a disclosable pecuniary interest with Item 7 – 18/01111/FU – Variation of conditions 1, 5, 6 and 18 of previous approval 11/01809/FU to amend the site layout and to extend the hours of operation to 0700 – 1900 (Monday-Friday) and 0800 – 1700 (Saturday) – Whitehall Industrial Estate, New Farnley. He informed the Panel that he would leave the meeting for the duration of Item 7.

It was noted that Cllr Gruen knew the representative in attendance for Lidl in a professional capacity in relation to Item 9 – 18/00846/FU – Construction of a mixed use retail-led development comprising retail (use classes A1, A2, A3, and A5), leisure (use class D2), non-residential institutions (use class D1) and bookmakers (sui generis) with associated access, parking and landscaping – Land at former Benyon House, Ring Road Middleton, Middleton, Leeds.

29 Apologies for Absence

Draft minutes to be approved at the meeting
to be held on Thursday, 22nd November, 2018

Apologies for absence had been submitted from Councillors M Gibson, D Ragan and J Shemilt.

Councillor E Nash, J McKenna and P Wadsworth were in attendance at the meeting as substitutes.

30 Minutes - 20 September 2018

RESOLVED – That the minutes of the meeting held on 20th September 2018 be approved as a correct record.

31 Application 18/01111/FU - Ashfield Way, Whitehall Industrial Estate, Leeds

Cllr. Hutchison left the meeting for the duration of item 7. Minute 28 refers.

The report of the Chief Planning Officer requested Members to consider an application for a variation of conditions 1, 5, 6 and 18 of previous approval 11/01809/FU to amend the site layout and to extend the hours of operation to 07:00 – 19:00 (Monday – Friday) and 08:00- 17:00 (Saturday) at Whitehall Industrial Estate, New Farnley.

Members of the Panel had visited the site earlier in the day. Photographs and plans were shown throughout the presentation.

Councillor Ann Blackburn had requested that this application be brought to the Plans Panel for determination. Councillor Blackburn's objections to the application related to the proposed amendment to the operating hours and associated noise nuisance and the increase in vehicle movements and associated dirt and noise nuisance.

Members were advised of the following points:

- The context of this planning application was provided to Members and set out at points 1.3 – 1.7 of the submitted report and included;
 - That the applicant's main waste management business located at 263 Whitehall Road was not large enough to accommodate all of the incoming general skip waste accepted at the site;
 - The applicant has acquired the Ashfield Way site on Whitehall Road which is a safeguarded waste management site in the Leeds adopted development plan;
 - The applicant currently accepts inert demolition and construction waste as well as general skip waste. However, the applicant wishes to separate the two types of waste with inert demolition and construction waste being transferred to the Ashfield Way site on Whitehall Industrial Estate;
 - The applicant wants to carry out waste transfer operations different to those conditions attached to existing permission Ref: 11/01809/FU.
- The conditions to be varied were:

- Condition 1 – Approved Plans as set out at point 2.1 of the submitted report;
- Condition 5 and 6 – Approved landscaping and landscape maintenance as set out at point 2.2 of the submitted report;
- Condition 18 – approved operating hours as set out at points 2.3 and 2.4 of the submitted report. Members noted the current operating hours 08:00-16:00 (Monday – Friday) and 09:00-15:00 (Saturday);
- 10 letters of representation had been received from members of the public objecting to the proposal for the following reasons:
 - Noise impact in connection to longer operating hours;
 - High levels of dust;
 - Vehicles depositing dirt and debris onto the public highway; and Highway safety at the junction of Ashfield Way and Whitehall Road;
- 2 of the letters of representation received were from Councillors Ann and David Blackburn who raised concerns in relation to the perceived impact on general amenity and the living conditions of occupiers of nearby property from noise nuisance and the perceived impact on amenity and safety arising from the depositions and /or accumulations of dirt / debris on the public highway. It was noted that the Councillors were aware of negotiations by officers, which included the operational restrictions secured at points 5.3-5.4 and the limitations set in points 5.5-5.7 of the submitted report;
- Negotiations had taken place in relation to restriction on crushing and screening as set out at point 5.3 of the submitted report are imposed on any grant of planning permission;
- The site was well contained with trees surrounding.

In attendance at the meeting was a resident who lived next to the Whitehall Industrial Estate who informed the Panel of the following points:

- There are schools, houses and allotments in the area;
- Complaints had been made in relation to noise and dust;
- Noise and dust was already a problem to those residents who live near the Ashfield Way site due to traffic and the type of work at the site;
- BWS want to increase the hours which would increase the traffic and noise at the site;
- A recent count of vehicles entering and exiting the site had counted 93 vehicles in an hour;
- The environment needs to be put first;
- Concerns for the health and wellbeing of residents.

Speaking for the recommendation was a resident and Clive Saul a representative of the applicant. Members were informed of the following:

- The plan should be accepted so that the inert waste was moved from the residential area;
- BWS had agreed limitations on the operation of the crushing machine;
- The expectation was that the Council would be the enforcers on reduced hours;

- The hours requested of 7:00am – 7:00pm (Monday to Friday) and 8:00am – 5:00pm (Saturday) were not dissimilar to those permissions already permitted;
- An area not concrete could be set aside for the dumping of construction materials.

In response to Members questions the Panel were advised of the following points:

- The current hours of permission as 8:00am-4:00pm (Monday –Friday) 9:00am-3:00pm (Saturday)
- There would be a restriction on crushing and screening activities and activities undertaken in the final hour of operation;
- An application would have to be submitted for a crusher;
- No noise reports had been submitted;
- Consulted with Environmental Health but they had raised no objections in relation to noise;
- There are two other waste management operators on the Ashfield Way site namely Mone Bros. and Dysons
 - Mone Bros. times of operation 7:30am-6:00pm Monday – Friday 7:30am -1:00pm Saturday
 - Dysons times of operation 7:30am- 5:30pm Monday – Friday 7:30am – 1:30pm Saturday. It was noted that Dysons have an application submitted to increase their hours of operation.

Members discussed:

- The consistent approach to operating hours across Ashfield Way;
- The feasibility of an area to be assigned for drop off of waste;
- Process to address noise complaints; and
- Enforcement procedures.

RESOLVED – To grant permission subject to the conditions set out in the submitted report with an amendment to condition 18 and the addition of the following condition:

1. With an amendment to condition 18 for a start time of 7:30am start time Monday – Friday;
2. Prior to operation of revised hours a plan showing an unloading area for skips to absorb noise shall be submitted to and approved in writing by LCC and subsequently implemented.

Cllr. Hutchison re-joined the meeting.

32 Application 18/00846/FU - Former site of Benyon Centre, Ring Road, Middleton, Leeds

The submitted report of the Chief Planning Officer set out an application for the construction of a mixed use retail-led development comprising retail (use classes A1, A2, A3 and A5), leisure (use class D2), non-residential institutions

(use class D1) and book makers (sui generis) with associated access, parking and landscaping on land at the former site of Benyon House, Ring Road Middleton, Middleton, Leeds LS10.

Members had visited the site earlier in the day, photographs and plans were shown throughout the presentation.

The application had been brought to Plans Panel due to the scale of the development, at the request of local Ward Members who consider the application to be of local significance due to the potential for job creation.

The Panel was informed that the proposal was for a retail-led scheme with proposed occupiers such as Lidl, B&M, Costa Coffee, Jack Fulton, Greggs. The proposal also allowed for the delivery of a Bookmakers (Sui generis use). It was proposed that the A1 units would be occupied by Lidl and B&M.

Members were advised that this application was a resubmission of a previously refused application for a similar scheme, anchored by Lidl and B&M. It was also noted that an application for Tesco's on this site was also refused in 2010.

The Panel were advised that B&M Bargains had written a letter to the Leader of Council to inform her and other ward members in Middleton of the intention to vacate their existing unit within the town centre. Members were informed that an independent assessment had been undertaken in relation to the impact the closure of B&M Bargains would have on Middleton Town Centre. It was acknowledged that this could have a significant effect on footfall in the Town Centre and that it could be difficult to re-let a unit of this size. It was noted that large organisations such as Boots and Wilkinson's had been approached to see if they would be interested, however, they were not. The only interest had been from a gym, but this would not bring in the required footfall.

Director of Commercial Development Projects Ltd, James Marshall addressed the Panel.

Mr Marshall informed the Panel of the following points:

- B&M Bargains lease on the unit in the Town Centre would end in October 2019;
- Consultation with local people showed that this type of development was wanted in the area by most people;
- The development would create 180 local jobs including local construction jobs;
- His was a family company and this was a substantial investment for the local area;
- Local ward councillors were in favour of the development;
- If permission was granted it was hoped that the site would be trading by Christmas 2019.

Responding to questions from Members Mr Marshall informed the Members that as many trees as possible would be retained and landscaping would include up to 140 new trees which would be used as a buffer. He said that the design and materials had been discussed with planning officers.

Members discussed the following issues:

- Previous refusal of development on this site;
- Changes in the market;
- Investment and creation of jobs in the area;
- The sustainability of Middleton Town Centre;
- Mixed use for this site;
- The design of the proposed development;
- Improved connectivity between town centre and Asda
- Site Allocations Plan(SAP)
- National Planning and Policy Framework (NPPF)

At the conclusion of discussions, Councillor McKenna moved a motion to defer the application so that further information regarding the impact on the Site Allocation Plan and further retail impact could be provided. The motion was seconded by Councillor Nash. On being put to the vote, Councillor McKenna's motion was passed.

RESOLVED – The application be deferred for further information to be sought.

33 Application 17/08294/FU - Land off Tyersal Close, Tyersal, Bradford

The report of the Chief Planning Officer set out an application for the construction of 22 dwelling houses and associated work on land off Tyersal Close, Tyersal, Leeds.

This application had originally been reported to Plans Panel on 19th July 2018. Minute 11 refers. Members had attended a site visit on the morning of 19th July 2018.

At the meeting held on 19th July 2018 Members had resolved that the application should be deferred to clarify with the applicant the following points housing mix, size of houses and the house prices put forward by the applicant. Members had also asked for clarity on an area of land to the East of the access road. The report submitted on 19th July 2018 had been attached to the report for this meeting.

Photographs, 3D visuals and plans were shown at the meeting.

The Panel were advised of the following points:

- Revised plans had been submitted on 24th August 2018, showing the onsite green space area removed and an additional four units provided with one affordable unit;

- Neighbour notification letters had been issued with the expiry date being 22nd September 2018;
- A further 8 letters of objection had been received which raised concerns as set out at point 2.1 of the submitted report;
- Red Kites spotted in the area would not be affected. However a condition had been requested by the Nature Team to provide biodiversity enhancements;
- A further condition in regard to the maximum gradient to access;
- Housing mix would now consist of three – four bedroom homes which was set out at point 4.3 of the submitted report;
- An owner for the area of land to the East of the access site had not been found. However the applicant had said that they would maintain the patch of land until such a time as the owner could be located;
- Offsite green space contribution of £82,212.13 to be spent on sport and recreational facilities at Tyersal Park as discussed with ward members.

A resident of Tyersal Close, who objected to the application, addressed the Panel and informed them of the following points:

- Over the years the site had become a nature reserve with rabbits, foxes, birds and a woodpecker all being sighted;
- The owners had already removed trees from the site;
- Access to the site was poor due to the acute angles of the roads;
- The site was greenfield not brownfield, and there is little green space between Pudsey and Bradford;
- The development would be detrimental to the area.

The Panel heard from Will Cartwright on behalf of the applicant:

- The trees had been removed as they had been of poor quality and this was lawful removal;
- There was a need for housing in this area and the land was not greenbelt;
- The width of Tyersal Close was adequate for access of vehicles to the site;
- There would be sufficient parking allocated on site;
- Negotiations had taken place and changes had been made to the application;
- A contribution of £362,000 would be made with £82,000 agreed for improvements to Tyersal Park and 1 affordable house.

Members' discussions included the following issues:

- The consultation that had been undertaken with ward members;
- How the unowned land would be maintained;
- Profit margins and contributions.

Members' comments included:

- Their disappointment in only 1 affordable house to be built;
- Proposed better mix of housing types than previous proposal;
- The design and materials thought to be bland;
- Disappointment in lack of green amenity space.

RESOLVED – To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report and for 106 but with alteration to the Overage Clause to ensure a viability re-test was carried out at the 15th and 21st dwelling constructed and occupied.

34 Application 18/02140/FU and 18/02141/LI

Councillor Campbell left the meeting at 16:10 at the start of Item 10.

The Plans Panel were requested to consider and comment on the report of the Chief Planning Officer which set out a position statement on planning and listed building applications for conversion of mill buildings, demolition of listed buildings to provide 30 dwellings and construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Lane, Wortley, Leeds.

Members were advised that this report was based on a draft alternative layout which had reduced the number of new build properties by 16 and increased by 2 conversion units retaining buildings 10 and 11. Members noted that the proposal for the conversion element was to vertically divide the existing buildings to provide house rather than apartments. It was also noted that it was proposed to retain both the stone water tower and mill chimney which exist on the site, and part of the mill pond, and adjacent stone walls and cobble surface.

The Panel was advised that the applicant had confirmed that they were not proposing any S106 contributions as the applicant had raised viability as a reason why the application should be granted despite no S106 contributions. This had been detailed at point 9 of the submitted report. The Panel acknowledged that there would be widening of paths to nearest bus stops with real time bus information.

Representations had been received from Leeds Civic Trust, Councillor Ann Blackburn, Councillor David Blackburn and 5 objections from members of the public.

Members were advised that the representations from Leeds Civic Trust had been received prior to the revised plans. It was considered that all issues raised had been addressed by the revisions.

Objections included:

- Development is over-intensive
- All the mill pond should be retained
- Protection of the natural site
- Chimney and water tower should be retained at full height
- Cobble surfacing to be retained

Members discussed the listed buildings on site and the water levels of the mill pond. It was noted that Environmental Health services should be consulted with regard to the mill pond and whether it had ever flooded.

Mark Finch the applicant was in attendance at the meeting to answer Members questions.

Mr Finch provided the Panel with the following information:

- This was an accessible and sustainable site;
- The site would be good for families in the area;
- It is a complicated site and hope to be on site next year;
- Parking had been proposed for at least two cars per household;
- Heritage houses would be priority for the site.

Members were advised that this applicant had also redeveloped Wortley Primary School, photographs were shown. It was also noted that they had redeveloped York Road Library, the Majestic building and were soon to be on site at the White Cloth Hall.

Members had further discussions which included the following points:

- The boundary which was to be saved as part of woodland. Members were supportive of this and were advised that there would be a retaining wall to stop residents extending their gardens into the wooded area;
- Would like to see affordable houses on the site and requested a viability appraisal;
- To consider the layout of parking some Members were in favour of parking to the front of properties;
- Recycling of as much of materials as possible;
- Applicant requested to consider accommodation within the water tower as it was in good condition.

RESOLVED – To note the content of the report and provide feedback on the following questions:

1. Do Members accept the proposed demolition of the Listed Buildings? Members accepted the part of the listed building was to be demolished.
2. Do Members accept the quantum of new build properties and consequent amount of frontage parking within the scheme? Members would be acceptable to the scheme but asked for parking issues to be looked at.
3. Do Members accept the layout which leaves the wooded area along the north-eastern boundary un-development with no public access, to protect its ecological value and promote bio-diversity? Yes
4. Do Members accept the conclusions of the District Valuer?
5. Do Members wish to express any comment at this time if an updated viability statement is submitted for a revised scheme (with fewer new

build properties) should result in a nil or reduced contribution towards affordable housing?

6. Do Members accept the non-provision of the sought after highway and public transport contributions?

It was noted that questions 4 – 6 could not be answered at this time. However, Members made the following comments:-

- Members of the panel were on the whole in favour of the proposal;
- Members accepted the proposed demolition of the Listed Buildings;
- Members accepted the quantum of new build properties and design but had some reservations with regard to frontage parking;
- Members accepted and endorsed the retention of the woodland directly to the North of the site as a bio-diversity area. Members wanted to ensure via a condition or 106 that the area was not subsumed at some later date into the gardens;
- Members remained to be convinced by the submission of a revised viability appraisal (reflecting the housing numbers now proposed), about nil or reduced contributions if a revised viability statement was provided making the case;
- Members requested the clarification on the retention of the tracks as on site the agent did not seem aware they were shown on the plans as he was suggesting they could be moved to the POS.

Councillor Wadsworth left the meeting at 16:35 during discussions on this item.

35 Date and Time of Next Meeting

The next meeting of the South and West Plans Panel will be Thursday 22nd November 2018 at 1:30pm.



Originator:	Ian Cyhanko
Tel:	0113 3787953

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 22nd November 2018

Subject: Application 18/00251/FU - 87 dwellings with associated access and public open space on Land at Snittles Farm, Gelderd Road, Churwell, Leeds

APPLICANT
Berkeley Deveer

DATE VALID
23rd January 2018

TARGET DATE
PPA 30th November 2018

Electoral Wards Affected:

Morley North

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

18/00251/FU - DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

1. Affordable housing – 15% (14 units) on-site in accordance with Core Strategy policy H5.
2. Green Space Maintenance.
3. £20,000 to install 2 new bus stops.
4. Travel Plan Fund of £43, 065.
5. Contribution of £3000 per property towards an improvement scheme on the A6110 Outer Ring Road, particularly the A643 Elland Road / A6110 junction.
6. Local employment initiatives.
7. Travel Plan Monitoring fee.

In the circumstances where the undertaking has not been completed within 3 months the final determination of the application shall be delegated to the Chief Planning Officer

Conditions

1. Time limit – 3 years.
2. Development to be carried out in accordance with approved plans.
3. Wall and roofing materials to be submitted and approved.
4. Vehicle areas laid out prior to occupation.
5. Cycle parking.
6. Details of works comprising site access works at New Village Way and works associated with stopping up of the existing turning area at New Village Way have been submitted to and approved in writing.
7. Details of access control measures for the provision of emergency access only between A62 Gelderd Road and the western boundary of the site shall be submitted and approved.
8. Electric charging points to all properties
9. Maximum drive gradients.
10. Submission and approval of Statement of Construction Management and Practice.
11. Details of Construction loading area
12. No construction or deliveries to be undertaken outside the hours of 08:00 and 18:00 Mondays to Saturdays
13. Construction Environmental Management Plan (CEMP:Biodiversity)
14. Biodiversity Enhancement & Management Plan (BEMP).
15. No works to buildings 3c or 6 unless the LPA has been provided with either: a) The Mitigation Method Statement and licence issued by Natural England authorising the specified activity to go ahead; or b) a statement in writing from an appropriately qualified ecologist to the effect
16. Full Landscaping (including tree, planting, surfacing and boundary treatments).
17. Method statement for protection of retained trees during construction
18. Landscape management plan to cover maintenance of all new landscaping for the first 5 years, and the management of on-site open space and areas of landscaping not within individual plots for the lifetime of the development.
19. Prior to commencement of development a Lighting Design Strategy for Bats shall be produced by an appropriately qualified ecological consultant and submitted to and approved in writing by the LPA.
20. Development not to commence until drainage scheme including calculations are submitted to, and approved.
21. PD rights removed on plots 29-57, 77-87.
22. PD rights removed on garage conversions
23. Soft landscaping areas to the front of all plots to be retained and not surfaced.
24. Details of all boundary details to be submitted and approved in writing
25. Submission of a remediation statement.
26. Amended remediation statement in the event of unexpected contamination.
27. Verification reports following remediation.
29. Duty to submit levels plan for approval, which show the plots 1-15, their rear gardens, and relationship with no's 19-39 Diggall Road.
30. Installation and completion of all acoustic mitigation measures, prior to the 1st occupation of any property.

1.0 INTRODUCTION:

1.1 The application is brought to Plans Panel as it is contrary to policy, with regard to density, housing mix, and some design principles of the adopted SPD 'Neighbourhoods for Living', which regard to spacing between new properties and the extent of frontage parking.

1.2 At the time of the submission of the application, the site was situated within the Farnley and Wortley ward. However following the recent ward boundary changes the site now lies within the Morley North Ward. Both the Farnley and Wortley, and Morley North Ward Members were informed of the application.

2.0 PROPOSAL

2.1 The proposal is for 87 dwellings, which comprise of the following mix. The properties include terraced houses, semi-detached dwellings and detached properties.

No of bedrooms	No of units	Proportion on site
Two	10	11.5%
Three	42	48.3%
Four	35	40.2%

2.2 In accordance with core strategy policy H5, 14 affordable units (15% of the total) are proposed as part of the development, these comprise of four 3-bed properties, and ten 2-bed properties (plots 33-36, 63-67 and 81-84).

2.3 All the proposed properties are 2 storeys in height, and have facing materials of reconstituted stone and render, with grey coloured mock slate roof tiles. The proposal also includes a total of 11,210 sq m on site green space, with landscaping. Access to the development is located at the end of May Avenue, and the proposed new access road crosses over Farnley Wood Beck. The proposal has a single point of access, and an emergency access is proposed via Gelderd Road underneath the M621 motorway.

2.4 The application is supported by the following documents

- Arboricultural Impact Assessment
- Design and Access Statement
- Bat Survey
- Contaminated Land Appraisal
- Planning Statement
- Statement of Community Involvement
- Air Quality Assessment
- Drainage Strategy
- Noise and Vibration Assessment
- Transport Assessment
- Travel Plan
- Noise Assessment
- Transport Assessment

2.5 The application proposes a legal agreement covering the following obligations:

- Affordable housing – 15% (14 units) in accordance with Core Strategy policy H5.
- Local Employment and Training Clause
- Maintenance of on-site Green Space
- £20 000 to provide 2 bus stops at Bus Stop locations 11344 and 11345
- Travel Plan Fund of £43, 065
- Contribution of £3000 per property towards an improvement scheme on the A6110 Outer Ring Road, particularly the A643 Elland Road / A6110 junction.
- Travel Plan Monitoring Fund

3.0 SITE AND SURROUNDINGS:

- 3.1 The site consists of an area of land which has an irregular shape and 4.2 ha in size. It has an average size of 300m x 140m, with associated farm buildings. The site slopes upwards in a south to north direction, with the difference being approximately 20m across the site. The application site consists of a series of outbuildings/ barns which lie to the east of the farm house of Snittles Farm. These buildings vary in form, appearance and condition. There are predominantly single storey and brick built, and are situated at different levels, in a series of 'steps' which follow the slope of the land. The farm house at Snittles Farm is a traditional stone built, double fronted dwelling. Snittles Farm is not a working farm and the outbuildings are redundant farm outbuildings, which appear run-down in their appearance. The applicant (who owns Snittles Farm and other land around the application site) has stated that the farm building or land around it has not been in agricultural use and are redundant for this type of use.
- 3.2 The site lies to the west of the settlement of Churwell and Diggall Road. The site lies between a modern housing development which is situated to the east of the site, and the M621 motorway which lies to the west. The motorway lies in an elevated position to the site at the southern part of the site but becomes increasingly level with the site towards the north. Farnley Wood Beck lies on the southern boundary of the site. Access to the site is through the adjacent modern housing estate which was developed in the early 2000's and is locally known as the 'New Village' estate. This is a modern suburban estate which is made up of semi-detached, detached and terraced properties. The heights of these properties include 2, 3 and 4 storey properties. To the south of the site lies a new housing development of 46 dwellings currently under construction by Persimmon Homes.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 A similar proposal for 109 dwellings was submitted to the LPA for pre-application advice (PREAPP/17/00042). A formal response was issued by the LPA on 11.4.2017. In summary, this response raised no objections to the principle of development, but raised issues with layout, levels, and the requirement to consider noise issues and to provide an acoustic survey.
- 4.2 06/07404/FU- Change of use and extensions of redundant farm buildings to form 7 dwelling houses. Approved 29.8.2007- not implemented.
- 4.3 10/00852/EXT- Extension of time of planning application 06/07404/FU for change of use and extensions of redundant farm buildings to form 7 dwelling houses. Approved 21.4.2010- not implemented.

- 4.4 24/24/95/FU- Change of use of farm building to dwelling.
Approved 21.4.1995
- 4.5 24/92/94/OT - Outline application to erect detached bungalow to agricultural site
Refused 28.9.1994

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The layout of the scheme has been amended twice, since the submission of the application, following Officer concerns on the layout, density, lack of space between plots and dominance/ size and concentrated form of parking areas.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members.

- 6.1 Councillor Leadley has objected to the application on the following grounds.

- The site is a green field site, not brownfield as stated by the applicants
- The site has not been promoted as a Housing site through the Site Allocation process due to noise generated by the adjacent M621 motorway
- Various reports to support the application , appear to be drafts and are incomplete, such as the Air Quality Assessment and Noise Assessment
- Planning Statement refers to 13 and 15 Affordable Housing units, this is a contradiction
- Lack of 5 year housing land supply does not provide justification to allow this proposal
- The single point of access is not acceptable and should be rejected
- Pedestrian access to the buses on Gelderd Road should be upgraded
- Trains services at Cottingley Station and poor and infrequent
- Design should include chimneys to break up the mass of the roofs
- Houses are sited too near the M621 and train line
- Trees near the railway should be retained

- 6.2 Morley Town Council have objected to the application on the following grounds

- Site is too close to the motorway
- Development is only served by one spine road
- Local doctors and schools are over-subscribed

Other public response

- 6.3 To date the application has attracted 58 letters of individual objection. The points made in the objections are highlighted below.

- Loss of green space
- Local services such as schools/ medical centres are full, and cannot cope with additional residents
- Any trees lost, should be replaced
- Local roads are heavily congested and cannot cope with additional traffic
- Adjacent residents are already suffering from the construction of an adjacent site
- Local train services are at capacity

- People who live with New Village, already have to queue to exit the development in the morning, this will worsen an already bad situation
- The proposal is an eye-sore
- Application is premature as Site Allocations process has not concluded
- Risk of flooding from surface water run-off
- Site isn't suitable for housing given proximity to M621
- Future occupiers of the development will experience high levels of noise.
- Loss of wildlife
- Over-shadowing/ loss of privacy on properties on May Avenue
- Loss of view
- Impact on wellbeing of people who live adjacent to the site
- Adjacent beck is likely to be polluted as a result of the development
- Traffic surveys are inaccurate as they were taken when people were at work Spine road within the New Village development already serves 330 properties, allowing further properties to be served of this road is in breach of Leeds City Councils own policies

7.0 CONSULTATION RESPONSES:

Coal Authority

7.1 No objection, the application site does not fall with the defined Development High Risk Area.

Environment Agency

No objection.

Environmental Protection

7.3 All the rear gardens of the proposed properties are under the Significant Observed Adverse Effect Level (SOAEL) of 60 dB, and most properties have rear gardens which are under 55dB. No objections are raised on noise grounds. This issue is appraised in paragraphs 10.10 – 10.13.

Nature Conservation

7.4 No objections. Recommend conditions which relate to Construction Environmental Management Plan (CEMP:Biodiversity) and a Biodiversity Enhancement & Management Plan (BEMP) and Bat mitigation measures.

Travel Wise

7.5 No objections, subject to S106 agreement to secure Travel Plan Review fee of £2,500 and Provision of Residential Travel Plan Fund of £43,065, and conditions to cover cycle parking and electric vehicle charging points.

Air Quality

7.6 No objection to this proposal on the grounds of local air quality. The air quality assessment submitted indicates that the relevant air quality objectives will not be breached either at the development site or elsewhere as a result of the proposed development. The dispersion modelling used in the AQ assessment considers the impact of weather conditions on the dispersion of air pollution, and it may be that the prevailing south-westerly wind means that air quality is better than some may expect at that location given the proximity of the M621. Air Quality monitoring in this locality has ceased as the results were low in four consecutive years 2009- 2012.

Contaminated Land

7.7 No objections, subject to conditions.

Landscaping

7.8 Recommend full landscaping scheme is conditioned on the approval of the application.

Education

7.9 It is estimated that 87 family dwellings (2+ beds) would generate 22 additional primary school age children (3 per year group) and 9 secondary school pupils (2 per year group). Cottingley Primary Academy has recently expanded from 45 to 60 places and although the numbers of children living nearest to the school are set to rise, it is anticipated that this school may have capacity to absorb additional pressure from this development unless the numbers of children in the area or preferencing patterns change over time. Based on a yield of approximately 2 pupils per year group we anticipate that there would be sufficient secondary places available.

Highways

7.10 The proposal is to serve the 87 dwellings off a single point of access by extending New Village Way. This would result in more than 300 dwellings being served off a single access road which is contrary to the SDG and normally a second vehicular access would normally be required for more than 300 dwellings. It is however noted that the road layout pre-dates the SDG. The current spine road width and alignment with a verge would permit up to 700 dwellings based on the SPD were it not for a lack of a second access. One of the main reasons for the 300 limit is that it restricts access in the event of any blockage on the road. There are loops of the spine road which could avoid a blockage. Recommend conditions if minded to approve and a contribution of £3,000 per dwelling should be made towards measures to mitigate that impact on the A6110 Outer Ring Road, particularly the A643 Elland Road / A6110 junction.

West Yorkshire Combined Authority

7.11 It is recommended that the developer contributes towards sustainable travel incentives to encourage the use of public transport and other sustainable travel modes through a sustainable travel fund. The contribution appropriate for this development would be £43,065 for Metro Cards at a 40% discount for future occupiers and £20,000 to install new bus stops at locations 11344 and 11345.

Flood Risk Management

7.12 No objections subject to a condition. The Drainage Strategy shows there should be no run-off additional run-off caused by this proposal. Mains Drainage are requesting a contributions towards resolving flooding issues, within the catchment, in particular at Old Close, which is located approximately 0.5 km downstream of the proposed development.

Yorkshire Water

7.13 No objections subject to conditions.

Public Rights of Way

7.14 There are rights of way through the site. Part of which are required to be diverted, which is acceptable, however the diversion through the Public Open space is not acceptable and should remain unaltered.

The Ramblers Leeds

7.15 The documentation submitted by the applicants shows little understanding of Public Rights of Way. The failure to do this makes it impossible to judge the effect on the rights of way network. *(it is important to note that this response on made on the*

original submission and the layout has been revised since, following the comments made by the Rights of Way officer).

7.16 Local Plans

No objection in principle. The site is not in the green belt and can be brought forward as a windfall site. The Core Strategy allows for such sites to come forward under policy H2, subject to criteria, which are unallocated. (An assessment against Policy H2 is undertaken in para 10.2 of this report). Provides a significant contribution to the Council's housing land supply.

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 The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013 and any made Neighbourhood Plan.

Relevant Policies from the Core Strategy are:

GENERAL POLICY – Presumption in favour of sustainable development

SP1 – Location of development in main urban areas on previously developed land.

H2 – Housing development on non-allocated sites.

H3 – Housing density

H4 – Housing mix

H5 – Affordable housing

H8 – Provision for independent living on schemes of 50+ units

P10 – High quality design.

P12 – Good landscaping.

T2 – Accessibility.

G4 – Greenspace

G8 – Biodiversity improvements.

EN1 – Carbon dioxide reduction in developments of 10 houses or more, or 1000 m² of floor space

EN2 – Achievement of Code Level 4, or BREEAM Excellent (in 2013) for developments of 10 houses or more or 1000 m² of floor space.

EN5 – Managing flood risk.

EN7 – Protection of mineral resources (coal, sand, gravel).

ID2 – Planning obligations and developer contributions.

Relevant Saved Policies from the UDP are:

GP5 – General planning considerations

N23 – Incidental open space around development.

N25 – Landscaping

BD5 – General amenity issues.

LD1 – Landscaping

Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.

MINERALS3 – Surface Coal resources

AIR1 – Major development proposals to incorporate low emission measures.
 WATER1 – Water efficiency, including incorporation of sustainable drainage
 WATER4 – Effect of proposed development on flood risk.
 WATER6 – Provision of Flood Risk Assessment.
 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.

Draft Site Allocations Plan

8.3 Leeds' draft Site Allocations Plan (SAP) Hearings were held in October 2017 and July August 2018. Subsequently Inspectors have confirmed the SAP should be modified by deletion of some sites previously intended to be removed from Green Belt. A list of main modifications to the plan to address this has been prepared and will be submitted to Inspectors imminently. It is only when the Council receives the Inspectors comments on these modifications that the Plan can be given more weight. At this time however, the weight that can be given to it remains limited at this stage.

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 National Planning Policy Framework (NPPF), was updated in July 2018. 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 163	Planning decisions should not increase flood risk
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

Nationally Described Space Standards

- 8.7 This document sets a nationally-defined internal space standard for new dwellings. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in its local plan to the nationally described space standard. With this in mind the city council is in the process of gathering evidence in relation to the adoption of the national standard as part of a future local plan review. The housing standards are a material consideration in dealing with planning applications. At the time of writing this process is at a relatively advanced stage in Leeds, and therefore can be given some weight in the consideration of this application.

9.0 MAIN ISSUES

1. Principle of development
2. Space standards
3. Noise Issues
4. Air Quality
5. Design, Layout and Appearance
6. Impact on Adjacent Occupiers
7. Highway
8. Greenspace
9. Landscaping
10. Education and GP provision
11. Drainage
12. Planning obligations and legal agreement
13. CIL
14. Other issues

10.0 APPRAISAL

Principle of development

- 10.1 The NPPF advises that LPAs should identify and update annually a supply of specific deliverable sites to provide five years' worth of housing supply against their housing requirements. Deliverable sites should be available now, be in a suitable location and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. The Council does not currently have a five year land supply and it is unlikely it will have one until the adoption of the SAP. The lack of the 5 year supply means that significant weight should be afforded to the delivery of new housing to delivered on sites which are not-allocated for housing.
- 10.2 The site is unallocated within the Leeds UDP, and is not situated in the Green Belt. The Council's plans policy officers do not objected to the principle of development stating that the site relates to the existing housing estate, and is located close to a train station which would make it a suitable housing site, and have raised no objections to the principle of development. Policy H2 allows for housing on windfall sites such as this, which lie outside of the Green Belt.

- 10.3 Spatial Policy 6 of the Core Strategy relates to the City's Housing Requirement and the allocation of housing land. It confirms that the provision of 70,000 (net) new dwellings will be accommodated between 2012 and 2028 with a target that at least 3,660 per year should be delivered from 2012/13 to the end of 2016/17. Guided by the Settlement Hierarchy, Spatial Policy 6 confirms that the Council will identify 66,000 dwellings (gross) to achieve the distribution in tables H2 and H3 in Spatial Policy 7 using the following considerations, Sustainable locations, Preference for brownfield and regeneration sites, the least impact on Green Belt purposes, opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes, the need for realistic lead-in-times and build-out-rates for housing construction, the least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation, and Generally avoiding or mitigating areas of flood risk.
- 10.4 In response to these considerations, it is considered that the proposal is located in a sustainable location, as an extension to a main urban area, which is already served by local amenities and public transport. Spatial Policy 6 does express a preference for brownfield and regeneration sites and it is accepted that this site is Greenfield and it is not a regeneration site. However, it is accepted that neither application of Policy SP1 above, and neither Spatial Policy 6 nor the NPPF preclude the development of Greenfield sites. Moreover, the site is not within the Green Belt and so that there is no impact in this respect. With regard to design (iv), this is assessed fully in the report below but the scheme is now considered to reinforce the character of the adjacent neighbourhood. In terms of construction (v) the applicant has advised that should the site secure planning permission, they would look to start on site in early 2019 weeks after pre-commencement conditions were discharged, (assuming approval at this Panel). The impacts with regard to nature conservation (vi) and flood risk (vii) have been fully considered and are addressed in the report at paras 10.34 and 10.39, but none of these issues are considered to preclude development in accordance with Spatial Policy 6.
- 10.5 Policy H3 of the Core Strategy recommends a density of 35 dwellings per hectare. This scheme provides a density of 20.7 units per hectare. Given the proximity to the M621 motorway and the need to leave an area of land undeveloped to provide a noise buffer, it is not considered a higher density could be achieved on this site. Issues relating to spacing and layout are discussed later in this report. The proposal also delivers a mix of housing (2- 4 bed accommodation) which meets the objectives of policy H4 (which is concerned with Housing Mix). It is noted that that the proposal only has ten 2-bed properties, which equates to 11.5% which is below the minimum of 20% as stated in policy H4. The developers have cited the reasoning behind this is that they found over recent years since the introduction of the Government 'Help to Buy scheme' there has been a clear shift from the popularity of 2 bedroom homes to 3 bedroom homes, as customers are taking advantage of the reduced loan to value borrowing, of the Help to Buy Scheme and using this to reach for a 3 bedroom homes instead of 2 bedroom. This avoids future house moves (and expense) for young families. It is not considered the application could be refused solely due to the low percentage proposed of 2 bed properties.
- 10.6 There is no concern with regard to the loss of the existing farm buildings and their functions. The farming use of the site has ceased and most buildings upon the site are of a functional design are unremarkable in their appearance. Although the farm house and some stone adjacent barns are attractive structures, it is not considered their demolition could be resisted. The property is not listed and not within a Conservation Area. The farm house is fairly typical of building of this age and it not unique within Leeds.

10.7 It is considered that the principle of this proposal accords with the Core Strategy policies on new housing (as stated by paragraph 59 of the NPPF) subject to an assessment against all normal development control considerations. Housing regeneration and growth is a key priority for Leeds; it is a breakthrough project in the Best Council Plan. The main issue with regard to this application is the need to provide an adequate level of noise mitigation within the site for the future occupiers of the development and whilst ensuring the layout is of a good design. The proposal will contribute towards the housing delivery of 70000 new homes as required by policy SP6 of the adopted Core Strategy and contribute towards Leeds City Council's five year housing land supply. It is also considered that the tilted balance in NPPF para 11 (d) applies, in that due to the lack of a 5 year housing land supply, such that at d (ii) "any adverse impacts must *significantly and demonstrably* outweigh the benefits" (which include provision of additional housing).

Space Standards

10.8 In terms of the Nationally Described Space Standards, the table below provides a breakdown of the property types with a comparison between the proposed floor areas and the NDSS recommendations:

House Type	No. of units	% of units	Type of property	Proposed floor area (m ²)	NDSS (m ²)	Difference (m ²)
A6	10	11.5	2 bed 2 storey	68.8	70	-1.2
A7	4	4.6	3 bed 2 storey	89.7	84	+5.7
N1	16	18.4	4 bed 2 storey	123.6	97	+26.6
T4	6	6.9	4 bed 2 storey	124.4	97	+27.4
T7	32	36.8	3 bed 2 storey	93	84	+9
T10	6	6.9	3 bed 2 storey	89.7	84	+5.7
T11	13	14.9	4 bed 2 storey	116.5	97	+19.5

Table 2: House types and floor areas compared to NDSS

10.9 6 out of the 7 properties types exceed the minimum spacing standards. The only house type which fails on the spacing standard is the A6 house type, which has a short-fall of 1.2 sq m. Given the fact the spacing standards are not yet adopted planning policy, and the shortfall equates is only on 11.5% of the total number of units, and is only 1.2 sq m, it is on balance, considered that the proposed dwellings are acceptable and would offer an adequate level of amenity to the future occupiers and does not constitute grounds to refuse the application.

Noise Issues

10.10 The BS 8233:2014 Guidance on sound insulation and noise reduction for buildings, offers advice on acceptable noise levels. This legislation is technical advice and not adopted as planning policy. With regard to noise in private external amenity areas, Section 7.7.3.2 within BS 8233 specifies that it "is desirable that the external noise

level does not exceed 50 dBLAeq,T with an upper guideline value of 55 dBLAeq, which would be acceptable in noisier environments”. However, BS8233 recognises that these guidelines values “are not achievable in all circumstances where development may be desirable.

10.11 In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited”. Significant Observed Adverse Effect Level (SOAEL), which is defined as the level *which significant adverse effects on health and quality of life occur*, is set at 60 dBLAeq.

10.12 The site is located adjacent to the M621 motorway which lies to the west of the site. The proposed properties located nearest to the M621 are Plots 29-40, 57- 67 and 77-87. The nearest property is plot 67 and this is located 36m away. The other plots located on the western boundary on the site are on average located 50m away from the M621. The applicants have arranged the layout of the site, to site the properties close together towards the western boundary with the M621 to provide a ‘built physical barrier’ to create a noise barrier. This results in a lower maximum dB in most rear gardens, and decreases the number of properties whose noise levels are over 55dB. Measures which are proposed to reduce the noise levels include

- A 3m high barrier/bund adjacent to the M621 at the northern end of the site.
- 1.8m high acoustic barriers around the perimeters of gardens.
- 3m high barriers around gardens where additional noise reductions are required.

10.13 However, the noise levels exceed 55dB on 10 plots (Plots 27, 28, 29, 30, 59, 63, 64, 65, 71 and 81) the noise levels within all gardens are predicted to fall below the Significant Observed Adverse Effect Level (SOAEL) of 60 dBLAeq. The exact noise levels are illustrated in the table below.

Plot Number	Noise level dB	Comment and Noise Mitigation Measures
27	55.5	The small exceedance of between 0.5 to 1.4 dB is due to sound from the M621 flanking the bund via the railway line.
28	56.4	
29	55.8	
30	55.8	
59	57.2	The 3m high acoustic fence on the perimeter of this plot has provided a significant reduction to 57.2 dB.
63	56.2	These plots have a 0.5 to 1.2 dB exceedance of the noise target and are protected by the 3m barrier at plot 71.
64	55.5	
65	56.2	
71	56.3	The 3m high acoustic fence on the perimeter of this plot has provided a significant reduction.
81	55.9	The 3m high acoustic fence on the perimeter of this plot has provided a significant reduction.

10.14 On balance, it is considered that the noise levels within the site for the future occupiers would be considered acceptable. Environmental Health Officers have raised no

objections to the proposal on this basis. Other recent developments within Leeds such as the Strata development at Colton, and a Persimmon scheme at May Avenue and Robin Hood have a similar relationship and distance to the motorway. The future occupiers of the development would know the environment of the site, its surroundings, and would make their own judgement, prior to purchase as to whether the development provided them with an adequate level of noise and general amenity.

Air Quality

- 10.15 The application has been supported by an Air Quality Assessment (dated January 2018). Dispersion modelling was undertaken in order to predict Nitrogen Dioxide (NO₂) and Particulate matter with an aerodynamic diameter of less than 10µm (PM₁₀), concentrations across the proposed site as a result of traffic exhaust emissions from the local highway network. Results were subsequently verified using local monitoring results obtained from Leeds City Council. Exceedances of the annual mean Air Quality Objectives for NO₂ and PM₁₀ were not predicted at any location across the development (assuming the development is completed in 2022). Modelling was also done for the construction period. As such, the site is considered suitable for residential usage in regards to air quality and mitigation measures are not required to protect future users from elevated pollution levels.
- 10.16 It is considered that due to the prevailing south-westerly wind air quality is better than may be predicted at this location, given the proximity of the M621. Leeds City Council's own monitoring and modelling processes under the Local Air Quality Management regime have not flagged up any air quality concerns in this vicinity, including at the existing residential area a short distance away to the south-west, which is also in close proximity to the M621. Air monitoring has been carried out at 66 Cottingley Drive, which is one of the closest properties to the M621 at approximately 50m away, for four years from 2009 through to 2012. All the annual mean results were below the 40ug.m⁻³ objective contained in the UK Air Quality Regulations. The results at this location were 33, 38, 31 and 31ug.m⁻³ for 2009 to 2012 respectively. Air Monitoring at this location ceased at there was no likelihood of the UK Air Quality Regulations being breached.

Design, Layout and Appearance

- 10.17 The design of the proposed scheme has been devised to ensure noise levels within the site are minimised, and the majority of the rear gardens of the properties are within the BS upper limit of 55dB, to give the future occupiers of the development an adequate standard of amenity within their rear gardens. In order to achieve this, it means the properties located closest to the M621 motorway, are spaced very close together in tight clusters, and mainly in terraced blocks. This arrangement does create frontage parking as a consequence. However there is clear reasoning for this approach, which was accepted on the adjacent Persimmon scheme, which is now under construction on site. These frontages are broken up by areas of soft landscaping to avoid a hard sterilised, car dominated environment, where possible. A duty to retain these area of soft landscaping will be conditioned on the approval of the application.
- 10.18 The properties within the site, which are located away from the western end of the site nearest to the M621 are located within increasingly spacious plots with a greater degree of separation between the house types. The dense form of development only exists towards the boundary with the M621 motorway. It is considered the spacing of these properties meets with the minimum guidance and design advice of the adopted SPG 'Neighbourhoods for Living' with regard to layout, spacing and garden areas.

Most of the properties have gardens areas which exceed the 2/3 gross floor space rule of the internal accommodation. The property types which fails on this guidance are a few of the A6 type (5), as these are narrower frontages in terraced blocks.

- 10.19 The proposed properties consist of 7 standard house types, which vary in the design, and include detailing such as bay windows, gable canopies to some entrance doors, and art stone heads and cills. The design is considered to be influenced by arts and craft architecture. The facing materials include reconstituted stone and render, with grey mock slate roof tiles. The site is not considered to be located in a sensitive location; it is located at the end of Churwell New Village estate, which comprises of modern properties which were built in the early 2000's, and is not located within an existing townscape, or an in-fill site within an existing street scene. The proposal essentially seeks to extend an existing suburban housing development, towards the motorway, which acts as a definite boundary to contain this settlement.
- 10.20 The existing properties on the New Village estate vary in style, design and height from 2 to 4 storeys, and include both red and buff brick, and reconstituted stone. All of the proposed properties are 2 storeys in height. The nearest properties located on Digpal Road consists of both 2 and 3 storeys houses. The layout has been amended to have house types grouped together to provide a degree of constituency and patterning throughout the site. It is considered that the development generally respects the appearance and character of the development it will adjoin, and the proposal complies with policy P10 of the adopted Core Strategy.

Impact on Adjacent Occupiers

- 10.21 The properties located at odd numbers 19-39 Digpal Road have their rear gardens boarding onto the eastern boundary of the site. These properties are located between 22.3m (at no 19 Digpal Road on a rear to side relationship to Plot 1) and 33m between plot 7 and 27 Digpal Road (rear to rear relationship). All of the distances to the properties on Digpal Road exceed the guidance of the adopted SPG Neighbourhoods for Living, which recommends a minimum distance of 18m between the rear elevations of properties.
- 10.22 It is considered that the house types have been carefully designed in relation to their position within the site in view of land levels and the relationship with the properties located on Digpal Road. The application is supported by sectional drawings showing streets scenes and land levels. It is not considered the proposed development would appear overly dominant or appear overly elevated, when viewed from the existing properties at Digpal Road. In some instances the properties at Digpal Road, such as no 19, are located at a higher land level than the nearest new build property proposed on this site (Plot 1) which is located opposite. Most level changes from Digpal Road, mean the new build properties are located approximately 1m higher, over a distance of approximately 20m away, from the existing properties at 19-39 Digpal Road.
- 10.23 These properties at numbers 19-39 Digpal Road are separated from the site by close boarded fencing. Most of these properties have dense vegetation and trees within their gardens which provide a buffer from the site. The proposal layout has been devised so rear gardens of the new properties are located adjacent to these existing boundaries. As stated above, although sectional drawings have been submitted, they do not include the garden levels for each plot which backs onto the existing properties on Digpal Road. In order to ensure these gardens are not raised, with retaining walls being constructed along the rear boundaries of the properties on Digpal Road, a full level plans for each plot which lies adjacent to Digpal Road will be conditioned on the

approval (if granted). It is considered the land levels (rear gardens of Plots 1- 15) adjacent to Diggal Road should remain unaltered.

- 10.24 Although these properties will lose their view of green fields, this is not a material planning consideration. Due to the distances involved, it is not considered the occupiers of the properties located on the western side of Diggal Road would be over-shadowed by the development or be over-looked by the properties proposed. It is also not considered the traffic generation caused by 87 new dwellings through the New Village estate would have a demonstrable detrimental impact on the living conditions of the occupiers who presently reside there. The submitted Transport Assessment states that the trip generation would be a total of 65 vehicle movements in the AM peak and 63 vehicle movements on the PM peak.
- 10.25 It is recommended that Permitted Development rights are removed on Plots 29-57, 77-87 as the test within the NPPF is satisfied. These properties are the ones located closest to the M621 which are located in the tightest arrangements and any extensions under PD could cause issues on adjacent occupiers with regard to over-shadowing and dominance and lead to the over-development of the site.

Highways

- 10.26 The 2009 Street Design Guide SPD (SDG) states that a 6m wide Connector Street with a verge or hard margin should be provided when serving more than 300 dwellings. This proposal would lead to circa 400 dwellings if the proposed development were to be approved, which is contrary to the Street Design Guide SPD, and this is noted. Highways would also prefer to see a second access, however it is clear that there is no deliverable additional access to serve the site. It is considered there are no capacity issues at the Old Road/A643 Elland Road/ Little Lane and Old Road/A643 Elland Road junctions as a consequence of a single point of access. As stated in paragraph 10.24 it is anticipated the proposal would generate circa 100 vehicle movements at the AM and PM periods. Highways consider that in view of the apparent lack of a deliverable additional access (which is desirable), in the absence of safety concerns arising from the proposed development it would be difficult to sustain a highway objection on those grounds
- 10.27 A second vehicular access would normally be required for more than 300 dwellings. It is however, noted that the road layout pre-dates the SDG. The current spine road width and alignment with a verge would permit up to 700 dwellings based on the SPD were it not for a lack of a second access. One of the main reasons for the 300 limit is that it restricts access in the event of any blockage on the road. At this location, the existing development has loops off the spine road that would allow traffic to bypass around a blockage. An emergency means of access is also proposed along an existing access route that runs from the western boundary of the site via the M621 underpass and on to Gelderd Road. It is recommended for a condition to be imposed requiring details of access control measures for the provision of emergency access only between A62 Gelderd Road and the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. West Yorkshire Fire & Rescue Service has provided guidance on access for fire appliances and noted that if the access control requirements are met and the access widths comply they have no adverse comments to the proposed use of the existing access route via the M621 underpass as a secondary emergency only access
- 10.28 Highways have also stated the development will cause a cumulative impact on the congested length of the A6110 Outer Ring Road, particularly the A643 Elland Road / A6110 junction. To mitigate this impact a contribution will be required towards an

improvement scheme at the junction taking into account the cumulative impact of other allocated sites, including Lane Side Farm, Churwell. A contribution of £3,000 per dwelling should be made towards measures to mitigate that impact. This accords with the Core Strategy Planning Obligations and the Community Infrastructure Levy section where 6.30 states “Developer contributions will also be expected to take a role in the funding and delivery of any required new infrastructure as a result of the cumulative impact of the high level of growth proposed for Leeds. Therefore, planning obligations will be used to secure matters including education provision, green space and public realm, **and transport provision such as highway improvements**, cycle routes, and public transport improvements. The applicants have agreed to make this contribution and it will be secured through a S106 agreement. It is considered appropriate to ask for this as in comparison with the adjacent scheme 16/03676/FU (which is now on site) this scheme is of a scale to require a transport assessment, the junction analysis contained therein showed an unacceptable impact on the A643/A6110 junction that can realistically only be mitigated by contributing to a major improvement scheme.

- 10.29 It is noted that the proposal doesn't meet with all the accessibility standards, as set out in Table 2 of Appendix 2 of the adopted Core Strategy (Policy T2). The nearest bus stops to the site are located on Cottingley Drive at a walking distance of approximately 300m, which is within the recommended walking distance to a bus stop, but is via the proposed footpath link and relies on use of the railway footbridge so is not accessible to all. There are other bus stops at A62 Gelderd Road and A643 Elland Road located circa 500m and 800m from the site respectively. Bus services on Cottingley Drive offer a service frequency of 2 buses per hour similarly that service at A62 Gelderd Road is 2 buses per hour. The bus service at A643 Elland Road is more frequent with 8 services an hour. The site is located at a distance of 220m via the footpath link from Cottingley rail station, which is within the recommended walking distance of 800m to a rail station.
- 10.30 The site is located within the preferred maximum walking distance to a primary school. Cottingley Primary School is via footbridge 1600m away, which is 20 minutes' walk and Churwell Primary is 1800m away, only an extra 2.5 minutes. The distance between the site and the nearest secondary school is outside the preferred maximum walking distance to education. The Core Strategy accessibility standards are not met in regards to location of the site to secondary education. On balance it is considered that accessibility is not so poor as to offer a reason to refuse the application alone, particularly when this was not raised as an issue in relation to application 16/03676/FU for the 2016 Persimmon consent on the adjacent site.
- 10.31 Highways officers have raised no objection to the level of parking within the development, it is considered this level of parking is appropriate for suburban dwellings of this size, within this location. A condition to remove PD rights will be recommended to ensure these garages are not converted into additional residential accommodation.

Greenspace

- 10.32 The proposed layout includes on-site Green Space, resulting in a total of 11,210 sqm. Following the advice of Policy G4 of the adopted Core Strategy which states on-site provision should equate to 80 sq m per unit, the scheme should deliver 6,960 sq m of green space. The proposal equates to provision at 161%, however it is not considered that all of the on-site green space would be useable to its proximity to the adjacent M621 motorway. It is however considered that the area which is not useable green space is less than 61% of the provision and therefore the proposal does comply with the policy guidance of G4.

Landscaping

- 10.33 The site offers a large area for open green space and landscaping. The application is supported by a Landscaping Strategy, which shows the extent of tree planting. This shows mature trees planting along the western boundary of the site, and proposed bund (adjacent to the M621 motorway). This also shows the retention of the tree belt to the northern boundary, which it lies adjacent to the train line. The amount of trees on site would increase through this proposal and this strategy shows also tree planting within the front and rear gardens of the plots, and the Public Open Space located to the south-west of the site. A full landscaping scheme will be conditioned on the approval of the application. It is considered that a full programme of planting would enhance the quality of the development, as well as providing an element of relief, both visual and in terms of noise, from the adjacent motorway.
- 10.34 The Nature Conservation officer has recommended several conditions which will be imposed if Members are minded to approve the application. These include conditions to ensure the new bridge crossing is of design which keeps the watercourse in its natural bed and banksides using an open span approach. These are locally valuable ecological features which need to be protected and enhanced through conditions which relate to a Construction Environmental Management Plan and Biodiversity Enhancement Management Plan. Conditions are also proposed which relate to bats and lighting.

Education and GP provision

- 10.35 Concerns have been raised regarding the implications of the proposed development for education provision. Colleagues in Education have stated that they estimate that 87 family dwellings (2+ beds) would generate 22 additional primary school age children and 9 secondary school pupils. This would equate to approximately 3 pupils per year group in primary and 2 per year group in secondary.
- 10.36 There are two schools within the vicinity of the proposed development, Churwell Primary School and Cottingley Primary Academy are both located approximately 1.2 miles away of the application site. Churwell Primary is consistently oversubscribed and is projected to be close to capacity for the foreseeable future. Cottingley Primary Academy is located at the other side of the railway line from the development and although there appears to be a railway crossing bridge, this would need to be assessed in relation to a safe walking route from the proposed development to this school. Cottingley Primary Academy has recently expanded from 45 to 60 places and although the numbers of children living nearest to the school are set to rise it is anticipated that this school may have capacity to absorb additional pressure from this development unless the numbers of children in the area or preferencing patterns change over time.
- 10.37 There are a number of secondary schools (Bruntcliffe Academy, The Morley Academy, Cockburn Academy and Cockburn John Charles Academy) which are all within a reasonable distance of this proposed development. Based on a yield of approximately 2 pupils per year group we anticipate that there would be sufficient secondary places available. The development attracts liability for Community Infrastructure Levy contribution and this will allow for funds to be available towards infrastructure which includes both primary and secondary education provision, to meet the demands of a growing population.

- 10.38 Concerns have also been raised about the capacity of GP surgeries in the area and the potential implications of the proposed development in this respect, and the Public Health section and the NHS Clinical Commissioning Group (CCG) for the area have been contacted in this respect. The CCG have stated that the nearest GP practice, Cottingley Surgery (which is now a branch of Bramley Village Health and Wellbeing Centre). The other practice in Churwell also has an open list as do all of the local practices in Morley. The CCG also have stated that it is likely that a percentage of the future occupiers of the development would be local people moving up the housing ladder who are already registered with a practice locally. However, planning cannot influence the capacity of GP surgeries as they are operated as businesses and open in response to demand in the area.

Drainage

- 10.39 Colleagues in the Main Drainage team within the Council have raised no objections to the proposal, the proposals for surface water discharge and attenuation storage which are consistent with the council's Minimum Development Control Standards for Flood Risk. The general proposals for the new access bridge over Farnley Wood Beck as indicated in the Outline Update to Farnley Wood Beck and Assessment of the New Bridge Crossing is also acceptable in principle. A condition is recommended which places a duty for a drainage scheme (i.e. drainage drawings including, summary calculations and investigations) detailing the surface water drainage works as well as arrangements for its future maintenance
- 10.40 The Flood Risk Assessment acknowledges that there are significant problems with flooding within the catchment, in particular at Old Close, which is located approximately 0.5 km downstream of the proposed development. This issue is existing and is not a consequence of the development. As such officers cannot request a financial contribution through a S106 agreement to part fund improvements at Old Close.

Planning obligations and legal agreement

- 10.41 The following planning obligations are required to make the application acceptable in policy terms and these will be secured via a s.106 agreement:
- Affordable housing – 15% (14 units) on-site. Plots 30-32 and 36-39.
 - £20 000 for two new bus shelters.
 - Local employment.
 - Maintenance of on-site green space
 - Travel Plan Monitoring fee
 - Travel Plan Fund of £43, 065
 - Contribution of £3000 per property towards an improvement scheme on the A6110 Outer Ring Road, particularly the A643 Elland Road / A6110 junction.
- 10.42 The obligations above have been identified and, in the case of contributions, calculated in accordance with development plan policies and supporting guidance, and as such are considered to meet the statutory tests for planning obligations in that they are:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development;
 - Fairly and reasonably related in scale and kind to the development.

CIL

- 10.43 The site is within CIL zone 2a (£45/m²). Based on the floor space currently proposed and discounting the affordable units, which would be eligible for CIL relief (subject to the submission of the appropriate documentation), the CIL liability for the development would be £291.654.42

Other issues

- 10.44 Many of the objections have raised matters which are not material planning considerations. These include loss of a view, impact on property prices, and the potential behaviour of the developers with regard to construction and causing pollution. Other issues raised by the objections are covered in this report.

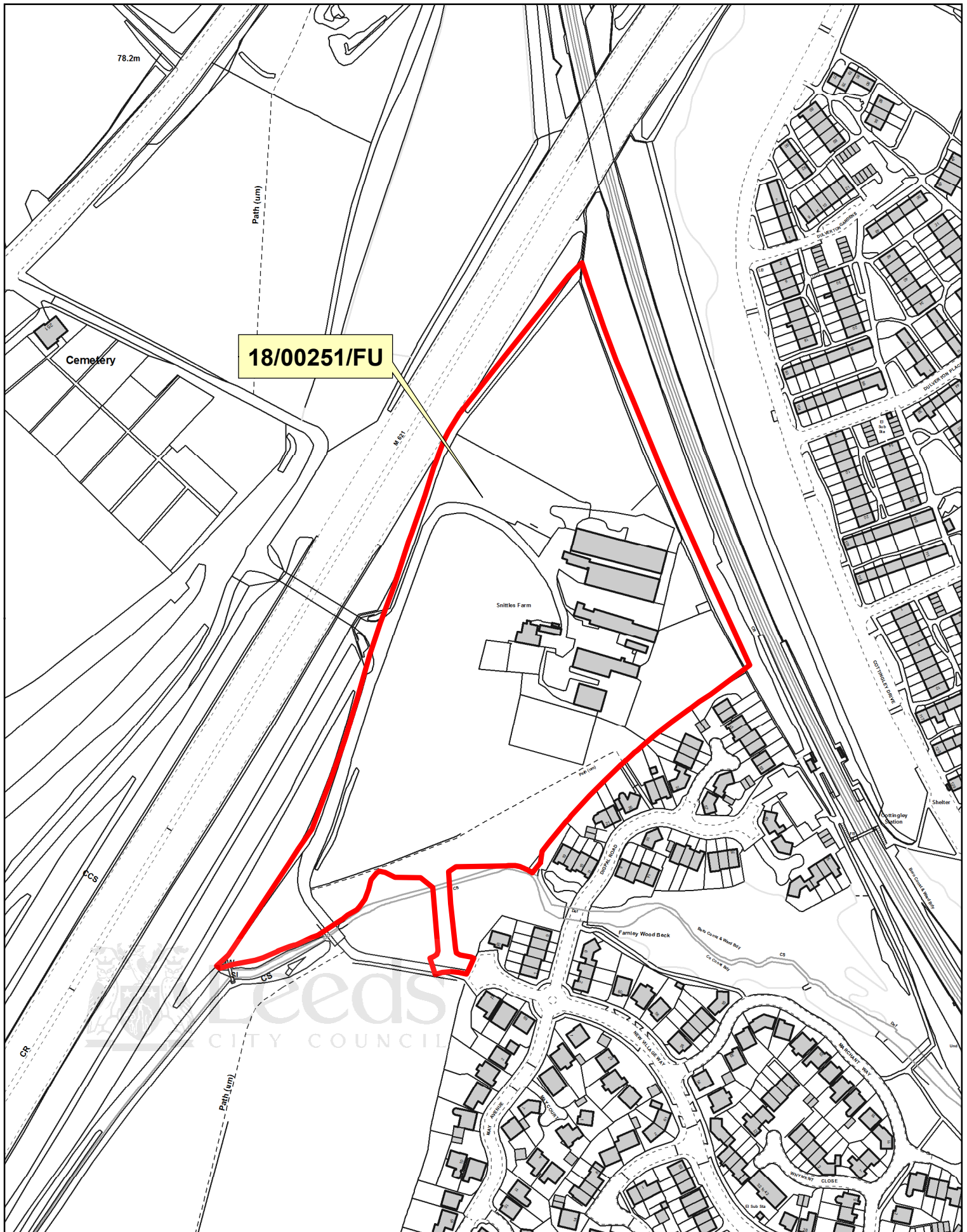
11.0 CONCLUSION

- 11.1 The application site presents challenges due to its proximity to the M621 motorway and the levels changes. However, it is considered that on balance the proposed scheme represents an acceptable solution, in terms of its layout and design to offer protection from this noise source to its future occupiers, although it has areas in terms of spacing/ design which are comprised. The scheme offers generous areas of landscaping and greenspace and is adequately spaced away from the existing properties on Digpal Road, to ensure the proposal would not have a significant impact on the occupiers of these existing properties. It is not considered the proposal would pose a risk to highway safety.
- 11.2 The schemes offer other benefits, it provides new housing which will contribute towards the requirements of housing delivery of 70000 new homes as required by policy SP6 of the adopted Core Strategy, offer full affordable housing contribution and green space provision. It is considered these benefits; outweigh any harm caused by the development and that conversely the tilted balance in NPPF para 11 (d) ,is complied with in that due to the lack of a 5 year housing land supply , such that at d (ii) “any adverse impacts are not considered to *significantly and demonstrably* outweigh the benefits” (which includes provision of additional housing) .

On balance, it is therefore recommended that this application - is approved, subject to the suggested conditions and completion of a legal agreement to cover the obligations discussed above.

Background Papers

Application Files: 18/00251/FU




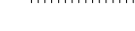









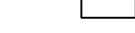




SOUTH AND WEST PLANS PANEL



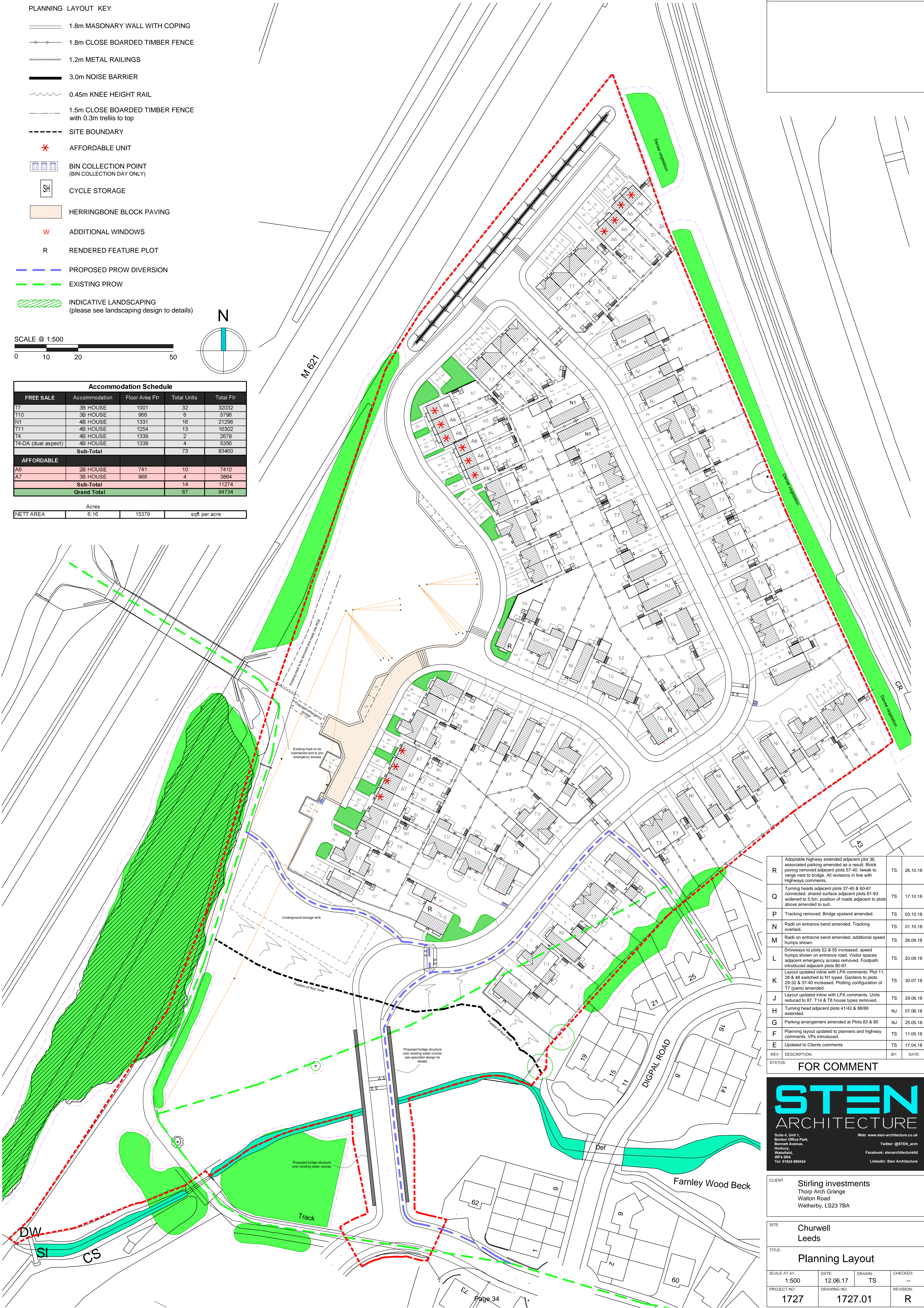
Notes:

PLANNING LAYOUT KEY:

-  1.8m MASONRY WALL WITH COPING
-  1.8m CLOSE BOARDED TIMBER FENCE
-  1.2m METAL RAILINGS
-  3.0m NOISE BARRIER
-  0.45m KNEE HEIGHT RAIL
-  1.5m CLOSE BOARDED TIMBER FENCE with 0.3m trellis to top
-  SITE BOUNDARY
-  AFFORDABLE UNIT
-  BIN COLLECTION POINT (BIN COLLECTION DAY ONLY)
-  CYCLE STORAGE
-  HERRINGBONE BLOCK PAVING
-  ADDITIONAL WINDOWS
-  RENDERED FEATURE PLOT
-  PROPOSED PROWL DIVERSION
-  EXISTING PROWL
-  INDICATIVE LANDSCAPING (please see landscaping design to details)



Accommodation Schedule				
FREE SALE	Accommodation	Floor Area Ft²	Total Units	Total Ft²
T7	3B HOUSE	1001	32	32032
T10	3B HOUSE	966	6	5796
N1	4B HOUSE	1331	16	21296
T11	4B HOUSE	1254	13	16302
T4	4B HOUSE	1339	2	2678
T4-DA (dual aspect)	4B HOUSE	1339	4	5356
Sub-Total			73	83460
AFFORDABLE				
A6	2B HOUSE	741	10	7410
A7	3B HOUSE	966	4	3864
Sub-Total			14	11274
Grand Total			87	94734
Acres				
NETT AREA	6.16	15379	sqft per acre	



R	Adoptable highway extended adjacent plot 36, associated parking amended as a result. Block paving removed adjacent plots 57-60, tweak to verge next to bridge. All revisions in line with Highways comments.	TS	26.10.18
Q	Turning heads adjacent plots 37-40 & 60-61 connected, shared surface adjacent plots 81-83 widened to 5.5m, position of roads adjacent to plots above amended to suit.	TS	17.10.18
P	Tracking removed. Bridge upstand amended.	TS	03.10.18
N	Radii on entrance bend amended. Tracking overlaid.	TS	01.10.18
M	Radii on entrance bend amended, additional speed humps shown.	TS	26.09.18
L	Driveways to plots 52 & 55 increased, speed humps shown on entrance road. Visitor spaces adjacent emergency access removed. Footpath introduced adjacent plots 80-87.	TS	20.09.18
K	Layout updated inline with LPA comments. Plot 11, 28 & 49 switched to N1 types. Gardens to plots 29-32 & 37-40 increased. Plotting configuration of T7 (pairs) amended.	TS	30.07.18
J	Layout updated inline with LPA comments. Units reduced to 87. T14 & T8 house types removed.	TS	29.06.18
H	Turning head adjacent plots 41/42 & 88/89 extended.	NJ	07.06.18
G	Parking arrangement amended at Plots 83 & 85	NJ	25.05.18
F	Planning layout updated to planners and highway comments. VPs introduced.	TS	11.05.18
E	Updated to Clients comments	TS	17.04.18
REV:	DESCRIPTION:	BY:	DATE:
STATUS: FOR COMMENT			

STEN ARCHITECTURE

Suite 4, Unit 1, Benton Office Park, Bennett Avenue, Horbury, Wakefield, WF4 6RA
Tel: 01924 669424

Web: www.sten-architecture.co.uk
Twitter: @STEN_arch
Facebook: stenarchitectureltd
LinkedIn: Sten Architecture

CLIENT: Stirling investments
Thorp Arch Grange
Walton Road
Wetherby, LS23 7BA

SITE: Churwell
Leeds

TITLE: Planning Layout

SCALE AT A1:	DATE:	DRAWN:	CHECKED:
1:500	12.06.17	TS	--
PROJECT NO:	DRAWING NO:	REVISION:	
1727	1727.01	R	



Originator:	S.Littlejohn
Tel:	0113 378 8885

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 22nd November 2018

Subject: 17/06830/FU – Development of a 49.99mw Battery Energy Storage System (BESS) comprising 25 containers, transformers, sub-stations, cabling and other ancillary apparatus and enclosure at land adjacent to 4 Redcote Lane, Armley, Leeds LS4 2AL.

APPLICANT	DATE VALID	TARGET DATE
CJ Energy Ltd	05 th April 2018	29th November 2018

Electoral Wards Affected:	
ARMLEY	
<input type="checkbox"/>	Ward Members consulted (referred to in report)
<input type="checkbox"/>	Yes

Specific Implications For:	
Equality and Diversity	<input type="checkbox"/>
Community Cohesion	<input type="checkbox"/>
Narrowing the Gap	<input type="checkbox"/>

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. In accordance with approved plans
2. Begun within 3 years
3. Cabling underground
4. Construction management plan
5. Soft landscape provision
6. Retention of existing vegetation
7. Surface water drainage
8. Phase 1 contaminated land
9. Facing materials to be approved
10. Lighting to be approved
11. Noise scheme - plant and machinery
12. Specified activity and delivery hours
13. Carried out in accordance with Flood Risk Assessment
14. Finished floor level details
15. Flood emergency action plan to be agreed

16. Vehicles areas to be made up and drained
17. Contaminated land remediation measures
18. Remediation verification
19. Imported soils
20. Use of buildings
21. Final Restoration

1.0 INTRODUCTION

- 1.1 Councillor Alison Lowe has requested this planning application be referred to Plans Panel for determination as she has concerns about the proposal's negative effect on health, connectivity and a green corridor, which gives rise to concerns affecting more than neighbouring properties.

2.0 PROPOSAL

- 2.1 The proposal comprises the change of use of the application site from caravan storage (B8) to energy storage (Sui Generis). With that, the proposal also includes the siting of 25 battery storage containers on the land, together with 4 substation cabins, open transformer plant, feeder substation building, substation annex, cabling and fencing across two compounds, and an access from for construction and maintenance. Access to the application site would be from Redcote Lane to the east and Wyther Lane to the west.
- 2.2 The application site would be split into two distinct areas. The area to the north-west would contain a substantial substation building along with a plant compound while the area to the south-east would comprise the storage of battery containers, with 4 additional container-sized sub-stations. It is anticipated that the use will have a lifespan of around 25 years.

3.0 SITE AND SURROUNDINGS

- 3.1 The application site (minus access road/s) occupies approximately 0.48ha over two areas, both of approximately 0.24ha. The site forms part of a permitted caravan storage site, screened by trees on the boundaries. The site falls within the wider Kirkstall Valley Area which is allocated Open Space within the UDP.
- 3.2 To the north-west of the site is an electricity substation, operated by the statutory undertaker, of some 3.7ha, comprising largely of concrete hardstanding and electricity transformer plant. The electricity site is allocated within the saved UDP as an employment shortfall area and is a proposed employment site in the submission draft SAP. An existing residential dwelling is located within the caravan site but outside the application site, to the north-east of the proposed substation compound.
- 3.3 Aire Valley Marina lies adjacent to the southern boundary, with several residential barges moored there at any given time. The canal tow path runs adjacent to the south of the marina, which is a public right of way and the Leeds and Liverpool Canal runs adjacent to the south of this. The canal and river are designated as a Site of Special Scientific Interest (SSSI). A railway line runs to the north east of the application site, which would occupy land to the north of the proposed container compound and to the east of the substation compound.

- 3.4 In the wider context, the application site, which forms part of the surrounding caravan site, is surrounded by a significant area of open space, taken up by Gotts

Park Golf Club and Armley Park. The River Aire runs through the open space area to the north of the site. Redcote Lane connects the application site to Kirkstall and the A65 Kirkstall Road and there are two business units along this road within the open space area. There is also a further smaller electricity transformer site situated off Redcote Lane to the north of the site. The open space was once the site of Kirkstall Power Station, which was demolished and the land restored during the 1980's.

4.0 **RELEVANT PLANNING HISTORY:**

4.1 99-24/30/93/FU – boat and caravan storage, including maintenance and construction; approved 17.02.94. Included a signed Section 106 Agreement.

06/02082/FU – single storey caravan storage and repair building; approved 16.06.06

5.0 **HISTORY OF NEGOTIATIONS:**

5.1 Pre-application advice of the local planning authority was not sought by the applicant/agent prior to the planning application being submitted.

5.2 Negotiations have taken place over the course of this planning application to resolve the clarity of the proposed plans and proximity of the application site to the marina; and, submission of further information, including an acoustic report.

6.0 **PUBLIC/LOCAL RESPONSE:**

6.1 The planning application was advertised in the Yorkshire Evening Post on 03.11.17 and via site notices on 17.11.17. The application was re-advertised with additional site notices on 24.04.18 after the access arrangements were amended.

6.2 8 representations from members of the public have been received, raising the following concerns:

- Harm to boat residents from noise;
- Environmental impact – potential for leaks from batteries – flooding could cause contamination of the River Aire which has SSSI status;
- Against policies N1, N8 and N11 in the Leeds saved UDP;
- Visual impact will harm surrounding area;
- Red line boundary of the proposal includes third party land;
- Access issues to a service strip;
- No notice received for marina owners and boat residents;
- Health and safety issues – fire suppression systems could be hazardous to boat residents if they leak; and,
- The application includes both storage and generating capacity and as such involves more than 49MW, which would put it into the NSIP regime.

6.3 Councillor Alison Lowe for Armley Ward objects to the proposal because for the following reasons:

- Green Corridor - The area forms an important green corridor that connects Armley Park and Gotts Park to the West of the Leeds – Liverpool Canal with the Kirkstall Valley Nature Reserve in Armley Ward to the East of the Canal, and with new wildlife areas near Burley Mills in Kirkstall Ward to the East of the River Aire. The proposal would not enhance the area;

- Connectivity – Redcote Lane is the only means to cross over from the existing recreational land in Armley Ward to the developing facilities in Kirkstall Ward. Users of this route deserve a high-quality green environment when moving between the two;
- Health impacts – inner city areas such as Armley and Kirkstall have higher than average mortality rates, incidences of suicide and mental health problems and the proposal would reduce the opportunities for walking, cycling and other outdoor physical activity.

7.0 CONSULTATION RESPONSES:

Statutory

- 7.1 National Grid – no objection
- 7.2 Canal and River Trust – recommend imposition of a planning condition to require drainage details and proper consideration to be given to residents of moored boats.
- 7.3 Environment Agency – the submitted Flood Risk Assessment is acceptable but local planning authority should satisfy itself that the development passes the flood risk Sequential Test.
- 7.4 Yorkshire Water – no objection
- 7.5 Natural England – initial concerns relating to drainage – possible to overcome via the imposition of a suitably worded planning condition/s.
- 7.6 Highways Team – no objection subject to planning conditions relating to the laying out of areas to be used by vehicles and provision for contractors during construction.

Non-statutory

- 7.7 Nature Team – the requested boundary planting is considered to be satisfactory.
- 7.8 Flood Risk Management Team - no objection subject to a planning condition relating to surface water drainage.
- 7.9 Neighbourhoods and Housing Team – no objection subject to planning conditions relating to sound insulation, lighting and delivery hours.
- 7.10 Contaminated Land Team – no objection subject to planning conditions relating to site investigations.
- 7.11 Public Rights of Way Team – no objection

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The policy guidance in Annex 1 to the National Planning Policy Framework (NPPF) is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the revised NPPF. The closer the policies in the

plan to the policies in the Framework, the greater the weight that may be given. All policies outlined below are considered to align with the NPPF. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

8.3 The adopted Leeds development plan consists of:

Leeds Core Strategy (Adopted 2014, Reviewed 2016)
Leeds Natural Resources and Waste Local Plan (Adopted 2013/15)
Saved policies of the Leeds Unitary Development Plan (Reviewed 2006).
Aire Valley Leeds Area Action Plan (Adopted 2017)
Any made Neighbourhood Plan

8.4 The Leeds Site Allocations Plan Submission Draft (2017) considers employment and is significantly advanced, with the examination hearings being concluded in August 2018. As such it is recommended that considerable weight can be given to the current SAP for proposals on non-Green Belt land and/or where the number of objections to the Plan is low.

8.5 The development plan policies, supplementary development documents and national guidance as outlined below are considered to be particularly relevant to the proposal.

Core Strategy 2014

8.6 General Policy: The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy G1: Enhancing and extending green infrastructure
Policy G8: Protection of important species and habitats.
Policy G9: Biodiversity improvements.
Policy SP13: Strategic Green Infrastructure
EC3: Safeguarding Existing Employment Land
T2: Accessibility Requirements

Unitary Development Plan Review 2006 Saved Policies

8.7 Policy GP5: Refers to detailed planning considerations, environmental impacts and loss of amenity;

Policy N1: Protected Greenspace
Policy N5: Greenspace (23.3.15), former power station site, Redcote Lane
Policy N8: Green Corridors
Policy N11: Other Open Land
Policy LT6: Waterways corridor and tourism
BD2: Design and siting of new buildings
BD4: Plant, equipment and service areas
BD5: New buildings and amenity
LD1: Landscape design
A8.2: Sites of Special Scientific Interest

Natural Resources and Waste Local Plan 2013/15

- 8.8 Minerals 3: Mineral Safeguarding Areas – Coal
 Water 2: Protection of water quality.
 Water 4: Development in Flood Risk Areas
 Water 7: Surface water run-off.
 Land 1: Contaminated Land
 Land 2: Conservation and introduction of trees

Submission Draft Site Allocations Plan

- 8.9 Policy EG2-8 – General employment allocation (Land at former Kirkstall Power Station)

National Policies

- 8.10 NPPF (2018): Presumption in favour of sustainable development.
 Pro-active approach to mitigating and adapting to climate change

9.0 MAIN ISSUES

- 1) Principle – energy supply; greenspace; employment; and, tourism.
- 2) Visual Amenity.
- 3) Living Conditions.
- 4) Highways.
- 5) Ecology.
- 6) Drainage.

10.0 APPRAISAL

Principle

Energy Supply

- 10.1 The application is for battery storage of up to 49.9MW of electrical energy which is taken directly from the National Grid during times of plenty and fed back into the Grid during times of need. Energy storage can help to maintain reliable energy supplies by using stored electricity to compensate for lows in output from intermittent renewable technologies such as wind or solar, or power plants breaking down. It can also provide greater predictability of energy provision to assist in avoiding ‘energy blackouts’, especially given that the UK’s reliance on coal is being phased-out. Energy storage using batteries is therefore considered to contribute towards keeping the UK’s electricity grid stable and resilient to new demands and new sources of supply. There is no specific planning policy contained in the adopted development plan which is directly applicable to the proposed development. However, at paragraph 149 the NPPF states that policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

10.2 *Open Space*

The application site falls within a larger area known as Kirkstall Valley which has protection under policy N11 of the UDP because of its visual amenity value as open space. The policy states that building will only be allowed if it can be shown that it is necessary for the operation of farming or recreational uses and if it would not adversely affect the open character of the area. While the proposal does not comply with policy N11, it is considered that there are mitigating factors which

outweigh the requirements of this policy. Firstly, the proposal is for electricity infrastructure which, by necessity, has to be constructed close to existing local substations. Furthermore, the infrastructure contributes to the renewable energy mix promoted by paragraph 149 of the revised NPPF. Secondly, the two compounds are to be situated in areas which already benefit for planning permission for caravan storage, including an element of container storage, so the actual impact of the proposed development would be minimal, given the existing context. Thirdly, as described below, a Greenspace allocation for the smaller area specific to the caravan storage site has been removed due to its inaccessibility for recreational use. It would follow, therefore, that the same restrictions apply with regard to the farming or recreational uses being protected by policy N11.

Greenspace

- 10.3 The application site is identified in the saved UDP as protected Greenspace. Policy N1 states that development of such land will not be permitted for purposes other than outdoor recreation, unless the need in the locality for Greenspace is already met and a suitable alternative site can be identified and laid out as Greenspace in an area of identified shortfall. In this case the site is not proposed as Greenspace in the emerging Site Allocations Plan, which (with the exception of housing allocations, land within Green Belt and/or where sites have attracted a lot of objection) has been generally accepted by the Planning Inspectorate and is to be given considerable weight. The green space sites designated in the draft SAP are mainly sites designated as green space under policies N1, N1A and N6 in the saved UDP and those identified in a green space use in the citywide Leeds Open Space Sport and Recreation Assessment (OSSRA, July 2011). Some boundaries have been amended to more accurately reflect the current useable area of green space. In addition, new sites have been designated that were not previously designated in the saved UDP or identified in the OSSRA and some greenspace sites (such as this application site) are not being carried forward as a greenspace designation in the SAP mainly where they are no longer in greenspace use or they have been allocated for alternative uses. Taking account of this information, it is recommended that, on balance, the requirements of policy N1 no longer apply to the site and that greater weight should be placed on the emerging greenspace policy contained in the SAP, which does not propose the site to be a designated greenspace.

Employment

- 10.4 The application site falls within an area of employment shortfall as identified in the Council's most recent Employment Land Review and saved UDP policy. Land adjacent to the application site is allocated for employment use. Policy EC3 of the Core Strategy requires that proposals in such areas do not result in the loss of a general employment allocation except where the loss can be offset sufficiently by the availability of existing general employment land which are suitable to meeting the employment needs of the area. In this case the proposal would not result in any loss of employment potential on the adjacent site and would provide an additional employment site, albeit one with a low potential for employment generation in terms of numbers of employees per square metre.

Tourism

- 10.5 The application site is adjacent to the Leeds-Liverpool Canal with associated residential mooring facilities and a public right of way along the towpath, which is also a cycle route. Policy LT6 states that the tourism potential of the waterway corridor will continue to be recognised. In considering development proposals in the waterway corridor, the likely impact on tourism potential will be an important consideration. The application site is currently screened by trees on the boundary

and the proposal includes further planting to the southern boundary which is the most sensitive in terms of the adjacent waterway. While the impacts on amenity will be considered in more detail below, it is not considered that the proposal would have a detrimental impact on tourism in principle as it would be a fairly low-key development, associated with already existing national grid infrastructure.

Flood Risk

- 10.6 The application site falls within Flood Zone 2 as defined by Environment Agency flood maps. Policy Water 4 states that all developments are required to consider the effect of the proposed development on flood risk. Within zones 2 and 3a, proposals must pass the Sequential Test and if necessary the Exceptions Test as required by the NPPF; make space within the site for storage of flood water and must not create an increase in flood risk elsewhere.
- 10.7 The Environment Agency considers the submitted Flood Risk Assessment (FRA) to be acceptable, subject to imposition of a planning condition on any approval requiring compliance with the mitigation measures detailed within the FRA. The Environment Agency also advise that the Local Planning Authority should satisfy itself that the Sequential Test is passed.
- 10.8 Paragraphs 157- 161 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception test can be applied if appropriate. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and that the development will be safe for its lifetime, without increasing flood risk elsewhere.
- 10.9 In this case, the applicant has demonstrated through a FRA that the development will not be at risk from flooding and will not increase flood risk elsewhere. With regard to the sequential test, the applicant submits that there is a key sustainability benefit in the securing and redistribution of electrical energy and at the proposed location. The proposal by necessity requires it to be situated close to an existing electrical transformer substation of a certain size, so that it can tap into the resource and feed back into the Grid without losing viability – both economic and in terms of the amount of current/voltage that can be lost through additional cabling, which itself would have to be over ground and would have a significant visual impact on the area. In terms of using an alternative transformer, potentially every transformer of the right size can provide a valid resource, reducing the overall need for electricity generation from fossil fuels and each transformer will only serve a particular area. In this case it is the continuous supply of electricity to the local community, when required, which will be of significant benefit and this cannot be transposed to another site. It is therefore considered, on balance, that the Exception Test is satisfied in this case. Furthermore, the Council's Flood Risk Management section do not object to the proposal, subject to the imposition of planning conditions on any approval.

- 10.10 Taking account of all material planning considerations in this balance, it is considered that the proposed development, in this particular circumstance, is considered to be acceptable with regard to flood risk.

Coal – Mineral Safeguarding Area

- 10.11 The application site is located within a Mineral Safeguarding Area where the coal resource is known to exist. Policy Minerals 3 states that, in such areas, applications for non-householder development must demonstrate that the opportunity to recover any coal present should be removed prior to or during development unless:
- It can be shown that it is not economically viable to do so, or
 - It is not environmentally acceptable to do so, or
 - The need for the development outweighs the need to extract the coal, or
 - The coal will not be sterilised by the development.
- 10.12 The applicant has submitted an addendum to the planning statement which addresses this issue. The position set out is that the development is designed to be temporary and that all built infrastructure is to be removed at the end of the life of the project. A planning condition requiring restoration of the land either after 25 years or at the end of the life of the development, whichever is sooner, is recommended to be imposed on any approval of planning permission to ensure the underlying coal resource would not be sterilised by the proposed development.
- 10.13 The applicant further states that coal extraction in close proximity to a waterway and a marina used for residential purposes is unlikely to be considered acceptable by the local planning authority. Although a short campaign to remove the coal resource would not necessarily be considered inappropriate in the circumstances, the resulting void would require filling prior to the proposed development commencing. As the proposal does not require any land remediation and requires very little in terms of foundation building as built development is minimal, it is likely that the coal removal would create an unviable level of remediation, when measured against the usable resource.
- 10.14 Although the applicant has not investigated the potential volume or quality of the coal resource underneath the application site, it is considered that the small amount of land being used for the development, which is less than 0.5ha (minus access roads), and the fact that this is split into two discrete areas, would, in itself, render the site unviable for coal extraction in this particular instance.
- 10.15 On the whole, it is therefore considered that the proposal complies with the requirements of policy Minerals 3.

Visual Amenity

- 10.16 Saved policy GP5 require development proposals to resolve detailed planning considerations including design. Saved policy BD2 requires that the design and siting of new buildings should complement and, where possible, enhance existing vistas, skylines and landmarks.
- 10.17 The current proposal consists of two distinct areas within separate compounds. The southern area, situated closest to the canal and public open space area, is comprised of 25 battery containers and 3 transformers in cabins of a similar size and appearance. The most sensitive boundary to the south is already screened by

trees and further tree planting is proposed for biodiversity and visual screening purposes. This would help to mitigate views into the site from public rights of way and the marina to the south. The 3m high containers will be coloured dark green. The area is occupied by rows of caravans, with a section given over to storage containers of a similar height, scale and colour to those proposed. Although the proposed containers would be higher than the caravans, they would be darker in colour and have a more regular appearance. It is therefore considered that the visual impact of the proposed containers would not be substantially greater than the existing situation, with the colour palette and planting elements representing an overall improvement.

- 10.18 The second compound, to the north-west, will be situated adjacent to Redcote Lane, between the existing large scale electricity transformer substation and the remaining caravan storage area. The site is visible from Redcote Lane, adjacent. The area is currently given over to caravan storage. This proposed compound will contain unenclosed plant and a substation building, originally proposed to be built in brick. Due to the proximity of a stone built dwelling, it is considered that artificial stone cladding may improve the appearance of the building and provide some continuity with the existing building in accordance with policy BD2. However, at this stage, insufficient information has been submitted for a detailed assessment of this to be made. As it is considered that, in principle, an acceptable solution can be found it is recommended that facing materials are re-assessed prior to construction by a condition requiring details to be submitted.
- 10.19 Gotts Park, a grade II listed park, is situated across the river. The boundary of the park is situated, at its closest point, 150m west of the second compound. The principal building within the park is Armley House (listed grade II), built in the late C18. The house was altered in c1820 to make it more convenient and to take advantage of the views to the east and south-east. The house is used to accommodate a cafe and club facilities for a golf course which now occupies the site.
- 10.20 The east front of the House has a terrace with central stone steps leading down to a lawn in the shape of an irregular oval which is fringed with trees and overlooks a steep wooded slope to the east. The terrace gives views to the east through mature trees over steeply falling ground. To the south-east there are views over the wooded slopes down to the canal and over falling parkland with rising land beyond and Leeds city centre in the distance.
- 10.21 It is not considered that the proposal site sits within the setting of either the House or the Park. The main elements of the original views are intact, with mature trees obscuring views of Armley Mill and the river. Armley Mill sits to the east of the proposal site, along the same line of sight and the same trees also obscure views of the proposal site. Adjacent to the west of the proposal site is a much larger electricity transformer station which, as the applicant states, is not visible from Gotts Park. Surrounding the proposed containers in the first compound, to the south-east, would be similar containers as well as rows of caravans. On the whole, the impact of the proposal on views from and through the park is not considered to be significant, given the limitations of the views and the existing context.

Residential Amenity

- 10.22 Saved policy GP5 requires proposals to seek to avoid problems of environmental intrusion, loss of amenity, pollution and accidents.

- 10.23 The submitted acoustic assessment report takes account of a residential dwelling to the north and residential barges to the south of the site. The report suggests that the proposed development would not result in noise nuisance. The report has been reviewed by the Council's Environmental Health officer who raises no objection to its findings. However, it is noted that air conditioning units will be utilised within the battery containers and these have not been included in the noise assessment (as they have not been chosen by the applicant at this stage). That said, Environmental Health officers identify that a baseline for low-impact noise emission has been established by the assessment and the selection of any future air conditioning units will have to comply with this. A planning condition is recommended to require a scheme to be submitted which ensures all plant and machinery operates to within acceptable levels.
- 10.24 With regard to risk of pollution, para. 183 of the NPPF states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions where these are subject to separate pollution control regimes. It is considered that accidents and their control should be considered in the same manner. In this particular case, the FRA identifies that appropriate mitigation can be put in place to ensure the batteries are stored above potential flood levels. With regard to leakages these would be covered by Health and Safety and Environmental regulations and the NPPF states that the LPA should assume these regimes will operate effectively.
- 10.25 The requirement for external lighting is not clear from the details submitted. It is recommended that external lighting is controlled by a condition on the permission.

Highways

- 10.26 Policy T2 requires consideration to be given to access arrangements and highway safety. The submitted Transport Assessment and swept path analysis identified that construction and removal of the proposed development would be acceptable in highway safety terms. Vehicle movements during these phases would be low-key and less so during the course of the development being operational, for maintenance access only. The Council's Highways officers do not object to the proposal, subject to conditions relating to the construction phase and the laying out of areas to be used by vehicles.
- 10.27 Redcote Lane is a claimed bridleway and is well used by the public and abuts the application site. Another claimed footpath abuts the site by the marina. Neither of these paths would be affected by the proposed development.

Ecology

- 10.28 The canal directly to the south of the proposal site, as well as surrounding woodland and open space forms part of the Leeds Habitat Network and the Kirkstall Valley area forms part of the Urban Green Corridor as identified in saved policy N9. The adjacent canal is also designated as a Site of Special Scientific Interest. Saved policies N8 and GP5 require consideration to be given to nature conservation and environmental intrusion. The council's Ecologist has requested additional planting along the southern boundary of the application site to provide biodiversity enhancements contributing towards the Leeds Habitat Network. Further details have been provided by the applicant which includes the requested enhancements.

10.29 Natural England initially raised concern about the risk of run-off from potentially contaminated land but have accepted that this can be adequately mitigated against with an appropriate drainage strategy which can be required by condition. The proposal is therefore considered acceptable with regard to Ecology.

Drainage

10.30 Policies Water 7 and GP5 require consideration to be given to sustainable drainage and flood prevention. The Council's Flood Risk Management Team and the Environment Agency do not object to the proposal on Flood Risk grounds, subject to conditions detailing surface water drainage works and implementation of flood mitigation measures, including a flood emergency action plan to be agreed with Leeds City Council. Subject to the above, the proposal is considered acceptable with regard to drainage.

10.31 Representations

Where the issues raised have been material planning concerns, they have been dealt with elsewhere in this report. Those issues not covered above are:

- Red line ownership and access issues
- Application includes 49MW generation as well as 49MW storage.

With regard to the red line ownership and access issues, the applicant has stated that all owners of the land have been notified of the application under Certificate B of the planning application form. Beyond that, any issues of ownership and/or access are considered to be private matters and not material to the planning application.

With regard to the assertion that the proposal incorporates 98MW of total generation capacity, this is not correct. The application is for 49MW of storage capacity only and as such it falls within the scope of the planning regulations as development to be considered by the local planning authority rather than a Nationally Significant Infrastructure Project.

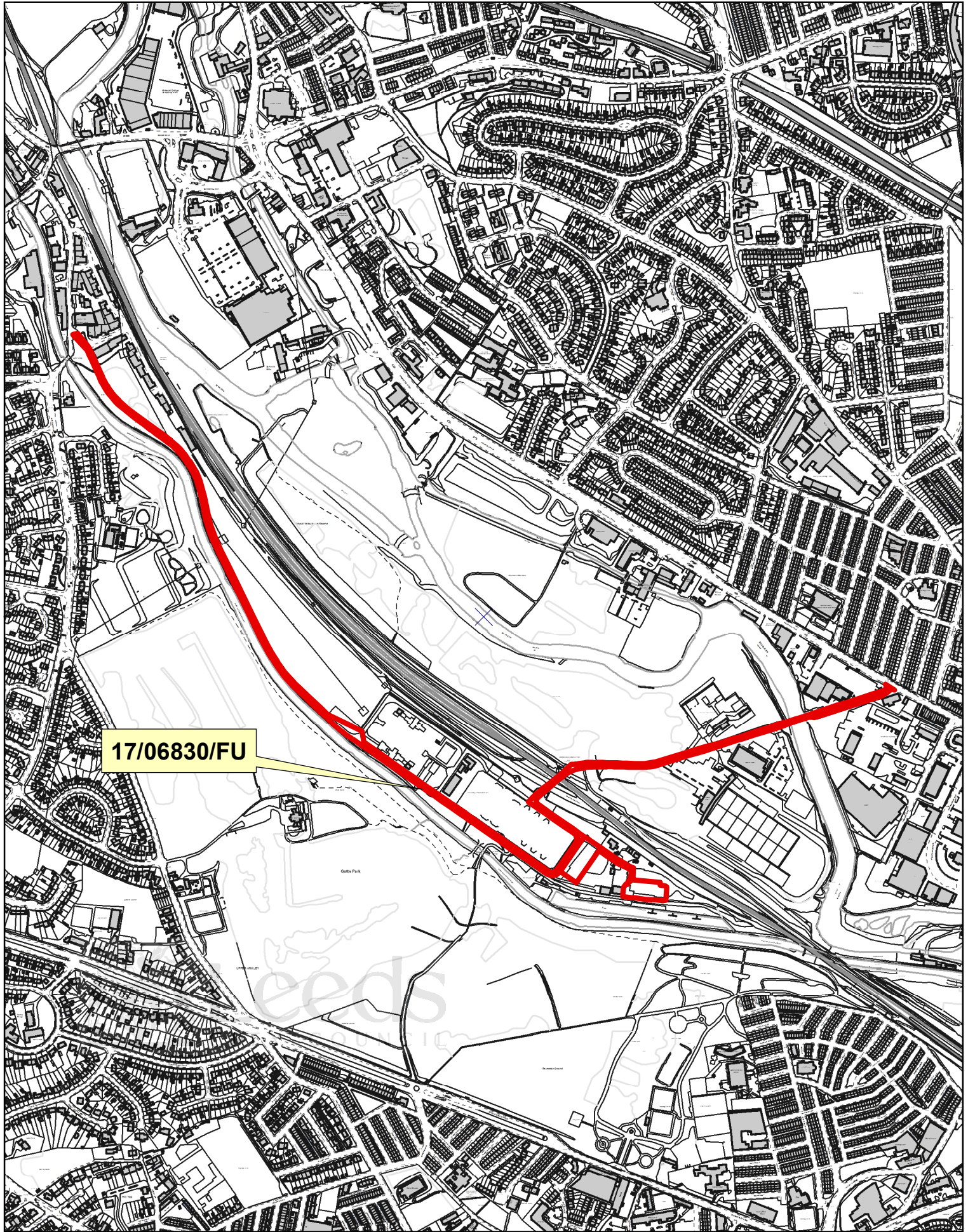
11.0 CONCLUSION

11.1 The proposal's contribution towards the security and stability of energy supply is supported in principle by national energy strategy/ policy (particularly from the Department of Business, Energy and Industrial Strategy) and is supported in general by the adopted development plan. The proposal results in some loss of allocated greenspace, the deletion of which is supported by the draft SAP. The loss of this greenspace has also been weighed against the site's non-greenspace function. After careful consideration, on balance it is considered that there are no other material planning considerations, including those issues of principle, which are considered to outweigh the benefits of the proposed development in this particular instance. Furthermore, it is considered that the identified harm would not be significant and that the impacts and effects relating to this, where they relate to the planning regime, can be satisfied via the imposition of planning conditions requiring mitigation measures. As such, a recommendation for approval is made subject to the schedule of recommended planning conditions.

Application file

17/06830/FU

Certificate of ownership: Certificate B signed by the agent



17/06830/FU

SOUTH AND WEST PLANS PANEL

