



Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 5 December 2013

Subject: Application 12/05274/FU Laying out of access road and erection of 13 Houses at Cherry Tree Drive, Farsley LS28

APPLICANT Chartford
Homes

DATE VALID 18.12.12

TARGET DATE 26.11.13

Electoral Wards Affected:

Calverley and Farsley

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

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;

**Greenspace contribution of £18890.05.
Management Fee for 106.**

Conditions:

- 1. Commencement of development 3 years.**
- 2. Plans to be approved.**
- 3. Samples of walls, roofing, doors, windows, surfacing material to be approved.**
- 4. Details of means of enclosure including retaining walls.**
- 5. Details bin stores.**
- 6. Notwithstanding submitted details landscape scheme and implementation, to include detailed scheme for open space.**
- 7. Implementation of landscape scheme**
- 8. Tree protection conditions.**
- 9. Tree replacement conditions.**

10. Access roads and car parking to be complete prior to first use.
11. Visibility splay works at Town Street referred to on approved drawing prior to first use.
12. Drainage in accordance with submitted details.
13. Retention of wall and hedge to High Street for lifetime of development.
14. Details for closure of existing access to High Street to be submitted to LPA prior to commencement of development.
15. No access (including pedestrian access) to be constructed to High Street without the approval of the LPA.
16. Removal of Permitted development rights (extensions, roof alterations, means of enclosure and outbuildings).
17. Cycle/motorcycle provision notwithstanding submitted drawings.
18. On site provision for contractors during construction, including means to prevent mud on road and dust suppression.
19. No contractor access from North Street during construction.
20. Contamination reports.
21. Unexpected contamination.
22. Verification reports.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel at the request of Ward Councillors Carter and Wood and also due to the level of community interest in the application.

2.0 PROPOSAL:

- 2.1 The application is for full planning permission and is for thirteen houses. The site has a total area of 0.48 hectares of which 0.34 hectares comprises a former nursery/garden centre and 0.14 hectares is open land. The development is intended to take place only on the former nursery site, with the remainder of the land between the nursery and the High Street frontage being retained as open space.
- 2.2 Access is proposed from Cherry Tree Drive. The part of the site to be developed for housing has an overall frontage to Cherry Tree Drive of about 80 metres and the centre point of the proposed access is some 25 metres from the south western corner of the site, opposite two existing properties, 22 and 24 Cherry Tree Drive. Five houses (plots 1 and 10–13) will front Cherry Tree Drive, comprising 2x2 bed semis and 3x3 bed detached, served by private drives off Cherry Tree Drive.
- 2.3 The access road runs north east from Cherry Tree Drive into the site for 30 metres, and turns at right angles for a further 17 metres to the east, after which a private drive runs a further 22 metres to the east. North of this road and drive are 11 parking places, serving 8 houses (plots 2-9) in two terraces of four which run parallel to the north east boundary of the site. 6 of these are three bed and the other 2 are two bed. Two additional parking spaces for these properties are provided on the south side of the access road behind plots 11 and 12.
- 2.4 Cross sections submitted with the application show that the site falls from Cherry Tree Drive to High Street with the highest point being 101.5 on the frontage of Cherry Tree Drive and the lowest 94 metres adjacent to High Street. In order to meet the gradient requirements for highways and create uniform slab levels for the

houses it is necessary to remodel the site contours. In summary the impact of this is that levels adjacent to the two roads north and south of the site (Cherry Tree Drive and High Street) remain much the same whilst within the site existing levels are raised creating level platforms for the houses on the Cherry Tree Drive frontage and the two terraces to the north of the site.

- 2.5 The proposal involves the loss of three trees on the western boundary of the site as a result of a sewer easement and a number of trees within the site. Within the site the access road and alterations to levels will result in the loss of 16 trees described in the arboricultural report as moderate or below moderate quality, mainly as a result of the high density and lack of management.
- 2.6 In relation to the means of enclosure, a separate drawing has been submitted. This shows the retention of existing means of enclosure to the High Street and the north western boundary, these being stone wall and hedge and stone wall respectively. In the case of the High Street boundary the existing hedge is to be maintained to a height of 2 metres. No access is shown to High Street from the development. On the north western boundary the stone wall will be extended between 18 High Street and the site to join with the wall fronting High Street.
- 2.7 The proposal will result in the removal of the existing conifer hedge fronting cherry tree drive. The means of enclosure along the frontage will be new hedging, details of which could be the subject of a condition. The hedge will extend along the eastern boundary between the site and 25 Cherry Tree Drive.
- 2.8 The rear gardens of the properties fronting Cherry Tree Drive and those to High Street will be enclosed with varied means of enclosure comprising retaining walls. Log retaining structure and screen fencing. Precise details could again be the subject of a condition. The layout also shows potential vehicular access to 32 High Street on the eastern site boundary. A 215mm screen wall with fence infill is shown along boundary between the site and 32 High Street.
- 2.9 Within the site a number of retaining structures the most significant being to the rear of the parking places to the terraced properties where the level difference between the parking areas and the frontage area of the houses is about 2 metres. The retaining wall extends along the north western side of plot 2, retaining the drive of that property. The north western edge of the parking area will be retained by a log retaining structure and a bank each of about a metre. If approved full details of these means of enclosure could be conditioned.
- 2.10 In terms of materials, the majority of properties are to be constructed of brick under a concrete tile roof. The elevation of the 8 terraced units to High Street will be of natural pitched faced stone with artificial stone quoins to the gables. The front elevations and side elevations will be constructed of natural stone up to ground floor window heads, terminating with artificial stone string course, and art stone heads and cills. The terraced properties will incorporate mock chimney stacks clad in natural stone slips to match the walling stone.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located in a primarily residential area, about 200 metres from the centre of Farsley. To the south east of the site is an existing residential development of Cherry Tree Drive and Crescent which comprises mainly semi-detached chalet bungalows with bedrooms in the roof space and dormer windows. There are some 2 storey semi-detached properties within the development.

- 3.2 The properties immediately south of the site on Cherry Tree Drive are at a high level than the site. The north east frontage of the site is on to North Street and the present site access is from here. To the north- west, on the same side as the development site, is a terrace of 9 terraced houses built of natural stone. The main entrance doors of these properties are raised well above street level and served by steps. The property closest to the application site has a tall stone gable and a flat roofed stone fronted garage with an metal up and over door which abut the site.
- 3.3 The site frontage to High Street is marked by a tall hedge so that the site is not visible from the road. On the opposite (north) side of High Street is a single stone building which is occupied by a business. Land falls quite sharply from High Street to Nether Street and Bagley Lane. Immediately to the east of the site frontage to High Street is a pair of semi-detached chalet bungalows of similar design to those on Cherry Tree Drive and Crescent.
- 3.4 To the west of the site on the opposite side of Cherry Tree Dive, at the junction with Cherry Tree Crescent is an area of open land with the appearance of a small paddock, which slopes up to the west towards a playing field. The street frontages of this site are lined with Cherry Trees. This site is allocated for housing (reference H3-3A.23) in the LUDPR.
- 3.5 With the exception of a small strip of land on the Town Street frontage of the site, within the area which is shown as amenity open space on the proposed plan, The site is outside the Farsley Conservation Area, although the terrace of properties to the north west are within the boundary and are identified as positive buildings in the character area analysis. The rear garden wall of the aforementioned properties form the boundary between the application site and the conservation Area boundary.

4.0 RELEVANT PLANNING HISTORY:

None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The application had been the subject of a number of discussions with the applicant since submission culminating in the submission of the current drawings. The main differences between the submitted scheme and the application now being considered by Panel are:
- As originally submitted the application proposed a more centrally located access road, opposite 24/26 Cherry Tree Drive. The present access is between 22 and 24. This alteration was to address concerns about disturbance and car lights affecting properties on the south side of the road by locating the access point opposite a gap between houses.
 - In order to address concerns about overlooking of properties on the south side of Cherry Tree Drive the following amendments have been made:
 - The front building line of proposed units 12,13 and 14 (renumbered 11,12, and 13) has been moved back to 5 metres from the edge of the highway (from 2 metres) to increase the distance between the proposed units from the existing properties on the opposite side of Cherry Tree Drive (from 17 to 20 metres).

- The frontage property north- west of the access has been turned so that is now gable end on to the road and building line moved back from 3 to 4 metres.
 - The ridge finished floor levels, eaves ridge heights and ridge heights of the frontage properties has been reduced by 660mm in the case of Plot 1 and 735mm in respect of plats 10-13.
 - The effect of these measures are that the ridge heights of the units on the Cherry Tree Drive frontage of the site will be between 1.5 and 2 metres lower than the existing properties on the south side of the road.
- Within the site unit 2 is now deleted from the scheme in order to accommodate the amendments to the frontage development and the amendments necessary for the surface water sewer easement to serve the site.
 - The extent of the adopted road within the site has been reduced. With the access serving units 8-9 now shown as a private drive with pavior surfacing.
 - The two terraces of 4 units in the northern part of the site remain as shown on the original layout in terms of siting, although the loss of one unit enables additional landscaping and planting on the centre of the site.
 - The materials of these eight units have been altered to provide natural stone external walls on the rear elevations, facing High Street, and on the front and side elevations up to ground floor window heads, with render above on the side and front elevations. Quoins, dentil courses and chimneys have also been added, the changes being intended to address the location of these units adjacent to the Conservation Area boundary. The original proposal was for brick and concrete tiles.
 - The revised proposal also addresses concerns about the treatment of the northern boundary of the site, confirming that the existing hedge and stone wall will be retained and that there will be no access from the site to High Street.
 - In relation to the open space area to the north-west, the original proposals showed a play area, surrounded by a log wall feature and a network of pathways providing pedestrian access to the site from Cherry Tree Drive across the open space. Concerns were expressed about the amenity impact of the play space on the terrace to the north and of the potential implications of a pedestrian route into the site from the open space. The present proposal deletes the footpaths and the play area and it is suggested that the amenity of the area would best be served by an informal open space planted with trees.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was initially advertised with a site notice posted on 4 January 2013 as a major application with a response period of 21 days. Two further site notices were posted on 12 July and 6 September respectively following the submission of revised drawings, the latter site notice relating to the plans before this Panel.

- 6.2 Ward Councillors objected to the initial proposals with concerns about the building materials for the terrace, and the effect of neighbouring residences on the Cherry Trees particularly in relation to levels.
- 6.3 In relation to the current drawings Councillor Carter has indicated that he has concerns about the positioning of the new terraced properties in relation to the existing terraced properties, and to how they sit generally on the site. Also, the boundary treatment between new and existing properties, the existing tree cover and its preservation, and the effect of the new properties if there is any sort of access onto High Street, which is a private and unadopted road.
- 6.4 The applicant met with Councillor Carter and local residents on 21 March 2013 to discuss the proposals.
- 6.5 Representations have been received following the initial site notice and the subsequent notices relating to the amendments to the proposal.
- In relation to the notice posted on 4 January, 27 written representations were received from 24 different properties. 7 of these were variations of a standard letter.
 - 16 objections were received in relation to the notice posted on 12 July, of which 8 were based on a standard letter. All but 2 of these were from the same address as the previous representations.
 - 15 objections were received in respect of the plans which were the subject of the September 6 site notice.
 - Of those that objected to the application following each site notice, the majority were from residents of the Cherry Tree Estate and High Street, with 4 objections from Horsforth and Bramley.
- 6.6 The objections raised were as follows (responses in brackets):
- Properties in Cherry Tree are bungalows. (houses would not be in keeping). *To be addressed in appraisal.*
 - Over-intensification and loss of amenity. Fewer houses, in keeping with existing. *To be addressed in appraisal.*
 - Will result in additional parking on Cherry Tree Drive and elsewhere in Farsley. *To be addressed in appraisal.*
 - Access via Cherry Tree Drive inadequate (narrow, increased traffic at junction). *To be addressed in appraisal.*
 - Additional development at Sunnybank Mills will add to traffic problems. *Any proposals for development at Sunnybank Mills will be addressed at the time that application is submitted.*
 - Local services (eg doctors, dentists, schools, transport) will be put under further strain. *To be addressed in appraisal.*
 - Unsustainable development *To be addressed in appraisal.*
 - Unacceptable impact on quality of life and disruption of development. *To be addressed in appraisal*
 - Increased noise and disturbance as access is opposite property, car lights shining through windows and pollution, should relocate access to edge of site or to High Street. *To be addressed in appraisal*
 - No vehicle access to High Street. *To be addressed in appraisal*

- Reduced sunlight/daylight and overlooking of properties. *To be addressed in appraisal*
- Object to this and other development in Farsley. *Other developments will be considered through the planning process. This application should be considered on its merits.*
- Nature conservation issues on site. *To be addressed in appraisal*
- Anti- social behaviour on open space. *To be addressed in appraisal*
- Property value. *This is not a planning matter*
- Resident only parking restrictions should be imposed. *This is a matter for the Highway Authority*
- Contrary to Green Belt Policy. *The site is not in the Green Belt*
- Loss of trees *To be addressed in appraisal*
- Additional on street parking will restrict service and emergency access. *The Highway Authority have not objected on this basis*
- Loss of view. *This is not a planning matter*
- Over-dominant in relation to bungalows opposite. *To be addressed in appraisal*
- Additional traffic in village centre. *The Highway Authority have not objected on this basis*
- Maintenance and management of open space not clear. Insufficient parking at Pudsey Station, over- crowded trains. *To be addressed in appraisal.*
- Deeds say will not have overlooking houses opposite. *This is not a planning matter.*
- No vehicle access to High Street. *No vehicular access is proposed to High Street*
- Flooding, as a result of development. *To be addressed in appraisal*
- Potential land instability. *To be addressed in appraisal*
- Increased damage to High Street (not adopted) when wet. *No vehicular access is proposed to High Street*
- Protection of wall to rear of properties behind 12-18/HighStreet. *The wall is adjacent to the open space area and will not therefore be affected by the development. Any damage caused would be a civil matter.*
- Screening along north- west boundary necessary. *To be addressed in appraisal*
- Potential structural impact on basements off High Street Houses, concerned will affect drainage, require indemnity policy for their properties. Flood Risk Management and Yorkshire Water consider the proposals put forward by the applicant for drainage of the site are acceptable.
- No access from High Street for construction. *No vehicular access is proposed to High Street.*
- High Street should be adopted, funded by Council or 106 Agreement. Adoption is a matter for the Highway Authority. *A 106 Agreement requiring works to a private road that is not the access to the site would be unreasonable.*

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory Consultees:

Yorkshire Water: No objection in principle subject to compliance with submitted details.

7.2 Non Statutory Consultees:

Highways: No objection subject to conditions including improvement to visibility splay at junction of Cherry Tree Drive and Town Street.

Mains Drainage: No objection subject to compliance with submitted drawings and assessment relating to surface water drainage.

Sustainability (Landscape): Express concern about loss of trees within the site and potentially at the junction with Town Street. Consider greenspace does not directly serve the site. Concern expresses regarding potential pressure for loss of other trees within the site after development and sewer through the greenspace.

Sustainability (Conservation): Initial concern regarding materials proposed for the properties adjacent to High Street (brick and concrete tiles). Amended proposals show mix of stone and render on these properties, with High Street elevation in stone and, with stone chimneys, quoins and dentil course. In relation to the revised drawings noted that the terrace as proposed is sympathetic in materials and scale to the setting of the conservation area and the nearby properties on the High Street and has no objection to the scheme.

Local Plans: No objection. Greenspace contribution of £18890.05 required.

Metro: Request Residential Metro cards be provided at a cost of £6468 and secured by means of a 106 Agreement.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Leeds Unitary Development Plan Review (2006) and the Natural Resources and Waste DPD.

The site is allocated as a Phase 3 Housing site in the LUDPR (Site H3-3A7) Cherry Tree Drive, Farsley for delivery 2012 to 2016..

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

Policy GP5: refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.

Policy GP7: guides the use of planning obligations.

Policy BD5: refers to new building design.

Policy N2: refers to the provision of greenspace.

Policies N12 and N13: refer to the good urban design considerations and placing making.

Policies T2 and T24: seek to maintain adequate vehicle access and levels of vehicle parking provision with no undue detriment to other highway users.

Policy H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.

Policy H3: Delivery of housing sites.

Policy LD1: Criteria for landscape design.

Policy N19: Conservation Area assessment for new build and extensions

Supplementary Guidance:

SPG4: Greenspace Relating to New Housing Development;
SPG13: Neighbourhoods for Living;
Street design guide SPD

8.3 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development:

“At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.” (para 14).

- 8.4 In relation to decision making the NPPF indicates that this means approving development proposals that accord with the development plan without delay unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework.

Emerging Core Strategy

The Emerging Core Strategy was examined by an Inspector in October 2013. The Inspector has subsequently indicated that two issues must be addressed if It is to be found sound, these are Affordable Housing and Provision for Gypsy and Traveller Sites. Nevertheless considered that some weight can be attached to the policies contained within the Emerging Core Strategy.

The Spatial Development Strategy outlines the key strategic policies which Leeds City Council will implement to promote and deliver development. The intent of the Strategy is to provide the broad parameters in which development will occur, ensuring that future generations are not negatively impacted by decisions made today. The Spatial Development Strategy is expressed through strategic policies which will physically shape and transform the District. It identifies which areas of the District play the key roles in delivering development and ensuring that the distinct character of Leeds is enhanced.

It is complemented by the policies found in the thematic section, which provide further detail on how to deliver the Core Strategy. This includes housing (improving the supply and quality of new homes in meeting housing need), and the environment (the protection and enhancement of environmental resources including local greenspace and facilities to promote and encourage participation in sport and physical activity).

9.0 MAIN ISSUES

1. Principle of development
2. Impact on character of area and conservation area
3. Residential amenity
4. Greenspace and landscape issues

5. Highways

6. Drainage

10.0 APPRAISAL

Principal of development

- 10.1 The application site is identified as a Phase 3 allocated housing site (H3-3A.7) in the Leeds Unitary Development Plan (Review-2006). Paragraph 14 of the National Planning Policy Framework indicates that a presumption in favour of sustainable development is at its heart and that local planning authorities should approve development proposals that accord with the development plan without delay unless material considerations indicate otherwise. As a site that has been identified as suitable for development in LUDPR the site is by definition “sustainable” in the terms set down in the NPPF.
- 10.2 In June 2011 the Council’s Executive Board resolved *‘that the release of all the Phase 2 and 3 housing allocations in the UDP be agreed, subject to proposals coming forward being otherwise acceptable in planning terms’*, to ensure a sufficient housing land supply for Leeds is provided.. As such the principle of developing this site is acceptable subject to all other material planning considerations.

Impact on the character of the area and the Conservation Area.

- 10.3 As stated above, the principle of development of this site is not in question, with the allocation including both the eastern part of the site shown for development (the site of the former nursery) and the area proposed as greenspace to the west.
- 10.4 The site is in an area of mixed character. To the south and east is the post war housing development off Cherry Tree Drive and Crescent, extending to the eastern end of High Street. This area comprises chalet bungalows and semi- detached houses with brick/render walls and concrete roof tiles. The land slopes upwards from north to south such that the finished floor levels of the chalet bungalows south of the site are at a higher level than the site itself.
- 10.5 By contrast, to the north and west of the site is Farsley Conservation Area. For the most part the buildings within the Conservation Area are separated from the site itself by High Street and Town Street, the exception being the large Victorian terrace situated on the south side of High Street adjacent to the north west edge of the site.
- 10.6 The proposed development reflects the varying character of the site. Adjacent to the conservation area and the High Street terrace, two terraces of four units are proposed. Following amendments requested by officers these will be constructed of a mixture of natural stone and render, with the north facing elevation (to High Street) constructed entirely of natural stone. The finished floor levels of those properties will reflect those of the ground floors of 2-18 High Street although the ridge levels will be lower than that terrace by 2 metres. The retention of the wall and hedge on the

northern boundary of the site will partially screen the rear elevations from the Conservation Area, the screening effect being enhanced by the steep slope of the land to the north. Whilst the adjacent property to the east on North Street is a Chalet bungalow, the finished floor levels of the new properties will be below those of this property (32 High Street) and the resultant ridge level similar in height.

- 10.7 The development along the Cherry Tree Drive frontage of the site is opposite development which does not reflect the characteristics of the conservation area and the five new properties along the frontage will not be visible from North Street. As such it is proposed that these will be of brick and tile construction and will be three detached and two semi-detached properties.
- 10.8 Whilst objectors have indicated that the proposal should reflect the chalet bungalow development on Cherry Tree Drive it is not considered that a requirement for this development to construct only chalet bungalows could be justified. Instead the scale and impact of the proposals need to be assessed in the context of the surrounding development. In terms of scale, the cross sections clearly illustrate that the ridge heights of the new dwellings will be at a lower level than the chalet bungalows opposite, because of the slope of the land, whilst the gable width will be much less (approximately 5 metres compared to 9.5 metres for the chalet bungalows). In addition whilst eaves heights will be higher (5 metres compared to 3 metres) ridge heights will be similar. Given the fall of the land north into the site it is not considered that the scale and massing of these buildings will appear inappropriate along Cherry Tree Drive and this is well illustrated by the cross section across the site frontage which shows the relative height and massing of the new properties in comparison to the existing dormer bungalows at 25/27 Cherry Tree Drive.
- 10.9 In addition to that part of the site to be developed the area of open space will retain the appearance at the junction of Cherry Tree Drive and maintain the open aspect to the rear of the North Street terrace.
- 10.10 In summary, it is considered that the amended proposal adequately addresses the need to reflect the character of the area and of the Conservation Area. As such it addresses the requirements of UDPR Policies GP5, N12, N13, N19 and BD5 and the advice on design and protecting heritage assets in the NPPF.

Residential amenity

- 10.11 The main issue relating to residential amenity relates to objections from those living opposite the site frontage on Cherry Tree Drive, relating to concerns about overlooking, loss of sunlight and daylight, overbearing impact, increased noise and disturbance, headlights shining through windows and general loss of amenity and disturbance, including during development.
- 10.12 In relation to the physical impact of the proposed dwellings, it has already been pointed out that the ridges of proposed dwellings will actually be lower than properties to the south as a result of ground levels. They will of course be separated from the properties opposite by the existing road and the relationship in terms of height and distance will be no different from the present relationship of numbers 25 and 27 Cherry Tree Drive to 34, 36, and 38 opposite, with a distance of 19-20 metres between front elevations and 22 metres between first floor windows (given that the windows of the dwellings opposite are set back from the front wall in first floor dormers).

- 10.13 The proposed dwellings will certainly not overshadow and cause loss of sunlight and daylight to the properties opposite since they are to the north.
- 10.14 Turning to the other properties surrounding the site, the ridge height of housing units on the edge of the site is either the same as or lower than the adjacent existing properties in all cases. Overlooking of adjacent properties is also avoided in that there are no windows in the end gables of any of the units adjacent to existing properties (units 2, 9, and 13.) Back to back distances between the only two units that effectively face existing properties (unit 13 and 32 High Street and unit 1 and 18 High Street) are also considered acceptable (22 and 27 metres respectively).
- 10.15 With regard to the private amenity spaces, Neighbourhoods for Living advises that as a general guide family homes should have private gardens that are a minimum of 66% of gross floor area, excluding vehicular provision. Of the 13 units proposed 5 of the terraced units do not meet this requirement (the smallest is unit 7 at 54.7%). This is characteristic, however, of similar terraced properties in the adjacent Conservation Area, including 2-18 High Street, which have much smaller gardens than those proposed on this site and in the circumstances is considered acceptable.
- 10.16 On balance the proposal is considered to provide a reasonable balance between the advice provided in Neighbourhoods for Living, the character of the area and the particular constraints of the site. It is therefore considered that proposal meets the requirements of Policy GP5 of the LUDPR 2006.

Greenspace and landscape issues

- 10.17 Whilst the area of land south of the High Street Terrace is included in the housing allocation its development is problematic given the slope of the land down to the north and the fact that it is overlooked at close range by the existing terrace. In view of this the developer has decided that it should be retained as greenspace.
- 10.18 The original scheme proposed that the greenspace should include a sunken, walled play area in the centre of this land and footpaths linking the internal road within the site with Cherry Tree Drive. It was the view of officers that such a use of this area would create disturbance and potentially be a magnet for antisocial behaviour in close proximity to the rear elevations and small gardens of 2 to 18 North Street and instead it is now proposed that it will be retained as informal open space. The detailed landscape proposals, which will be required by condition if consent is granted, will be expected to show planting proposals for this area that respect the character of the area and have regard to the proximity of adjacent garden areas.
- 10.19 In addition to the planting proposals, it is also recommended that a landscape management plan is submitted explaining how this area, and the small area of proposed open space within the residential part of the site will be managed. A condition requiring full details for the protection of existing trees and a commuted sum of £18890.05, secured by a Section 106 Agreement, for greenspace provision is also recommended.
- 10.20 The comments of the Council's landscape architect and residents in relation to the loss of existing trees on the site are noted. However this is an allocated housing site and it is considered that some loss of trees is inevitable if it is to be developed. Retaining the balance of the site as greenspace in the long term and planting additional trees on this area are considered suitable mitigation for the tree loss. The retention of the hedgerow to High Street and planting of hedges along the Cherry Tree Drive frontage in place of the existing conifer hedge are also considered

positive benefits of the development. Detailed planting proposals should also consider the need to strengthen planting on the boundary of the proposed housing and greenspace and on the southern boundary of the gardens of 2 to 18 High Street.

- 10.21 It is considered that, subject to recommended conditions the development will meet the requirements of Policies GP5 and LD1 of the LUDPR 2006.

Highways

- 10.22 The Highway Authority does not object to the proposal subject to conditions. Whilst residents of Cherry Tree Drive suggest that access should be via High Street (residents of High Street by contrast suggest that no access should be from High Street) there are clear objections both on highway grounds and as a result of the impact such access would have on the Conservation Area. Indeed it is recommended that a condition is attached preventing any access to High Street in order to ensure that the wall and hedge along this boundary are not removed for pedestrian access to any of the proposed units.
- 10.23 The Highway Authority has also requested works to the junction of Town Street and Cherry Tree Drive, which is marked by a stone wall and includes 5 trees within the site close to the highway boundary. The requirements of the Highway Authority originally suggested that the improvements to the access would require the removal of T4 to T7, all trees within the Conservation Area. The current layout plan proposes the retention of all the trees, removing lower branches to 2000mm above footway level, the clearing of undergrowth and the reduction of the existing boundary wall to a height of 900mm above carriageway level.
- 10.24 Given the importance of maintaining the character of the Conservation Area, recent improvements north of the junction and the limited additional traffic that will access the site via Cherry Tree Drive the Highway Authority is now prepared to accept this compromise. A condition is recommended to ensure that the works are carried out in accordance with the approved details.
- 10.25 Metro has proposed that the developer should fund Metrocards for the development at a cost of £6468. It is considered that this is unduly onerous given the limited size of the development and the sustainable location close to local services, employment sites and the village centre.

Drainage

- 10.26 The applicant has submitted detailed drainage proposals with this application which have been considered by Flood Risk Management and Yorkshire Water and are considered acceptable.

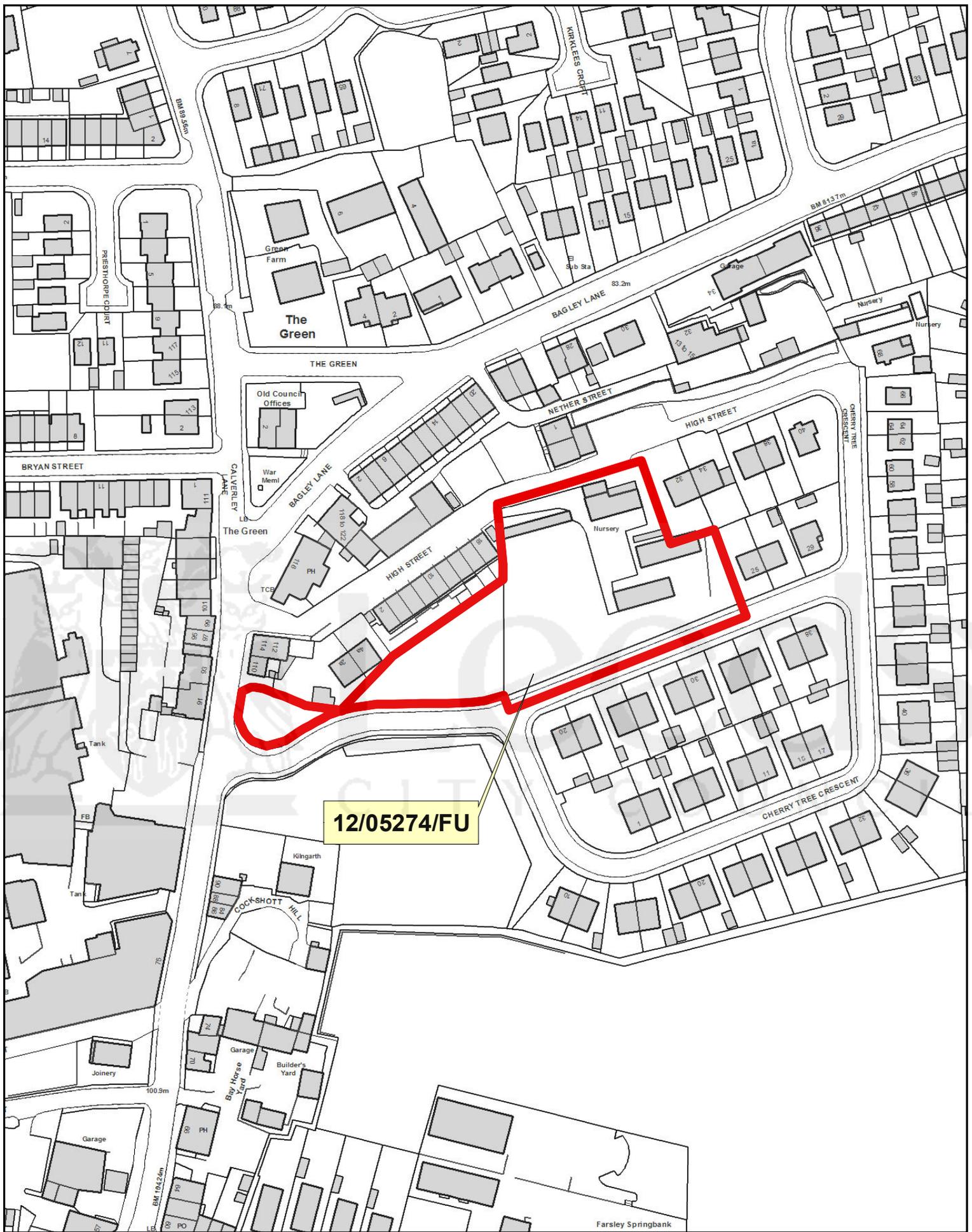
11.0 CONCLUSION

- 11.1 The amendments that have been negotiated to this proposal address the conservation, amenity and design issues on this allocated site whilst resolving technical issues relating to access and drainage. It is recommended that the application is deferred and delegated for approval to the Chief Planning Officer subject to the conditions set out in this report and to the applicant entering into a section 106 Agreement to secure a greenspace contribution of £18890.05

Background Papers:

Application papers: File reference 12/05274/FU

Certificate of Ownership: Certificate A submitted with application



SOUTH AND WEST PLANS PANEL

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