



## Report of the Chief Planning Officer

### PLANS PANEL SOUTH & WEST

Date: 20<sup>th</sup> April 2017

Subject: Application 16/06109/FU. Residential development of 210 dwellings. Victoria Reservoir and Land at Bruntcliffe Road, Morley, Leeds.

APPLICANT	DATE VALID	TARGET DATE
Barratt Homes	05/10/16	04/01/17

#### Electoral Wards Affected:

Morley South

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION:** Defer and delegate permission to the Chief Planning Officer subject to the signing of a s106 to cover the following matters:

- Affordable Housing (15% provision with 60/40 split).
- Travel Plan review fee £3,050
- Residential Travel Plan Fund £103,141.50
- Travel Plan Penalty £6,500
- Upgrade of Bus Shelters £20,000
- Local Employment Provision.
- On-site Greenspace Management/Maintenance (unless dealt with via conditions).

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

1. Standard time limit of 3 years to implement
2. Plans to be approved

3. Phasing scheme to enable areas of the site to proceed before others and provide flexibility.
4. Statement of construction practice including prevention of mud and dirt on roads, emissions of dust, location of compounds and plant equipment.
5. Construction hours 0800 to 1800 Monday to Friday, 0800 to 1300 Saturdays.
6. Construction deliveries between 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays.
7. No development until off-site highway works provided.
8. Primary access visibility splays to be provided to an adoptable standard prior to any use of access.
9. Vehicle access gradient to not exceed 1 in 40 unless otherwise agreed (e.g. via s38 scheme).
10. Driveway gradients not to exceed 1 in 12.5 unless otherwise agreed.
11. Provision of electric vehicle charging points for each dwelling (or as agreed in the case of flats).
12. Re-instatement of redundant crossings on site frontage.
13. Details of motorcycle and cycle parking to be provided.
14. Vehicle areas to be fully laid out, surfaced and sealed prior to occupation.
15. Phase 2 site investigation to be carried out prior to commencement to identify if remediation measures required.
16. Revised remediation statement if required.
17. Provision of Verification Report on completion of remediation works.
18. Testing of any soil imported onto site.
19. Confirmation of asbestos removal where applicable.
20. Infiltration drainage methods to be fully investigated.
21. Surface water drainage scheme required.
22. No building over or within 6 metres of water main that crosses site.
23. No piped discharge of water until approved drainage implemented.
24. Samples of walling, roofing and surfacing material to be approved.
25. Details of hard and soft landscaping to be provided.
26. Landscape management plan to be submitted including long term objectives, management and maintenance.
27. No works to site during bird nesting season unless agreed.
28. Details of bat roosting opportunities to be submitted.
29. Method statement for eradication of invasive species to be provided prior to commencement (e.g. Japanese Knotweed).
30. Any retained trees or hedges to be left as is unless agreed.
31. Replacement of trees, hedges, shrubs if any die after 5 years.
32. Scheme for provision of 10% on-site renewable energy or as otherwise agreed (e.g. other government supported approaches such as fabric first techniques, decentralised, renewable or low carbon energy).
33. Archaeological investigations before commencement of development.

## **1 INTRODUCTION**

- 1.1 Application made in full for residential development on a site where part of the site has previously received permission for residential development. The application is brought to Plans Panel at the request of Elected Members Finnigan and Elliot as it is considered the proposal will affect more than neighbouring properties due to the additional number of homes being proposed and the incremental impact on roads, school and health centre's, as well as the level of local interest in this and previous applications relating to the site.

## **2 PROPOSAL**

- 2.1 The application site stretches to 8.7 ha in size, fronting onto Bruntcliffe Road to the north, wrapping around the covered Victoria Reservoir to the west and south, before meeting up with recent development to the east off Perry Way. The southern boundary of the site is marked by the M62, to the west are industrial units accessed off Scott Lane.
- 2.2 The development consists of 210 homes, predominantly detached houses, arranged in three distinct areas:
- i) The eastern portion is a triangular piece of land with existing residential properties forming the eastern border. A connection into Perry Way is provided and there are through links to other existing residential streets as well. This area is separated from the rest of the site by a landscaped strip of land which allows for a drainage easement. Two cul-de-sacs are provided within this area. There are a number of semi-detached properties including some affordable homes.
  - ii) The central portion forms the largest block of development bounded by a distributor road off Scott Lane to the north and the motorway to the South. Landscape buffers are proposed to all four sides. Properties are a mix of detached, semi-detached, and short run terraces. To the north west corner of this portion are two blocks of flats providing 12 units within them.
  - iii) The northern portion is accessed off Bruntcliffe Road before linking in with the distributor road that comes off Scott Lane. A landscape strip divides the northern portion from the central portion, and a landscape buffer is also provided to the north to separate the dwellings from Bruntcliffe Road, and to the east to separate from the reservoir. To the west side there are four blocks of flat units, whilst the rest of the site is a mix of semi-detached and short run terraces.
- 2.3 The majority of properties are of 2 storey height, with the flat units at 3 storeys, and a number of units in the northern portion being 2.5 storeys. The house types proposed are relatively standard for a volume house builder and provide a variety of styles, featuring pitched roofs, hipped roofs and gable features.

- 2.4 In terms of size, 45 of the units are proposed to be 2 bedroom units, 94 are proposed to be 3 bed units, and 71 are proposed to be 4 bed units. There are no 1 bed or 5 bed units.
- 2.5 There are three main points of access to the site, one from Scott Lane, one from Bruntcliffe Road and one from Perry Way. There are also connections shown with residential streets to the east joining in with roads currently under construction.
- 2.6 A pumping station is indicated to the south within the buffer zone adjacent to the motorway.

### **3 SITE AND SURROUNDINGS**

- 3.1 The site lies to the edge of Morley, bounded by the M62 which runs along the south western border and which forms a natural border to the settlement outline. The site itself is a mix of greenfield in agricultural use, and developed land which is in use as a compound. The square dome of the reservoir is the highest point of land with land generally sloping down towards the motorway, although levels are haphazard across the site.
- 3.2 The north west of the site lies an existing industrial estate with a number of units that are accessed off Scott Lane. There are a variety of buildings and boundary treatments, but the view is one of mid sized sheds, older brick buildings, and storage containers.
- 3.3 To the northern boundary runs Bruntcliffe Road which is lined to the northern side with housing. Currently the view from these houses is of green fields, the reservoir, and industrial buildings. To the west there is a new housing development currently being built out by Barratts and known as St Andrews View. This has infilled greenfield areas between the reservoir and Scotchman Lane to the east. The motorway is set down from the site with a wooded embankment separating the site.
- 3.4 The site as noted is set on the very edge of Morley, beyond the motorway the area is agricultural, whilst to the west and east are predominantly industrial and commercial uses. The residential areas of Morley are mostly to the north, and the site lies close to Dartmouth Park and Bruntcliffe Academy. Morley town centre lies 1.2Km to the north east as the crow flies, but is an attractive town centre providing a range of commercial and leisure facilities.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 The full planning history is related below, in essence though the whole of the current application site has previously had approval for B1 uses which was not implemented. More recently, the central portion of the site has received approval for housing development, and the eastern portion was partially included within the St Andrews View housing layout as greenspace. Other than the B1 approval the northern portion of the site has no other relevant planning history.
- 4.2 15/01923/FU – Removal of condition 5 (unallocated parking use) on 13/01941/RM. Approved 04/06/15. [Covers a small area of land to the east of this application site that was originally shown as greenspace for St Andrews View].

- 4.3 14/06825/OT – Outline planning application for residential development. Approved by Committee 19/11/15. [Covers the central portion of this applications site]. This took access off Scott Lane and had a similar layout to that applied for under this current application.
- 4.4 12/01332/OT – Outline application for residential development. Approved 28/03/13. [Covers the St Andrews View site but includes the small portion of the eastern part of this application].
- 4.5 13/01941/RM – 173 houses with landscaping. Approved 13/09/13. [The St Andrews View site].
- 4.6 24/438/02/OT – Outline application for B1 employment uses and woodland. Approved 23/06/04. [Covers whole of application site].

## 5 HISTORY OF NEGOTIATIONS

- 5.1 PREAPP/16/00351: a meeting was held and advice given on various matters including highways, landscaping and design.

## 6 PUBLIC/LOCAL RESPONSE

- 6.1 The application was publicized by means of site notices advertising potential impact to a right of way. These were posted on 04/11/16. An advert was also placed in the Yorkshire Evening Post on 02/11/16. Morley Town Council were consulted on 14/10/16.

### 6.2 Member Responses

- i) Cllrs Finnigan and Elliot (Ward Member) have requested that the application go to Plans Panel for determination due to the cumulative impact of housing development in this area and the potential impact on roads, local services and facilities.
- ii) Cllr Dawson (Ward Member) objects to the scheme on the grounds that the development fails to give any consideration to existing public rights of way, in particular Footpath 90 which crosses the site and Footpath 87.

### 6.3 Morley Town Council Response:

- i) Object to the application on the grounds of overdevelopment and the impact on highways due to increased traffic levels accessing the already congested A650. Also concerns regarding impact on over-subscribed local primary and high schools, doctors and dentists. The proximity of the M62 also gives rise to noise concerns.

### 6.4 Leeds Ramblers Associate Response:

- i) Application shows no understanding of what a public right of way is and fails to show these clearly on the plans and makes no clear provision for Footpath Morley 90 which would be obstructed. A diversion order would be required if this were to be proceeded with.

## 7 CONSULTATIONS RESPONSES

### Statutory Consultees

- 7.1 Yorkshire Water: No objections but recommend conditions for drainage easement (6m either side of centre line of water mains) and a satisfactory outfall for surface water. The local sewer network cannot accept discharge of surface water and the public sewer network is for domestic properties only.
- 7.2 Coal Authority: The site lies within a low risk area so it is only necessary to apply Standing Advice to any permission.
- 7.3 Highways: The accessibility standards as set out in Appendix 3 of the Core Strategy are not fully met. There are two bus services offering an hourly service from the site to Leeds City within walking distance. Public Rights of Way cross or abut the site. Following negotiations agreement has been reached on a package of measures that enhance the access into the site including a new priority junction with A650, raised bus kerbs at bus stop numbers 11464 and 11466 on the A650, and road marking at the existing right turn lane into Parkland Avenue being removed. These works will be delivered via a S278 Agreement. Contributions to public transport improvements and the Travel Plan monitoring fee will be secured via s106. Internally the layout is appropriate for pedestrian, vehicle and refuse vehicle use, adequate parking spaces are provided. Conditions required to secure cycle parking, laying out of vehicle space, appropriate gradients to roads and driveways etc.

### Non-Statutory Consultees

- 7.4 Public Rights of Way: Footpath Morley 90 runs from Bruntcliffe Avenue, down between the reservoir and St Andrews View straight towards the motorway before turning off towards the east to cross over the motorway. Footpath Morley 87 runs down Scott Lane to the motorway. In discussions with the applicants the PROW team have considered a diversion of Footpath 90 which diverts it through greenspace adjacent to houses that currently are plotted on the line of the footpath itself. This is considered satisfactory. The team however do not agree to the proposed link between 87 and 90 which would run along the estate road from Scott Lane. This link should be located to the south of the proposed houses in the buffer zone between the houses and the motorway.
- 7.5 Nature Conservation: No significant issues raised by the proposal. Conditions recommended to ensure bird and bat protection and enhancement, and to cover treatment of invasive species.
- 7.6 Environmental Health: Whilst the application is similar to the Outline approved in 2014, the ENS noise report dated 2014 may require updated. Conditions regarding construction activity are recommended.
- 7.7 Education: Shortfall of places in local area therefore additional capacity needed (see appraisal).

- 7.8 Air Quality: The air quality assessment submitted shows that all modelled receptor sites are expected to meet air quality standards by 2021 when the development is complete, although it is recognised that some receptor sites are currently experiencing below standard air quality. Compliance with the 2021 standard does rely on vehicle emissions performing as predicted which is outside the control of the applicants. Therefore would support all measures put forward in the Travel Plan to reduce emissions. Electric charging points should be increased so that every dwelling with a dedicated parking space has a charging point, as well as provision of charging for 10% of all visitor spaces. The air quality assessment further identifies damage costs of £172,240.74 as a result of vehicle emissions associated with the new development. This money can be spend directly by the developers on measures to mitigate poor air quality, or it can be paid via a S106 agreement for the council to spend on air quality improvement measures.
- 7.9 West Yorkshire Archaeology Advisory Service: The site is located in an area of known archaeological potential including the path of a possible Prehistoric route, route of a former Roman Road (Bruntcliffe Road), late prehistoric and Roman settlement and field systems. The developer should provide an evaluation of the full archaeological implications of the proposed development, ideally this should be provided up front. However if the Authority is minded to grant permission then the required works should be secured by a suitable condition.
- 7.10 West Yorkshire Police: The development should be built to Secured by Design standards and advice is available on detailed security design aspects.
- 7.11 Contaminated Land: No objections subject to conditions.
- 7.12 Flood Risk Management: Infiltration drainage should be investigated and used if feasible, otherwise greenfield rates of runoff will be required. Attenuation storage is required for surface water runoff from storm events up to that from the 1 in 100 year event (plus climate change), currently the drainage statement only covers the 1 in 30 year event. The report also does not analyse the impact of soakaways on lower lying areas due to the slope across the site, this must be looked at particularly as run-off could impact negatively on the M62. SuDS features should be incorporated across the site and within each plot, and conditions will be required to cover the works outlined above.
- 7.13 TravelWise: Travel Plan will need to be included in the s106 agreement and should include the following provisions: TP Review Fee of £3,050; Residential Travel Plan Fund £101,062.50; Travel Plan Penalty £6,500. Conditions also needed to cover cycle parking and electric vehicle charging points.

## 8 PLANNING POLICIES

### Development Plan

- 8.1 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.

8.2 The central portion of the site is designated for economic uses under policy E4:47.

8.3 The following Core Strategy policies are relevant:

- i) SP1 – Location of development (site is within Major Settlement of Morley).
- ii) SP4 – South Leeds Regeneration Area.
- iii) SP6 – Housing requirement and allocation of housing land.
- iv) SP7 – Distribution of housing land allocations.
- v) SP13 – Strategic Green Infrastructure.
- vi) H1 – Managed release of sites for housing.
- vii) H2 – New housing development on non-allocated sites.
- viii) H3 – Density of residential development (40 dwellings per hectare).
- ix) H4 – Housing mix.
- x) H5 – Affordable housing (15% provision).
- xi) P10 – High quality design.
- xii) P12 – Landscaping.
- xiii) T2 – Accessibility requirements.
- xiv) G1 – Enhancing and extending Green Infrastructure.
- xv) G4 – New greenspace provision.
- xvi) G9 – Biodiversity improvements.
- xvii) EN1 – Carbon dioxide reduction.
- xviii) EN5 – Managing flood risk.
- xix) ID2 – Planning obligations.

8.4 The following saved UDP policies are relevant:

- i) GP5 – General planning considerations
- ii) LD1: Detailed guidance on landscape schemes.

#### Natural Resources and Waste Local Plan

- iii) GP1 – Positive approach that reflects the presumption in favour of sustainable development.
- iv) Minerals 3 – Surface coal.



- v) Air 1 – Management of air quality.
- vi) Water 1 – Water efficiency.
- vii) Water 6 – Flood risk assessments.
- viii) Water 7 – Surface water run-off.
- ix) Land 1 – Contamination.
- x) Land 2 – Trees.

### National Planning Policy

- 8.5 The National Planning Policy Framework (NPPF) and accompanying National Planning Policy Guidance (NGGP) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. The following parts of the NPPF have been considered in on the consideration of this application.
- 8.6 The NPPF at Paragraph 7 advises that there are three dimensions to sustainable development – economic, social and environmental. The social role includes the objective of supporting strong, vibrant and healthy communities by providing a supply of housing required to meet the needs of present and future generations.
- 8.7 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, ensuring high quality design but also encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 8.8 With specific regard to housing applications, the NPPF states at paragraph 47 that to boost the supply of housing, local planning authorities must identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional of 5% (moved forward from later in the plan period) to ensure choice and competition in the market of land. 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. It states that where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%.
- 8.9 Paragraph 49 of the National Planning Policy Framework states the following:

*“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

8.10 In the appeal decision dated 8th June 2016 in relation to land at Grove Road, Boston Spa in accordance with APP/N4720/A/13/2208551, the Secretary of State took the view that on the basis of the evidence available to him at that time, the Council was unable to demonstrate a deliverable 5-year supply of housing land. This conclusion has subsequently been reinforced by the Secretary of State decision(s) on the conjoined appeals at Breary Lane, Bramhope, Bradford Road, East Ardsley and Leeds Road, Collingham (the “Ken Barton Conjoined Appeals”), which were considered by Planning Inspector Ken Barton in Spring 2016. On 22nd December 2016, the Secretary of State issued his decision on these conjoined appeals and agreed with the Inspector’s conclusions that the appeals should be allowed. In reaching the decision on land at Bradford Road at East Ardsley (APP/N4720/W/15/3004034), which is representative of the other conjoined appeal decisions, the Secretary of State concluded the following (summarised):

8.11 *Paragraph 11: The Secretary of State agrees with the Inspector that on past performance, the buffer must be 20% - so that the 5-year housing land supply requirement across the City would be 31,898 or 6379 units per annum.*

8.12 *Paragraph 12: The Secretary of State agrees with the Inspector’s conclusion that the failure [of Leeds City Council] to produce an Adopted SAP (Site Allocations Plan) until at least December 2017 means that there is no policy set out to show how delivery of any houses, never mind the magnitude required, will actually take place; that the safety margin of 2262 dwellings can soon be whittled away when realism is applied and that the Council has failed to demonstrate a robust 5 year housing land supply. The Secretary of State therefore agrees with the Inspector’s conclusion that the solution is to deliver housing now, including much needed affordable housing.*

8.13 *Paragraph 13: Having regard to the Development Plan position, the Secretary of State agrees with the Inspector that there is no 5-year housing land supply.*

8.14 Accordingly, the Council is now in the position that it does not have a 5 year housing supply and the policies within the Unitary Development Plan and Core Strategy that are relevant to the supply of housing are considered to be out of date. In determining which policies are defined as ‘relevant policies for the supply of housing’, in terms of those policies that should be considered out-of date, case law has determined that Paragraph 49 should be interpreted widely and applies to all policies which are restrictive of where housing development can go. Paragraph 14 of the NPPF is, therefore, now particularly relevant, which states the following:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”*

8.15 For decision-taking this means:

- i) Approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- Specific policies in this Framework indicate development should be restricted.

8.16 It is important to note that an 'out of date' policy does not become irrelevant and it is therefore the case that an assessment must be made in respect of the weight to be attached to such policies in the planning balance of decision making overall.

8.17 In relation to highway matters, Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

## **9 Community Infrastructure Levy**

9.1 This proposal generates/is likely to generate a CIL requirement of £95,7652.99 Infrastructure requirements associated with this application are: Education contribution. This is presented for information only and should not influence consideration of the application. Consideration of where any CIL money is spent rests with Executive Board and will be decided with reference to the 123 list.

## **10 MAIN ISSUES**

- Principle of development
- Education Provision
- Greenspace
- Design and Layout
- Public Rights of Way
- Residential Amenity
- Air Quality
- Flood Risk
- Landscaping
- Highways and accessibility
- Other matters

## 11 APPRAISAL

### 11.1 Principle of development

- 11.2 The application site comprises partly of land which has the benefit of planning permission for residential development approved under reference 14/06825/OT (outline approval granted on 19/11/15) for 115 dwellings. Essentially this proposal involves the extant land parcel together with a parcel of land to the south east, which under planning approval 12/01332/OT was identified as a landscape buffer (but not adopted public open space) and a parcel of land to the north east fronting onto Bruntcliffe Road.
- 11.3 The Development Plan for Leeds has a suite of policies which both aims to deliver housing and also to direct the location of housing in order to reflect sustainable development principles. However, on the basis of recent appeal decisions, Leeds city Council is unable to demonstrate a 5 year housing land supply and it is considered to be consistently under delivering. The key assessment in determining this application is therefore the extent to which weight can be attached to the policies of the existing and emerging Local Plan in light of a shortfall in the 5 year housing land supply. There needs to be a balancing exercise within the parameter that there is a presumption in favour of granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.
- 11.4 With regard to relevant policies of the Adopted Core Strategy it is noted that the Core Strategy was published after the NPPF and when adopted was found to be sound and in agreement with the NPPF. Accordingly, full weight can be attached to the distributions strategy for the appropriate location of development as set out in Core Strategy Policies SP1, SP6 and SP7.
- 11.5 In this context Spatial Policy 1 of the Adopted Core Strategy relates to the location of development and confirms the overall objective to concentrate the majority of new development within and adjacent to urban areas, taking advantage of existing services, high levels of accessibility, priorities for urban regeneration and an appropriate balance between brownfield and Greenfield land. It confirms that the largest amount of development will be located in the main urban area and major settlements. As a consequence, the priority for identifying land for development is (i) previously developed land within the Main Urban Area/relevant settlement, (ii) other suitable infill sites within the Main Urban Area/relevant settlement and (iii) key locations identified as sustainable extensions to the Main Urban Area/relevant settlement. This site lies within the Main Urban Area of Morley such that it is considered to constitute a suitable infill within the Main Urban Area. The location of the site with the motorway forming the southern border also creates a rounded edge to the settlement area. Part of the site is brownfield, being used as a compound, part greenfield, and it should be remembered that part has already received permission for housing development.
- 11.6 Within the NPPF the effective use of land by re-using brownfield land is encouraged but the development of Greenfield land is not precluded with the presumption in favour of sustainable development being the primary determinant.

11.7 It is also the case that the site lays within the boundary of the South Leeds Regeneration Priority Programme Area. Spatial Policy 4 confirms that within this Regeneration Area, priority will be given to developments that improve housing quality, affordability and choice. This application is a full application and includes the provision of 15% affordable homes to ensure affordability and choice.

11.8 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) (62,000 net) to achieve the distribution in tables H2 and H3 in Spatial Policy 7 using the following considerations:

- i) (i) Sustainable locations (which meet standards of public transport accessibility), supported by existing or access to new local facilities and services, (including Educational and Health Infrastructure),
- ii) Preference for brownfield and regeneration sites,
- iii) The least impact on Green Belt purposes,
- iv) 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,
- v) The need for realistic lead-in-times and build-out-rates for housing construction,
- vi) The least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation,
- vii) Generally avoiding or mitigating areas of flood risk.

11.9 In response to these considerations, the following is advised:

11.10 In terms of a sustainable location, the accessibility of the scheme is considered fully in the Transport section below, which will acknowledge that the site does sufficiently meet the Accessibility Standards established at Table 2, Appendix 3 of the Adopted Core Strategy such that it is considered to be a sustainable and accessible location with suitable access to local facilities and services.

11.11 With regard to access to facilities and services, including education and health infrastructure, it is advised that the application will be liable for the Community Infrastructure Levy at a rate of £45 per square metre of development, which will contribute towards the provision of infrastructure within the Leeds area. Primary education facilities can also be funded (for either new schools or extensions) via CIL payments where sites are not expected to provide primary schools as an integral part of the development. Similarly secondary education can also be funded through CIL

except where sites are again expected to be provided on site (such sites are identified in the draft Site Allocations Plan).

11.12 With regard to health infrastructure (including Doctor and Dentist services) the provision of health facilities falls within the remit of NHS England and at a local level, Leeds' three Clinical Commissioning Groups (CCGs). The amount of new housing identified for Leeds up to 2028 would equate to on average 5-6 new GPs a year across Leeds based on a full time GP with approximately 1800 patients. Leeds already has over 100 existing practices of varying sizes, so the addition of 5-6 GPs a year is not considered to be a significant number for the population of Leeds. The Site Allocations Plan cannot allocate land specifically for health facilities because providers plan for their own operating needs and local demand. Existing practices determine for themselves (as independent businesses) whether to recruit additional clinicians in the event of their practice registered list growing. Practices can also consider other means to deal with increased patient numbers, including increasing surgery hours. This is up to individual practices as to how they run their business. Practices consult with the NHS about funding for expansion albeit that funding is limited.

11.13 Spatial Policy 7 considers the distribution of housing across the City and identifies the provision of 7200 dwellings (11% of the 66,000) within the Outer South West area within which the application site lies, with 30,000 dwellings envisaged within the main urban area to which this development will contribute.

11.14 With specific regard to the managed release of sites, Policy H1 of the Adopted Core Strategy confirms that the LDF Allocations Documents will phase the release of allocations according to the following five criteria:

- i) Location in regeneration areas,
- ii) Locations which have the best public transport accessibility,
- iii) Locations with the best accessibility to local services,
- iv) Locations with least impact on Green Belt objectives,
- v) Sites with least negative and most positive impacts on existing and proposed green infrastructure, green corridors, green space and nature conservation.

11.15 Strictly speaking this phasing criteria has been replaced by the objectives of the NPPF due to the lack of the 5 year housing land supply. However as the Core Strategy was found to be sound there is therefore accord between the phasing criteria and the NPPF and the desire to achieve sustainable development. This particular development would meet these criteria and is considered to be compliant with the NPPF.

11.16 Policy H3 of the Core Strategy relates to the appropriate density of development and advises that housing development in Leeds should meet or exceed the relevant net densities unless there are overriding reasons concerning townscape, character, design or highway capacity. In this case the density proposed is 32 dwellings per hectare which satisfies H3 in this instance and is considered to represent an efficient use of land in this edge of settlement site.

- 11.17 Policy H4 of the Core Strategy relates to housing mix, in this instance a mixture of units comprising of 45 two bedroom units (21%), 93 three bedroom units (44%), 72 four bedroom units (34%). The number of two bedroom units is marginally under the target of 50% provision, however as the other types of units do comply with the requisite targets, and the site provides both houses and flats, then this is not considered to be unacceptable in this instance.
- 11.18 Policy H5 of the Core Strategy sets out the requirement for on-site affordable housing to be delivered at 15% of the development in this part of the City to be secured by means of a planning obligation via a Section 106 Legal Agreement. The development proposes 32 affordable units consisting of 11 three bedroom units, and 21 two bedroom units. These are grouped together in runs of 2 – 6 units across the site so complies with the requirement for pepper potting. The provision of affordable housing on this site is considered to comply with policy H5.
- 11.19 The application must be determined in accordance with the development plan unless material considerations indicate otherwise. In so far as part of the site being allocated as an employment site, it has previously been established following the granting of the extant permission that the loss of this land employment allocation is acceptable. With regard to the site's development for housing, in terms of the greenfield element, both the Core Strategy and the NPPF encourages the re-use of previously developed land, but it does not exclude the development of Greenfield sites if such sites have been appropriately considered. In this case, the application site comprises a mix of greenfield land and partial brownfield land, within the boundary of the Main Urban Area; it sufficiently meets the Council's Accessibility Standards and it is appropriately accessible to local facilities and services. It is also within the South Leeds Priority Regeneration Area. The principle of residential development is therefore consistent with the objectives of the NPPF as well as Spatial Policies 1, 4, 6 and 7 of the Core Strategy and Policies H1 and H2 of the Core Strategy and it is considered acceptable in principle. A site-specific assessment of the site is considered below
- 11.20 With regard to policies H3, 4 and 5, the proposal as outlined above broadly meets the guidance. Whilst not in strict accordance in term of housing mix, it is considered that the benefits of delivering housing across this site, which is linked well to other residential areas, provides affordable housing and greenspace would outweigh any minor shortfall in housing mix or density.

#### Education Provision

- 11.21 The development would generate approximately 53 primary school pupils (8 per year group) and 21 secondary school pupils (4 per year group) in total once all dwellings are built and occupied. There are six primary schools within a 2 mile walking distance of the site, it is estimated that there would be approximately 20 places in reception within these schools until 2020/21, and some capacity in Year groups 1 to 5 to take in 6 children in each year group across all the schools.
- 11.22 Taking into account other schemes in the vicinity which are currently under construction, or which have planning permission but are not yet in school planning projections, then the spare capacity will be reduced by 8 places, leaving a capacity to take 12 children in reception until 2020/21 but possibly no spare capacity in other year groups.

11.23 In addition to this the development proposed at Laneside Farm in Churwell (16/02988/OT) would, if built out, significantly reduce the amount of spare capacity in reception year. In such circumstances a bulge cohort would need to be provided within the catchment area as a temporary or permanent solution in order to comply with the council's statutory duty in this regard.

11.24 The site has not been allocated in the Site Allocations Plan for school provision, and Education have not indicated that the site is of such significance that it requires a school to be provided on site. Given also that the demand for places is suggested to be of a temporary issue (for a bulge cohort) then it is deemed appropriate that the need for additional classroom space be provided for through CIL provisions.

11.25 With regard to secondary schools projections indicated that additional places are required immediately to meet existing pressure from 2017 onwards, with pressure growing each year until 2023/24. Additional housing in the area will further increase demand and it is likely that school expansion proposals and/or new Free School bids will need to come forward. Additional temporary or permanent expansion of secondary provision will be needed as a result of this development and others in the area, however as with primary school provision it is considered that the appropriate way to deal with this is via CIL provisions feeding into the Education Authorities strategies for school provision.

#### Greenspace

11.26 The applicants have provided on-site greenspace in the form of a series of amenity spaces predominantly located on the edges of the site which also serve as buffer zones.

11.27 Core Strategy policy G4 deals with the requirements for greenspace and states that 80sqm of greenspace per dwelling will be sought on developments where they are in excess of 720m from a community park and for those which are located in areas deficient in greenspace. In this case in terms of the total area of greenspace provided the calculation amounts to 1680m<sup>2</sup> or 80m<sup>2</sup> per dwelling. However, a linear parcel of the greenspace to the north east and fronting onto Bruntcliffe Road is not considered to be useable albeit it is of visual benefit and helps soften the impact of the development across this frontage area. If this area is deducted from the calculation, this reduces the open space provision to 15389m<sup>2</sup> or 73m<sup>2</sup> per dwelling.

11.28 Furthermore, the evidence base for this area of Morley (Site Allocations Plan Submission Draft Greenspace Background Paper) shows that there is a surplus of amenity space and natural greenspace. The types of greenspace that are deficient in this location relate to more formal provision such as children equipped play areas and formal pitches. In this case and to help address this deficiency the applicants are proposing a LEAP (children's soft play) to help mitigate this local need. Additionally the amended layout improves the connectivity to existing PROW's adjacent to the site and this provides longer walks over the nearby footbridge which crosses the M62 as well as facilitating access on foot to Dartmouth Park.

11.10 Taking all the above considerations into account it is considered that the provision of the above measures is acceptable in order to satisfy policy G4 in this regard.

#### Design and layout

11.29 The proposed layout is for 210 units with a mix of dwellings including 3 storey apartments, 2, 2.5 and 3 storey units. The proposed access is off Scott Lane and Bruntcliffe Road and a continuation of an estate road from the previously approved



scheme to the east of the site. Internally the proposed development is served off internal loop roads and cul de sacs with units orientated to create active frontages onto the highway network and surrounding green space which is located centrally but predominantly along the periphery of the site.

- 11.30 The proposal aims to develop a mix of apartments and family housing designed around streetscape and spaces. The road pattern and housing layout responds to the symmetry of existing residential character of the area
- 11.31 Due to the existence of a water main, which is centrally located in the site, an easement of 12m is required to ensure appropriate access is provided and is clear from obstruction. Permeability is further enhanced with internal loop roads. There is also a series of footpaths that are either adjacent to the highway, and many instances separated with a verge, or through the greenspace that create a network for pedestrian movement, which also connect into existing surrounding footpaths and public rights of way. In terms of permeability, it is considered that pedestrian access throughout the site is clear and structured.
- 11.32 Core Strategy Policy P10 reinforces the requirement for new development that is based on a thorough contextual analysis to provide good design that is appropriate to its scale and function; that respects the scale and quality of the external spaces and wider locality and protects the visual, residential and general amenity of the area. Within the UDP, Saved Policy BD5 advises that new buildings should be designed with consideration of their own amenity. These policies reflect guidance within the NPPF. In this case
- 11.33 The layout has been designed so that there is good natural surveillance to all areas of open space and roads. It is considered that this approach provides a strong urban edge to help create active frontages facing on to streets which also frame the elements of public open space.
- 11.34 Separation distances respond to the minimum standards set out in the councils design guidance contained in Neighbourhoods for Living SPD. Generally, private amenity space provided throughout the development is also considered to comply with the councils standards. Dwellings are appropriately spaced out with garages set back in rear gardens to create 3-4m gaps between most dwellings or parking is alongside dwellings again creating good separation between dwellings. House types comprise of detached units, semi-detached, 4 apartment blocks provide focal buildings at the entrance to the site, terrace blocks of 3-4 dwellings have been used and these have been restricted to locations where there are 2 or 3 bedroom housing.
- 11.35 A mixture of house types front onto the main spine road and estate roads and feature terraced, detached and semi-detached units, elsewhere areas of the site have been designed around small cul de sacs.
- 11.36 House types comprise of a traditional build of brick with tiled pitched roofs. In certain instances render and gable projections are also introduced to create relief and articulation. The council's urban designer has been consulted and the plan form is considered to be positive with active frontages. A number of house types have been amended to respond to design issues relating to the need to introduce heads and cills and door surrounds have been re-proportioned to ensure these are not oversized, where string courses have been introduced, these have been modified to ensure they wrap around dwellings and window types and openings have been rationalised and roof pitches reduced. Collectively, it was also considered that in order to break down the scale of the roof masses, the introduction of chimneys would help achieve this and

create some visual interest across roof planes, this suggested design modification has not however been incorporated into the latest design.

11.37 Policy P10 requires consideration to be given to fundamental design principles including space between buildings, the need for high quality design and respect to be given to the character and scale of the buildings as well as the routes that connect them. Any new development should therefore be sympathetic in siting and scale and well designed using appropriate detailing and materials. It is considered that the architectural changes which are now proposed, result in an acceptable design solution and satisfy all related planning policies in this regard as well as the design advice contained in Neighbourhoods for Living SPG .

11.38 Furthermore, the scale and the buildings are in keeping with its surroundings with satisfactory separation space between buildings. Consideration has also been given to the variation in land levels, to ensure that the development is not overbearing or over dominant in any respect. On balance it is considered that the proposals are positive and help create a sense of place, visual interest and identity. The proposals therefore conform to policy P10 in this regard.

#### Public Rights Of Way

11.39 The proposals initially involved diverting both footpath 87 to the west of the site and footpath 90 which crosses the south east/south west section of the site.

11.40 Cllr Dawson has raised an objection to the development on the grounds that the development fails to give any consideration to existing public rights of way, in particular Footpath 90 which crosses the site and Footpath 87. The Ramblers Association have also objected on the basis that there is no understanding of what a public right of way is and fails to show these clearly on the plans and makes no clear provision for Footpath Morley 90 which would be obstructed.

11.41 Colleagues in Public Rights of Way (PROW) have also been consulted and initially objected on the grounds that no provision has been made within the development site for footpath (90) and houses are proposed over the line of the footpath.

11.42 Following further consultation PROW colleagues have commented in relation to (Morley Footpath No. 90) which runs through the development which is now shown as being diverted through a landscaped area. A Public Path Diversion Order under the Town and Country Planning Act 1990 will be required and should be applied for at the earliest convenience with the existing line of the public footpath remaining unobstructed until the Public Path Diversion Order is confirmed. The Public Rights of Way Section would also require the new line of Morley Footpath No. 90 to be surfaced to a specification approved by the council. Subject to this they have no objection to the proposals for No. 90.

11.43 In relation to Public Footpath No.87 Morley which currently runs along Scott Lane and ends at the M62, colleagues in PROW have indicated a preference to connect footpath nos.87 & 90 by means of a linked route. The developer's proposed to achieve this by utilising the internal estate road and landscaped areas. The benefits of this essentially involves providing pedestrians with a safer route given the commercial nature of Scott Lane, it provides a safer route which benefits from natural surveillance, it avoids having to break up a landscaping buffer along the north western boundary of the proposed units in the south-west corner of the site, as well as creating a narrow alleyway and community safety issue. Furthermore it provides an obvious and natural link to footpath 90.

11.44 PROW officers are maintaining their objection to this proposal and favour a connection between No's 87 and 90 along the bottom boundary of the site.

11.45 In considering this matter it should be noted that the developers are happy to leave footpath No. 87 as it is, in that it would end at the motorway as it currently does. This would not affect the existing, formal situation. The addition of links through the landscaped and public areas of the development could be informal, and could be utilised by anyone. Any attempt to divert, or stop up No. 87 would need to be dealt with under the appropriate legislation, however the provision of additional routes through the site does not necessarily require this to be undertaken. Consequently the objection is not considered to be a justification for refusal of planning permission. The site would provide enhanced links and connectivity which would comply with policy P10 of the Core Strategy.

#### Residential amenity

11.46 Policy GP5 of the UDP advises that development proposals should resolve detailed planning considerations including seeking to avoid problems of loss of amenity. The application site does not directly adjoin any existing residential development such that the primary consideration is the residential amenity of future occupiers (the development to the east is separated by a landscaped strip).

11.47 In this regard, the applicants have produced a noise report which was submitted under the extant approval (14/06825/OT) which concluded that the primary consideration with regard to future residential amenity is the noise associated with the nearby industrial/warehouse units and the M62 Motorway.

11.48 The NPPF at Paragraph 123 advises that '*planning decisions should seek to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development*' and they should also '*mitigate and reduce to a minimum adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions*'. Regard must also be had to the continued operation of existing commercial businesses, which must not have unreasonable restrictions placed upon them as a result of development.

11.49 The Noise Impact Assessment, which is based upon a Noise Survey undertaken on the site in May 2014 principally determines that road traffic noise associated with the M62 is the dominant noise source during the day with distance road traffic noise and activity at adjacent industrial units being the primary noise source during the night-time. The Noise Assessment establishes appropriate noise criteria that should be achieved in living rooms during the daytime and in bedrooms at night. In order to achieve the criteria on this site, the Noise Assessment sets out a number of mitigation measures

- i) A 3.5 metre attenuation barrier along the southern portion of the south-west boundary to comprise a 1.5 metre bund and a 2 metre acoustic fence in order to ensure that there is no line of sight from the motorway to the first floor windows of any dwelling. A barrier is not required along the northern portion of the south-western boundary where the M62 is positioned within a deep cutting with a wooded embankment;
- ii) A 2 metre high rear boundary fence to the gardens that back onto the M62;
- iii) A 55-metre buffer zone between the dwellings and the nearside carriageway of the M62, which is achieved on the indicative layout submitted with the application;

- iv) A clear glazing and ventilation specification.
- v) A 50 metre buffer between the proposed residential dwellings and the existing industrial units on Scott Lane, which is also achieved on the indicative layout.

11.50 Subject to the above, the Noise Impact Assessment concludes that the ambient noise climate is not considered to represent a constraint to the proposed development.

11.51 The Council's Environmental Protection Service have reviewed the contents of the Noise Impact Assessment and consider that the implementation of the above measures would attenuate both the road traffic noise and noise from the nearby commercial units such that they raise no objection to the development subject to the imposition of relevant planning conditions.

11.52 Against this background it is considered that there will be no demonstrable harm caused by means of noise or general disturbance associated with this proposed development subject to conditions requiring the implementation of the mitigation measures outlined above. It is considered that the living conditions of future and surrounding residents have been safeguarded in this regard and policy GP5 of the development plan is satisfied.

11.53 In respect of general amenity issues and the impact upon living conditions of future occupiers, it is considered that there is sufficient space around buildings to provide satisfactory living conditions without causing any material planning harm. The majority of gardens have a depth of 10m that complies with NfL guidance, and most gardens achieve the 2/3 floorspace ratio for garden size. There are some where the garden areas do fall short of requirements e.g. plot 6, however this is not consistent such that within each defined area there will be larger gardens and smaller gardens providing buyers with the opportunity to purchase a particular house type with a larger garden if wished. It is also noted that the affordable houses all have a good level of garden provision. The flats are set within their own communal space, defined by hedging and boundary treatments.

11.54 Space between dwellings is also good, with many, particularly the detached properties achieving 5 – 6m. Elsewhere the gap between dwellings can be as little as 2m but this only happens in a few locations, with most dwellings having 3m plus gaps. This, along with the integrated landscaping and buffer zone areas achieves layout that is likely to cater adequately for each resident in terms of outlook, amenity space and reduced overlooking.

11.55 With regard to space standards, the proposal provides the following:

<u>House Type</u>	<u>Accommodation</u>	<u>Size (m2)</u>	<u>National Space Standard Size</u>	<u>Difference</u>
Foxton (2 layouts) 3 storeys	2 bed/3 person	61	61 (1 storey dwelling)	0
		62		+1
Amble (2 layouts) 3	2 bed/3 person	55	61	-6
		54		-7

storeys				
Malton (2 layouts) 3 storeys	2 bed/4 person	64 63	70	-6 -7
Woodcote 2.5 storeys	4 bed/7 person	112	115 (2 storey) 121 (3 storey)	-3 -9
Norbury 2.5 storeys	3 bed/6 person	103	102 (2 storey) 108 (3 storey)	+1 -5
Hesketh 2.5 storeys	4 bed/6 person	118	106 (2 storey) 112 (3 storey)	+12 -6
Brentford 3 storeys	3 bed/6 person	108	108	0
Ennerdale 2 storeys	3 bed/5 person	85	93	-8
Folkestone 2 storeys	3 bed/5 person	77	93	-16
Radleigh 2 storeys	4 bed/8 person	122	124	-2
Chester 2 storeys	4 bed/6 person	96	106	-10
Halton 2 storeys	4 bed/8 person	118	124	-6
Derwent 2 storeys	3 bed/5 person	84	93	-9
Alderney 2 storeys	4 bed/7 person	114	115	-1

11.56 It is clear from this that a number of units will not meet the required space standards, however the majority are within a tolerance level. The biggest differences lie with the Malton, Folkestone and Chester types. The Chester is a two storey dwelling with a

traditional format. Hall and w.c. to front along with separated lounge, kitchen/diner and utility area to rear. Upstairs are four bedrooms, 2 are shown as doubles, 2 as singles, with one family bathroom and an en-suite. Each room allows for storage furniture, with the smallest bedroom being 5 sq m.

- 11.57 The Folkestone is another 2 storey property but with kitchen and w.c. to front, and combined living/dining area to the rear. There are 2 double bedrooms and 1 single room, with a family bathroom and en-suite facility. Again the smallest room is 5 sq m.
- 11.58 On the whole layouts appear to be generous, providing a mixture of double and single sized rooms, family bathrooms (with bath), en-suite or downstairs toilet provision, and a variety of kitchen/living/dining combinations. Movement within the property is also provided for, with no house type appearing overly cramped or difficult to navigate.
- 11.59 The National Space Standards have not been adopted by Leeds and whilst we are drawing up our own Space Standards based on the NSS, no such policy has yet been adopted. This issue can therefore only be assigned limited weight. The question should be whether the layout allows adequate space to accommodate the intended occupants needs in terms of movement, space and privacy. Whilst it is acknowledged that some of the house types fall short, it is not considered that that is at the detriment of residential amenity and consequently no objection is raised on this issue.
- 11.60 On balance, the layout of both the site and the houses themselves provides for a good design, providing high levels of amenity space, privacy and circulation space. The proposal is therefore considered to comply with P10 and GP5.

#### Air Quality

- 11.61 Colleagues in transport studies do not object to this proposal on the grounds of local air quality. The air quality assessment submitted with the application shows that all modelled receptor sites are expected to meet the air quality standards by 2021 when the development is complete, although a number of receptor sites are currently experiencing air quality which falls below the annual average NO<sub>2</sub> standard. Compliance with this standard by 2021 relies on vehicle emissions performing as predicted, which hasn't happened in the past. As a result they do have some concerns over the level of exposure that may be experienced by future residents at some locations in this proposal, and would therefore fully support all measures put forward in the Travel Plan to reduce emissions associated with the development.
- 11.62 It is noted that provision of electric vehicle charging points needs to be increased in line with the requirements of the Parking SPD, so that every dwelling with a dedicated parking space (garage or driveway) should have a charge point and communal parking areas for residential and visitor parking should provide charging points for 10% parking spaces, which may be phased with 5% initial provision and the remainder at an agreed future trigger level. Charge points should also meet the specification set out in the guidance note accompanying the Parking SPD. A condition regarding the provision of charging points is therefore recommended.
- 11.63 The air quality assessment has identified damage costs of £172,240.74 as a result of vehicle emissions associated with the new development, following the calculation methodology set out in the West Yorkshire Technical Planning Guidance – Air Quality & Emissions. The developer has identified a number of measures in the Travel Plan which cover these costs.
- 11.64 To a large extent whether vehicle emissions on the motorway perform as predicted is out of the hands of the developer, however the scheme itself has a robust Travel Plan,

and incorporates measures to reduce emissions coming from the site itself. Conditions will be required to secure these, but on this basis the proposal would comply with policies P10 and G5, and guidance given in the Travel Plan and Parking SPD's.

### Flood Risk

- 11.65 Policy ENV5 of the Leeds Core Strategy advises that the Council will seek to mitigate and manage flood risk by (as relevant in this case), reducing the speed and volume of surface water run-off as part of new-build developments.
- 11.66 The site is located within Flood Zone 1 of the Environment Agency's indicative flood map and as such, it is considered to be at a low risk of flooding. However, due to the size of the site in excess of 1ha, the application includes the submission of a Flood Risk Assessment. This document confirms that with regard to surface water, in order to comply with the NPPF, it will be necessary to consider aspects of Sustainable Drainage techniques for the site subject to intrusive investigations, which will form a condition of this proposal.
- 11.67 FRM raise no objection to the development subject to conditions relating to a scheme detailing surface water drainage, a feasibility study into the use of infiltration drainage methods and these conditions are therefore recommended. Yorkshire Water also raises no objection subject to conditions. Overall, it is therefore concluded that the subject to the conditions outlined, the scheme will manage and mitigate flood risk in accordance with Policy ENV5 and guidance within the NPPF.

### Landscape

- 11.68 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced. Within the UDP, Policy LD1 provides advice on the content of landscape schemes, including the protection of existing vegetation and a landscape scheme that provides visual interest at street level.
- 11.69 In this case, an indicative landscaping masterplan has been produced which does establish a clear landscape strategy, essentially this includes the need to retain and enhance existing buffer planting to the south, south west to ensure an appropriate relationship to the M62 and to provide a suitable buffer away from commercial activity. It is recognized that existing vegetation is a feature of the site and it will be retained and enhanced such that the evolution of the landscape design will consider how to integrate and extend these elements within the development. The application does include the submission of a tree survey, it is noted that the trees along the boundary with the motorway are within the site; these trees are to be retained as maintaining their density is likely to assist with noise attenuation.
- 11.70 The council's landscape architect has assessed the scheme and has raised no objection subject to conditions. It is noted that the proposed greenspace layout is dictated by underground easements so a very linear form has been created. Any possible tree planting is limited to outside the easement boundaries. Given the existing service easement, there is only a small area between existing trees to the west and the service corridor. The location of a proposed pumping station in this area suggests that the attenuation will also be proposed here and that this will have an implication on the layout of any future landscaping scheme.
- 11.71 Details of planting around houses, or boundary treatments, bin stores, cycle parking etc. are not provided but can be dealt with via a condition on any permission. Other

conditions recommended are for biodiversity enhancements such as bat and bird boxes.

11.72 It is therefore considered that a landscaping condition should be imposed to ensure a successful landscape scheme can be established in accordance with the objectives of Core Strategy Policy P12 and UDP Policy LD1. The conditions should also seek the longer term management and maintenance of these areas, which will be particularly important where landscape buffers are providing noise attenuation.

### Highways

11.73 With reference to the Development Plan, Policy T2 of the Core Strategy advises that new development should be located in accessible locations and with safe and secure access for pedestrians, cyclists and people with impaired mobility with appropriate parking provision. Appendix 3 of the Core Strategy also sets out accessibility standards for development. The NPPF seeks to support sustainable transport solutions and but it advises at Paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

11.74 With regard to traffic impact the developers submitted a Transport Statement with data collected in September 2016. The Statement also took account of identified committed developments at the time. In considering this highways officers took account of the fact that part of the site already has permission in outline for development of up to 115 dwellings. The increase in vehicle trips as a result of the additional dwellings was therefore considered to be in the region of 43 two way trips in the AM Peak, and 42 two way trips in the PM Peak. This is considered to be within the capacity of the local highway infrastructure.

11.75 Access to the proposed development comprising 174 houses and 36 apartments is proposed via a primary and secondary access (Bruntcliffe Road and Scott Lane). In addition, through the site layout there are vehicular connections with the St Andrew's View development that is under construction.

11.76 Subject to works being carried out to the two new access points including off-site highway works, visibility splays, laying out of junctions then the access points raise no concerns. Most off-site highway works will be achieved via a s278 agreement, or via conditions as set out above.

11.77 The applicant has undertaken junction assessments for the following junctions in the site vicinity:

- A650 Bruntcliffe Road/A643 Howden Clough Road/Bruntcliffe Lane signal junction;
- A650 Bruntcliffe Road/Fountain Street/Scotchman Lane signal junction;
- A650 Bruntcliffe Road/Scott Lane priority junction;
- A650 Bruntcliffe Road/Proposed new site access priority junction; and
- A650 Bruntcliffe Road/St. Andrews' View site access priority junction.

11.78 UTC has gone through an iterative process with the developer to ensure the assessment of the signal controlled junctions is robust. The assessment indicates the A650/A643 Bruntcliffe Lane junction is currently operating above capacity. The



proposals would result in a slight increase in queuing at the junction; however, it would be difficult to demonstrate the change was severe in light of National Planning Policy Framework (NPPF). Likewise, the A650/Scotchman Lane signal junction is indicated to operate at capacity with the development as previously approved for 115 units. The proposed development would be associated with more queuing; however, this would be minimal compared with that associated with the permitted scheme.

- 11.79 A stage 1 road safety audit has been undertaken at the new priority junction with A650 Bruntcliffe Road. The audit identified likely problems for pedestrians accessing the bus services at the bus stops adjacent to the site at A650 Bruntcliffe Road. The designers' response notes that bus stop improvements will be the subject of a S106 as it was for the previously approved scheme on part of the site. This will cover provision of a bus shelter, lighting, seating and real-time passenger information at bus stops no. 11464 and 11466 at A650 Bruntcliffe Road.
- 11.80 Against this background the council's highway engineer has raised no objection to the principle of development subject to the completion of a S106 agreement requiring travel plan and the monitoring fee, off-site highway works and subject to planning conditions regarding the internal details (such as driveway gradients, setting out of sight lines, cycle parking, surfacing etc.). It is therefore considered that development plan policy T2 is satisfied.

#### Other Matters

- 11.81 The site has been assessed for potential contaminants and subject to conditions to cover the remediation of the site and other associated reports (e.g. verification, soil importation) then the proposal satisfies policies within the Natural Resources and Waste local plan.
- 11.82 Given the scale of development, and proximity to other residential areas it is appropriate that a Statement of Construction Practice be conditioned to ensure matters such as site clearance, contractors parking, hours of operation, noise, mud and dirt arising from construction are all controlled.
- 11.83 No details regarding energy provision at the site have been provided. Policy EN5 requires 10% of energy needs to be from low carbon sources. A condition regarding this, or a suitable alternative scheme, is recommended to ensure the site is compliant with this policy.
- 11.84 There have been archaeological findings in the area and therefore there is sufficient justification for a condition requiring a survey to be undertaken prior to any works starting which will enable the exploration and cataloguing of any remains.
- 11.85 A condition requiring a phasing plan is recommended due to the size of the site, and also to provide flexibility for the developers in discharging conditions.

## **12 Conclusion**

- 12.1 The proposal will make a good contribution to housing supply in the local area, without impacting negatively on local infrastructure. Although not an allocated housing site, the site has previously had outline permission for housing on part of it, and the remainder of the site would comply with housing policies. The site is in a sustainable location, close to local facilities and services, and can be readily accessed. The layout provides a good balance between private and public space, and provides for suitable landscaping and biodiversity enhancement. On balance it is considered that the proposal meets with relevant Development Plan policies and the objectives of the

NPPF, and that, subject to conditions and a signed s106 agreement should be recommended for approval.