

NORTH AND EAST PLANS PANEL - ADDENDUM SHEET

Date: 6th September 2018

Subject: 17/08451/OT – Appeal against the non-determination of outline application for circa. 300 dwellings, GP practice, pharmacy, A1 convenience store, public greenspaces, associated works, vehicular access, pedestrian/cycle and emergency vehicle link on land off Rakehill Road, Scholes, Leeds.

Reasons for Refusal

1. The site is a Protected Area of Search under (saved) Policy N34 of the UDP Review. The site also constitutes safeguarded land for the purposes of the National Planning Policy Framework, paragraph 139. The release of this PAS site for housing would be contrary to Policy N34 and also to paragraph 139(d) (having regard also to sub-paragraph (c)). Planning permission for the permanent development of safeguarded land should only be granted following an update to the Local Plan, which proposes the development.
2. Development of the appeal site would be premature, contrary to paragraphs 49 and 50 of the NPPF. The Development, taken alone or cumulatively, would mean that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location and phasing of new housing and/or employment development that are central to the emerging designation of safeguarded land under the (very advanced) Submission Draft/Site Allocations Plan (SAP). The proposal would have a prejudicial effect on decision taking with regards to directing new development through the SAP and community involvement in the plan-making process.
3. The proposal fails to demonstrate that an acceptable level of accessibility can be achieved for the scale of development proposed as the appeal site does not meet the accessibility standards for housing. Given the scale of development proposed in relation to the scale of the settlement being within the lower end of the settlement hierarchy and lack of accessibility to a range of facilities and services, it is considered that the appeal proposals do not represent a sustainable form of development. As such, it is considered that the proposal is contrary to Policies SP1, H2 and T2 of the Core Strategy and the NPPF concerned with matters including the promotion of adequate and safe walking and cycling opportunities, the promotion of locations that offer genuine public transport opportunities, satisfactorily minimising the length of journeys to employment facilities and to adequate local services and facilities, and achieving growth within locations that are or can be made sustainable, pursuant to paragraphs 102-104 and 108-110 of the NPPF.
4. The Local Planning Authority considers that the applicant has so far failed to demonstrate that the local highway infrastructure, including wider network which would be affected by the additional traffic as a result of this development, is capable

of safely accommodating the proposed development and absorbing the additional pressures placed on it by the increase in traffic, cycle and pedestrian movements. The proposed development would be have an unacceptable impact on highway safety and would have a severe residual cumulative impact on the road network. This is contrary to Core Strategy Policy T2, H2 and saved Policy GP5 of the Unitary Development Plan (Review 2006) and to Part 9 of the NPPF paragraphs 108-110. It is also contrary to guidance contained within the Street Design Guide and Inclusive Mobility (Department for Transport 2002) that requires combined development not to create or materially add to problems of safety, environment or efficiency on the highway network.

5. In the absence of a signed Section 106 agreement the proposed development so far fails to provide necessary contributions for the provision of affordable housing, education, travel planning and off site highway works, contrary to Policies H5, and ID2 of the Leeds Core Strategy and the NPPF. The Council anticipates that a Section 106 agreement covering these matters could be provided in the event of an appeal but at present reserves the right to contest these matters should the Section 106 agreement not be completed or cover all the requirements satisfactorily.