



Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 21st February 2019

Subject: Application 17/07071/OT – Outline application for residential development (up to 14 units) to consider layout and means of access only, at land off Gibraltar Road, Pudsey.

APPLICANT

General Contractors (Leeds)
Ltd

DATE VALID

24th November 2017

TARGET DATE

PPA 30th March 2019

Electoral Wards Affected:

Pudsey

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

APPROVE subject to the conditions specified

Conditions

1. Time limit – 3 years.
2. Outline condition.
3. Development to be carried out in accordance with approved plans.
4. Wall and roofing materials to be submitted and approved.
5. Levels details to be submitted and approved.
6. Full details of Construction Practice, including mud cleaning, prevention of dust, compound location and statement of practice.
7. Provision for Contractors during construction.
8. No construction or deliveries to be understand outside the hours of 08:00 and 18:00 Mondays to Saturdays.

9. Electric charging points to be installed at all properties.
10. Visibility splays of to be provide 2.4m x 25m visibility splays, prior to occupation and retained for lifetime of development.
11. Maximum Drive gradients.
12. Cycle and motorcycle parking.
13. Vehicle areas laid out prior to occupation.
14. Full boundary details to be submitted and approved.
15. Submission of Bat Activity commuting and foraging survey.
16. Submission of reptile survey and botanical survey as recommended in the preliminary Ecological Appraisal dated May 2018.
17. Approval of method statement for the control and eradication of Japanese Knotweed, prior to commencement.
18. No works or removal of hedgerows, trees and shrubs between 1st March and 31st August.
19. Full Landscaping (including tree, planting, surfacing and boundary treatments) and implementation.
20. Landscape management plan to cover maintenance of all new landscaping for the first 5 years, and the management of on-site open space and areas of landscaping not within individual plots for the lifetime of the development.
21. Submission of Phase 2 contaminated land survey.
22. Submission of Amended Remediation Statement in the event of unexpected contamination.
23. Submission of Verification Reports following remediation.
24. Testing of imported soil.
25. No building within 3m either side of sewer
26. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
27. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works

1.0 INTRODUCTION:

- 1.1 The application is brought to Plans Panel at the request of Councillor Lewis, due to his concerns on highway safety due to the proposed means of access.

2.0 PROPOSAL

- 2.1 The proposal is for outline consent for (up to 14 units) residential dwellings, the only other matter to be considered is access.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of an irregular shaped area of grassland and scrub, which is situated on the south-western edge of Pudsey. The site is 1.32ha in size, and is surrounded by dwellings to the north and western boundaries. To the south lies a slither of Green Belt land and a new modern housing estate lies to the south-east. The sites slopes steeply downwards in a north to south direction. The site lies adjacent to the Green Belt which lies to the south and separates the district of Leeds to Bradford. The surrounding properties vary in their age and form. The properties to the north are stone built terraced properties which front onto Waterloo Road. More modern suburban properties lie to the east. The highway of Gibraltar Road, lies adjacent to the southern boundary of the site.

4.0 RELEVANT PLANNING HISTORY:

4.1 Outline consent for residential development upon the site was refused planning consent on 11th December 2000 (ref 25/175/00/OT) for the following three grounds.

- Development of greenfield site in advance of a brownfield site
- Unacceptable detriment to highway safety
- Lack of a landscaping scheme which protects natural features on the site, and lack of adequate screen along the Green Belt boundary

5.0 HISTORY OF NEGOTIATIONS:

5.1 Revised plans have been received to address highway safety concerns and improve visibility at the junction/ access going into the site from Gibraltar Road, on this proposal.

6.0 PUBLIC/LOCAL RESPONSE:

Ward Members.

6.1 Councillor Richard Lewis has commented on the application raising concerns on highway safety grounds, as a result of the proposed means of access onto Gibraltar Road.

Other public response

6.2 The application was publicised by site notices which were posted around the site on 17th December 2017. To date 8 letters of objection have been received to the application. The points raised in these objections are highlighted below.

- Green space should be preserved
- The proposal will erode into the Green Belt
- Loss of wildlife
- Concern regarding additional traffic
- Damage to the highway through the construction
- Disruption caused by the construction
- Impact on street parking
- Increase in anti-social behaviour
- Impact of surface water run-off will make areas 'boggy' and flood
- Loss of view
- Development will create traffic congestion
- Will have adverse impact on the setting of adjacent historical buildings
- Trees have already been removed from the site
- Development should include a wildlife corridor
- Adverse impact on residential amenity
- Loss of semi-rural character of this locality
- Potential for subsidence building on a slope
- Impact on sewerage pipes
- Brownfield sites should be developed, not green field sites

7.0 CONSULTATION RESPONSES:

Coal Authority

- 7.1 No objection. The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.

Nature Conservation

- 7.2 Recommend conditions which relate to further surveys which should include identification of use of the site by any protected species (and presence of any non-native invasive species), no removal works in the nesting/ summer season, and Bat roost potential survey, and subsequent roost activity surveys if deemed appropriate.

West Yorkshire Police

- 7.3 Have stated they would comment at the Reserve Matters stage.

Highways

- 7.4 No objection. The revised plan 15105-C-50 D limits the junction and footway works within the application site and the adopted highway. This results in a narrowing of the footway as it passes no.6 but visibility from the junction is accommodated within the proposed highway limits. Recommend conditions.

Flood Risk Management

- 7.5 Consultation with Yorkshire water is required as sewers run across the site.

Yorkshire Water

- 7.6 No objection subject to conditions, which relate to no building over sewers, and separate systems of drainage, and piped discharge.

Landscaping

- 7.7 Tree survey is required and along exposed boundary to Gibraltar road requires consideration.

West Yorkshire Combined Authority

- 7.8 Requested £7,920 to fund Travel cards to new occupiers.

Contaminated Land

- 7.9 No objections subject to conditions.

8.0 PLANNING POLICIES:

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

Development Plan

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

Relevant Policies from the Core Strategy are:

GENERAL POLICY – Presumption in favour of sustainable development

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

H2 – Housing development on non-allocated sites.

H3 – Housing density

H4 – Housing mix
H5 – Affordable housing
P10 – High quality design.
P12 – Good landscaping.
T2 – Accessibility.
G4 – Greenspace
G8 – Biodiversity improvements.
EN1 – Carbon dioxide reduction in developments of 10 houses or more, or 1000 m² of floorspace
EN2 – Achievement of Code Level 4, or BREEAM Excellent (in 2013) for developments of 10 houses or more or 1000 m² of floorspace.
EN5 – Managing flood risk.
EN7 – Protection of mineral resources (coal, sand, gravel).
ID2 – Planning obligations and developer contributions.

Relevant Saved Policies from the UDP are:

GP5 – General planning considerations
N23 – Incidental open space around development.
N25 – Landscaping
BD5 – General amenity issues.
LD1 – Landscaping

Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.
MINERALS3 – Surface Coal resources
AIR1 – Major development proposals to incorporate low emission measures.
WATER1 – Water efficiency, including incorporation of sustainable drainage
WATER4 – Effect of proposed development on flood risk.
WATER6 – Provision of Flood Risk Assessment.
WATER7 – No increase in surface water run-off, incorporate SUDs.
LAND1 – Land contamination to be dealt with.
LAND2 – Development should conserve trees and introduce new tree planting.

Draft Site Allocations Plan

- 8.3 Leeds' draft Site Allocations Plan (SAP) was subject to hearings in August 2018, which have now concluded. The Inspector has now issued her Main Modifications which is subject to a round of consultation which ends on 4th March 2019. The SAP is likely to be adopted in summer 2019 and therefore significant weight can therefore be attached to the SAP.

Supplementary Planning Guidance and Documents

- 8.4 The following SPGs and SPDs are relevant:

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

National Planning Policy

8.5 The National Planning Policy Framework (NPPF), was updated in July 2018. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.6 Relevant paragraphs are highlighted below.

Paragraph 12	Presumption in favour of sustainable development
Paragraph 34	Developer contributions
Paragraph 59	Boosting the Supply of Housing
Paragraph 64	Need for Affordable Housing
Paragraph 91	Planning decisions should aim to achieve healthy, inclusive and safe places
Paragraph 108	Sustainable modes of Transport
Paragraph 110	Priority first to pedestrian and cycle movements
Paragraph 111	Requirement for Transport Assessment
Paragraph 117	Effective use of land
Paragraph 118	Recognition undeveloped land can perform functions
Paragraph 122	Achieving appropriate densities
Paragraph 127	Need for Good design which is sympathetic to local Character and history
Paragraph 130	Planning permission should be refused for poor design
Paragraph 155	Inappropriate development in areas at risk of flooding should be avoided
Paragraph 163	Planning decisions should not increase flood risk
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

9.0 MAIN ISSUES

- Principle of development
- Density
- Landscaping/ Trees
- Highways/ Access
- Other issues

10.0 APPRAISAL

Principle of development

10.1 The site is a vacant greenfield site, which is a Housing UDP site (H3.2A.9) carried forward as an Identified housing site (HG1.168) in the Site Housing Allocations Plan with a potential capacity of 38 units. The proposal is not considered to be premature given its allocation in the UDP, the highly advanced stage of the Site Allocation Plan, the fact that the site is to remain as housing allocation, and no modification is proposed to this allocation. Significant weight can therefore be attributed to the proposed allocation as the proposal is in full compliance with the SAP.

10.2 The SAP Housing Background Paper recognises the significance of maintaining a 5 Year Housing Land Supply (YHLS). At present it is accepted that Leeds does not have a 5 year housing land, this was determined by the Inspector in a recent appeal decision, at Ridge Meadows, Linton (dated 14.12.18) where he concluded the housing land supply figure for the Leeds district was 'around 4 years'. Therefore significant

weight must be attributed to the benefit of bringing forward a deliverable site in the absence of a 5 Year Housing Land Supply and providing much needed housing to this suburb of Leeds.

- 10.3 Spatial Policy 1 of the 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 advises that the distribution and scale of development will be in accordance with the following principles:
- 10.4 The largest amount of development will be located in the Main Urban Area and Major Settlements. Smaller Settlements will contribute to development needs with the scale of growth having regard to the settlement's size, function and sustainability.
- 10.5 In applying (i) above, the priority for identifying land for development will be as follows: (a) – Previously developed land and buildings within the Main Urban Area/relevant settlement; (b) – Other suitable infill sites within the Main Urban Area/relevant settlement; and (c) – Key locations identified as sustainable extensions to the Main Urban Area/relevant settlement. The application site is within the main urban area of Leeds and is therefore considered to fulfil the general objectives of policy SP1.
- 10.6 Spatial Policy 6 of the Core Strategy relates to the City's Housing Requirement and the allocation of housing land. It confirms that the provision of 70,000 (net) new dwellings will be accommodated between 2012 and 2028 with a target that at least 3,660 per year should be delivered from 2012/13 to the end of 2016/17. Guided by the Settlement Hierarchy, Spatial Policy 6 confirms that the Council will identify 66,000 dwellings (gross) to achieve the distribution in tables H2 and H3 in Spatial Policy 7 using the following considerations, Sustainable locations, Preference for brownfield and regeneration sites, the least impact on Green Belt purposes, Opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods and quality of life of local communities through the design and standard of new homes, The need for realistic lead-in-times and build-out-rates for housing construction, The least negative and most positive impacts on green infrastructure, green corridors, green space and nature conservation, and Generally avoiding or mitigating areas of flood risk.
- 10.7 In response to these considerations, it is considered that the proposal is located in a sustainable location, within a main urban area, which is already served by local amenities and public transport. Spatial Policy 6 does express a preference for brownfield and regeneration sites and this site is brownfield, and within a regeneration area. Moreover, the site is not within the Green Belt land such that there is no impact in this respect.
- 10.8 It is considered that the principle of this proposal accords with the Core Strategy polices on new housing, subject to an assessment against all normal development control considerations. Housing regeneration and growth is a key priority for Leeds; it is a breakthrough project in the Best Council Plan. The main issue with regard to this application is the need to provide an adequate level of noise upon the site for the future occupiers of the development and whilst ensuring the layout is of a good design. The proposal will contribute towards the housing delivery of 70000 new homes as required by policy SP6 of the adopted Core Strategy and contribute towards Leeds City Council's five year housing land supply.

Density

- 10.9 Policy H3 of the Core Strategy recommends a density of 35 dwellings per hectare, within urban areas. Policy H3 does state the densities are guidance, unless they are over-riding reasons concerning townscape, character, design or highways which require a lower density. The applicant is seeking outline consent for up to 14 dwellings. This equates to a density of 11 dwellings per hectare. Although this does fall under the density guidance of the Core Strategy as it is considered to be an appropriate density, due to the following constraints.
- 10.9 The site is located adjacent to the Green Belt, and has a steep slope. It is not considered a density of 35 per hectare would be appropriate on this site. Any development should respect the character of the surrounding Green Belt, and semi-rural character and it is not considered a development at 35 units per hectare would achieve this. The previous outline application in 2000, was refused on these grounds (see para 4.1). A lower density development would also lessen the need for retaining structures etc, which would give the site a very heavily engineered appearance, which would appear at odds with the 'green' character of this locality.
- 10.10 A development of 14 units would also allow for Green Space to be provided for, on-site following the guidance of policy G4). The highway matters are discussed below, however Highways officers have stated the site is severely constrained by the means of access and they are unlikely to support a development greater than 14 units. It is therefore considered the proposal does meet with the guidance of policy H3, due to the site constraints.

Landscaping

- 10.11 Conditions have been suggested by Nature Conservation and Landscaping team with regard to further surveys with regard to Bat activity commuting and foraging, Reptile and Botanical surveys, method statement for the removal of Japanese Knotweed. A condition is also recommended which prohibits no removal works between 1st March and 31st August and Tree protection measures. It is not considered the conditions which relate to tree protection are required, as any trees which existed upon the site have been removed. The site is dominated tall ruderal grassland and scrub and therefore it is considered appropriate to condition the requirement for the further surveys, as described above.
- 10.12 The fact the development is restricted to 14 units, does mean a generous amount of landscaping would be available on-site and open space in accordance with policy G4. In view of this, a full landscaping scheme is required to be submitted for approval and a condition is recommended. Any forthcoming landscaping scheme would need to ensure a buffer and adequate assimilation to the adjacent Green Belt land. The low density of this development does allow for this.

Highways/ Access

- 10.13 The proposed access arrangements have been revised in order to accommodate adequate visibility from the new junction on to the existing estate road and to provide a suitable distance between the new junction and the existing kerb build out around the electricity sub-station opposite. Vehicle tracking has been used to demonstrate that vehicle movements can be safely accommodated in and out of the proposed junction and adequate visibility is provided to ensure drivers are able to observe one another's movements. Highway Officers have stated that they are satisfied with the revised access arrangements, subject to gradients being agreed through the adoption procedure (S38 agreement) required to construct the proposed road.
- 10.14 Highway Officer have also stated they consider the site would only be suitable for up to 14 dwellings and are unlikely to support an application which resulted in larger

parking requirements or higher trip generation. It is considered the access can safely accommodate a further 14 dwellings. Conditions are recommended which will be imposed on the approval of the application.

- 10.15 It is not considered reasonable to request £7,920 to fund Travel cards to new occupiers on a development of this size (14 units), following the request from WYCA. There is no policy requirement for this, on a development up to 14 units in size.

Other issues

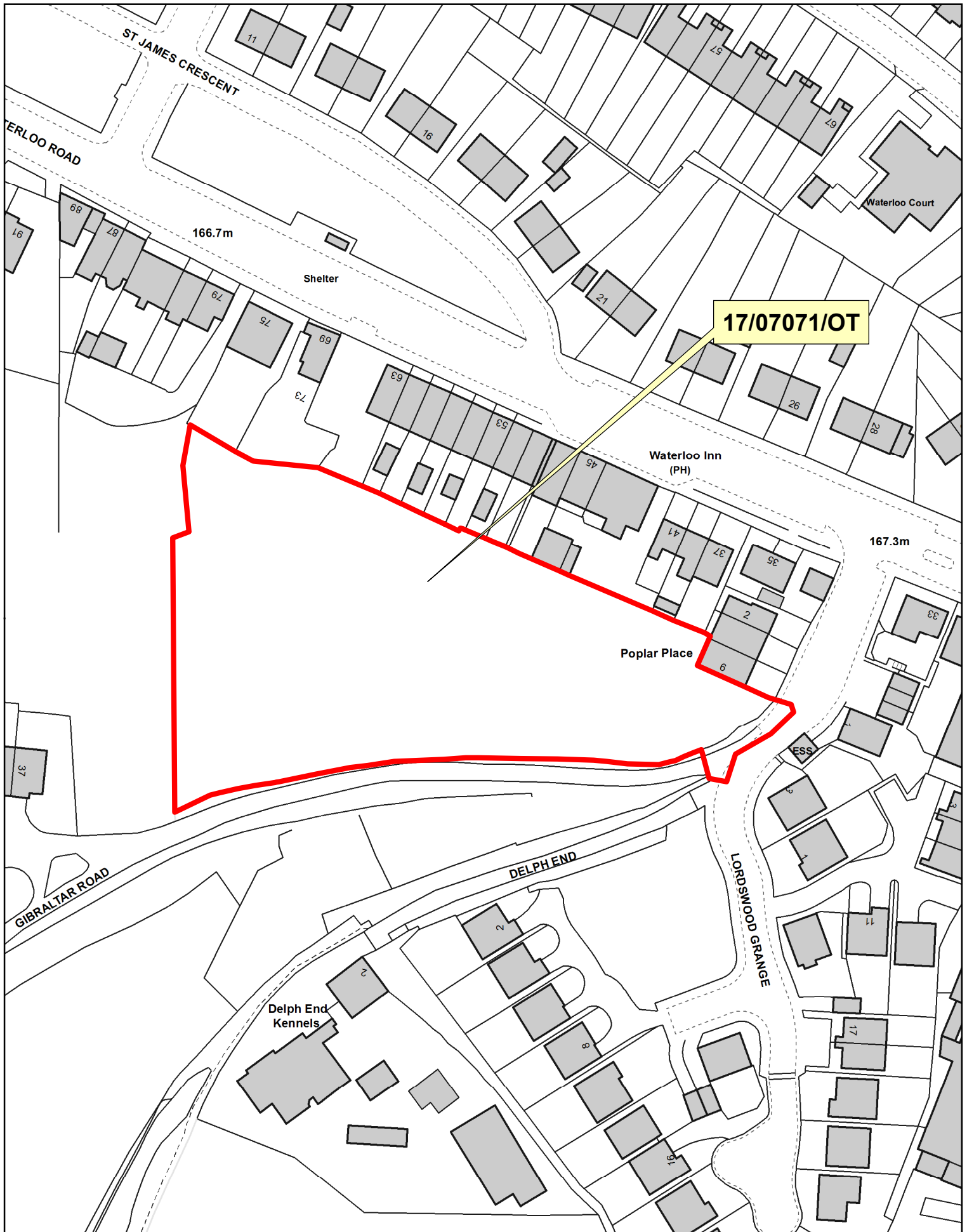
- 10.16 Conditions are imposed which relate to technical matters, following the consultation response from Contaminated Land, Nature Conservation and Yorkshire Water. All of these recommended conditions are to be imposed on the approval of the application.
- 10.17 As stated previously in this report, a development of 14 units will allow a significant amount of space and biodiversity to remain on-site. This is a main theme of the objections received, but will be fully assessed at the Reserve Matters stage, once the full layout of the scheme is devised.
- 10.18 Other issues raised in objections include disruption through the construction period, loss of a view and anti-social behaviour. Conditions are also recommended to minimise disruption through the construction period. The loss of a view is not a material planning consideration, and there is no evidence to suggest a development of 14 properties would create anti-social behaviour.

11.0 CONCLUSION

- 11.1 The site although allocated for housing through the SAP, is severely constrained, due to its steepness, restricted access. In view of this, it is considered a low density development (up to 14 units) is the developable limits of the site, and will allow for a housing scheme which respects the character of the surrounding locality and adjacent Green Belt land. The application is recommended for approval subject to conditions.
- 11.2 The scheme offers other benefits, it provides new housing which will contribute towards the requirements of housing delivery of 70,000 new homes as required by policy SP6 of the adopted Core Strategy. On balance, it is therefore recommended that the application is approved, subject to the suggested conditions.

Background Papers

Application Files: file 17/07071/OT



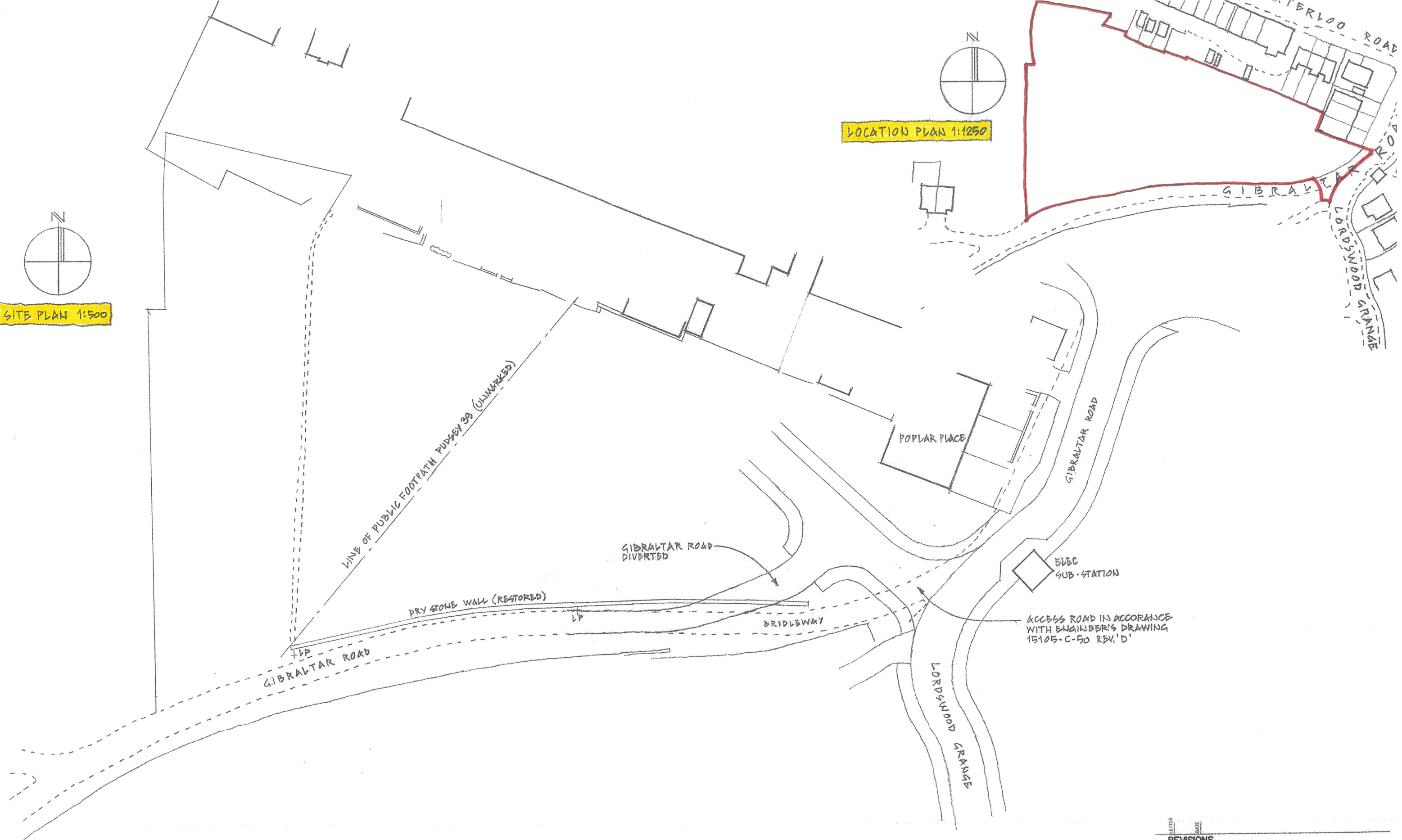
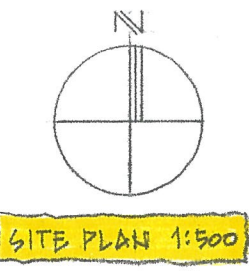
SOUTH AND WEST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1000





client GENERAL CONTRACTORS (LEEDS) LTD
drawing SITE PLAN, LOCATION PLAN
project PROPOSED RESIDENTIAL DEVELOPMENT, GIBRALTAR ROAD, PUDSEY

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