



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 30th Jan 2020

Subject: Outline planning application for a residential development with all matters reserved save for the two principle accesses off Westerton Road and Haigh Moor Road, (but not to include access within the site), three points of access at Upper Green Avenue, Sandringham Drive and Hill Top Lane, associated works, public open space provision and accessibility and qualitative improvements to local greenspace

APPLICANT

West Ardsley Development
Consortium

DATE VALID

15 December 2017

TARGET DATE

16 March 2018

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Ward Members consulted
(referred to in report)

Yes

Electoral Wards Affected:

Morley South

Ardsley and Robin Hood

RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer for approval subject to the specified conditions identified below (and any others which he might consider appropriate) and also the completion of a S106 agreement.

The S106 agreement is to include the following:

- **provision of 15% affordable housing;**
- **£816,000- improvements to M62 Junction 28 with a 10% uplift provision;**
- **£87,000 – improvements to A650/Common Lane; and**
- **£111,000 – improvements to A650/A6029 Rein Road.**
- **Travel Plan Fund £148,005**

In the event the S106 agreement has not been completed within three months of the panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

Conditions

1. Approval of reserved matters (layout, scale, appearance and landscaping)
2. Time limit of five years for submission of Reserved Matters
3. Approved Plans
4. Phasing for ground works
5. Up to 299 dwellings only
6. Phasing
7. Housing mix
8. Space and mobility standards
9. Green space provision
10. Sustainability requirement carbon emission reduction
11. Design code and landscaping masterplan
12. Details of off-site highways works
13. Footpath construction
14. Visibility splays
15. Vehicle space to be laid out
16. Provision of EVCP
17. Provision of cycle storage;
18. Archaeology
19. Flood risk and drainage
20. Separate systems for foul and surface water
21. Phase II ground investigations
22. Remediation Statement
23. Remediation Verification
24. Construction management
25. Construction time restrictions
26. Construction facilities
27. Ecological details
28. Biodiversity management
29. Landscape details
30. Tree protection

1.0 INTRODUCTION

- 1.1 This application was put forward to City Plans Panel for consideration on the 6th January 2020. The application was deferred by Members following concerns raised by Councillor Finnigan and Andrea Jenkyns MP regarding insufficient time following the Christmas period to scrutinise the case officer's recommendation report and the Highway's Technical Guidance that had been put on the application file.
- 1.2 The outline planning application seeks permission for up to 299 dwellings and relates to two sites that are identified for housing in the adopted Site Allocation Plan (SAP). The two sites *HG2-168 Haigh Wood, Ardsley North* and *HG2-169 Haigh Wood, Ardsley South* sandwich Baghill Beck and Haigh Woods. The application was submitted in December 2017, but is only now coming forward for determination following the Council's formal adoption of the SAP in July 2019.
- 1.3 The application relates to an outline planning application and, as such, it should be made clear that the proposal relates to the principle of the development on the sites identified in the submitted location plan and the proposed accesses into them. Matters of scale, layout, landscaping and appearance are to be determined via separate Reserved Matters application(s), should approval be granted for this outline planning application.
- 1.4 The application is presented to City Plans Panel as the scale, nature and location of the proposed development means it requires detailed consideration before Members. The scale of the proposal and its siting close to a strategic road network (M62, A653 and A650 which are major contributory roads) raised significant concerns from Highways England and a holding response was imposed. The holding response has been lifted based on details submitted from the applicant, including contributions to be made for specific local highway improvements and future improvements to Junction 28 of the M62.

2.0 PROPOSAL:

- 2.1 As noted above, this outline planning application proposes up to 299 dwellings within two sites that are allocated under the Council's recently-adopted SAP, with associated works, creation of public open spaces, a nature reserve and wider accessibility and qualitative improvements. The developable parts of the two SAP sites are separated into four plots. The collective development of the four plots will facilitate the creation of various public open spaces and the enhancement and improvement to Haigh Wood and surrounding public rights of way.
- 2.2 The outline application seeks approval for the use of the land for residential purposes and accesses into the four parcels of housing land including two principle accesses from Westerton Road and Haigh Moor Road; and three points of access from Upper Green Avenue, Sandringham Drive and Hill Top Lane.
- 2.3 The site is split into four parcels of land that are to be developed, collectively supplying up to 299 dwellings which will range in size, type and tenure. (15% Affordable housing is proposed). The four parcels of land for development are to be accessed separately from one another by vehicles, however, open spaces and improvements to the woodlands in between the sites, would improve overall public access across the wider area.
- 2.4 The largest of the four parcels of land is to the south of the wider site and accessed principally from Haigh Moor Road. However, it is indicatively shown that the

residential properties will be accessed from Hill Top Lane. It is considered that the southern parcel of land will provide circa 182 dwellings.

- 2.5 To the northwest of the site a long narrow parcel of land is proposed to be developed with up to 57 dwellings. Sited to the south of Upper Green Avenue/ Upper Green Drive and north of Haigh Woods, access is proposed via an extension to the existing access road, Upper Green Avenue. Upper Green Avenue links to Westerton Road to the north. This part of the development site is currently used partly for agricultural purposes, although some land is unmanaged scrub and neutral grassland.
- 2.6 The eastern parcel of land is to be accessed through Sandringham Drive (which in turn is accessed from Haigh Moor Road) and will create circa 32 dwellings. This parcel of land is currently in agricultural use.
- 2.7 The northernmost parcel of land is to be accessed directly off Westerton Road and is currently used for agricultural purposes. The land is surrounded by a hedge and trees and it is proposed to develop the parcel of land with circa 28 dwellings.
- 2.8 The application has been supported by an Illustrative Masterplan (ref: SK07) and a Landscape Accessibility and Green Infrastructure Masterplan which will inform and set out parameters for the Reserved Matters submissions that are proposed to deal with scale, layout, appearance and landscaping. The plans are illustrative of how 299 dwellings could be laid out on the site and has been informed by a landscape architects, ecologists, engineers and arboriculturalists.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to two sites that have been allocated for housing use in the adopted SAP. The two sites sit to the north and south of Haigh Wood/ Baghill Beck and in the SAP are identified as amounting to 16.44 hectares. The proposed parcels of land identified for housing development within this application amounts to 13.54 hectares of developed land. The proposed areas of land to be developed are completely within the redline boundaries of the sites approved in the SAP (site references *HG2-168 and HG2-169*).
- 3.2 Collectively, the sites are located within West Ardsley, approximately 8 km south of Leeds city centre and 6km northwest of Wakefield city centre. The two SAP sites is approximately 1km south of the junction 28 of the M62 motorway and surrounded by the Westerton Road to the north, Haigh Moor Road to the east, Woolin Crescent and Hill Top Lane to the south and Baghill Road to the southwest. Although these roads are unclassified and defined as secondary distributor roads, they link to the more strategic A roads of Dewsbury Road and Bradford Road, which are less than 1km away.
- 3.3 As previously described, the site is to be broken into four parcels for development. The land proposed for developing comprises of grassland, scrub, and agricultural land, albeit none of the land has recently been used for grazing. This is set amongst a mixture of boundary treatments, including trees and hedging. Outside of the land identified for development, but in the ownership and control of the applicant, is Haigh Wood and Baghill Beck.
- 3.4 The areas surrounding the site comprise of residential properties, interspersed by local facilities, including small shops, schools, public houses and other local community facilities. The areas of residential properties are interspersed with public open spaces and wider agricultural fields that are defined as Green Belt land. To the

east of Haigh Moor Road there is Ardsley Reservoir, whilst to the west – within the middle of this site – there is Baghill Beck and Haigh Woods. Various public footpaths cross the application site and link the residential streets with the wider public green spaces. There are some historic Grade II Listed buildings within the wider area, however, none are sited within the proposed development site.

4.0 RELEVANT PLANNING HISTORY:

4.1 The following planning applications are considered most pertinent in relation to this planning application:

4.2 23/539/02/OT – Outline application to erect residential development – Approved 24.02.2003

4.3 06/01180/RM – Laying out of access road and erection of 28 houses with landscaping – Approved 11.01.2007

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant has been in extensive talks with the Local Planning Authority regarding issues relating to highway concerns, footpaths, the drainage strategy, overall layout and ecological/ biodiversity of the site. Since the application was originally submitted in 2017, the applicant/ agent has been instrumental in discussions relating to the adoption of the SAP and attended the public hearings.

5.2 Following on from the adoption of the SAP, the applicant has been in discussions with the Highways Authority and Highways England. Further investigations have been carried out into the impact of the proposal upon the highway network and costs of improvement works to significant surrounding junctions to mitigate against such impact. The work carried out has resulted in Highways England removing their holding response and the Highways Authority being satisfied that any cumulative impact will be mitigated through contributions towards junction improvements.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The development has been advertised by Site Notice posted on 23 February 2018 and within the Yorkshire Evening Post on 12 January 2019.

6.2 Since the submission of the application 3,424 representations have been received from public. The material planning considerations that have been raised in the objections can be summarised into the following:

Principle of Development

- The site is unsustainable and contrary to the aims of the NPPF
- The proposal will have a negative impact upon the local community and the environment
- There are plenty of other sites within the Leeds/ Wakefield areas that should be developed before this area is even considered
- The development sacrifices Green Belt and there are empty buildings and brownfield land that could be used
- The area has already seen great expansion of housing with no corresponding infrastructure
- Tingley, West and East Ardsley have all been overdeveloped with housing

- The site is not sustainable or located within an accessible location adequately served by existing or programmed highway works
- The site at the side of Upper Green Avenue was designated as a green space
- In light of the Housing White Paper, further consideration of a lower housing requirement is needed and the Core Strategy Select Review needs to be concluded
- This application is premature and should not be determined until a full review of the Site Allocation Plan has been made
- If adopted in the SAP, the site should be developed comprehensively
- There has not been consultation on the scope of works relating to CIL
- The proposal does not meet the requirements of the Core Strategy, Unitary Development Plan or the NPPF
- The area needs affordable housing not large 4-5 bedroomed dwellings
- The developer is not contributing to local facilities in terms of health care and education
- A climate emergency has been declared and this is a material consideration

Traffic Issues

- The roads in the village are busy enough already and at full capacity
- The proposal does not take account of all the other developments and the cumulative traffic they generate, including a large housing site in Chidswell, amongst many others
- The roads are excessively parked on, congested and therefore dangerous
- Although speed limits on some road have been reduced to 20mph, people still speed and the roads have become very dangerous
- The accesses are close to Hill Top School and the extra traffic will put children at risk
- Public transport links are minimal and accessibility is poor – it does not meet the Councils own accessibility standards
- The extra traffic will increase pollution - both noise and air
- The goals set for public transport and bicycle use will not impact upon the numbers of cars in the area
- The local Tesco Express on Westerton Road is the only local facility which attracts significant volumes of traffic
- The roads are impassable at school drop off and pick up times because of inconsiderate parking
- The traffic figures do not convey the true problem with traffic on the roads
- Most traffic in the area has to navigate through the Tingley interchange, which is often affected by traffic from the M62
- The access off Westerton Road is dangerous and accidents have occurred on this bend
- Increased traffic onto the A650 and A653 that are already congested
- Junctions in the area are already over capacity (Rein Road - Dewsbury Road - Syke Road, Smithy Lane - Bradford Road) or severely impacted at peak times (Westerton - Haigh Moor Road, Upper Green Way - Westerton, Westerton - Constable)
- The site is not sustainable if people are having to use their cars more to access education and doctors facilities further away
- Single access into the northern site is unacceptable as it leads from an existing cul-de-sac
- No cycle lanes are proposed and the natural tracks available now are to be removed. This does not encourage cycling

Amenity Issues

- Existing public facilities and infrastructure are barely coping with the existing number of residents
- The local schools are already oversubscribed even after extensions have already been carried out
- No support for young or elderly

- The doctors surgery cannot cope with the amount of patients as it is and it often takes 4 or more weeks to get an appointment and there is no NHS dentist in the area
- No mention of green spaces for children to play on
- The construction would add to noise pollution and inconvenience local residents
- Existing houses will lose their privacy and will be overshadowed
- The proposal will impact upon the Lee Fair Gap Horse Fair and the areas cultural heritage
- Increased crime and anti-social behavior
- Internet speeds are already bad and more houses will make this worse. People can't therefore work from home
- There are potential land contamination issues not mentioned by the developer
- Impact upon the local views and outlook
- Construction noise and disturbance - restrictions on deliveries should be imposed should the proposal go ahead

Design Issues

- The drainage system is archaic and already struggles to cope with waste
- The plans show the buildings very close to the existing houses
- The design contravenes the 2009 Leeds City Council Design Guide where it states that 60 metres between junctions is required
- The scale and massing of the proposed houses does not represent the characteristics of the wider area
- Further information regarding the house designs is necessary

Landscaping Environmental Issues

- People value the open spaces and consider them to be part of their quality of life
- There are minimal safe areas for children to play and the green spaces need to be replaced
- Haigh Woods are frequently used by walkers and children
- The proposal will severely impact upon local wildlife that needs special protection, including light intrusion
- The proposal will impact upon the landscape and increase the risk of flooding
- The public rights of way need to be protected
- The proposal does not improve existing ecological systems, habitats or improve biodiversity
- Although some footpaths are to be retained, they lose their attractiveness once close to the built environment
- The area has N11 status and is a major visual amenity and stops the merging of existing developments
- The proposal will mean the loss of a green buffer
- Endanger the native bluebells

The above comments have been taken into account and assessed in the subsequent report.

6.3 Comments and concerns objecting to the proposal have been raised from Andrea Jenkyns MP and six Ward Councillors (Councilors Mulherin, Garner, Renshaw, Dunn, Dawson and Finnigan). The comments reiterate the comments that have been raised by the public and can be summarised as follows:

- Further pressure on schools and health facilities
- Lack of local amenities
- Cumulative impact upon the highway network and dangerous accesses
- Highways England's concerns have not been satisfied
- Lack of public transport

- Impact on small local roads
- Impact/ pressure upon the local environment
- Doesn't meet local and national planning policies

6.4 Comments have also been received from West Ardsley Action Group and Morley Town Council. Again, the comments raised reiterate the comments raised by the public, but can be summarised as follows:

- Lack of housing need
- Prematurity of releasing the site for housing
- Conflicts with the development plan
- Significant ecological and issues
- Significant highway safety concerns and cumulative impact of traffic on the local and wider highway networks

7.0 CONSULTATION RESPONSES:

Highways England	No Objection
Flood Risk Management	No objection in principle, but outstanding issues to be resolved
Nature Team	Ecological surveys are adequate, further agreement as to exact locations of green infrastructure and its long term management needed
Highways	Require cumulative impact contributions to mitigate potential impact upon Junction 28 of the M62, £816,000 with 10% uplift provision, £111,000 A650/A6029 Rein Road and £87,000 A650/ Common Lane
Landscape	Raise concerns relating to distribution / typology of greenspaces and design of paths
Children's Services	No education requirement made during the adoption of the SAP.
Environmental Studies	Noise report required
Planning Policy	Principle acceptable, sites identified in the adopted SAP
Travelwise	Note the need for Residential Travel Plan Fund (RTPF) contributions (£148,005), Travel Plan, bus service contribution, and the need for cycle parking within residential plots.
Contaminated Land	No objection subject to conditions
Coal Authority	No objection subject to conditions
Yorkshire Water	No objection subject conditions

Neighbourhoods and Housing	No objection subject to conditions
West Yorkshire Police	The proposal appears to meet Bronze/Silver Secured by Design
West Yorkshire Archaeology	Recommend conditions if minded to approve
Public Rights of Way	Footpath 81 would be better left as is. However, no overall objection and the new footpath is welcomed

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) 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. The Development Plan for Leeds comprises the Core Strategy (as amended 2019), Site Allocations Plan (adopted 2019), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013) and any made Neighbourhood Development Plans (No Neighbourhood Development Plans are applicable here).
- 8.2 It should be noted here, that Leeds City Council has made a declaration of a Climate Emergency and, that the overall aim of the Local Planning Authority's Development Plan seeks to support this statement of intent. The Core Strategy and Unitary Development Plan seek to ensure that all development is sustainable and that wherever possible, a development minimises its impact upon global warming and its carbon emissions.

9.0 Local Planning Policy

- 9.1 The following Core Strategy policies are relevant to the proposal:

General Policy – Sustainable Development and the NPPF
 Spatial Policy 1 – Location of Development
 Spatial Policy 6 – The Housing Requirement and Allocation of Housing Land
 Spatial Policy 7 – Distribution of Housing Land and Allocations
 Spatial Policy 11 – Transport Infrastructure Investment Priorities
 Spatial Policy 13 – Strategic Green Infrastructure
 Policy H1 – Managed Release of Sites
 Policy H3 – Density of Residential Development
 Policy H4 – Housing Mix
 Policy H5 – Affordable Housing
 Policy H9 – Minimum Space Standards
 Policy H10 – Accessible Housing Standards
 Policy P10 – Design and context
 Policy P11 - Conservation
 Policy P12 – Landscape
 Policy T1 – Transport Management
 Policy T2 – Accessibility and New Development
 Policy G1 – Enhancing and Extending Green Infrastructure

Policy G2 – Creation of Tree Cover
 Policy G3 – Standards for Open Space, Sport and Recreation
 Policy G4 – New Greenspace Provision
 Policy G6 – Protection of Green Space
 Policy G8 – Protection of Important Species and Habitats
 Policy G9 – Biodiversity Improvements
 Policy EN1 – Climate Change (Carbon dioxide reduction in developments of 10 houses or more, or 1000m² of floor-space)
 Policy EN2 – Sustainable Design and Construction (Achievement of Code Level 4 or BREEAM Excellent (in 2013) for developments of 10 houses or more or 1000m² of floor-space)
 Policy EN5 – Managing Flood Risk
 Policy EN8 – Electric Vehicle Charging Infrastructure
 Policy ID1 – Implementation and Delivery Mechanisms
 Policy ID2 – Planning Obligations and Developer Contributions

9.2 The following saved UDPR policies are also relevant:

GP1 - Land use and the Proposals Map
 GP5 - Development control considerations including impact on amenity
 BD5 - New buildings
 LD1 - Landscape design
 LD2 - New and altered roads
 N1 - Protection of Urban Green Space
 N8 - Urban Green Corridors
 N9 - Urban Green Corridors and Development
 N11 – Open Land in Built Up Areas
 N23 - Incidental Open Space
 N24 - Development and Incidental Open Space
 N25 - Site boundaries
 N29 - Sites of Archaeological Importance
 LD1 - Development and landscape schemes

9.3 The following NRWLP policies are also relevant:

Air 1	Major development proposals to incorporate low emission measures
Minerals 3	Development proposals and surface coal
Water 1	Water efficiency, including incorporation of sustainable drainage
Water 4	Effect of proposed development on flood risk
Water 6	Flood risk assessment
Water 7	Surface water run-off and incorporation of SUDs
Land 1	Contaminated Land
Land 2	Development and Trees including the need to conserve trees and introduce new tree planting

9.4 The sites are not phased within the SAP and, following its adoption in July 2019, the SAP is a significant material consideration in the planning decision-making process and forms part of the local plan for the Leeds Metropolitan area.

9.5 The two sites within the SAP are designated for housing under reference numbers HG2-168 Haigh Wood, Ardsley North and HG2-169 Haigh Wood, Ardsley South. The two adopted housing allocation sites are subject to specific site requirements relating

to ecology, cumulative highway impact assessments and assessment of existing culverts.

10.0 Relevant Local Supplementary Planning Guidance/Documents

10.1 The most relevant local supplementary planning guidance (SPG) and supplementary planning documents (SPD) are outlined below:

Sustainable Urban Drainage SPG (2004)
Public Transport Improvements and Developer Contributions SPD (August 2008)
Street Design Guide SPD (August 2009)
Travel Plans SPD (February 2015)
Parking SPD (January 2016)
Accessible Leeds SPD (November 2016)
Affordable Housing SPG (Interim Policy)

11.0 National Planning Policy

- 11.1 The National Planning Policy Framework (2019) (NPPF) 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. One of the key principles at the heart of the NPPF is a presumption in favour of sustainable development.
- 11.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 goes on to note that achieving sustainable development means that the planning system has three overarching objectives - economic, social and environmental objectives – which are interdependent and need to be pursued in mutually supportive ways.
- 11.3 Paragraph 10 sets out that at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that decision taking this means approving development proposals that accord with an up-to-date development plan without delay. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 11.4 Paragraph 48 sets out that in decision taking local planning authorities may give weight to relevant policies in emerging plans according to the stage of its preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF.
- 11.5 Paragraph 56 sets out that planning obligations must only be sought where they are necessary, directly related to the development, and fairly and reasonably related in scale and kind to the development. Paragraph 57 sets out that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable.
- 11.6 Section 5 of the NPPF is entitled 'Delivering a sufficient supply of homes'. Paragraph 73 sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years worth of housing.

- 11.7 Section 8 of the NPPF is entitled 'Promoting healthy and safe communities' and sets out at paragraph 91 that planning decisions should aim to achieve healthy, inclusive and safe places including encouraging layouts that would encourage walking and cycling. Paragraph 92 requires planning decisions to take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community. Paragraph 96 sets out that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 98 sets out that planning decisions should protect and enhance public rights of way and access.
- 11.8 Section 9 of the NPPF is entitled 'Promoting sustainable transport' and sets out at paragraph 102 that transport issues should be considered from the earliest stage of development proposals including opportunities to promote walking, cycling and public transport. Paragraph 102 also sets out that the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account and that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
- 11.9 Paragraph 108 states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access provided for all users; and any significant impacts on the highway mitigated.
- 11.10 Paragraph 109 states the development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context, paragraph 110 sets out, amongst other things, that development should give priority to pedestrian and cycle movements both within the scheme and with neighbouring areas, minimize the scope for conflicts between pedestrians, cyclists and vehicles and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 11.11 Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan.
- 11.12 Section 11 of the NPPF is entitled 'Making effective use of land' and at paragraph 117 sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 11.13 Section 12 of the NPPF is entitled 'Achieving well-designed places' and at paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 124 goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 11.14 Paragraph 127, amongst other things, states that planning decisions should ensure development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Paragraph 129 sets out that in assessing planning applications, local planning authorities should have regard to the outcome of design discussions, including with the local community.
- 11.15 Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and

quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

11.16 Section 14 of the NPPF is entitled 'Meeting the challenge of climate change, flooding and coastal change and at paragraph 148 sets out that the planning system should support the transition to a low carbon future in a changing climate.

11.17 Section 15 of the NPPF is entitled 'Conserving and enhancing the natural environment'. Paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment including through minimising impacts and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

11.18 Section 16 of the NPPF is entitled 'Conserving and enhancing the historic environment'. Paragraph 184 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate their significance, so that they can be enjoyed for the contribution to the quality of life of existing and future generations. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

12.0 National Planning Practice Guidance

12.1 The National Planning Practice Guidance (NPPG) offers guidance in addition to the NPPF.

12.2 The NPPG advises that reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of at outline planning application stage (i.e. that can be 'reserved' for later determination). These reserved matters are defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

In this particular instance, all matters are reserved for later determination, apart from access.

13.0 MAIN ISSUES

- 1) Principle of Development
- 2) Highway Matters
- 3) Public Rights of Way
- 4) Flood Risk and Drainage
- 5) Landscape Character / Landscape Quality / Heritage Assets
- 6) Layout / Visual Amenity / Residential Amenity
- 7) Education and Healthcare Provision
- 8) Planning Obligations and CIL

14.0 APPRAISAL

Principle of Development

- 14.1 In line with the NPPF, the Local Planning Authority has identified a five year supply of housing and therefore has an up to date Local Plan. Underpinning this is the Site Allocation Plan, which has been scrutinised by the Secretary of State and is the foundation for identifying and releasing housing sites that make up the housing supply for the Development Plan period. The allocated sites HG2-168 and HG2-169 are acceptable in principle, subject to any proposal being found acceptable with regards to all other local planning policies.
- 14.2 Although the principle of development has been identified in the SAP as sustainable and acceptable, the following issues relate to the principle of development and are planning considerations that informed the adoption of the SAP.
- 14.3 Policy SP1 of the Core Strategy seeks to promote the most sustainable forms of development, seeking the development of brownfield land over greenfield, and adopting a hierarchical spatial approach to the location of development which promotes development in urban areas first and rural areas last. Policies SP6 and SP7 set broad targets for the quantum and distribution of housing land throughout the city, and policy H1 commits to the delivery of allocated housing sites.
- 14.4 Policy SP1 does not preclude development within such smaller settlements as long as the scale of growth has regard to the settlement's size, function and sustainability. In this case, the application sites are not considered to be excessively large, which in the context of the wider settlement of East Ardsley, is not considered to exceed the settlement's size, function and sustainability.
- 14.5 This application is considered to represent a 'rounding-off' of part of the wider settlement, whilst presenting an opportunity to improve upon the existing wood land and beck that separates the two identified development sites.
- 14.6 The site is, and has been acknowledged through the SAP, as being a sustainable location that sufficiently complies with the Council's Accessibility Standards. During the SAP adoption process, the issue of sustainability was rigorously scrutinized and sustainability appraisals were undertaken. It is deemed to be within a sustainable location within the boundary of the settlement of West Ardsley with suitable access to local services and facilities and public transport, and access to larger neighbouring settlements.

- 14.7 Spatial Policy 6 (ii) does express a preference for brownfield, which this site is not. However, the proposal would have the least impact on the wider surrounding green infrastructure as, although a proportion of this green field land is to be developed, it is surrounded by woodland where significant mitigation measures (landscape and biodiversity management plan) will ensure are enhancement to offset the impact of the development. The proposed housing will not therefore be overly conspicuous from the wider area and the use of an allocated housing site will ensure that the Development Plan is properly implemented so as not to undermine the overarching Green Belt policies that protect areas of land within the wider area. With regard to design (iv), this is assessed fully in the report below, however, it is considered that the scheme will reinforce the character of the existing built surrounding residential area. In terms of construction (v) it is understood that the development could be started immediately. The impacts with regard to nature conservation (vi) and flood risk (vii) have been fully considered and are addressed in the report below but none of these issues are considered to preclude development commencing in accordance with Spatial Policy 6.
- 14.8 Spatial Policy 7 considers the distribution of housing across the City and identifies the provision of 5,714 dwellings (11% of the 51,952) within the Outer South area within which the application site lies. This application, if granted, would result in a medium sized housing development in the short to medium term, which would contribute to overall housing delivery across the City.
- 14.9 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. This is to ensure sufficiency of supply, geographical distribution in accordance with Spatial Policy 7, and the achievement of a previously development land target of 65% for the first five years and 55% thereafter and 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.
- 14.10 Policy H1 seek to ensure that housing areas are in sustainable locations, are managed and phased in a timely manner consistent with the spatial priorities of the Plan, provide an appropriate balance of brownfield and greenfield sites, make best use of current and planned infrastructure and those sites that are sequentially less preferable are released only when needed. This is consistent with the objectives of the NPPF including the need to meet objectively assessed needs for market and affordable housing, identify and maintain a supply of 5 years' worth of deliverable sites and identify a supply of specific developable sites over the Plan period.
- 14.11 As outlined above, the proposal will have a limited impact upon the wider green infrastructure and the Green Belt areas defined west of Baghill Road and east of Haigh Moor Road. This is considered to be the case given the location of the site and the developments main back drop being the residential estates to the north and south. As the proposal will not detrimentally impact upon the woodland to the south - as it will be discussed in the subsequent report - the proposal will not impact upon the green and open character that defines the wider surrounding areas to an unacceptable level that would warrant a refusal of planning permission.

- 14.12 Owing to the aforementioned paragraphs, it is also considered to be the case that as the low density proposal will enhance the wider green network and not adversely affect the open character of the area, ensuring the proposal also accords with saved UDPR policy N11.
- 14.13 With regard to H1 above, with mitigation measures secured through conditions and a legal agreement, the proposal is not considered to compromise the surrounding green infrastructure, significantly impact upon the wider Green Belt and is sustainable and accessible. It is also noted, and reiterated here, that these views reflect the adoption of the sites within the SAP.

Housing Density, Mix and Space/ Mobility Standards

- 14.14 Policy H3 of the Adopted 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, as a 'smaller settlement area' a minimum density of 30 dwellings per hectare is required to comply with Policy H3. Based on the proposed number of dwellings and the site being 13.54 hectares in size, the site delivers a density of approximately 23 dwellings per hectare. Although the density is slightly below the minimum density target, it is consistent with the form of surrounding residential development and acceptable with regards to the Core Strategy as it reflects the wider rural area. As the application is for outline consent for access only, the proposal should be conditioned to ensure that any Reserved Matters application achieve appropriate density figures.
- 14.15 With regard to housing mix, Core Strategy Policy H4 advises that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and the character of the location. It is noted that the Masterplan that has been submitted as part of this application is indicative only and the mix targeted in policy H4 will be the subject to a condition, similar to policy H3.
- 14.16 Again, at this stage, whilst the proposal is only to approve access and the principle of up to 299 dwellings, policies H9 and H10 relating to space standards and mobility standards should be the subject of conditions to ensure that any Reserved Matters applications are compliant with such policies when further detailed design are progressed.
- 14.17 Policies H3, H4, H9 and H10 are at the heart of whether the proposal can be considered acceptable in principle; however, as the application is for outline consent, specifics relating to these policies have not been submitted. As the applicant has agreed to conditions relating to future Reserved Matters applications complying with policies H3, H4, H9 and H10, it is considered that the principle of housing can be considered to be acceptable subject to these details being the subject of conditions.

Affordable Housing

- 14.18 Policy H5 of the Adopted Core Strategy sets out the requirement for on-site affordable housing, which is expected to comprise 15% of the development in this part of the City. The applicant has advised that the scheme will deliver 15% affordable housing in accordance with Policy H5 (equating to 45 units). This provision will be secured by means of a Section 106 Legal Agreement and ensures compliance with Policy H5.

Summary of Principle of Development

- 14.19 The land is a greenfield site and, thus should be of the lowest priority for development when applying policy SP1. However, the land proposed for development accords with two key strategic allocations for housing within the SAP and, as such, significant material weight has to be given to these allocations.
- 14.20 As the adoption of the SAP was not subject to any phasing and, in light of the above policies, the proposal is considered to be in accordance with the up to date local plan and aims and principles of the NPPF, subject to the delivery of the key site requirements identified within the SAP as the sites come forward for development.

15.0 Highways Matters

- 15.1 Policy T2 of the Core Strategy requires that development proposals adequately address highway safety and accessibility. These policies are in accordance with section 9 of the Framework which promotes sustainable transport.
- 15.2 The proposal seeks outline consent with access being the only matter not reserved as the subject matter of future applications. The accesses proposed comprise two principle accesses from Westerton Road and Haigh Moor Road; and three points of access from Upper Green Avenue, Sandringham Drive and Hill Top Lane.
- 15.3 In relation to Core Strategy accessibility standards, as previously discussed, the site is considered to be accessible and sustainable as determined by the adoption of the SAP. Full weight is given to this. In relation to highways issues, the proposal needs to meet the requirements of the SAP and demonstrate that the proposed accesses are safe.
- 15.4 In terms of the principle accesses into the site via Westerton Road and Haigh Moor Road, these accesses are considered to be acceptable because:
- A speed survey was undertaken on 12/12/2018 between the period 13:30 – 15:30 hours at Westerton Road, which covered the school peak period. Drawing no. 12-199-TR-007 Rev B shows the visibility splay at the proposed access junction which is commensurate with the speed of vehicles on the Westerton Road. The area of land within the visibility splay both to the left and to the right of the access on to Westerton Road should be laid out as footway and this can be secured through condition.
 - A speed survey was undertaken on 13/12/2018 between 08:30 – 11:15 hours at Haigh Moor Road, which covered the AM peak. Drawing no. 12-199-TR-008 Rev B indicates the revised access on to Haigh Moor Road with the required visibility splay commensurate with the speed of vehicles on Haigh Moor Road. In view of the visibility splays indicated drawing no. 12-199-TR-008 Rev B the proposal does not give rise to any significant highway safety concerns.
- 15.5 In terms of accesses into the site via existing roads, these are considered to be acceptable because:
- Drawing no. 12/199/TR/010 indicates the proposed access from Hill Top Lane (via a junction from Batley Road). The access will be an extension of the existing carriageway. The geometry of the existing carriageway is 5.5m wide with 2m wide

and 1.8m wide footways at the west and east flanks respectively. The existing road width allows two-way vehicle passing. The visibility from Hill Top Lane on to Batley Road is good and therefore the intensification is not considered to result in any severe highway safety concerns.

- Drawing no. 12/199/TR/011 indicates the proposed access from Sandringham Drive (via a junction with Haigh Moor Road). The access will be an extension of the existing carriageway. The geometry of the existing carriageway at 5.5m wide with 1.8 m footways at either flank allows two-way vehicle passing. Whilst the proposed access arrangements will result in longer cul-de-sacs, the visibility at the Sandringham Drive/Haigh Moor Road junction is acceptable. There is on-street parking at Haigh Moor Road although this is not considered to significantly exacerbated as a result of the proposal.
- Upper Green Avenue (via junctions from Upper Green Way and Westerton Road) Drawing no. 12/199/TR/012 indicates the proposed access from Upper Green Avenue. The access will be an extension of the existing carriageway. The geometry of the existing carriageway at 5.5m wide with 1.8 m footways at either flank allows two-way vehicle passing. Whilst the proposed access arrangements will result in a longer cul-de-sac the visibility at the Upper Green Avenue/ Upper Green Way junction is good. Whilst the technical note indicates the on-site observations indicate limited evidence of on-street parking on the existing streets, it is noted from Officer's observations that the location of Westerton Primary Academy in the vicinity of the site results in the surrounding streets experiencing on-street parking during the school drop off/pick up period. The issue is an existing problem that happens for short periods of time and, although there may be a slight increase in such short term parking, it is not considered that such parking would be made significantly worse as a result of the proposal, especially to the extent that severe highway safety concerns are likely to arise.

15.6 The SAP allocations acknowledge that the proposal will have a cumulative impact upon junctions A650/ Common Lane, A653/ Rein Road and junction 28 of the M62 (Tingley roundabout). There is, therefore, a requirement that any proposal will have to contribute to appropriate mitigation measures in the form of junction capacity improvements, taking into account the cumulative impact of developments in the wider surrounding area.

15.7 The application has been submitted with a Transport Assessment and supplementary Technical Note, further to the initial comments made by the Local Highways Authority. The assessment has looked at trip generation, network capacity, reported accidents, junction analysis and was the basis for understanding the wider cumulative impact on the main surrounding junctions. The TA identifies that all the priority junctions assessed around the site area will operate within capacity, however, problems arise with traffic signal junctions on the A650 and the A653. Since the TA was initially submitted, further discussions have been held between the Highways Authority, Highways England, Kirklees Local Authority and the applicant regarding what mitigation measures can be deployed and what is proportionate to a development of this scale.

15.8 In line with the SAP requirements, the applicant has assessed the impact of the proposal upon the highway network and the following contributions are proposed towards junction capacity improvements. These proposed contributions are considered proportionate to the cumulative impact attributed to the development and can be secured by a legal agreement. The contributions will amount to no less than:

- £816,000- M62 Junction 28 with a 10% uplift provision;
- £87,000 - A650/Common Lane; and
- £111,000 - A650/A6039 Rein Road.

- 15.9 The SAP has preceded the adoption of a Supplementary Planning Document that will outline how the cumulative impact policy will be calculated. In the interim, each application has to be assessed on its own individual merits. The proposed contributions are considered proportionate to the impact of the proposal upon the sites surrounding highway network and meet the tests for Section 106 legal agreements.
- 15.10 Highways England have lifted their original holding response to the application as it is now considered that the proposed contributions towards local mitigation works and, those at junction 28, are commensurate with the assessed impact of the proposal on the highways network.
- 15.11 The provision of internal access points and access roads does not form part of the detailed consideration of this application, and thus is a matter that will be conditioned to be dealt with at the Reserved Matter stage. As the indicative master plan does not include the full extent of the SAP sites any Reserved Matters applications will have to demonstrate that the internal road layouts do not prejudice the future development of the remaining portions of the site.
- 15.12 Consideration of parking provision for individual dwellings is a detail that will be dealt with at Reserved Matters stage and, provision of Electric Vehicle Charging Points (EVCP), retention of parking and cycle storage within plots will be conditioned.
- 15.13 In light of the above, subject to contributions towards the offsite highway works, and detailed consideration of all other highway matters at reserved matters stage, the development is considered acceptable in highway safety and accessibility terms.

16.0 Public Rights of Way

- 16.1 The two SAP sites, and the wider Haigh Woods, are linked currently by four established footpaths. The definitive footpath no.108 starts from Batley Road and extends northeast up to Upper Green Close. Footpaths 107 and 81 link Haigh Moor Road with no.108, merging just before Baghill Beck. The defined footpaths skirt the edge of Haigh Woods, although there are informal footpaths within the woods.
- 16.2 The proposal seeks to improve and enhance access through existing and proposed residential and open space areas. It is proposed to create a further footpath through the woods and manage the woods and open spaces to improve the overall biodiversity of the site and wider area. The proposal is considered to make the existing spaces more accessible, whilst improving the quality and biodiversity of the existing spaces.

16.0 Drainage and Flood Risk Management

- 16.1 As noted above (site and surroundings) the parcels of land for development are sited up on either side to Haigh Woods. The site is a Flood Zone 1 as defined by the EA flood maps. A section of Baghill Beck is culverted and a drainage scheme will seek to ensure that this is not adversely affected. The proposal seeks to use attenuation

systems to reduce run-off from the site to agreed discharge rates of 4.7 l/s/ha to ensure no increase in flood risk downstream. Such a strategy is achievable on the site, and thus subject to clarification of the drainage strategy by conditions, the development is considered acceptable in this regard.

17.0 Landscape Character / Landscape Quality / Heritage Assets

- 17.1 Section 12 of the NPPF highlights the importance of good design, and paragraph 127 provides a series of principles that should be followed to ensure developments are of good quality. Authorities are encouraged to refuse “development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy P10 of the Core Strategy seek to ensure that new development is of high quality and is appropriate to its context whilst policy P12 seeks to protect the character, quality and biodiversity of Leeds’ townscapes and landscapes. Section 13 of the NPPF requires the protection of heritage assets and this is replicated within policy P11 of the Core Strategy. In order to be acceptable development should not harm either the landscape or heritage value of an area and these will be discussed in turn.

Landscape Character

- 17.2 The site is visible within the surrounding landscape, being set up on either side of Baghill Beck. The sites surround the woodlands and agricultural fields through which footpaths and tracks have been created. The main section of woodland through the site is of clear habitat value and has significant visual and ecological value. The immediate context and main function of the site in landscape terms is in ensuring that the amenity areas of the central wooded area and the beck retain an appropriate setting and that the quality of these is not degraded through becoming overly urbanised.
- 17.3 The development of the site for housing will undoubtedly alter the character and quality of the land, changing it from a semi-rural environment of agricultural fields and woodlands to an urbanised housing estate. However whilst this change will result in some harm to the semi-rural character of the wider area, from the crucial areas around the woodland and beck this change will not be overly perceptible given the housing will blend/ extend the existing urban pattern. Although the changes will undoubtedly be visible from various vistas, the enhancements to the woodlands and the incorporation of public open spaces within the proposed estate respect the prevailing character of the existing settlement and its surroundings. As such, the visual intrusion is considered to be minimised and the proposal is not considered to impinge upon the character of the area.

Landscape Quality

- 17.4 Policies G8 and G9 of the Core Strategy, Saved UDP policy LD1 as well as Land 2 of the NRWLP all seek to ensure that Leeds’s landscapes, green infrastructure and biodiversity are protected and enhanced.
- 17.5 The proposal has been assimilated into the wider general landscape, with the proposed areas for development being on the less steep slopes of the valley. Significant provisions for public spaces within the proposed estates and significant improvements to the existing woodlands in terms of enhancements and long term management plans will improve the balance and access between nature conservation and more recreational areas. Additional footpaths are proposed to improve the links between all areas of the site, whilst maintaining wider wildlife habitat settings.

- 17.6 The open spaces will include trim trails and the nature reserve areas will include interpretation boards to provide clear information about the habitats and flora and fauna. The proposal, subject to conditions and a legal agreement, will secure significant improvements to the quality of the natural environment and the way in which it is managed and maintained.

Heritage

- 17.7 As noted above (site and surroundings) the wider site context includes a number of listed buildings. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of listed buildings. This statutory framework is reinforced by the NPPF at Section 12 and Core Strategy policy P11 reflects this special duty, seeking to ensure that development is appropriate to its context and preserves the city's heritage assets.
- 17.8 The listed buildings are set within the existing urban grain and the proposal is not considered to fundamentally alter the character and landscape form to the extent that substantial harm to the setting of the listed buildings would be caused.
- 17.9 Although the Lee Gap Horse Fair is sited on a field proposed to be developed as part of this application, the site itself does not hold significant heritage value, given that other surrounding fields are also believed to have been used. The site itself is not protected and no planning legislation could prevent the land owner from refusing access if they so wished. Although it would be regrettable should the Fair cease altogether, it is a civil matter between the organisers and local land owners to find an alternative venue close by.
- 17.10 An archaeological and heritage desk based survey has been carried out and no constraints have been identified that cannot be mitigated through the imposition of a planning condition. Accordingly, the proposal in this regard is considered to be acceptable in terms of local and national planning policies.

Layout / Visual Amenity / Residential Amenity

- 17.11 It is also important to consider the architectural and spatial character of the proposed development. Although the application is only in outline, an indicative master plan has been submitted which identifies a hierarchy of streets and spaces and seeks to demonstrate that the development can deliver up to 299 dwellings. Although this master plan is only indicative, it is clear from the submitted information that the development is not likely to be dense, with areas of open space provided by the existing woodland and spaces in and around the site.
- 17.12 At this stage, the exact mix of housing has not been determined and the house types and sizes will be the subject of conditions and come forward via reserved matters application(s). Approval of this application will set the parameters of the development in so far as the Masterplan indicates the main accesses and the Green Infrastructure Masterplan outlines the identified areas for green spaces and biodiversity enhancement. Detailed layouts including garden sizes, room sizes, provision of accessible dwellings and consideration of overlooking, overdominance and overshadowing will all be considered at Reserved Matters stage.

- 17.13 The density of the proposed scheme is slightly less than Policy H3 targets. However, the density will reflect the character of the area and ensure that the layout can reflect the immediate surrounding residential areas. The visual amenity of the street is to be enhanced with public green spaces being interspersed throughout the various parcels of development.
- 17.14 The noise impact assessment has been carried out across the sites. These matters have been considered within the submitted information and it is considered that the proposal will ensure an adequate standard of amenity.
- 17.15 An air quality assessment was commissioned and submitted as part of this planning application. On review of the findings, air quality impacts from traffic generation were predicted to have a negligible impact at all sensitive receptor locations. These findings were related to monitoring and dispersion modelling assessments in accordance with national guidance from the Institute of Air Quality Management.
- 17.16 In light of the above, in order to create a well-balanced community it will also be necessary for the development to adequately address housing mix and space standard policies, accommodate dwellings to assist independent living in accordance with H8 and provide the requisite level of affordable housing. These will be conditioned or delivered through the S106 agreement as appropriate.

18.0 Education and Healthcare Provision

- 18.1 The proposal has generated significant numbers of objections to this proposal and a key theme through the representations is the lack of infrastructure already in the area, and the additional pressure this proposal will have on it. Two key issues are the lack of education and healthcare provisions, which are discussed below.
- 18.2 With regard to health infrastructure (including Doctor and Dentist services) the provision of healthcare facilities falls within the remit of NHS England and at a local level, Leeds' three Clinical Commissioning Groups (CCGs). 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 but it is for individual practices to determine how they run their business. Practices consult with the NHS about funding for expansion albeit that funding is limited.
- 18.3 With regard to education provision, the SAP process considered whether contributions towards additional education provision were necessary in respect of development of these allocated sites. Although it is acknowledged that there is a shortage of school places (both primary and secondary schools), other sites within the locality have been identified as future school sites and this was taken into account during the examination of the SAP. Accordingly, it was concluded during the SAP examination that no education contributions were required / arose specifically as a consequence of development at this location. However, it should be noted that this application will be subject to the Community Infrastructure Levy, which can contribute towards the provision of infrastructure within the locality including primary and secondary education.
- 18.4 The issues of health and education infrastructure are considered above and it is concluded that, given the scale of development, a refusal on the grounds of the

scheme exceeding the capacity of existing health and education infrastructure cannot be substantiated.

19.0 Sustainability & Climate Change

- 19.1 The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
- 19.2 The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 148 and footnote 48 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
- 19.3 As part of the Council's Best Council Plan 2019/20 to 2020/21, the Council seeks to promote a less wasteful, low carbon economy. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.
- 19.4 Further to above, the applicant has recognised the Council's position in relation to reducing the carbon emissions and any proposal will be subject to conditions, ensuring that the proposal is compliant with Core Strategy policies EN1, EN2 and EN8. Such conditions, are also complemented with the proposal's provision of extensive new tree planting and the enhancements to the wider green infrastructure. The above commitments will result in considerable benefits in respect of climate change matters.

20.0 Planning Obligations and CIL

- 20.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010 (as amended in 2019). These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 20.2 According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms.
- 20.3 Further to this, and taking adopted policy requirements into consideration, the proposed scheme produces the need for the following obligations which it is considered meet the legal tests:
- provision of 15% affordable housing;
 - £816,000- improvements to M62 Junction 28 with a 10% uplift provision;
 - £87,000 – improvements to A650/Common Lane; and
 - £111,000 – improvements to A650/A6029 Rein Road.
 - Travel Plan Fund £148,005

20.4 This development will be liable to the Community Infrastructure Levy (CIL). Consideration of where any Strategic Fund CIL money is spent rests with the Council's Executive Board and will be decided with reference to the Regulation 123 list (or Infrastructure Funding Statement as the case may be) at the time that decision is made.

21.0 CONCLUSION

21.1 As discussed above, the principle of the development for 299 dwellings on this site is supported by the up to date Local Plan and the adopted SAP. That the proposal is in accordance with the existing site allocations should be afforded very significant weight in consideration and determination of the application.

21.2 The development will provide an acceptable quantum of affordable housing, and is capable of delivering diverse and accessible dwellings that will provide an adequate standard of residential amenity (mitigation measures identified). The application will provide safe access, and provides for mitigation measures to improve the existing highway network.

21.3 Although the development will result in the loss of some green infrastructure, the Ecological Assessment that has been carried out does indicate the opportunities that exist to improve the rural setting and enhance biodiversity of the wider area through a long term enhancement and management plan.

21.4 It is considered that the principle of developing the site for residential purposes is acceptable in terms of all local and national planning policies subject to the imposition of conditions and a legal agreement relating to the enhancement/ management of the wider green/ open spaces, together with the provision of affordable housing and highways improvement contributions. With consideration being given to all other matters, the application is recommended for approval.



NORTHERN PARCEL

Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type B	875	3	parking spaces	2 storey semi	6	5250
Type C	1075	3	parking spaces	2.5 storey semi	11	11825
Type D	1175	4	integral garage	2 storey detached	2	2350
Type E	1300	4	integral garage	2 storey detached	14	18200
Type F	1350	4	integral garage	2 storey detached	17	22950
Type G	1375	4	integral garage	2 storey detached	1	1375
Type H	1525	4	integral garage	2 storey detached	1	1525
Type J	1650	5	detached garage	2 storey detached	8	13200
Type K	1950	5	detached garage	2 storey detached	8	15600
Type L	2250	5	detached garage	2 storey detached	4	9000
Sub-Total					72	50085

Affordable Units						
Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type A	750	2	parking spaces	2 storey semi	8	6000
Type B	875	3	parking spaces	2 storey semi	9	7875
Sub-Total					17	13875
Total					85	111750

SOUTHERN PARCEL

Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type B	875	3	parking spaces	2 storey semi	27	23625
Type C	1075	3	parking spaces	2.5 storey semi	28	30100
Type D	1175	4	integral garage	2 storey detached	15	17625
Type E	1300	4	integral garage	2 storey detached	23	29900
Type F	1350	4	integral garage	2 storey detached	17	22950
Type G	1375	4	integral garage	2 storey detached	17	23375
Type H	1525	4	integral garage	2 storey detached	30	45750
Type J	1650	5	detached garage	2 storey detached	7	11550
Type K	1950	5	detached garage	2 storey detached	8	15600
Type L	2250	5	detached garage	2 storey detached	10	22500
Sub-Total					182	242825

Affordable Units						
Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type A	750	2	parking spaces	2 storey semi	8	6000
Type B	875	3	parking spaces	2 storey semi	24	21000
Sub-Total					32	27000
Total					214	269825

COMBINED SCHEDULES

Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type B	875	3	parking spaces	2 storey semi	33	28875
Type C	1075	3	parking spaces	2.5 storey semi	39	41925
Type D	1175	4	integral garage	2 storey detached	17	19975
Type E	1300	4	integral garage	2 storey detached	37	48100
Type F	1350	4	integral garage	2 storey detached	34	45900
Type G	1375	4	integral garage	2 storey detached	18	24750
Type H	1525	4	integral garage	2 storey detached	31	47375
Type J	1650	5	detached garage	2 storey detached	15	24750
Type K	1950	5	detached garage	2 storey detached	16	31200
Type L	2250	5	detached garage	2 storey detached	14	31500
Sub-Total					254	343500

Affordable Units						
Name	Floor Area Sq Ft	Bed	Parking	Description	Total Units	Total
Type A	750	2	parking spaces	2 storey semi	12	9000
Type B	875	3	parking spaces	2 storey semi	33	28875
Sub-Total					45	37875
Total					299	381375

