



Report of the Chief Planning Officer

SOUTH & WEST PLANS PANEL

Date: 13th February 2020

Subject:

PLANNING APPLICATION 19/02597/FU – 61 dwellings with associated infrastructure including public open space and landscaping (access through Phase 1 from Moseley Wood Rise) at Land Off Moseley Gardens, Cookridge, Leeds, LS16

APPLICANT

Taylor Wimpey Yorkshire

DATE VALID

29th April 2019

TARGET DATE

28th February 2020

Electoral Wards Affected:

Adel and Wharfedale

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION PLANNING APPLICATION 19/02597/FU:

DEFER AND DELEGATE FOR A PLANNING APPROVAL to the Chief Planning Officer subject to the conditions outlined below and the completion of a section 106 agreement to cover:

- (1) Affordable housing provision – 8 intermediate and 13 social rented houses**
- (2) Management and future maintenance of green space areas**
- (3) Travel plan and management fee (£3,000)**
- (4) Bus stop contribution of £10,000 towards bus stop 11740**
- (5) Sustainable travel contribution of £30,530.50**
- (6) Additional measures to Biodiversity Enhancement Management Plan for woodland area to the north**
- (7) Local employment during construction phases**

Conditions:

- 1. Time limit**
- 2. Plans to be approved**
- 3. External materials**
- 4. Bin and Cycle/Motorcycle storage**

5. Electric Vehicle Charging Points
6. Landscaping details
7. Tree Protection and Arboricultural Method Statement
8. Lighting Design Strategy
9. Bird and bat nesting opportunities
10. Dry stone wall repair and management plan
11. Parking areas to be laid out
12. Drainage scheme
13. SUDS management and maintenance plan
14. Interim drainage measures
15. Finish floor levels
16. Separate systems of drainage for foul and surface water
17. Construction method statement
18. Remediation Statement – Contamination
19. Unexpected contamination
20. Verification reports – contamination
21. No vehicular access from Cookridge Drive, except emergency vehicles
22. Local highway condition survey
23. Pedestrian and Cycle link implementation
24. Archaeological recording
25. Use of garages
26. Removal of permitted development rights
27. Climate change measures
28. Water consumption restriction measures
29. Roof designs and noise standards

The Community Infrastructure Levy liability contribution for the development would amount to a total of £692,981.65.

1.0 INTRODUCTION:

- 1.1 This application is presented to Plans Panel South and West as a major planning application with a degree of sensitivity due to both the planning history of the site and the history and nature of local objections.
- 1.2 The wider application site has been subject to a number of planning applications since 2013 with phase 1 of the development, for 135 houses, being granted outline consent in April 2015 and a subsequent reserved matters consent being granted in May 2016. Phase 1 is now under construction having been partially completed.
- 1.3 The current application proposal is to bring forward phase 2 of the development with a further 61 houses served by the existing singular vehicular access point which serves phase 1 from Moseley Wood Rise. The phase 2 site is allocated for housing in the Council's Site Allocations Plan.

2.0 PROPOSAL:

- 2.1 The applicant seeks planning permission for the erection of 61 houses with associated infrastructure including public open space and landscaping.
- 2.2 The houses will consist of a mix of 18 two bedroom, 24 three bedroom and 19 four bedroom units arranged in a mix of townhouses, semi-detached and detached properties. The houses will be constructed in red brick with tiled roofs to match the housing already approved in phase 1 of the development. All 61 properties will include front and rear gardens and be served by off-street car parking spaces. A total of 21 affordable houses will be 'pepper potted' around the site.

- 2.3 The site will form Phase 2 of the wider Moseley Green development site and will be accessed by utilising the existing vehicular access from Moseley Wood Rise and the approved pedestrian and cycle link (with access for emergency vehicles) to Cookridge Drive approved under the Phase 1 consent.
- 2.4 The site will be served by an area of public open space to the western part of the site which will be laid out as a formal landscaped area. Two further public green space areas along the northern and southern boundaries will include pedestrian routes. New tree planting is proposed at the site including along the southern boundary shared by the rear gardens of properties on Moseley Wood Gardens to the south.
- 2.5 Drainage infrastructure will be provided at the site and will work alongside that infrastructure agreed under the Phase 1 consent. This will include an underground storage tank underneath the western public open space to control flow rates to drainage channels and other features which ultimately discharge into Moseley Beck. Land drains which cross the site will feed into the newly created drainage channels and other drainage infrastructure in the Phase 1 development.
- 2.6 The proposal includes additional measures to be introduced into an amended Biodiversity Enhancement Management Plan (BEMP), which was previously agreed for the phase 1 development. This will include repairs to the existing dry stone wall along the northern boundary of the site and measures to encourage the managed use of existing footpaths in the woodland beyond.
- 2.7 The proposal is being considered alongside a 'sister' application (reference 19/02598/FU) for a new vehicular access from Cookridge Drive. However, the applicant has made clear that they consider the second vehicular access in the 'sister' proposal is not required.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site sits to the north of the existing Moseley Wood housing estate in Cookridge, being sandwiched in between the first phase of the wider residential development to which the proposal relates to the west and Cookridge Drive, a residential street, to the east. Immediately to the north of the site is ancient woodland within the Leeds Green Belt which also falls under the ownership of the applicant.
- 3.2 The site is approximately 2.6 hectares in size and is allocated for housing in the Council's Site Allocations Plan (Site Reference HG2-29) with the Plan including an estimated capacity for the site of 63 units. The site has been previously used as pasture land and remains greenfield (previously undeveloped) land but has recently been used to temporarily store materials and site the construction office of the neighbouring Phase 1 development. Trees at the application site benefit from protection under a Tree Preservation Order (LPA Reference 2013/14).
- 3.3 The Phase 1 site to the west of the application site is owned by the same applicant and is currently being developed for housing. The phase 1 site, when completed, will include a total of 135 houses in a mix of 2, 3 and 4 bedroom units. The properties will be predominantly two and two and half storey in scale and constructed of red brick with tiled roofs. The Phase 1 site is served by vehicular access from Moseley Wood Rise with a cycle and pedestrian link, also serving as access for emergency vehicles, to Cookridge Drive to the north still to be completed alongside pedestrian links to Moseley Wood Gardens, Moseley Wood Croft and beyond to the south.

- 3.4 It was recognised at the time of granting the phase 1 consents that the extensive drainage infrastructure required had influenced the layout of the site considerably. A robust system of land drainage, including the re-opening of water courses with deepened infiltration trenches, land drains, filter drains and detention swales, has been approved at the site. This includes measures to limit the flow of both ground water flows from the development and neighbouring residential areas and overland flows in order to allow water to flow into Moseley Beck in a controlled manner. The detention swales at the site also allow water to be stored at the site during extreme events and reduce the flood risk to the downstream catchment of Moseley Beck.
- 3.5 The phase 1 scheme allows for the creation and future management of extensive biodiversity areas, within and outside the site, including the woodland area to the north of the phase 2 site. This woodland, known as Gab Wood, is recognised to be ancient woodland and includes two ancient monuments (prehistoric 'Cup and Ring' marked stones dated to the Bronze Age). The woodland (referred to as Smithy Lane Woods in the Site Allocations Plan) is also designated as green space within the Site Allocations Plan (Site reference G1703) and protected by Tree Preservation Order 1997/38.
- 3.6 The Moseley Wood housing estate to the south consists of predominantly two storey housing incorporating a range of different materials. Streets adjacent to the application site include grass verges with sporadic street trees.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 An outline planning application (**13/04148/OT**) was submitted by the current applicant in September 2013 for the residential development of what are now referred to as the combined Phase 1 and 2 sites to accommodate circa 200 houses. At this time the sites were Protected Area of Search (PAS) land safeguarded for future development under (now deleted) Unitary Development Plan policy N34. This outline planning application was refused in November 2014 following a resolution at City Plans Panel.
- 4.2 Central to the Council's case in refusing the outline application was the question of whether a development of circa 200 dwellings could be served by a single access point (from Moseley Wood Rise) as proposed, or whether a second access point would be required. The Council ultimately came to the view that to serve a development of this size with only the single access proposed would represent (1) poor urban design, (2) be poor in accessibility terms, and (3) would lead to amenity impacts on residents who lived near the single access as a result of significant volumes of vehicular and pedestrian traffic.
- 4.3 The outline application was accompanied at the time by a further 'sister' planning application (**14/00190/FU**) for the creation of a second vehicular access point to the site from Cookridge Drive which would have necessitated the removal of 29 trees in the ancient woodland in Green Belt to the north of the site. This 'sister' application was refused for Green Belt reasons and reasons relating to the loss of the aforementioned trees.
- 4.4 In July 2014 the applicant submitted a second outline planning application (**14/04270/OT**) for only part of the wider site (that part of the site which is now referred to as Phase 1). This proposal for 135 dwellings was served by a single vehicular access point from Moseley Wood Rise, alongside a new pedestrian and

cycle link to Cookridge Drive which necessitated the removal of a number of trees in the ancient woodland to the north (also at the time within the Green Belt), was approved by the Council in April 2015 following a resolution by City Plans Panel.

- 4.5 A subsequent reserved matters application (**15/04884/RM**) was submitted for Phase 1 and approved in May 2016 following a resolution at South and West Plans Panel. Further details followed by way of condition discharge applications in relation to both outline and reserved matters consents and development commenced on site in 2017. Phase 1 of the development is now under construction having been partially completed.
- 4.6 In June 2019 the Council granted a temporary planning permission (**19/01745/FU**) for a period of 3 years for the storage of topsoil at the Phase 2 site.
- 4.7 In July 2019 the Council adopted its Site Allocations Plan. In doing so the PAS designations were deleted for both Phase 1 and Phase 2 sites by virtue of Unitary Development Plan policy 34 being deleted. The Phase 1 site was recognised as an identified housing site with an existing planning permission (Site Reference HG1-58 – estimated capacity of 135 units) and the Phase 2 site was allocated for housing (Site Reference HG2-29 - estimated capacity of 63 units). The Phase 2 site also included the land previously put forward under planning application 14/00190/FU which was removed from the Green Belt as part of this process. The Phase 2 site housing allocation in the Site Allocations Plan does not include, as a recommended site requirement, a need for a second vehicular access to the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions (**PREAPP/18/00345**) were undertaken in relation to the current Phase 2 proposals in the latter half of 2018. Alongside these discussions with the Council, the applicant undertook public consultation with the local community, including holding a public consultation event at the nearby Leeds Modernians Sports Club on 18th September 2018.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by means of site notice and a notice in the Yorkshire Evening Post. In addition to this Councillor Barry Anderson held a public meeting for residents to discuss the application on 24th June 2019 which was attended by planning and highways officers from the Council.
- 6.2 Councillors Barry Anderson and Caroline Anderson (both Adel and Wharfedale ward) have objected to the proposal. Their objections can be summarised as follows:
- The site is unsuitable for housing as it is a flood risk, with the investigations for Phase 1 into the sources and extent of water being seriously flawed. The new development will add to surface water run off and the drainage plans do not satisfy that they will mitigate against future flooding which could lead to further harmful impacts wider afield;
 - The current infrastructure (school places, public transport, public services, retail, post office etc.) in the area is inadequate to serve the development. In addition there is a risk that in bad weather residents will be trapped in the development due to the steep gradients of roads;

- The number of houses proposed should be reduced to around 30 in order to address concerns in relation to impacts on neighbouring amenity in the wider area from additional traffic. The Council has declared a climate change emergency and a reduction in houses would help to mitigate impacts on trees;
- The number of additional car journeys is unsustainable within the context of the climate change emergency and will cause more air pollution and increase the risk of accidents in neighbouring streets;
- The houses will be directly under the flight path to the airport leading to noise concerns, particularly in light of the airports expansion plans; and,
- Existing wildlife, plant and insect habitats as well as bat colonies will be destroyed by house building on the site.

6.3 A total of 21 written representations of objection have been received from local residents and other interested parties. The concerns raised include:

- There has been no change in circumstances since the previous application was refused;
- The total number of houses in phase 1 and 2 is too many to use a single access road from Moseley Wood Rise and will add to existing congestion and highway safety issues;
- Local roads have suffered due to the construction traffic and contractors have been unable to abide by the rules set out in the agreed Construction Management Plan for Phase 1 of the development;
- There have been no improvements in local infrastructure to accommodate additional residents;
- Local schools and doctors surgeries are already oversubscribed;
- Bringing derelict properties back into use and converting abandoned retail units for housing should be the priority;
- Public transport provision in the area is poor and affected by bad weather and will lead to greater car journeys which will add to air pollution;
- The proposal would have harmful environmental impacts;
- The proposal will cause damage to Green Belt land;
- The proposal will lead to the loss of an attractive outlook for existing residents;
- The proposal will be harmful to wildlife;
- The proposal will have an impact on property values;
- The housing quota in Leeds has been reduced, reducing the urgency to build on this site;
- The houses built will not be affordable;
- The existing field is popular with walkers and makes a positive contribution to health and wellbeing;
- There are other brownfield sites which should be developed first;
- The new houses will impact on the amenity of existing residents including through blocking light and through overlooking;
- The construction phase has led to considerable disturbance;
- The loss of green space will be harmful;
- The two planning applications (19/02597/FU and 19/02598/FU) should be linked and considered together;
- A second vehicular access to Cookridge Drive should be required to share the impact of additional traffic;
- The proposed property types will be out of keeping with local character;
- There needs to be good management plans for the future management of public spaces;
- There is a potential for fly tipping or crime in poorly overlooked public areas;

- The drainage proposals have potential to cause damage to existing trees;
- The area is known to flood;
- Distances to local bus stops are too great;
- There is a lack of detail regarding boundary treatments with existing properties with potential for light pollution from vehicles from the new development impacting upon existing residents;
- There needs to be a biodiversity management plan put in place for the woodland;
- There needs to be appropriate wheel washing facilities for construction vehicles;
- The proposal will be harmful to climate change objectives; and,
- The developer should consider building eco-friendly homes or using part of the site for new tree planting or the creation of a new wetland area.

6.4 One written representation of support has been received from a local resident.

6.5 One representation has been received from a local resident offering general comments, including setting out a number of reasons why a second vehicular access point from Cookridge Drive should be required.

7.0 FURTHER PUBLIC CONSULTATION – SECOND ACCESS

7.1 At the request of the Council the applicant carried out further public consultation in September 2019 in relation to the key question of whether the development should require a second vehicular access to the site adjoining Cookridge Drive to the east.

7.2 As noted above at section 4 this is a matter which has been debated in relation to the wider site since 2013. The Council has been aware since this time that there has been two contrasting views within the local community as to whether, if the development is to go ahead, a second vehicular access should be provided to Cookridge Drive or whether the wider site should be served by the single existing access from Moseley Wood Rise. These contrasting views were apparent in both the public meeting held in June 2019 and in the written representations received in relation to the current planning application and its sister planning application 19/02598/FU.

7.3 Perhaps unsurprisingly the views expressed directly correlate to the home address of the local resident in question – with those residents living on Cookridge Drive most likely to be against the creation of the second vehicular access, and those residents living on or close to Moseley Wood Rise most likely to be in favour of the creation of the second vehicular access. Given this was the case, the Council considered there was merit in attempting to tease out the weight local residents attached to the relevant considerations (amenity, accessibility, loss of woodland, impacts on the wider highway network etc.) and asked the applicant to conduct a further public consultation exercise with this in mind.

7.4 The public consultation exercise including the delivery of approximately 360 leaflets to properties in and around Cookridge Drive, Cookridge Avenue, Moseley Wood Avenue, Moseley Wood Gardens and Moseley Wood Rise, and publication of a dedicated webpage on the website of the applicant. A total of 128 responses were received and copies of these responses were provided to the Council.

- 7.5 In relation to the key question of whether local residents considered a second access to be necessary, 51 residents responded that they considered it was and 77 residents responded that they considered it wasn't. All of the responses received from residents on Cookridge Drive were opposed to the creation of the second vehicular access. All of the responses received from residents on Moseley Wood Rise and in the immediate vicinity of Moseley Wood Rise were for the creation of the second vehicular access. Residents living in the streets between these areas were more mixed in their responses, including residents living in Moseley Wood Gardens.
- 7.6 In terms of relevant considerations, as was previously the case, the concerns of residents included:
- The traffic impacts on relevant roads – including an increase in vehicle movements, impacts on highway safety and congestion, and impacts of these additional movements on the condition of roads
 - The amenity impacts in terms of noise and disturbance on residents from additional traffic
 - The loss of woodland and harm to wildlife through the creation of the second vehicular access
 - The impacts in respect of climate change and air pollution
 - An increase in crime
- 7.7 In terms of the numbers of residents citing individual concerns, the overwhelming majority of the responses received cited an increase in traffic as a concern. Second to this was the concern of highway safety notably in relation to children and elderly residents. Third to this was the loss of woodland and damage to wildlife with smaller numbers of residents citing impacts of construction traffic, air pollution, potential increases in crime and potential noise and disturbance.

8.0 CONSULTATION RESPONSES:

Statutory

- 8.1 LCC Development Management Highways – No objections subject to a number of conditions. This being said, Highways remain of the view that a second vehicular access point via Cookridge Drive would provide for a more sustainable layout and better connectivity and the upgrading of the already approved pedestrian and cycle link in this location would encourage greater use.
- 8.2 LCC Flood Risk Management – No objections subject to a number of planning conditions.
- 8.3 Historic England – No objections. It is understood that the woodland to the north of the site will be managed as part of the conditions attached to the previous outline planning permission and it is recommended that this management includes provision for the management of the Scheduled Monuments as part of the overall public benefits of the development.

Non-Statutory

- 8.4 LCC Transport Strategy, Environmental Studies – No objections.
- 8.5 West Yorkshire Police – A number of recommendations are made in respect of the management of public open space, boundary treatments, surveillance of parking

areas, visitor parking, garage sizes, external lighting, door and window specifications, and alarm systems.

- 8.6 West Yorkshire Combined Authority – No objections. The site is located within the recommended 400m from the nearest bus stop on Green Lane and the bus availability is considered acceptable to serve the site. Requested a sustainable travel contribution and a contribution to improve local bus stop 11740.
- 8.7 LCC Contaminated Land – No objections subject to a number of conditions.
- 8.8 LCC Travel Planning – Travel planning measures would need to be agreed through a section 106 legal agreement with appropriate conditions to address cycle parking, electric vehicle charging points.
- 8.9 LCC Nature Team – No objections subject to a number of conditions. The lack of a vehicular access to Cookridge Drive is supported from a biodiversity perspective and the additional amendments to the existing Biodiversity Enhancement Management Plan (BEMP) will deliver long term positive benefits.
- 8.10 LCC Landscape – Concerns expressed in relation to the main public open space area to the west of the site being sterilised by drainage infrastructure with other areas devoid of features and access links for members of the public. Arboricultural Impact Assessment needs updating alongside submission of further information. *Further submissions have been made by the applicant following the receipt of these comments.*

9.0 PLANNING POLICIES:

LOCAL PLANNING POLICY and GUIDANCE

The Development Plan

- 9.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises, relevant to this application, the adopted Local Development Framework Core Strategy (2014, as amended by the Core Strategy Selective Review 2019), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP), the Site Allocations Plan (2019) and the Natural Resources and Waste Local Plan (2013 and 2015).
- 9.2 The Local Development Framework **Core Strategy** was adopted by the Council on 12th November 2014. Amendments and additions to the Core Strategy were made as part of the Core Strategy Selective Review and adopted by the Council on 11th September 2019. The following policies contained within the Core Strategy (as amended) are considered to be of relevance to this development 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

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
Policy P11 - Conservation
Policy P12 – Landscape
Policy T1 – Transport Management
Policy T2 – Accessibility and New Development
Policy G2 – Creation of Tree Cover
Policy G3 – Standards for Open Space, Sport and Recreation
Policy G4 – New Greenspace Provision
Policy G6 – Protection and Redevelopment of Existing Green Space
Policy G8 – Protection of Important Species and Habitats
Policy G9 – Biodiversity Improvements
Policy EN1 – Climate Change
Policy EN2 – Sustainable Design and Construction
Policy EN5 – Managing Flood Risk
Policy EN8 – Electric Vehicle Charging Infrastructure
Policy ID1 – Implementation and Delivery Mechanisms
Policy ID2 – Planning Obligations

9.3 The most relevant saved policies from the **Leeds Unitary Development Plan** are outlined below.

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
N23 - Incidental Open Space
N24 - Development abutting the Green Belt
N25 - Site boundaries
N35 - Development and Agricultural Land
N37A - Development in the Countryside

9.4 The most relevant policies from the Leeds **Site Allocations Plan Development Plan Document** are outlined below:

HG1 – Identified Housing Sites (Phase 1 - Site Reference HG1-58 – Estimated capacity 135 residential units)
HG2 – Housing Allocations (Phase 2 - Site Reference HG2-29 – Estimated capacity 63 units)
GS1 – Designation/Protection of Green Space (Woodland to north - Site reference G1703)

9.5 The most relevant policies from the Leeds **Natural Resources and Waste Development Plan Document** are outlined below:

General Policy – Sustainable Development
AIR1 – The Management of Air Quality through Development
WATER1 – Water Efficiency
WATER2 – Protection of Water Quality
WATER4 – Development in Flood Risk Areas
WATER6 – Flood Risk Assessments

WATER7 – Surface Water Run-Off

LAND1 – Contaminated Land

LAND2 – Development and Trees

Relevant Local Supplementary Planning Guidance/Documents

- 9.6 The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

Neighbourhoods For Living: A Guide for Residential Design in Leeds

SPG (December 2003)

Neighbourhoods For Living Memoranda to 3rd Edition (2015)

Sustainable Urban Drainage SPG (2004)

Greening the Built Edge SPG (June 2004)

Designing for Community Safety: A Residential Design Guide SPD

(May 2007)

Public Transport Improvements and Developer Contributions SPD

(August 2008)

Street Design Guide SPD (August 2009)

Sustainable Design and Construction SPD (August 2011)

Travel Plans SPD (February 2015)

Parking SPD (January 2016)

Accessible Leeds SPD (November 2016)

Other Relevant Documents

- 9.7 Other relevant documents include:

Guideline Distances from Development to Trees (2011)

Neighbourhood Plans

- 9.8 None.

NATIONAL PLANNING POLICY and GUIDANCE

National Planning Policy Framework

- 9.9 The National Planning Policy Framework (2019) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 9.10 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.
- 9.11 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.

- 9.12 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.
- 9.13 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.
- 9.14 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.
- 9.15 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.
- 9.16 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.
- 9.17 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.
- 9.18 Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan.
- 9.19 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.

- 9.20 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.
- 9.21 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.
- 9.22 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.
- 9.23 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.
- 9.24 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.
- 9.25 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.

10.0 CLIMATE EMERGENCY:

- 10.1 The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
- 10.2 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.
- 10.3 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.

10.4 The below appraisal discusses relevant matters at paragraphs 12.49 to 12.51 below. This includes that the proposal will satisfy the policy requirements of Leeds Core Strategy policies EN1 and EN2 through a number of proposed measures. This also includes that the proposal includes extensive new tree planting and the introduction of electric vehicle charging points at the site to further tackle climate change and related matters.

11.0 MAIN ISSUES:

11.1 The following main issues have been identified:

- (1) Principle of Development and Delivery of Housing
- (2) Vehicular Access to the Site
- (3) Accessibility
- (4) Other Highways Matters
- (5) Housing Matters
- (6) Design and Character
- (7) Landscape, Heritage and Biodiversity
- (8) Residential Amenity
- (9) Climate Change, Sustainable Design and Air Pollution
- (10) Drainage and Flood Risk
- (11) Representations

12.0 APPRAISAL:

Principle of Development and Delivery of Housing

12.1 The application site is a site allocated for housing in the Council's Site Allocations Plan. In adopting the Site Allocations Plan the Council has set out that it considers the development of the site for housing to be acceptable in principle, subject to detailed planning considerations. As such the proposed development of the site for housing is acceptable in principle.

12.2 Furthermore it is important to note the strategic importance to the Council of delivering such sites in respect of wider housing delivery. The Council currently has an identified five year housing land supply. Moving forward it is crucial, in order to maintain this position, the Council can demonstrate that this identified supply can be delivered. Only through realising the delivery of housing on this and other sites allocated for housing will the Council be able to do this. The proposal offers the opportunity to deliver housing on the site in accordance with the approach set out in the Core Strategy and the Site Allocations Plan. As such the delivery of the housing proposed would be a significant benefit of the scheme.

Vehicular Access to the Site

12.3 As is noted at sections 4 and 7 of this report there has long since been a question of whether the wider development site (i.e. Phases 1 and 2 as they are now referred to) would require a second vehicular access point to serve the number of houses proposed. This dates back to the outline planning application (13/04148/OT) which was submitted for the wider development site in 2013 to accommodate circa 200 houses, which was refused in November 2014 following a resolution at City Plans Panel.

12.4 It is important to note that the consideration of the outline proposal for circa 200 houses was in a different policy environment to today. The adoption of the Council's Site Allocations Plan has established that new housing development at the phase 2 site is considered acceptable in principle by the Council. The Site Allocations Plan also provides a site capacity estimate of 63 dwellings. Significantly, the Site Allocations Plan does not put forward a recommended site requirement for a second vehicular access point. It is therefore for the development management process, given that the principle has been established, to solve the problem of whether the wider site should be served by one or two vehicular access points.

12.5 It is also important to consider the reasons why the Council, in 2014, considered a development of circa 200 houses should not be served by a single access point from Moseley Wood Rise. The relevant reasons for refusal for the outline proposal (13/04148/OT) are set out in full below:

The indicative masterplan relies on one point of vehicular access into and out of the site, this is poor urban design and fails to take the opportunities available to maximize the connections to and from the site to spread the impact of traffic, create connected streets and integrate fully a new development within an existing community to the detriment of sustainable development. This is contrary to policy P10 of the Core Strategy and the guidance contained within the Neighbourhoods for Living SPG.

The proposed principal means of access to and from the site would result in significant traffic movements (both vehicular and pedestrian) going past properties of the residents of Moseley Wood Rise which would result in harm to the living conditions of the residents on Moseley Wood Rise contrary to policy P10 criteria (i) and (iii) of the Core Strategy and the guidance in the Neighbourhoods for Living SPG which seeks to maximise connections to spread the impacts of traffic rather than concentrating it.

12.6 As noted in paragraph 4.2 of this report, the Council's case was essentially three layered in that it considered that the development proposed would (1) represent poor urban design, (2) be poor in accessibility terms, and (3) would lead to amenity impacts on residents who lived near the single access as a result of significant volumes of vehicular and pedestrian traffic.

12.7 It is significant to note however, that the basis for the refusal reasons fell more within the territory of 'urban design/ general amenity' considerations rather than 'highway safety or traffic congestion' considerations. Indeed this is borne out by the policies and guidance documents cited in the refusal reasons, which do not include either the relevant highway policies from the Core Strategy or the Street Design Guide SPD which includes specific guidance on highways matters (both adopted policy at the time).

12.8 Significantly the Street Design Guide SPD advises that it is the threshold of 300 dwellings in a single development at which a minimum of 2 points of vehicular access will be required. The guidance goes on to note that where 200 dwellings are proposed in a single development 'at least' two vehicular access points are preferred, however even in these circumstances the guidance notes that "*where this is not possible a single vehicular access may be accepted providing the internal network [of the new development] forms a loop, with the shortest possible connection between this loop and the point of access*".

12.9 The current proposal includes 61 new houses. When added to the 135 houses approved under the phase 1 consents (14/04270/OT and 15/04884/RM) this gives a total of 196 houses to be built in the wider development. This is significantly below the 300 dwelling threshold where a minimum of two vehicular access points would be required according to the Street Design Guide guidance, and also below the 200 dwelling threshold where two vehicular access points are the 'preferred' option. Even when adding the 8 existing properties on Moseley Wood Rise into the equation (as would be appropriate) to give a total of 204 dwellings being served from the access point adjoining Moseley Wood Gardens, there is no question that the guidance, subject to detailed considerations, supports an approach where a single vehicular access is able to serve both phases of the development as proposed.

12.10 It is therefore important to consider, in answering the question of whether a second vehicular access is required to serve the wider development of 196 (or alternatively 204) houses, the relevant cases are for the two alternatives. The below sets out what are considered to be the main considerations in relation to relevant matters.

The case for the use of the single existing vehicular access

12.11 The case for the use of the single existing vehicular access from Moseley Wood Rise is as follows. Firstly, as noted above, there is no guidance requirement for a second vehicular access to the wider development subject to an appropriate design and layout being achieved. With this in mind, the Council's Highways Team are of the view that the layout would be acceptable in relevant respects.

12.12 Secondly, in terms of accessibility, and as was the case when Plans Panel considered, and subsequently approved, outline application 14/04270/OT (for the 135 houses making up Phase 1 of the wider development) the relevant accessibility criteria, as set out in the Core Strategy, would be sufficiently met to deem the proposal acceptable overall in accessibility terms (this is discussed in greater detail below).

12.13 Thirdly, this would not lead to new vehicular traffic, and all the associated impacts of noise, disturbance, congestion, air pollution etc., along Cookridge Drive. Cookridge Drive is a relatively quiet cul-de-sac at present and is often heavily parked with cars on both sides of the street. Ward Councillors and residents have also raised concerns about the gradient of Cookridge Drive in unfavourable weather.

12.14 Fourthly, the only current viable option for the creation of the second vehicular access point, would require the loss of a significant area of ancient woodland including circa 20 trees. This formed part of the Council's case for refusing application 14/00190/FU (the sister application to 13/04148/OT) in 2014. The woodland is a particularly important habitat for flora and fauna and its loss would be significant in biodiversity terms. The trees also perform an important function in tackling air pollution and wider climate change concerns.

12.15 Fifthly, the creation of a second new vehicular access point to Cookridge Drive would be likely to require further junction improvements elsewhere, for example further along Cookridge Drive, which would lead to further short term disruption to the local highway network.

The case for the use of a second vehicular access

12.16 The case for the creation of a new second vehicular access to Cookridge Drive is as follows. Firstly, this represents a better urban design solution and will assist in creating a better connected development which more successfully integrates with

the existing community. It is also noted that the Council's Highways Team remain of the view that this is the preferred option for the site for this and wider accessibility reasons. The improvement in terms of accessibility over the single vehicular access solution, when considered against the relevant Core Strategy criteria is the second reason in support of such a case.

- 12.17 Thirdly, this will not result in all the vehicular traffic from the site accessing and leaving the site through Moseley Wood Rise with all the associated impacts of noise, disturbance, congestion, air pollution etc. that this would bring. This will lead to a reduction in the number of vehicle movements through Moseley Wood Rise when considered against the single access solution.
- 12.18 Fourthly, it is considered by the Council's Highways Team that the 'upgrading' of the approved pedestrian and cycle link to Cookridge Drive (approved under the phase 1 proposals) may be likely to encourage greater use by pedestrians and cyclists if the perception is that the upgraded link would be less isolated than the route currently approved.

Conclusions

- 12.19 Having considered both the cases both for and against the use of the existing single vehicle access from Moseley Wood Rise it is clear that there are merits to both approaches and in many respects the merits are finely balanced. It is also appreciated that there are strongly held views on both sides of the argument within the local community. Ultimately however the Council must come to a view on which option has greater merit given that the principle of development is accepted.
- 12.20 The results of the further public consultation exercise carried out by the applicant in September 2019 (discussed in section 7 of this report) are helpful in assessing the weighting afforded to relevant matters by the local community. It was clear from this exercise that additional traffic impacts followed by highway safety concerns were the main concerns expressed by the most local residents. However that there will be additional vehicle traffic generated by the development is unavoidable. It is rather a matter of where these impacts will be felt and whilst there is undoubtedly a question of fairness that has been raised, legitimately, by some local residents, it is not considered that this would be an overriding factor in this instance. It is helpful to note that it is not considered that the development would materially impact on highway safety. Indeed, the Council's Highways Team has concluded that there are no existing road safety concerns in the vicinity of the development that would be exacerbated by the traffic associated with the proposed development.
- 12.21 Whilst the better connectivity and accessibility for new residents of the two access solutions are noted, it is not considered that the proposal as put forward for the use of the single existing access to serve the wider development would otherwise be unacceptable in these respects when assessed against relevant planning policy and guidance. It is however noted that the loss of ancient woodland and wildlife habitat, that would occur if the second vehicular access point were to be constructed to Cookridge Drive is a clear and significant difference between the two alternative solutions. It is considered that this consideration would tip the balance in favour of the single access solution. As a result it is considered that the proposal to serve the site through the existing single vehicular access from Moseley Wood Rise is acceptable subject to considerations of the internal layout of the proposed development which are considered below.

Accessibility

- 12.22 That the Council previously came to the view that the phase 1 proposals were acceptable on accessibility grounds is noted above. It was noted at the time of determining the outline consent for phase 1 (14/04270/OT) that the site was relatively well located in relation to existing facilities. This remains the case in relation to the phase 2 site. It was also noted that the site falls outside some of the defined accessibility criteria in relation to some of the relevant assessments.
- 12.23 The Council's accessibility standards for new housing developments aim to ensure that travel times to (1) local services, (2) employment, (3) primary health, (4) primary education, (5) secondary education and (6) town centres and the city centre can be met. It is accepted that not all of the accessibility criteria have to be met in order to come to an overall view that the site is 'accessible'.
- 12.24 The phase 1 development would have exceeded travel times from the development in relation to three of the criteria, namely to local bus stops offering a 15 minute service frequency (to access employment and to town centres and the city centre) and to local primary health services. It was however noted that the higher frequency of bus services available on Green Lane than was required by the Council's standards, alongside investments in bus stop infrastructure and sustainable travel contributions proposed, led to the overall conclusion that the proposal was acceptable in accessibility terms.
- 12.25 The current phase 2 proposals would meet the accessibility criteria for 4 of the 6 travel times assessed and therefore represents an improvement on the phase 1 proposals in this respect. The phase 2 proposals would allow for travel times as set out by the Council's accessibility criteria to employment, primary education, secondary education and town centres and the city centre to be met. The travel times for access to local services (namely Tesco Express on Green Lane) would be an 11 minute walk (as opposed to the 10 minute walk as required by the Accessibility Criteria). The travel times for access to primary health services (namely Highfield Surgery at Holt Park) would be a 24 minute walk (as opposed to a 20 minute walk as required by the Accessibility Criteria) or a 8-9 minute walk to the nearest bus stop offering a direct service (as opposed to a 5 minute walk as required by the Accessibility Criteria).
- 12.26 As was the case with the phase 1 development, it is again noted that the increased frequency of bus services on Green Lane than is required by the Council's standard is a relevant consideration. The applicant has also committed to a contribution towards local bus stop infrastructure and sustainable travel contributions as was previously the case for phase 1.
- 12.27 In conclusion it is noted that the phase 2 site would be closer to meeting the relevant accessibility standards than the phase 1 development, which was ultimately found to be acceptable on the grounds of accessibility. As a result it is considered that the phase 2 proposals should also be considered acceptable on accessibility grounds.

Other Highways Matters

- 12.28 The internal road layout as proposed is acceptable and raises no highway safety concerns. This will also allow for appropriate servicing and access for emergency vehicles. Parking provision is proposed in accordance with the Council's guidance contained within the Street Design Guide SPD with sufficient off-street spaces proposed to prevent any significant instances of on-street car parking. Whilst some stretches of hardstanding are longer than would be ideal, on the whole these are

broken up by appropriate landscaping treatments and front gardens across the site will provide for a positive landscaped environment. The proposal will also provide for the provision of electric vehicle charging points in accordance with Core Strategy policy EN8.

Housing Matters

- 12.29 The proposal includes a mix of detached, semi-detached and town houses. This includes a total of 61 houses consisting of a mix of 18 two bedroom (30%), 24 three bedroom (39%) and 19 four bedroom units (31%). The mix proposed falls within the minimum and maximum targets as set out in the Core Strategy and as such is considered to be compliant with Core Strategy policy H4. It is further noted that the mix represents an improved position on the phase 1 development of 135 houses which included a mix of 17% two bedroom, 42% three bedroom and 40% four and five bedroom houses which didn't meet the minimum target for two bedroom houses.
- 12.30 The proposal provides for a total of 21 affordable houses consisting of a mix of 14 two bedroom units and 7 three bedroom units. This represents, in combination with the 47 affordable houses provided for in phase 1, a policy compliant 35% of the total number of dwellings. As with phase 1 the proposed affordable units in the current phase 2 proposals will be pepper potted around the site and represents an appropriate mix of unit sizes.
- 12.31 The proposal will provide for all of the houses to meet the requirements of M4(2) 'accessible and adaptable dwellings' of Part M, Volume 1 of the Building Regulations (against the policy target in Core Strategy policy H10 of 30%) except those houses which will meet the requirements of M4(3) 'wheelchair user dwellings' of Part M, Volume 1 of the Building Regulations. The number of houses meeting the M4(3) requirements will total 2 or 3% of the total number of houses, exceeding the policy target in Core Strategy policy H10 of 2%.
- 12.32 All the houses proposed will exceed the Council's minimum space standards as set out in Core Strategy policy H9. The same is true of the garden sizes proposed which will all exceed the minimum recommended garden size areas included within the Council's Neighbourhoods for Living SPG. The distances between properties are also in accordance with those separation distances set out in the Neighbourhoods for Living SPG and the combination of all of these factors will ensure that the properties provide for a good level of amenity for future occupiers.
- 12.33 It is noted that the application site falls within close proximity of Leeds Bradford Airport and the Council's Environmental Studies Transport Strategy team has advised that care should be taken in the choice of roofing materials to ensure that internal noise standards contained within the relevant British Standard are achieved. This is a matter which can be controlled by way of a planning condition.

Design and Character

- 12.34 The proposed layout brings through principles agreed as part of the phase 1 consents (14/04270/OT and 15/04884/RM) and, like phase 1, is considered to be in-keeping with both the character and suburban grain of the wider Moseley Wood estate (in addition to Cookridge Drive). The two and two and half storey scale of the houses proposed is reflective of properties in phase 1 and surrounding streets.

- 12.35 As was previously recognised when considering the case for the phase 1 proposals, the wider Moseley Wood estate includes properties displaying a wide range of external materials, but one common feature which runs through the estate is the use of red brick. Subsequently phase 1 incorporated the use of three types of red brick as its main walling material along with tiled pitched roofs also reflective of local character. Phase 2 will allow continuity in this respect. Phase 2 will also provide for defensible space in front of properties in keeping with the guidance contained in the Council's Neighbourhoods for Living SPG.
- 12.36 As a result the proposals are considered acceptable in design and character terms with individual properties and streetscenes being appropriate to the immediate context.

Landscape, Heritage and Biodiversity

- 12.37 A key feature of the phase 1 development was recognised to be the generous public and green spaces that are provided throughout the development. As was recognised previously this was in part due to the need to incorporate extensive drainage infrastructure at the phase 1 site, but this will nevertheless allow for generous outdoor green space for recreation and for the successful transition between the suburban style housing proposed and the wider countryside setting beyond, once phase 1 is completed.
- 12.38 The phase 2 proposals forming the current application seek to integrate similarly generous areas of public and open space and, as with phase 1, the proportion of public and green space to built development is particularly positive. The total area of public and green space proposed in phase 2 amounts to an area approximately 5,700m² in size which is almost double the policy requirement of 2904m² generated by Core Strategy policy G4. As with phase 1, the individual spaces provided are aimed towards informal walking and recreation rather than formal play and these can be best described as three spaces.
- 12.39 The first space to the west of the phase 2 site is a formal landscaped area with seating areas. The second space runs along the majority of the southern perimeter of the site and whilst accommodating a land drain along most of its length will also provide for an informal footpath route. This will be important in ensuring the space is well used to prevent issues of anti-social behaviour that may have otherwise have occurred. The southern boundary of this space will include new tree planting to supplement the existing trees which exist on this boundary. The third space runs along the northern boundary of the site and forms a grassed area of green relief to the ancient woodland to the north. The applicant has agreed to undertake repairs to the existing dry stone wall along the northern boundary as part of the landscaping works proposed.
- 12.40 The proposal will lead to the loss of three existing trees (one category B, one category C, and one category U tree) at the site but the landscaping proposals will include the planting of 47 new trees (including 20 extra heavy standard trees) which is far in excess of the requirement as set out in the Council's Natural Resources and Waste DPD policy LAND2 (which requires 3 replacement trees for every 1 lost).
- 12.41 The aforementioned repairs to the existing dry stone wall along the northern boundary will also assist in controlling access to the ecologically sensitive ancient woodland to the north of the site. For this same reason, this will also ensure that there is no negative impact on the two existing scheduled ancient monuments

(prehistoric 'Cup and Ring' marked stones) in the woodland and Historic England has written in support of such measures with this in mind.

- 12.42 Alongside the repairs to the dry stone wall, and in recognition that the loss of the pasture land, whilst having relatively low ecological value, does still have an existing benefit in biodiversity terms, the applicant has agreed to additional measures to be incorporated into an amended version of the Biodiversity Enhancement Management Plan (BEMP) which was agreed for the phase 1 development. This will include measures to encourage use of existing footpaths in the woodland which will be maintained and managed so that the overall combination of the measures proposed means that an overall enhancement will be secured in biodiversity terms. This is not only significant in meeting the wider aims of Core Strategy policy G9, which requires development to demonstrate net gains in biodiversity, but will lead to the enhancement of a designated green space within the Council's Site Allocations Plan (Site reference G1703 – Smithy Lane Woods).
- 12.43 The northern strip of green space which, as mentioned above, will provide some green relief to the neighbouring woodland to the north will ensure that existing root protection areas of trees in the ancient woodland are protected. This, in combination with an appropriate lighting solution to the new road and footpath to the south, is considered sufficient to protect the habitats of light sensitive species including bats.
- 12.44 Overall the landscaping proposals will provide for a good quality landscape and, in combination with proposals to enhance areas off-site, will provide for an overall enhancement in respect of biodiversity. It is further noted that this is consistent with the proposals granted consent in relation to phase 1 of the wider development and will lead to a development which has considerable positive qualities in these respects.

Residential Amenity

- 12.45 As is noted above, the proposed development will unavoidably lead to an increase in vehicle movements through neighbouring streets, including through the phase 1 development. This will inevitably lead to additional impacts including in relation noise and disturbance and will as a consequence impact on the amenity of local residents. This will include those impacts associated with an extended construction phase which, albeit temporary, will also impact on the amenity of residents.
- 12.46 The proposed layout will ensure that adequate separation distances are achieved between all properties, both proposed and existing, including those outside the wider development site on Moseley Wood Gardens and Cookridge Drive. Indeed, in relation to those properties which back on to the site in Moseley Wood Gardens and Cookridge Drive, these distances are comfortably exceeded in the vast majority of instances. This is sufficient to prevent any unreasonable overlooking, loss of outlook or overshadowing impacts. The planting of additional trees along the southern boundary of the site, which already includes a considerable number of trees, will further mitigate against any privacy impacts.
- 12.47 There has been some concerns raised by residents on Moseley Wood Gardens that light pollution, from car headlights in particular, will lead to a loss of amenity for existing residents. The planting of additional trees along the southern boundary will also assist in mitigating such impacts, alongside the use of robust boundary treatments at the heads of new cul-de-sacs and appropriate shrub and hedge planting.

- 12.48 Overall the proposal is considered to sufficiently protect residential amenity for both existing and future occupiers.

Climate Change, Sustainable Design and Air Pollution

- 12.49 The proposal will introduce a number of measures to ensure that the Council's Core Strategy policy EN1 (Climate Change – Carbon Dioxide Reduction) as currently applied by the Council is complied with. The developer's carbon reduction strategy for the new houses is reliant on measures which predominantly seek to improve the energy efficiency of a property rather than energy generation, however the proposal is to use a mixture of both measures in this instance. This will include enhanced insulation and air tightness, the use of heating controls and low energy lighting, and the use of photovoltaics which will ensure a minimum of 20% reduction in carbon dioxide emissions is achieved against the Building Regulations Target Emission Rate and energy reduction through the use of renewable energy generation exceeds the 10% figure set out in policy EN1 (estimated to be 17% for the development proposed in this instance).
- 12.50 In addition to the above, eco-sanitary ware and restricted flow rates will ensure the Council's water consumption standard of 110 litres per person per day as set out in Core Strategy policy EN2 is met.
- 12.51 It is further noted that the additional tree planting and the introduction of electric vehicle charging points at the site, as set out in the above report, will also assist in tackling climate change and air pollution in line with wider Council objectives and assist in encouraging more sustainable travel choices.

Drainage and Flood Risk

- 12.52 The issue of drainage and flood risk was a matter which attracted considerable interest from local residents and interested parties in relation to the phase 1 development. In granting the consents for phase 1 (14/04270/OT and 15/04884/RM), alongside the discharge of relevant planning conditions, the Council has accepted that the drainage solutions offered for phase 1 were acceptable. These drainage solutions are now in place and the applicant has confirmed that these have worked effectively to date.
- 12.53 The entirety of the phase 2 site, which is further away from the Moseley Beck watercourse than phase 1, is in Flood Risk Zone 1 which is designated by the Environment Agency as a low probability of flooding (assessed as having a less than 1 in 1000 chance of river flooding). The phase 2 drainage proposals will work alongside those implemented for phase 1 in order to discharge any surface water run-off from the development or overland flows from adjacent sites in a controlled manner. This will include the use of an underground storage tank to the western part of the site which is considered appropriate, in conjunction with the re-opening of watercourses with deepened infiltration trenches, land drains, filter drains and detention swales, agreed for the phase 1 development, due to the unfeasibility of infiltration drainage systems at the site due to ground conditions.
- 12.54 The Council's Flood Risk and Drainage Team considers that the proposal is acceptable subject to the detail being agreed by way of planning conditions.

Representations

- 12.55 As is summarised in section 6 of this report a number of representations have been received in relation to the application. All of those considerations raised, whether in support or expressed as a concern, which are relevant to the determination of the reserved matters application have been addressed in the above appraisal.
- 12.56 It is noted that a small number of other matters have been raised which do not form material planning considerations. As such weight has been afforded to these comments as appropriate in coming to overall conclusions.

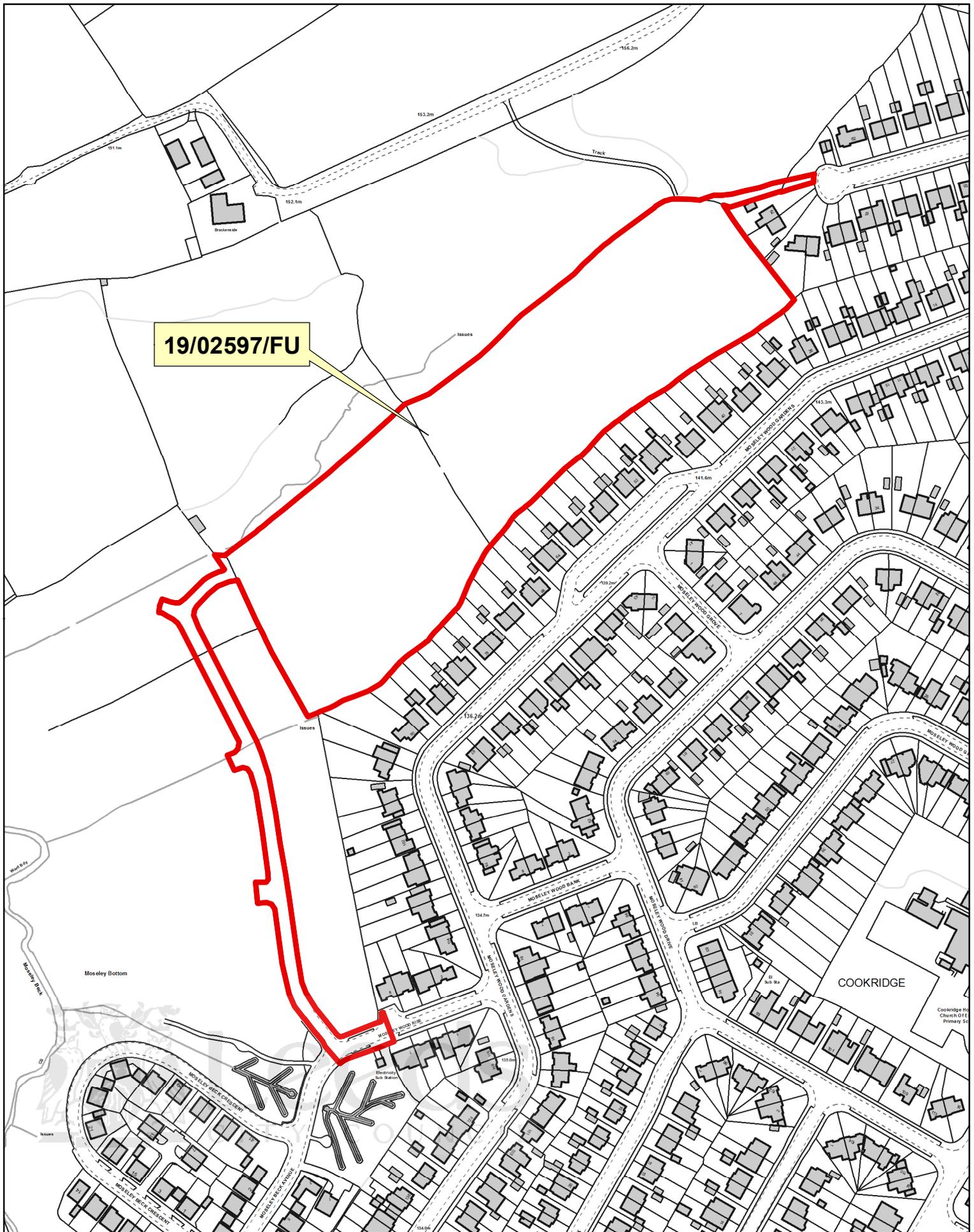
13.0 CONCLUSION

- 13.1 The principle of developing the site for housing has been established following the adoption of the Council's Site Allocations Plan in July 2019. The delivery of the site in a timely manner is important to maintain the Council's five year housing land supply position and the proposal as put forward will bring the site forward in accordance with the approach set out in the Council's Core Strategy. These are significant benefits of the scheme.
- 13.2 The proposal forms the second phase of a wider housing development, with phase one being partially completed. One of the key questions at the application site is the question of whether a second vehicular access would be needed to serve the wider development. It is for the development management process, now that the principle of housing delivery at the phase 2 site has been accepted, to resolve this key question.
- 13.3 The cases both for and against the creation of a second vehicular access point to Cookridge Drive are set out in detail in the above appraisal. The planning history of the site is noted, as are the considered representations of interest parties including local ward members and local residents. After careful deliberation it is considered, weighing into consideration all of the relevant factors, that the proposal, and the wider development, would be satisfactorily served by the existing vehicular access point to Moseley Wood Rise. Such an approach would be in-keeping with the guidance as set out in the Council's Street Design Guide SPD, would address relevant accessibility considerations and would, significantly, avoid the loss of a considerable area of ecologically important ancient woodland amongst other factors.
- 13.4 The proposal would be acceptable on accessibility grounds, representing a more favourable situation than the previously accepted phase 1 proposal in this regard. The proposal would also provide for an acceptable highways layout with sufficient off-street car parking provision including appropriate provision of electric vehicle charging points.
- 13.5 The proposed mix of dwellings falls within the minimum and maximum targets as set out in the Core Strategy and as such is considered to be in-keeping with the wider aims of Core Strategy policy H4. The 21 affordable houses proposed will be provided in accordance with Core Strategy policy H5, being pepper potted around the site in an appropriate mix of unit sizes. The proposal will far exceed the required number of 'accessible and adaptable dwellings' and will provide for the required number of 'wheelchair use dwellings' (Core Strategy policy H10). All the houses proposed will meet the Council's minimum space standards (Core Strategy policy H9) and the guidance separation distances and garden sizes as set out in the Council's Neighbourhoods for Living SPG.

- 13.6 The proposed houses are of a sympathetic design and scale and will represent a continuation of the characteristics established as acceptable previously in the phase 1 development. The proposal will provide for generous green spaces which also follow on from those agreed in the phase 1 development. This includes a total area of public and green space almost double the policy requirement set out in Core Strategy policy G4. The loss of three existing trees at the site will be mitigated by the planting of 47 new trees and is far in excess of the Council's 'three trees for every one lost' requirement set out in policy LAND2 of the Council's Natural Resources and Waste DPD.
- 13.7 The works to repair the existing dry stone wall along the northern boundary of the site, alongside a number of improvements to control and encourage access to the neighbouring woodland to the north, will ensure an overall net gain for biodiversity. This will also be importance in ensuring there is no negative impact on the setting of the two existing scheduled ancient monuments in the woodland.
- 13.8 There will be an unavoidable impact on the amenity of neighbours in nearby streets, including in the phase 1 development, through additional traffic to and from the development. This is a consequence of any new housing development. The proposed layout however ensures the amenity of nearby neighbours is sufficiently protected against privacy, shadowing and outlook impacts. The planting of trees along the southern boundary of the site, alongside the use of appropriate boundary treatments will ensure neighbouring amenity is sufficiently protected against light pollution, including from car headlights.
- 13.9 The proposals will be compliant with Council Core Strategy policies EN1 (Climate Change – Carbon Dioxide Reduction (as currently applied) and EN2 (Sustainable Design and Construction). The aforementioned tree planting and installation of electric vehicle charging points will further assist in addressing climate change and air pollution matters.
- 13.10 The proposal provides for acceptable drainage solutions which will work alongside those solutions agreed in the phase 1 development which have proved effective.
- 13.11 The representations by local ward members, local residents and other interested parties have been considered and given appropriate weight. The applicant has also undertaken further public consultation at the request of the Council to seek views as appropriate.
- 13.12 In conclusion it is considered, taking into account all the relevant material planning considerations, the planning application should be recommend for a planning approval subject to the conditions and obligations set out above.

Background Papers:

Certificate of Ownership – Taylor Wimpey Yorkshire



19/02597/FU

SOUTH AND WEST PLANS PANEL

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

SCALE : 1/2500





SCHEDULE OF ACCOMMODATION:

HOUSETYPE	AMOUNT
NA201	14%
NA202	4%
NA203	3%
TOTAL NA	21%
HOUSETYPE	AMOUNT
NA201	2%
NA202	2%
NA203	2%
NA204	1%
NA205	1%
NA206	1%
NA207	1%
NA208	1%
NA209	1%
NA210	1%
NA211	1%
NA212	1%
NA213	1%
NA214	1%
TOTAL NA	14%
TOTAL NA	35%

NOTE: ALL INTERNAL VISIBILITY SPLAYS ARE 2.4 X 25m

HOUSETYPES:

- ALL HOUSETYPES ARE DESIGNED TO NATIONALLY DESCRIBED SPACE STANDARDS
- ALL HOUSETYPES EXCEPT NA20 ARE DESIGNED TO BUILDINGS REGULATIONS PART M4(2)
- THE NA20 HOUSETYPE IS DESIGNED TO BUILDING REGULATIONS PART M4(3)

CAR CHARGING:
VEHICLE CAR CHARGING SCHEME TO BE PROVIDED TO ALL PLOTS AS STANDARD, CONSISTING OF AN IP66 SOCKET ON DEDICATED 32AMP CABLE TO THE CONSUMER UNIT

REV	DATE	DESCRIPTION	BY	CHECK
C	29.01.20	VISIBILITY SPLAY & FOOTPATH ADJACENT TO PLOT 215 ALTERED. L.S. IN LINE WITH PLANNERS COMMENTS.	LS	LB
D	20.01.19	FOOTPATH ADJACENT TO PLOT 237 ADJUSTED TO ENSURE VISIBILITY ADJACENT TO PLOT 215 ADJUSTED. ROAD ADJACENT TO PLOT 208 & 220 RE-ALIGNED. ROAD ADJACENT TO PLOT 208 & 220 RE-ALIGNED. PLOTS 209-211, 221-225, 226-227, 234-237 MOVED TO GAIN A GREATER SEPARATION FROM HIGHWAYS. PLOTS 202-208 & 219-220 AMENDED AS PER CLIENTS SKETCH. GREAT 11.01.20	LS	LB
C	13.01.20	PLOTS 209, 215, 228 AMENDED TO BE NTH HOUSE TYPES. OTHERS (208) ADJUSTED TO PLOTS 207, 208, 209, 208 & 209. ROUTES THROUGH POS PROVIDED. FOOTPATH ADJACENT TO PLOTS 208-209 EXTENDED. RETAINING WALL ADJUSTED.	LS	LB
B	05.12.19	AMENDMENTS TO L.S. PLAN. COMMENTS AS PER D FISHER INSTRUCTIONS (25.11.19). FOOTPATH RELOCATED FOR FORWARD VISIBILITY ADJACENT PLOT 233	LS	RAN
A	11.11.19	NTH TEMPLATES UPDATED. PLOT 207 CHANGED TO NA21 HOUSETYPE. PLOTS 226-227 CHANGED TO NA20 NTH HOUSETYPES. PLOTS 208-220 CHANGED TO NA20 HOUSETYPES. APPROXIMATE AREA ALTERED TO REFLECT LAYOUT	LS	RAN

jrpa ARCHITECTURE | PLANNING | LANDSCAPE

CLIENT: TAYLOR WIMPEY
PROJECT: MOSELEY WOOD GARDENS, COOKRIDGE
PHASE 2
DRAWING: PROPOSED SITE LAYOUT

DRAWING NUMBER: P18-5260-501 - E
SCALE @ A3: 1:500
DRAWN: NOV 19
CHECKED: NOV 19

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501 / PROPOSED SITE LAYOUT

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