



## Report of the Chief Planning Officer

### SOUTH & WEST PLANS PANEL

Date: 13<sup>th</sup> February 2020

**Subject:**

**PLANNING APPLICATION 19/02598/FU – New vehicular access from Cookridge Drive to Phase 2 of Moseley Green development at Land Off Cookridge Drive, Cookridge, Leeds, LS16**

**APPLICANT**

Taylor Wimpey Yorkshire

**DATE VALID**

29<sup>th</sup> April 2019

**TARGET DATE**

28<sup>th</sup> 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 19/02598/FU:  
REFUSE for the reasons set out below.**

1. The Local Planning Authority considers that the proposed development, by virtue of the loss of a significant area of ancient woodland and wildlife habitat, would be significantly harmful to wider biodiversity objectives. As a result the proposal would be contrary to the wider aims of Leeds Core Strategy policies G2, G8, G9, P10, saved Unitary Development Plan policies LD1, LD2, Natural Resources and Waste DPD policy LAND2 and the guidance included within the Council's Neighbourhoods for Living SPG and the National Planning Policy Framework.
2. The Local Planning Authority considers that the proposed development, by virtue of the loss of a significant area of visually attractive ancient woodland, would be harmful to local character. As a result the proposal would be contrary to the wider aims of Leeds Core Strategy policies G2, P10, P12 saved Unitary Development Plan policies LD1, LD2, N37A, and the guidance included within the Council's Neighbourhoods for Living SPG and the National Planning Policy Framework.

## **1.0 INTRODUCTION:**

- 1.1 This application is presented to Plans Panel South and West as an accompanying planning application to 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 application seeks the creation of a new vehicular access to serve the wider housing development at the Moseley Green site.
- 1.3 Phase 1 of the Moseley Green housing development, for 135 houses, is under construction having been partially completed. The phase 1 proposals include the provision of a pedestrian and cycle link to Cookridge Drive.
- 1.4 The current application is to be considered alongside a further planning application for phase 2 of the wider development which will accommodate an additional 61 houses.

## **2.0 PROPOSAL:**

- 2.1 The applicant seeks planning permission for construction of a new vehicular access road with associated footways and infrastructure to serve phase 2 of the Moseley Green housing development.
- 2.2 The proposal would lead to the loss of an area of ancient woodland approximately 800m<sup>2</sup> in size including the loss of circa 20 trees.
- 2.3 The proposal is being considered alongside a further planning application (reference 19/02597/FU) for phase 2 of the wider housing development which will involve the erection of 61 houses with associated infrastructure including public open space and landscaping.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site sits to the west of Cookridge Drive adjacent to the property and site at 79 Cookridge Drive to the south.
- 3.2 The site is designated as green space (alongside the wider woodland) within the Site Allocations Plan (Site reference G1703). The site is also included within a larger site allocated for housing in the Council's Site Allocations Plan (Site Reference HG2-29). Upon adoption of the Site Allocation Plan in July 2019 the site was removed from the Leeds Green Belt but the neighbouring woodland retains this designation.
- 3.3 The site includes woodland which forms a smaller part of the wider woodland immediately adjacent to the site, known as Gab Wood. The wider woodland is recognised to be ancient woodland, is protected by Tree Preservation Order 1997/38 and includes two ancient monuments (prehistoric 'Cup and Ring' marked stones dated to the Bronze Age).
- 3.4 Part of the site has existing planning permission for the creation of a new cycle and pedestrian link to the phase 1 development granted planning permission under applications 14/04270/OT and 15/04884/RM). This cycle and pedestrian link will also provide for access for emergency vehicles and is partially constructed.

## **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 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' full 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, similar to that now being considered, 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 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 11 of the aforementioned 29 trees in ancient woodland, 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 removed 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 through 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 18<sup>th</sup> September 2018.

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 The application has been publicised by means of site notice. In addition to this Councillor Barry Anderson held a public meeting for residents to discuss the application on 24<sup>th</sup> June 2019 which was attended by planning and highways officers.

6.2 Councillors Barry and Caroline Anderson (both Adel and Wharedale ward) have objected to the proposal. Their objections can be summarised as follows:

- The new access point would be a major amenity issue for the residents of Cookridge Drive; and,
- The gradient of Cookridge Drive will be difficult to use in winter conditions.

6.3 A total of 16 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 proposal would be harmful to the wider Green Belt location;
- The proposal would lead to the loss of ancient woodland and important protected trees;
- The proposal would lead to the loss of wildlife habitat and harm to neighbouring wildlife;
- The proposal will add to climate change;
- The application should be considered alongside application 19/02597/FU;
- The junction between Cookridge Drive and Green Lane is already dangerous and the additional increase in traffic will lead to highway safety impacts;
- Traffic calming would be needed in surrounding roads;
- The traffic impacts on local highway infrastructure would be unacceptable;
- Cookridge Drive is heavily parked at present;
- The proposal would lead to the creation of an escape route for burglars;
- The proposal will impact on existing parking and access arrangements for existing residents;
- Children are currently able to play safely in the cul-de-sac;
- The gradient of Cookridge Drive is difficult to use in winter conditions;
- The crossing points proposed to the agreed pedestrian and cycle link will be dangerous for users of this link;
- The proposal would affect property values in Cookridge Drive;
- The city does not need the additional dwellings proposed;
- The proposal will lead to further disruption from construction traffic; and,
- The applicant has set out that the second access is not required.

- 6.4 Two written representations of support have been received from local residents. The points raised include:
- The development needs more than one access road;
  - The agreed pedestrian and cycle link would feel insecure at certain times of day and the upgrading of this to a vehicular access would give users a greater sense of security;
  - Transport studies show the access would be safe and suitable;
  - The traffic flows from the wider development should be distributed; and,
  - Approval should be granted on condition of improvements to the condition of local roads.
- 6.5 Two representations have been received from local resident offering general comments, including:
- That the second access would greatly reduce the amount of traffic using the single access point on Moseley Wood Rise;
  - Gradient issues could be addressed through highway design;
  - The second access would minimise times for emergency service access;
  - The second access may reduce heavy construction traffic use of Moseley Wood Gardens during the building phases;
  - The development of the new rail terminal will mean that a single access point to the site will lead to future traffic problems; and,
  - Approval should be granted on condition of improvements to the condition of local roads.
- 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 predominantly correlated 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 it was and 77 residents responded that 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 relevant 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 – Further information is required in order to demonstrate vehicle tracking and visibility requirements can be met.
- 8.2 LCC Flood Risk Management – No objections subject to appropriate planning conditions.

### Non-Statutory

- 8.3 LCC Contaminated Land – No objections subject to appropriate planning conditions.
- 8.4 LCC Nature Team – No Ecological Impact Assessment has been provided to understand the impact of the loss of the woodland. The woodland that would be lost is ancient woodland in an area of UK BAP Priority Habitat and part of the Leeds Habitat Network. Further bat surveys would need to be carried out. If the principle of the access road is deemed acceptable on other grounds, it should be located along an alignment which minimises the impact to the woodland.

- 8.5 LCC Landscape – No arboricultural information has been submitted. An arboricultural impact assessment would be required to assess the impact in terms of trees lost and on those trees proposed to be retained.

## **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 12<sup>th</sup> 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 11<sup>th</sup> 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 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 G6** – Protection and Redevelopment of Existing Green Space

**Policy G8** – Protection of Important Species and Habitats

**Policy G9** – Biodiversity Improvements

**Policy EN5** – Managing Flood Risk

**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

**LD1** - Landscape design

**LD2** - New and altered roads

**N24** - Development abutting the Green Belt

- N25** - Site boundaries  
**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  
**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 3<sup>rd</sup> Edition** (2015)  
**Sustainable Urban Drainage SPG** (2004)  
**Greening the Built Edge SPG** (June 2004)  
**Street Design Guide SPD** (August 2009)  
**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 109 of the NPPF 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.
- 9.11 Paragraph 111 states that all developments that will generate significant amounts of movement should be required to provide a travel plan.
- 9.12 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.
- 9.13 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.
- 9.14 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.
- 9.15 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 27<sup>th</sup> 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 paragraph 12.26 below. This includes that the proposal will lead to the loss of circa 20 trees and other vegetation at the site but that the wider phase 2 proposals will include the planting of 47 trees and a significant number of shrubs, hedging and other vegetation. It is therefore considered that the proposal would be unlikely to have a net negative impact in respect of climate change matters in these respects in the longer term.

## **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) Detailed Highways Layout
- (4) Character, Landscape, Heritage and Biodiversity
- (5) Residential Amenity
- (6) Climate Change and Air Pollution
- (7) Representations

## **12.0 APPRAISAL:**

### Principle of Development and Delivery of Housing

- 12.1 The application site is included within a wider 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 wider site for housing to be acceptable in principle subject to detailed planning considerations.
- 12.2 If the Council were to come to the view that the proposed second vehicular access point proposed were required to make the development acceptable, then greater weight would need to be afforded to the wider benefits of the phase 2 housing development in determining the current application.

### 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 an 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 only 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 with 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/ amenity' rather than strictly 'highway' 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 this matter, both of which were in place at the time of the 2014 decision.
- 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 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.
- 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 these and accessibility reasons with some of the wider considerations from the Street Design Guide SPD guidance in mind. 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 notable 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 in the appraisal of planning application 19/02597/FU.

Detailed Highways Layout

- 12.22 The detailed layout submitted for the new vehicular access road and associated footways and infrastructure is similar to that discussed at the pre-application stage with the applicant and is broadly acceptable subject to relevant detailing. It is however noted that the Council's Highways Team would require further information to demonstrate vehicle tracking and visibility requirements can be met. These details could be controlled by way of appropriate planning conditions if planning permission were to be granted. The increase in vehicle movements would not lead to any material highway safety concerns subject to appropriate detailing and any

necessary off-site highway works which may be required at nearby junctions and neighbouring streets.

#### Character, Landscape, Heritage and Biodiversity

- 12.23 The proposal would lead to the loss of an area of ancient woodland approximately 800m<sup>2</sup> in area including the loss of circa 20 trees. This would be harmful to local character through the loss of visually attractive woodland. This would also be significantly harmful in biodiversity terms through the loss of a considerable area of woodland with a high habitat value. The woodland is UK BAP Priority Habitat, part of the Leeds Habitat Network and benefits from protection under Tree Preservation Order 1997/38.
- 12.24 The woodland is also designated as green space (alongside the wider woodland) within the Site Allocations Plan (Site reference G1703). Core Strategy policy G6 seeks to protect green space from development unless one of three criteria is met. The proposal wouldn't meet the first criteria given that there is a deficiency in natural green space and allotment typologies in this locality. The proposal wouldn't meet the second criteria as the green space area being lost is not proposed to be replaced by an area of at least equal size, accessibility, and quality in the same locality. However, the proposal has the potential to meet the third criteria by delivering wider planning benefits (including the provision of a second vehicular access point and those other benefits associated with the delivery of housing) and by delivering improvements to existing green space quality in the same locality (through proposed landscaping improvements to be secured through the phase 2 proposals).
- 12.25 The proposal would not impact on the setting of two existing scheduled ancient monuments (prehistoric 'Cup and Ring' marked stones) in the neighbouring woodland.

#### Residential Amenity

- 12.26 As is noted above the proposed creation of a second vehicular access will unavoidably lead to an increase in vehicle movements through neighbouring streets, including through Cookridge Drive. This will inevitably lead to additional impacts on residential amenity than exist at present including in relation noise and disturbance and will as a consequence impact on the amenity of local residents. This will introduce through traffic in to the adjacent stretch of Cookridge Drive for the first time.

#### Climate Change and Air Pollution

- 12.27 The proposal will lead to the loss of circa 20 trees at the site and other vegetation which currently assists in reducing carbon dioxide and absorbing other airborne pollutants. It is noted however that the wider phase 2 proposals will include the planting of 47 trees and a significant number of shrubs, hedging and other vegetation. It is thus considered that the proposal would be unlikely to have a net negative impact in these respects in the longer term.

#### Representations

- 12.28 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.

12.29 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.

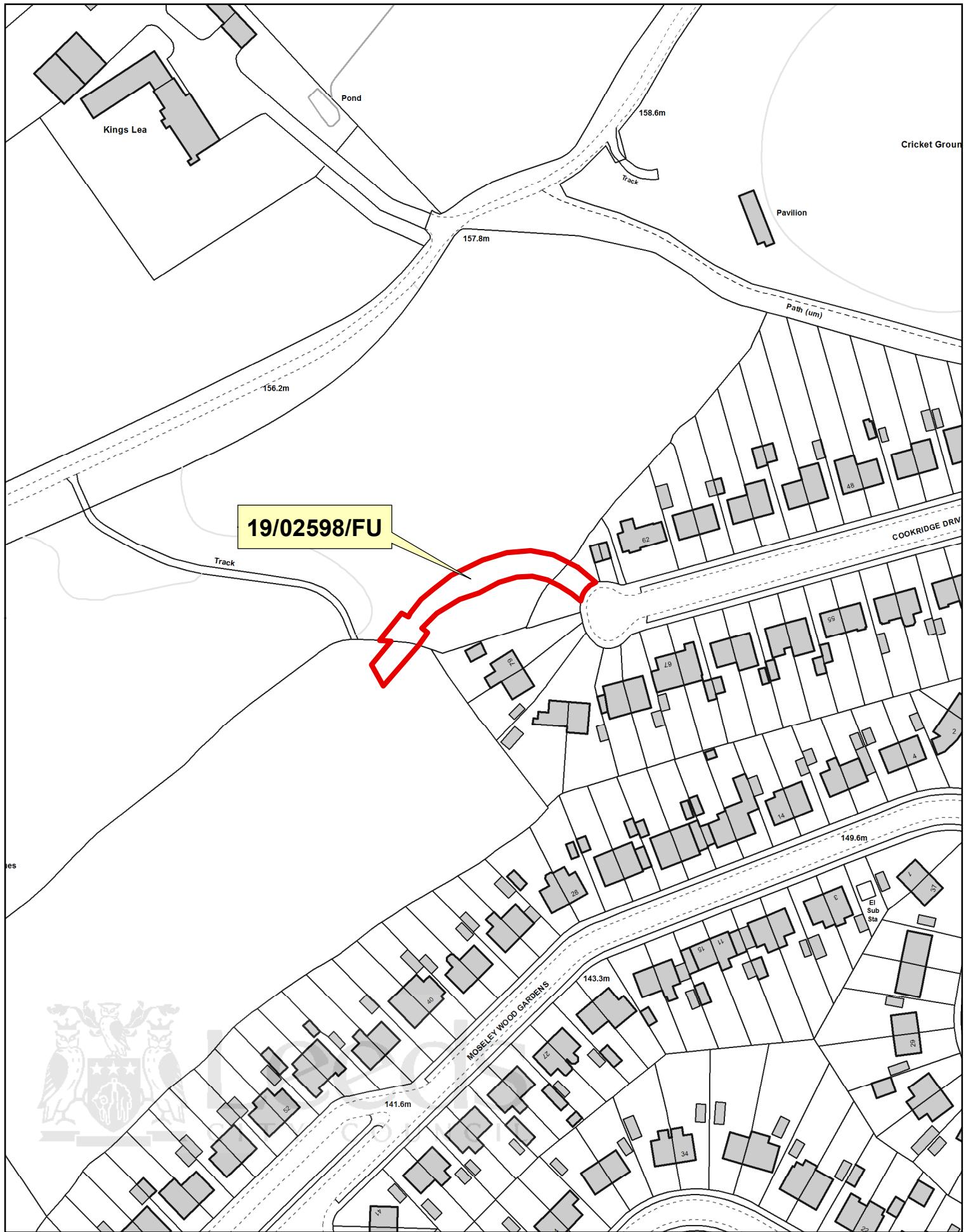
## **13.0 CONCLUSION**

- 13.1 The application site is included within a wider site allocated for housing in the Council's Site Allocations Plan. In adopting the Plan the Council has set out that it considers the development of the wider site for housing to be acceptable in principle, subject to detailed planning considerations. The matter of vehicular access to the site is one such consideration.
- 13.2 One of the key questions at the wider housing site is the question of whether a second vehicular access would be needed to serve the wider development (i.e. phases 1 and 2 in combination). 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 this report. 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 phase 2 proposals being considered under planning application 19/02597/FU, 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 detailed layout of the new second vehicular access would be broadly acceptable, subject to appropriate detailing being agreed. The layout does not lead to any highway safety concerns and there are no such concerns in relation to the wider highway network, subject to any off-site highway works or junction improvements that may be required (the detailing of which would need to be agreed). The new vehicular access proposal will lead to additional trips by vehicles along Cookridge Drive and other nearby streets. Such an impact is an unavoidable consequence of a new housing development. However, it is not considered that the additional impacts on neighbouring amenity, including through noise and disturbance from traffic, would be so harmful so as to justify a planning refusal on these grounds.
- 13.5 It is not considered that the proposal would impact on the setting of two existing scheduled ancient monuments in the neighbouring woodland. It is also considered that the loss of trees and vegetation could be mitigated, in terms of climate change and air pollution impacts, through the wider tree and other planting proposed as part of the wider phase 2 proposal. It is also considered that the loss of a smaller part of the wider designated green space could be mitigated by the wider improvements proposed to green spaces proposed as part of the phase 2 proposals and justified when considered against Core Strategy policy G6 on this basis when viewed in light of the wider planning benefits of the proposals if a second vehicular access point were considered to be required.

- 13.6 However, the loss of a significant area of ancient woodland, including the loss of circa 20 trees and an important habitat for wildlife, would be harmful to local character and would be significantly harmful in biodiversity terms. In the latter respect the woodland is noted as UK BAP Priority Habitat, forms part of the Leeds Habitat Network and is protected by Tree Preservation Order.
- 13.7 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.
- 13.8 In conclusion, the lack of a ‘need’ for the second vehicular access to make the phase 2 proposals acceptable in planning terms, weighs significantly against the proposal. The loss of ancient woodland alongside the trees, other vegetation and wildlife habitats which would result, would lead to significant harm in biodiversity terms and would also harm local character through the loss of visually attractive woodland. It is considered that these factors would outweigh those factors in favour of the proposal. As such it is considered, taking into account all the relevant material planning considerations, that the application should be recommended for a planning refusal for the reasons set out above.

**Background Papers:**

Certificate of Ownership – Taylor Wimpey Yorkshire



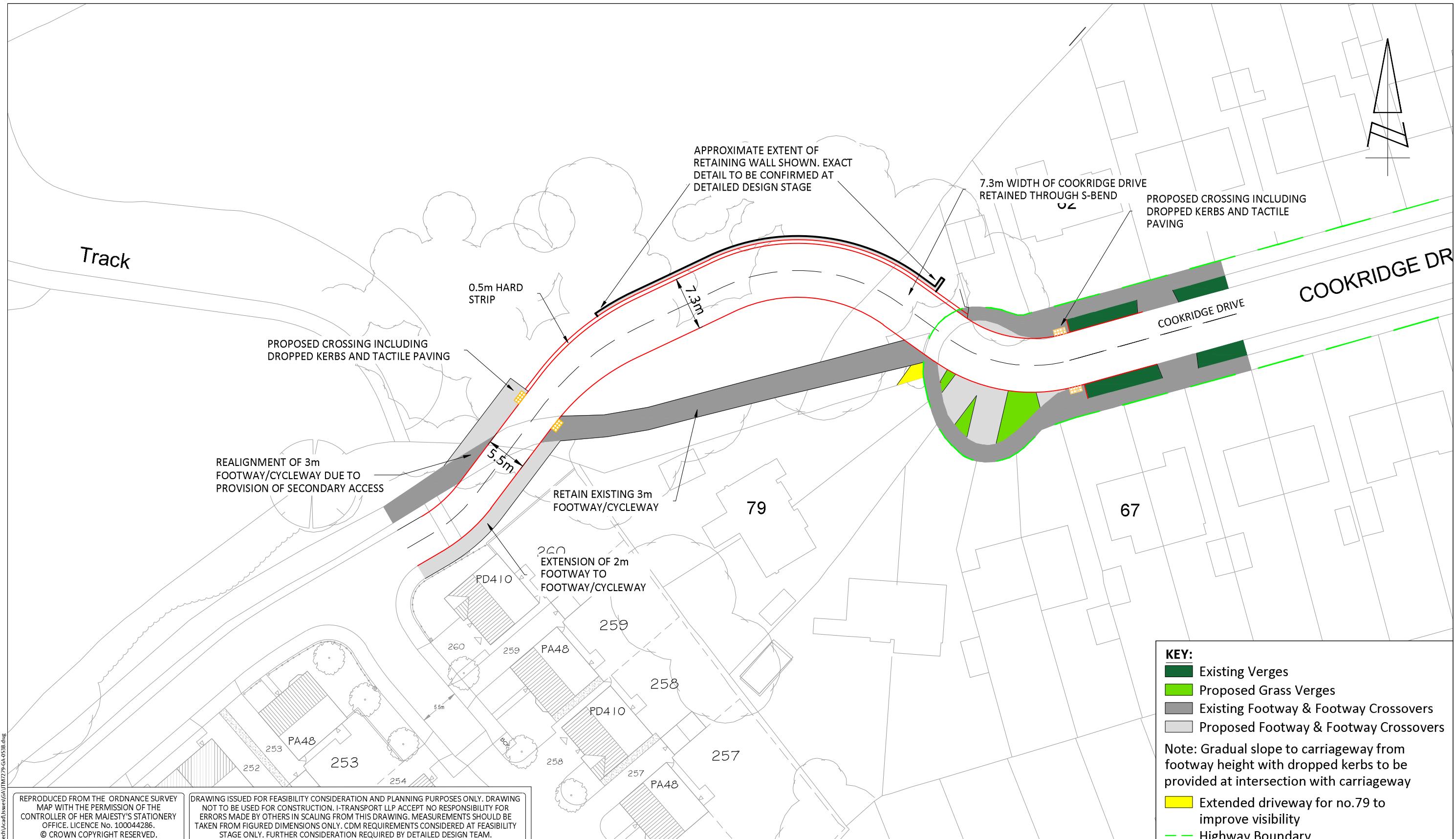
# SOUTH AND WEST PLANS PANEL

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

SCALE : 1/1500





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A	26.02.19	JB		JO	VE
REV	DATE	BY	DESCRIPTION	CHK	APD
STATUS: FOR INFORMATION					

**PROPOSED SECONDARY ACCESS FROM COOKRIDGE DRIVE**

PROJECT:  
LAND AT MOSELEY WOOD GARDENS,  
COOKRIDGE

CLIENT:  
TAYLOR WIMPEY

SCALE @ A3: 1:500	CHECKED: VE	APPROVED: VE
FILE REF: ITM7279	DRAWN: JB	DATE: 17.08.18
DRAWING No: ITM7279-GA-053		
PROJECT No: ITM7279		REV: B