



Leeds
CITY COUNCIL

Originator: Andrew Perkins

Tel: 0113 3787974

Report of the Chief Planning Officer -

NORTH & EAST PLANS PANEL

Date: 18th March 2021

Subject: 20/05669/RM – Application for reserved matters approval (appearance, landscaping, layout, and scale) for 163 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Mickelfield, Leeds.

APPLICANT

Avant Homes

DATE VALID

8th September 2020

TARGET DATE

EofT to be agreed

Electoral Wards Affected:

Kippax & Methley

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: RESERVED MATTERS APPROVAL BE GRANTED subject to the conditions specified below (and any others which are considered reasonable and necessary):

1. Plans to be approved
2. Landscape management plan for life of development for buffers to western and southern boundaries
3. Removal of permitted development rights for plots 109 – 127
4. Removal of Permitted development rights for garages
5. Elevational plans for substation
6. Approved visibility splays
7. Provision of forward visibilities

8. Specified access works
9. No vehicular access to be formed to the rear/side of plots 4, 5, 22 to 36

INTRODUCTION

1. This application is presented to North and East Plans Panel at the request of Kippax and Methley Councillors Mary Harland and James Lewis, who raise concerns about over development, lack of green space provision, alterations to the access track at rear of Hallfield Avenue, that further changes to the main Church Lane access and St Mary's Walk link are required as well as to the landscaping and external materials.
2. As these issues are based on material planning considerations that give rise to concerns affecting more than neighbouring residents then, in line with the Officer Delegation Scheme, it is appropriate to report the application to Plans Panel for determination.

PROPOSAL

3. Outline planning permission was granted in 2019 (LPA Reference 15/05484/OT) and established the principle of development at the site alongside the detailed means of access into the site from Church Lane.
4. The current reserved matters application seeks the determination of the reserved matters of appearance, landscaping, layout and scale in relation to the outline planning permission granted at the site.
5. The application now proposes the erection of 163 dwellings, which are a mix of house types, heights and numbers of bedrooms.

The houses will consist of the following mix:

No. of Bedrooms	Total No. of units provided
1	4 (4 affordable housing)
2	49 (15 affordable housing)
3	40 (6 affordable housing)
4	70 (0 affordable housing)

6. The units would be arranged in a mix of flats, semi-detached and detached properties. All 163 properties will include front and rear gardens and are provided with a mixture of open parking spaces to the front/side and garages.
7. Vehicular access to the site is via Church Lane, as previously approved under 15/05484/OT. Additional pedestrian and cycling links will be provided from St

Mary's Walk to the north and Churchville Terrace to the east of the site and to the Public Right of Way (PROW) along the southern boundary.

8. The site will be served by two areas of Public Open Space (POS) to the south west and south east of the site. The south west area will be laid out as a formal landscaped area with informal play equipment. The south east area would feature a footpath with landscaping although part of this area would also form the attenuation basin linked to the site's drainage system. Underground storage tanks are also proposed in this space.
9. New tree planting is to be provided within the south west POS area and around the boundary of the south east POS area (in order to not impact upon the drainage function). Tree planting will also be carried out throughout the overall site and along the southern and western boundary.

SITE AND SURROUNDINGS

10. The application site sits to the north and east of Micklefield and is to the south of Church Lane. The site is identified for housing in the Council's Site Allocations Plan (Site Reference HG1-305), which suggest an estimated capacity for the site of circa 150 units. The site is currently used as agricultural ploughed land (previously undeveloped).
11. The site has an open aspect, with open views to the west and south. An existing farm access runs southwards from Church Lane, towards Sheep Dike and also serves the rear of the residential properties in Hallfield Avenue. A PROW runs along the southern boundary of the site and provides access to the wider countryside, as well as linking back towards the primary school and Great North Road to the east. The existing properties adjacent to the site are a mixture of bungalows and two-storey houses. The predominant building material is red brick. A small local store and Medical centre are also located on Churchville Terrace.

RELEVANT PLANNING HISTORY

12. PREAPP/20/00103 – Residential development. Formal comments provided.
13. 15/05484/OT - Outline application for residential development (access only) – Approved – 04.10.2019. The following planning conditions attached to the outline permission are summarised as follows:
 1. Time Limit on Outline Permission
 2. Reserved Matters to be submitted
 3. List of approved plans

4. Final details of the proposed vehicular access
5. Laying out of vehicular areas
6. Electric Vehicle Charging Points
7. Cycle facilities
8. Travel Plan required before first use of development
9. Construction Management Plan
10. Sustainability measures
11. Landscaping of soft and hard landscaping
12. Landscape Management Plan
13. Tree protection
14. Preservation of Retained Tree/Hedge/Bush
15. In curtilage planting of 5 years die back
16. Infiltration methods
17. Surface water drainage
18. Samples of Materials
19. Phase 1
20. Amended Remediation Statement
21. Importing Soil
22. Verification Report
23. Housing mix
24. Space standards
25. Accessible housing
26. Independent living
27. Levels

HISTORY OF NEGOTIATIONS

14. The scheme has been subject to a number of revisions and alterations as officers raised concerns regarding the amount of housing proposed, the size of POS, issues of non-compliance with the space standards, lack of active frontage to some house types, distances between units and the small size of some garden areas.
15. In responding to these concerns, the amended scheme now proposes 163 dwellings (rather than 172 units as originally proposed). All house types are now space standard compliant and the garden amenity spaces have been improved.
16. Ward Members have been updated of these changes but at the time of writing this report no updated comments to those already reported have been provided.

PUBLIC/LOCAL RESPONSE

17. Site notices were posted around the application site to Church Lane, Hallfield Avenue, St Mary's Walk, Churchville Drive and Oldfield Close on 23rd September 2020.
18. Councillors Mary Harland and James Lewis (Kippax & Methley ward) have raised a number of concerns in respect of the original plans received. Their full comments are below:
 - Overdevelopment of the site. We believe that 172 houses is too many for the site at a density of 37 per hectare excluding the allocated greenspace. This is out of character with the surrounding area and provides poor amenity for potential future residents of the site. We note that the outstanding permission included a figure of around 150 dwellings for the site and this is a more suitable figure. We do not support the deviation from the target housing mix set out in policy H4.
 - Greenspace provision. We do not believe there is enough greenspace provision in terms of either quantum or functionality. We see no reason that the provision should fall short of the requirements of policy G4. It is not clear how often the greenspace earmarked for sustainable drainage will be fully underwater or water logged and we believe that greenspace dedicated to outdoor recreation and play should be available all year round. We know as local councillors that this area of Micklefield Village is lacking outdoor play space and playgrounds accessible to children and we have an expectation that this can be addressed through this application.
 - Hallfield Avenue access track. We support the preservation of the existing access rights of residents of Hallfield Avenue and these need to be maintained as fully functional for each of the households, including maintaining the full current width of the track and at least 450mm clearance, should the development be approved. This is not clear from the plans submitted so at this stage isn't acceptable.
 - Church Lane Junction. Consideration should be given to the provision of a relocated 30mph speed limit boundary and a strong gateway to reduce the speed of traffic entering Micklefield from Church Lane in the interest of road safety.
 - Public Rights of Way. The proposed new access to Churchville Terrace should be 3.5 meters wide not the proposed 1m and the claimed footpath between St Marys Walk through the site to the existing footpath network must be made a public right of way,

- Landscaping and materials. Given the location of the site these are significant issues affecting views across the open countryside towards the village of Micklefield and also from users of the existing footpaths. The building materials should reflect the historic mix in Micklefield and include magnesium limestone and the landscaping should help soften the appearance of the development.

19. Arising from the initial publicity period, 13 other letters of representation (objections) have also been received. The neighbour comments are below:

- Concern over the width of the existing access track to the rear of Hallfield Avenue
- Impact upon value of nearby properties by removal of track
- Loss of wildlife
- Empty units should be filled before new developments
- Lack of infrastructure within the village
- Access from Church Lane would impact upon highway safety
- Impact upon drainage
- Housing density is not in accordance with policy
- Design and materials proposed are out of character
- Loss of light, privacy and overshadowing towards properties along Hallfield Avenue
- Impact upon health and wellbeing of residents

20. Micklefield Parish Council raise the following concerns:

- Lack of any local facilities
- Unsatisfactory junction with Church Lane
- Vehicular access to the rear of Hallfield Avenue
- Inappropriate tree planting along southern boundary
- Loss of footpath connecting to St Mary's Walk
- Insufficient connectivity,
- High density
- Lack of mix within the development
- Lack of chimneys
- Inappropriate materials
- Under provision of green space
- Drainage
- Archaeology
- Level of off street parking

21. Leeds Civic Trust make the following points:

- Lack of natural surveillance

- Permeability of the site to wildlife, including hedgehogs, rainwater management, and natural environment
 - No details on EV charging points
22. In addition, the original neighbours have been re-notified following the receipt of revised plans. This occurred on 17th December 2020 and 23rd January 2021 and a further 4 objections have been received. The following points are made although many of the points made were stated in the original comments made:
- Concern over the width of the existing access track to the rear of Hallfield Avenue
 - Access from Church Lane would impact upon highway safety
 - Loss of wildlife
 - Loss of light to neighbouring properties
 - Density too high
 - Lack of green space
 - Lack of infrastructure within the village
 - Concern over footpath from development to Churchville Terrace

CONSULTATION RESPONSES

23. Yorkshire Water – No objection.
24. Influencing Travel Behaviour Team – The layout needs improved connectivity with the existing tracks and footpath that run through and adjacent to the site to encourage residents to use them and to travel locally by sustainable modes of travel. In particular residents should be encouraged to use the footpath network to access the local schools by improvements to the layout.
- Cycle parking needs to be designed in, particularly for the mid terraced properties with no garage or direct access to the rear gardens.
25. Public Rights Way – No objection.
26. Environmental Studies Transport Strategy Team – No objection.
27. Highways – No objections, subject to conditions
28. Flood Risk Management – No objections, two outline planning drainage conditions No 16 and No 17 still apply.

29. SDU Design – layout cramped in places, some chimneys needed and certain house types provide no natural surveillance. Greater consistency of design needed and improved link to the housing to the north.
30. Landscape – Planting/relationship to PROW needs further consideration, POS areas need functionality and confirmation drainage won't sterilize this space. Full details of planted buffers to Greenbelt needed
31. Accessibility officer – Initial concerns raised as only ground floor flats proposed as M4(3) wheelchair adaptable units. However, pleased to see a better mix is now provided that includes flats and houses. This provision now meets the H10 Policy and the 3 and 4 bed dwellings will allow families with a wheelchair user to live together.

RELEVANT PLANNING POLICIES

Development Plan

32. Section 38(6) of the Planning and Compulsory Purchase Act states that for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for Leeds currently comprises the Core Strategy 2019 (as amended), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP), the Aire Valley Leeds Area Action Plan (2017), the Natural Resources and Waste Local Plan (2013 and 2015), the Site Allocations Plan (2019), and any made Neighbourhood plan.
33. Relevant Policies from the Core Strategy are:

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 H8 – Independent Living

Policy H9 - Minimum Spacing Standards

Policy H10 - Accessible Housing Standards

Policy P10 - Design

Policy P12 - Landscape

Policy T1 - Transport Management

Policy T2 - Accessibility requirements and new development
Policy G3 - Standards for Open Space, Sport and Recreation
Policy G4 – New Greenspace Provision
Policy G8 – Protection of important species and habitats
Policy G9 - Biodiversity improvements
Policy EN1 Carbon Dioxide reductions
Policy EN2 Sustainable design and construction
Policy EN4 District heating network
Policy EN5 Managing flood risk
Policy EN8 Electric Vehicle Charging

34. Relevant Saved Policies from the the Leeds Unitary Development Plan (UDP) are:

Policy GP1 - Land use and the Proposals Map
Policy GP5 - General planning considerations
Policy BD3 – Disabled access and new buildings
Policy BD5 - Amenity and new buildings
Policy LD1 - Landscape design
Policy LD2 - New and altered roads
Policy N23 - Incidental Open Space
Policy N24 - Development abutting the Green Belt
Policy N25 - Site boundaries
Policy N35 - Development and Agricultural Land

35. The Leeds Natural Resources and Waste Local Plan (NRWLP) sets out land is needed to enable the City to manage resources, e.g. minerals, energy, waste and water over the next 15 years and identifies specific actions which will help use natural resources in a more efficient way. The most relevant policies from the NRWLP are outlined below:

GENERAL POLICY1 –Support for sustainable development.
AIR1 – The Management of Air Quality through Development measures.
WATER1 – Water efficiency
WATER2 – Protection of Water Quality
WATER7 – No increase in surface water run-off, incorporate SUDs.
LAND1 – Land contamination to be dealt with.
LAND2 – Development conserve trees and introduce new tree planting.

Site Allocations Plan

36. The SAP was adopted in July 2019 so carries full weight in any decision making. This site is identified in the SAP as HG1-305, no site specific requirements have been attached to this site. As the site was not in the Green Belt immediately before the adoption of the SAP it is not affected by the

statutory challenge, it remains adopted within the SAP and its allocation for housing carried with full weight.

37. There is a policy within the SAP which is also relevant to this application which is:

Policy HDG2 – housing allocations

Relevant Local Supplementary Planning Guidance/Documents

38. The following SPGs and SPDs are relevant:

Neighbourhoods for Living: A Guide for Residential Design in Leeds (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)

Building for Tomorrow Today, Sustainable Design and Construction SPD (August 2011)

Travel Plans SPD (February 2015)

Parking SPD (January 2016)

Accessible Leeds SPD (November 2016)

Neighbourhood Plans

None.

National Planning Policy

39. The revised National Planning Policy Framework (NPPF), published in 2019, and the National Planning Practice Guidance (NPPG), published March 2014 set out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development.
40. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the NPPF, the greater the weight they may be given.

Relevant paragraphs are highlighted below.

Paragraph 12	Presumption in favour of sustainable development
Paragraph 34	Developer contributions
Paragraph 91	Planning decisions should aim to achieve healthy, inclusive and safe places
Paragraph 108	Sustainable modes of Transport
Paragraph 110	Priority first to pedestrian and cycle movements
Paragraph 111	Requirement for Transport Assessment
Paragraph 117	Effective use of land
Paragraph 118	Recognition undeveloped land can perform functions
Paragraph 122	Achieving appropriate densities
Paragraph 124-127	Need for Good design which is sympathetic to local character and history
Paragraph 130	Planning permission should be refused for poor design
Paragraph 170	Planning decisions should contribute to and enhance the natural and local environment

National Planning Practice Guidance

41. The National Planning Practice Guidance (NPPG) offers guidance in addition to the NPPF. The NPPG (paragraph 6) advises that reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application (i.e. that can be 'reserved' for later determination). These reserved matters are defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) as:
- 'Access' – covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.
 - 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
 - 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

- ‘Layout’ – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
 - ‘Scale’ – the height, width and length of each building proposed within the development in relation to its surroundings.
42. For the current application, the applicant is seeking the determination of the following reserved matters; ‘appearance’ ‘landscaping’ ‘layout’ and ‘scale’. Members are asked to consider these matters only as the principle of development and access already have the benefit of planning permission (15/05484/OT).

MAIN ISSUES

1. Outline Permission
2. Appearance and Scale
3. Layout
4. Landscaping
5. Other Matters
 - Housing Mix
 - Affordable Housing
 - Accessible Housing
 - Internal Space Standards
 - Climate Change, Sustainable Design and Air Pollution
 - Drainage
 - Representations

APPRAISAL

Outline Permission:

43. Members are reminded that the principle of development was established by virtue of the outline consent, 15/05484/OT, approved October 2019. Development of the site for housing has therefore been approved, with this application seeking reserved matters approval for the detailed appearance, landscaping, layout and scale in accordance with condition 2 of the outline planning permission. The conditions listed to this outline consent are listed at paragraph 13 of this report, some of which require compliance and some require formal discharge.
44. A S106 Legal Agreement also secured the following contributions;
- Affordable Housing – 15% (with a 60% social rent and 40% submarket split).
 - Travel Plan and monitoring fee

- Employment and training initiatives (applies to the construction phase).
- Public open on site Green space provision and maintenance
- Churchville Terrace footpath link
- Partial upgrade of southern footpath link from site to existing hard surfaced path
- Cycle and Scooter Storage Contribution for Micklefield Primary School
- Church Lane Realignment Works
- Church Lane/A656 Junction Works

45. It is important that the detailed reserved matters now being considered will allow compliance with the conditions and obligations listed above. It is considered that this will be the case.
46. Members are asked to note that the site forms an identified housing site in the Site Allocations Plan (HG1-305) and falls within the Council's 'Outer South East Leeds' Housing Market Characteristic Area (HMCA) with a housing target of 4,600. The principle of bringing the site forward for housing has already been accepted through the approval of outline planning permission at the site. There is an expectation that sites like this, will come forward during the Plan period and help deliver housing and contribute towards the overall housing target for the HMCA.
47. In order to deliver the identified housing land supply in Leeds, and to prevent future challenge on other non-allocated sites, it is important that sites such as this come forward for development and therefore securing reserved matters consent will help to ensure this is the case.

Appearance and Scale:

48. The PPG as noted within this report, defines Appearance as: *“the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.*
49. The PPG advises that Scale defined as the following *“the height, width and length of each building proposed within the development in relation to its surroundings”.*
50. The surrounding character of development in this area of Micklefield is residential, located to the north and east of the site and features a mix of house types. To the east, located along Hallfield Avenue, the properties consist of red brick semi-detached dwellings which form part of a wider housing estate. To the north, the dwellings are also built of red brick but predominately bungalows, located along St Mary's Walk, Churchville Terrace and Churchville Drive. The predominant material of the immediate surrounding area nonetheless does consist of red brick with concrete tiled roofs.

51. The proposal comprises of 20 different house types, all of which would consist of two and two & a half storeys in height and are designed to share a number of general design features. The general scale and traditional design approach for the dwellings is considered compatible with the surrounding area. The two & half storey dwellings are sporadically placed around the site and would create some visual interest in roof types and heights without appearing unduly dominant.
52. A mixture of external materials are proposed although red brick will still dominate. This is considered acceptable in principle and will lead to a varied streetscape. Whilst the Ward Members and the Parish Council's comments on this matter are noted and advocate the use of magnesium limestone, such materials aren't readily found in this part of Micklefield and accordingly requiring some properties to have stone walls is not considered appropriate for this particular development. The final details for the external materials will however be agreed under condition No. 18 on the outline permission but the general approach is considered to be acceptable.
53. The use of gable features recognise the local character and architectural features such as stone heads and cills have been worked into the scheme to help add some interest and quality. In addition, all house types would feature a canopy over the front door, consisting of either a simple lean too, gable or flat roof. Again these are considered to add visual interest to each of these properties and help to articulate front elevations as well as providing a practical area for people to shelter from the elements.
54. In terms of eyes on the street which is something the Civic Trust has specifically raised as a concern, corner turning units are proposed for plots which face onto two roads. This, combined with the overall reduction in unit numbers and the removal of house types which originally failed to provide active overlooking now ensure the overall the appearance of the development is acceptable.
55. Additionally, the detailed house types have been revisited so as to allow some chimneys to be provided, again responding to comments from Parish Council as well as the Design Officer. These would be placed around the development and predominantly located to prominent plots along the spine road and surrounding the public open space. This would also mirror the wider character of the surrounding residential character and improve the overall relationship between the different areas.
56. Overall therefore, both the Appearance and Scale of the proposal is considered to be acceptable and is supported by officers.

Layout:

57. The PPG as noted above within this report, defines Layout as *“the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.”*
58. The main access to the site is via Church View and is approved under the outline consent (15/05484/OT). Accordingly the Ward Members desire to seek further amendments on this matter cannot be pursued. More generally, the basic layout incorporates a spine road initially running north to south but then east to west and forming a large loop where the site is at its widest. Small cul-de-sacs spur off the spine road to ensure an efficient layout and this basic form is broadly consistent with that suggested at the outline application stage.
59. The basic road layout ensures properties face the spine road so good natural surveillance is achieved. Both front and rear gardens are provided so whilst some frontage parking is incorporated, overall a good sense of space, openness and greenery is provided to each street. Additionally, rear gardens often back onto other rear gardens therefore providing good security although this isn't possible for all the boundaries due to the site's limited depth. Where this occurs, buffer planting is provided to help filter views or a practical reason for a hard boundary exists, such as to the existing track serving the rear of the Hallfield Avenue properties.
60. As already mentioned under the Appearance and Scale heading, the overall number of units has been reduced to provide greater separation between houses and less frontage parking. Not only have these changes responded positively to officers concerns, but they also pick up on a number of the representations made by third parties. Furthermore, the reduction in unit numbers means that proportionally the two POS areas now slightly exceed the space requirements set out in policy G4 (7600m² shown against a policy requirement of 7573m²). Whilst some concerns about the functionality of the POS areas have been highlighted in representations, informal play facilities are now proposed for one area and the detailed designed of the drainage infrastructure is such that despite both underground storage tanks and an attenuation basin being required, this space will still be useable with standing water only being present during the most severe rainfall events. Both POS areas are also noted to provide connectivity to the PROW to the south which is to be improved as part of the outline application S106 requirements. Similar connections are provided to the north linking into St Mary's Walk/Churchfield Terrace and provide direct access to the medical centre and local shop.
61. With respect to residential amenity considerations which flow from the layout, the new houses would back onto the existing track to the rear of Hallfield Avenue, St Mary's Walk/Churchville Terrace. A small number of properties are also side on but overall the required Neighbourhoods for Living separation distances in terms of upper floors are achieved so that concerns regarding

overlooking, over-dominance or over shadowing would not occur. In this respect although a number of residents still raise concerns on these matters officers do not consider these translate into a reason for refusal.

62. In terms of garden depths specifically, the vast majority comply with the 10.5m guidance minimum as set out within Neighbourhoods for Living (this distance is primarily there to protect privacy by providing a reasonable degree of separation between properties). However, where this isn't the case each property is still provided with the required garden size and unacceptable overlooking does not occur. As example of this is towards the southern boundary where because of the site's limited depth it is not possible to achieve full compliance. Here, the overall depth for some of the properties of the boundary is therefore shorter than normal (by circa 2/2.5m). Whilst in many cases such a relationship might be unacceptable, in this instance officers consider no harm to result as these gardens are south facing with a good, open outlook towards the PROW and fields beyond. Accordingly no overlooking occurs and importantly the size of these gardens still complies with the normal two thirds requirement. It is also proposed to remove permitted development rights for these particular properties so that should occupiers what to extend in the future, these will as least require a planning application to be submitted so that a full assessment can be undertaken on a case by case basis.
63. Regarding highway considerations, the proposals raise no specific safety concerns as the layout has been revised during the course of the application so that all detailed matters have been resolved. This includes detailed tracking to demonstrate that refuse vehicles can fully access the site.
64. Dwellings have front/side driveways for off-street parking and a number also have access to extra garage space. The garages are provided to the required 3m x 6m size.
65. One area of significant concern to many of Hallfield Avenue occupiers who back onto the site and as raised in individual objection letters and also by the Ward Members is about retaining vehicular access to the rear of their properties. Initially it was proposed to retain the full width of the track as existing however in recognition that some sections narrow it is now proposed to set the new garden fences back into the application to provide improvements and a more consistent width. This recent change is welcomed by highway officers and ensures the existing residents vehicle accesses are not only retained but also remain convenient.
66. The provision of access points into the existing residential estate has already been mentioned but the original design of the main link has been widened 4m so as to provide a proper pedestrian and cycle link. Again this change responds to concerns raised by Ward Members and the PROW officer.

67. For Members general information, the internal road is to be built to adoptable standards and then offered for adoption under Section 38 of the Highways Act 1980. The speed limit for the development should be 20mph in accordance with the Street Design Guide. For the avoidance of doubt the cost of road markings, signage and appropriate speed limit Orders will be fully funded by the developer (inclusive of staff fees and legal costs). All plots will have cycle storage and an electric car charging point which is to be controlled by way of conditions, attached to the outline consent.

For the reasons listed above the proposal is considered acceptable with regard to the Layout of the proposal.

Landscaping:

68. The PPG defines Landscaping as the following *“the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features.”*

69. The existing site does not feature any trees due to the previous use as ploughed agricultural land. All trees are located around the perimeter of the site, and the majority fall outside of the red line of the site and along the southern PROW and eastern boundary.

70. The proposed development would feature robust tree planting throughout, consisting of heavy and standard, tree and shrub planting. The frontage of dwellings would consist of hedging and open landscaped areas, which would also provide an attractive street scape.

71. On site planting for the POS areas and individual gardens has yet to be finalised although importantly the spaces themselves are now fixed. Full details of these areas will be secured via condition No.11 of the outline consent and management and maintenance of this be secured by condition No. 12 and the S106 agreement. Tree, hedge and shrub planting throughout will be required and will increase the visual amenity and habit value of the site relative to the existing site in the longer term.

72. Additionally, the site abuts open land which is designated as Green Belt, to the west and south of the site. In such circumstances, the requirements of UDP Review Policy N24 requires a landscaping scheme to achieve a transition between the development and open land.

73. For this application, a landscape buffer to both of these boundaries is proposed but will be achieved on land within the applicant's control but beyond the red line boundary. Planting for the western buffer is proposed to be a minimum of 10m in depth and will consist of groups of selected native trees and hedging. Species are to include Birch, Rowan Field Maple, Hawthorne and Alder and the planting is expected to be informal.
74. For the southern boundary, again a 10m buffer is shown but further consideration is required due to the presence within of the PROW. In deciding how to proceed, officers have also been mindful of the comments made during consideration of the outline application. In particular the Parish Council made representations expressing concern about the potential loss of views from the PROW southwards footpath if the site was developed with a tree screen on adjoining agricultural land. At the time, Plans Panel Members had some sympathy with that view and the minutes for this meeting note *'Members also considered the type of landscaping that would be appropriate to ensure views of the countryside were retained.'*
75. In light of the above, the layout plan also includes a section (A-A) for the proposed southern boundary as alluded to at the outline application stage by Members and the Parish Council. Currently, views from this path are very open, broken only by the small collection of trees on the southern side of the path. The scheme therefore proposes a 1.5m area of low level planting between garden fences and the PROW. A further 6m area of landscape buffering beyond the footpath (located within existing agricultural land) is then proposed but again this is more likely to comprise of relatively low height, native hedge/shrub planting with the occasional tree rather than the normal, dense tree planting that is normally provided.
76. Overall the landscaping proposals can provide for a good quality landscape setting and an overall enhancement in respect of biodiversity. Subject therefore to the conditions on the outline permission being fully resolved and those included as part of this recommendation officers consider the landscape matters can be fully resolved whilst also respecting the general comments made at the outline application stage.

Other Matters

77. Further assessment on a number of issues is also provided under individual headings on the basis the submitted details are pertinent to various matters which are required under specific conditions or the S106 associated with the outline permission.

Housing Mix (condition 23)

78. The proposed mix would provide a range of 1-4 bedroom properties in the following mix:

Type	Policy H4 Max %	Policy H4 Min %	Policy H4 Target %	Proposed
Houses	90	50	75	98% (159 units)
Flats	50	10	25	2% (4 units)
Size				
1 bed	50	0	10	2% (4 units)
2 bed	80	30	50	30% (49 units)
3 bed	70	20	30	25% (40 units)
4 bed +	50	0	10	43% (70 units)
Total				100% (163 units)

79. The proposed mix would accord with policy H4 and would fall within the parameters set out within the maximum and minimum ranges identified in the explanatory text that informs the policy. The only exception to this is the under delivery of flats. However, as no shortfall in smaller units is proposed and the area is generally more attractive to family housing no objection is raised.

Affordable Housing (S106)

81. Policy H5 requires the provision of affordable housing, which in this location is 15% of the total amount, equalling 25 units. These would be provided in a 1, 2 and 3 bed house type which accords with the general need for smaller Affordable Housing units. The S106 Agreement tied to the outline consent requires that 60% (15 units) are available for social rent and that 40% (10 units) are available for sub market sale. The applicant is currently in advanced discussions with Yorkshire Housing and are understood to have settled on an agreed mix. The affordable units will be pepper potted around the site.

Accessible Housing (condition 25)

82. In terms of accessibility of the properties themselves, the development would meet the requirements of Policy H10 as level access is to be provided throughout the site and 42.9% (70 units) would be M4(2) compliant (the policy requirement is 30%). In respect of M4(3)M wheelchair adaptable, 2.44% (4 units) would be provided through a mix of flats and houses. The Access Officer is now content is with the application and accordingly the application is considered to satisfy the relevant policy and condition No. 25 on the outline permission.

Internal Space Standards (condition 24)

83. The dwellings fully comply with Policy H9 of the Core Strategy with regard to space standards. The table below demonstrates that each of the proposed

house types adheres to and generally exceeds the policy requirements for overall floor area.

House Type	Number of bedrooms	Proposed units size (Sqm)	H9 Minimum Standard (Sqm)
Carradale (CAR)	1	59.2	50 (2 people)
Eskdale (ESK)	1	63.2	50 (2 people)
Brookdale (BRLE)	2	70.2	70 (3 people)
Brookcliffe (BRFE)	2	70.2	70 (3 people)
Culfield (CULD)	2	71.9	70 (3 people)
Golfdale (GOLE)	3	85.7	84 (4 people)
Mosswell (MOLL)	3	113.5	79(4 people)
Golfstone (GONE)	3	85.7	84 (4 people)
Greystone (GRNE)	3	85.9	84 (4 people)
Heronstone (HENE)	3	87.4	84 (4 people)
Hivestone (HINE)	3	88.5	84 (4 people)
Ivystone (IVNE)	3	95.3	84 (4 people)
Maybrook (MAOK)	4	107	106 (6 people)
Meadowbrook (MEOK)	4	107.8	106 (5 people)
Presswood (PROD)	4	130.3	106 (6 people)
Nutbrook (NUOK)	4	120.5	106 (6 people)
Palmbrook (PAOK)	4	125.9	106 (6 people)
Skybrook (SKOK)	4	137.5	115 (7 people)
Tambrook (TAOK)	4	139.6	106 (6 people)
Tidebrook (TIOK)	4	145.4	112 (6 people)

84. In the light of the above, the scheme complies with relevant Core Strategy policy H9 with regard to internal space standards.

Climate Change, Sustainable Design and Air Pollution (condition 10)

85. Members will be aware that the Council declared a Climate Emergency in 2019. Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources. In terms of sustainability matters, no formal details have been submitted at this stage as the applicant has been focussing on securing reserved matters approval and is satisfied that the policy requirements can be fully addressed based on the house types and layout that are now advanced. Notwithstanding this, the supporting planning statement which accompanies the application states that *'A fabric first approach is undertaken for development including gas savers and allowances for Photovoltaics and that the Developer takes pride in delivering energy efficient and sustainable new homes in accordance with Core Strategy Policy EN1 and EN2.'*

86. Whilst officers are aware of the importance of securing appropriate sustainability benefits, condition No. 10 on the outline permission reads as follows:

'For each phase of development, no building works shall take place until a Sustainability Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include a scheme detailing reductions to predicted carbon dioxide emissions, an energy plan showing the percentage of on-site energy that will be produced by the selected Low and Zero Carbon technologies, sustainable design and construction standards and water efficiency measures. The development shall be carried out in accordance with the approved scheme.'

87. Furthermore, condition No. 6 on the outline requires for the provision of electric vehicle charging points within the development, to each plot.
88. While there is a lack of detail provided at this stage, the provision of further details are ultimately secured by conditions attached to the outline permission. Officers can therefore regulate this element of the development and are not in a position to insist these details be provided as part of this reserved matters application.

Drainage (conditions 16 and 17)

89. Drainage of the site would be carried out by installing an on-site drainage attenuation tank and attenuation basin in one of the pieces of land allocated as green space. The above conditions will trigger final details to be provided prior to commencement of any construction works although colleagues from Flood Risk Management are content with the details that have been provided to date.

Local Facilities/CIL

90. It is noted that the UDP policy associated with this housing allocation required the proposed development to make provision for local facilities within or close to the site and some of the representations received reference this. Historically, this would have been achieved by securing an appropriate sum of money through an agreement. However, this requirement is now replaced by the Community Infrastructure Levy (CIL), for which the development is liable, as noted below.
91. The application site is located within CIL charging Zone 2b, where the liability for residential development is set at the rate of £45 per square metre. A total figure of £887,938.26 is produced. This information is not material to the decision and is provided for Members information only.

Representations

92. The good number of the issues raised in the letters of representation including the impact construction activity will have of physical and mental health relate to the principle of providing housing on the application site. These are however matters which were dealt with when conditional outline planning permission was granted in 2019 and cannot be re-visited as part of the reserved matters application.
93. Concerns relating to existing residential amenity are relevant to the reserved matters submission and have either been addressed in this report or in some cases through the submission of revised plans. This includes ensuring access to the existing track is maintained.
94. With respect of the visual amenity issues that have been raised, again revised plans have been provided and whilst some residents are not fully satisfied the areas of conflict have been narrowed and these are discussed in the appraisal section.
95. It is noted that a small number of other matters have been raised which do not form material planning considerations e.g. housing values and vacant units within the wider area. As such no weight has been afforded to these comments when undertaking analysis of and decision-making in relation to this application.

CONCLUSION

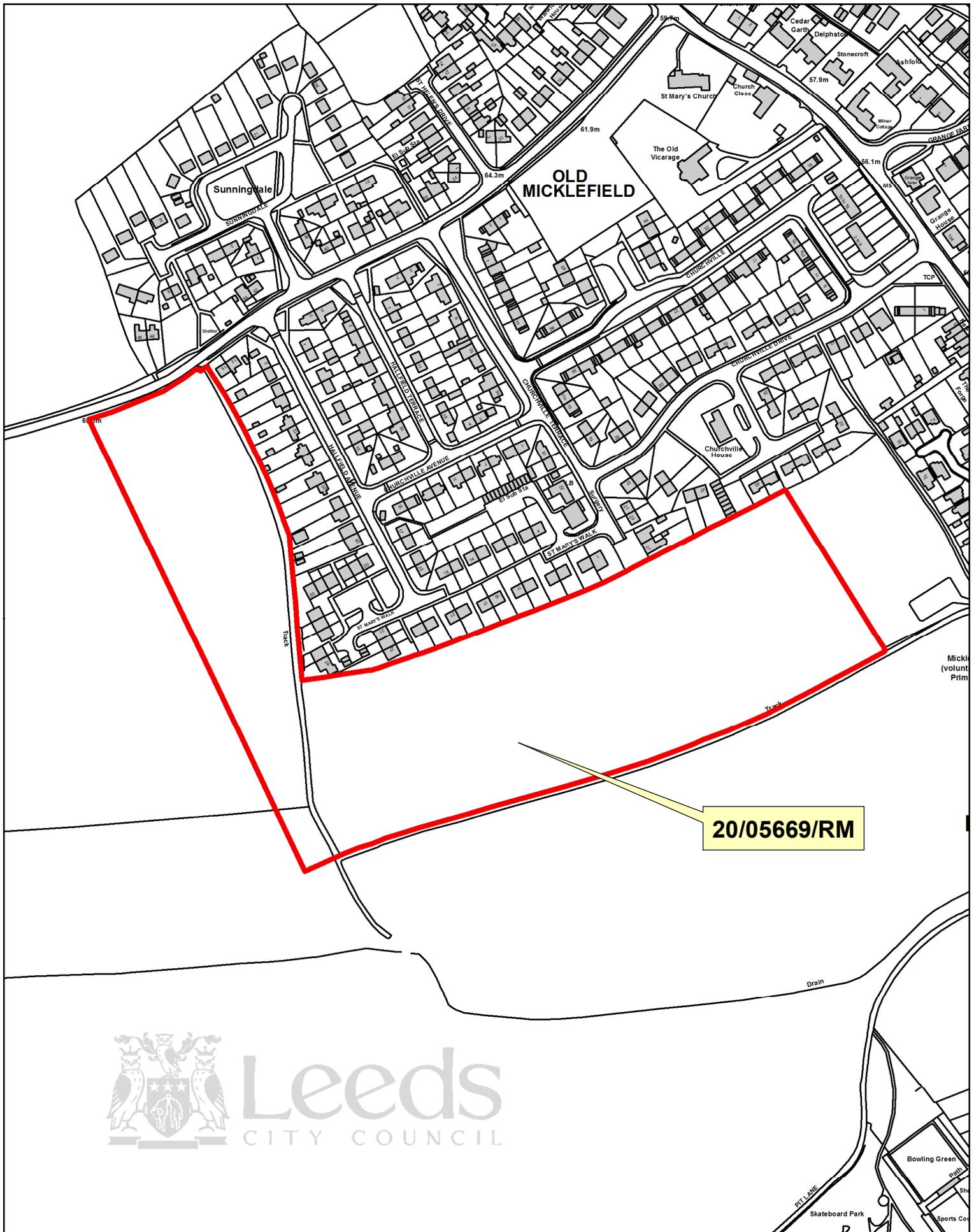
96. Members are asked to remember that in determining the current reserved matters application it is important to note that the outline consent (15/05484/OT) forms the base for relevant considerations. The outline consent established the wider principle of the development including the detailed matter of access to the site from Church Lane. The outline consent also attached a number of planning conditions and a S106 agreement requirements which are still to be resolved and will be triggered and discharged in in due course.
97. The site is a carried forward housing allocation and would bring forward an identified site in the Site Allocations Plan. The site would also contribute to maintaining housing supply in this locality and the wider district relieving pressure on Green Belt land. The development will meet the affordable housing requirement for the area of 15% which is controlled via the S106 of the outline consent.
98. In terms of the matters under consideration with this application it is considered that the Appearance and Scale of the development would be a visually attractive and sympathetic to the character of appearance of this part of Micklefield Village.

99. As for Layout matters, the details submitted would create a development which relates well to neighbouring residential areas and would also improve connectivity in this area of Micklefield by creating new footpath links that improve and enhance pedestrian linkages with the wider area, which in turn would help promote health and wellbeing and, car free journeys. No highway safety issues are identified either.
100. With respect to Landscaping, it is noted conditions attached to the outline permission are yet to be resolved but remain fully applicable and the basic principles set out in this submission for compliance can be supported. This includes appropriate Green Belt buffers to the southern and western boundaries and new conditions to cover these aspects are recommended. The lack of existing biodiversity on the site also means that despite the site being developed for housing overall improvements can be secured.
101. Officers have also sought to address the concerns raised by Ward Members and local residents and in this instance, taking into account all relevant factors, including representations against the development, the benefits of the scheme are considered to outweigh any harm created and therefore the planning balance weighs heavily in favour of granting planning permission.
102. As outlined above the development accords with those policies of the Development Plan relevant to the consideration of the reserved matters and Members are asked to support the officer recommendation and to grant reserved matters approval subject to conditions stated above and any others considered relevant and necessary.

Background Papers:

Planning application file. 20/05669/RM

Ownership Certificate: Signed by applicant.



NORTH AND EAST PLANS PANEL

© Crown copyright and database rights 2021 Ordnance Survey 100019567

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

SCALE : 1/3000



