
Report of the Chief Planning Officer

City Plans Panel

Date: 28 October 2021

Subject: Reserved Matters Application 19/01988/RM

Reserved Matters application for the layout, scale, appearance and landscaping for 450 new homes, pursuant to Outline Application 16/02988/OT

Land off Lane Side Farm, Victoria Road, Churwell, Morley, Leeds

APPLICANT

Persimmon Homes

DATE VALID

17th April 2019

TARGET DATE

30th May 2020

Electoral Wards Affected:

Morley

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer for approval subject to the specified conditions identified below (and any amendments or additional conditions that the Chief Planning Officer may consider appropriate)

Summary of Proposed Conditions

1. Development in line with approved plans
2. Details of cycle parking and bin facilities
3. Details and provision of vehicle spaces to be laid out
4. EVCP to be installed to current standards
5. Details of layout of emergency access
6. Details of interim landscaping to proposed school site
7. Details of materials
8. Removal of permitted development rights to convert garages
9. Details of homes with indicated chimneys prior to construction of identified units
10. Full details of all retaining walls
11. Affordable housing mobility housing to be delivered in agreement with details submitted

12. Biodiversity improvements shall be carried out in accordance with details submitted

Introduction:

- 1 The application is brought before the Elected Members of the City Plans Panel following the resolution to defer the above application at the Plans Panel meeting of the 8th July 2021.
- 2 The application relates to an outline planning consent that was granted in 2017 for the construction of up to 550 dwellings. The outline planning application 16/02988/OT was subject to conditions and a Section 106 legal agreement; the approval related to the principle of developing the site, and the proposed access only. All other matters were reserved. This Reserved Matters application seeks consent for the construction of 450 dwellings and is of scale, and importance to delivering housing across the city, to be brought before the City Plans Panel.
- 3 The resolution at the Plans Panel of the 8th July 2021 sought further information, clarification and discussion to be held in respect of:
 - Further information on the drainage issues;
 - Further clarification around the provision of a Primary School;
 - Further details around biodiversity improvements;
 - Further clarification on the proposed climate change measures;
 - Further discussions to take place on design quality including the street scene.
- 4 The following report outlines the work that has been carried out by the applicant and Officers since the previous Plans Panel meeting, to address the issues that were raised.
- 5 It should be stressed that the application is a Reserved Matters application and that the Outline planning consent provided a robust policy context and framework for this application to adhere to. The Outline consent is subject to a wide range of conditions and a Section 106 legal agreement being complied with. All the issues that were raised above, apart from design quality, were subjected to scrutiny and assessment at the Outline planning application stage. Nevertheless, further discussions have been undertaken and further information has been submitted to inform and assist the determination of this planning application.
- 6 The recommendation brought back to Members is made in-light of the supplementary information and additional investigative reports being produced. The recommendation has not changed since the 8th July 2021 Plans Panel, but rather, this recommendation provides clarity and reassurances in respect of the issues that were raised. It is for the purposes of clarity that the original report and recommendation of the Chief Planning Officer is appended to the end of this report.

Update:

- 7 Since the Plans Panel meeting of 8th July 2021, the applicant has discussed the issues further with the Local Planning Authority, and carried out further work investigating the issues that were raised and providing additional information to demonstrate that the proposal is wholly acceptable in these regards.

- 8 Amongst the works that have been carried out since the Plans Panel are further information regarding the drainage strategy of the site and an ecological assessment with further recommendations relating to the biodiversity issues being identified on the Landscape Masterplan. The drainage and biodiversity information has been submitted together with an array of supporting information regarding all issues raised. The package of information has been reviewed, verified where necessary and assessed by Officers. The supporting information comprises of:

- A Drainage Strategy;
- A Technical Note on the Location of the School;
- A further Ecological Assessment of the site;
- An Energy Efficiency and Renewables Plan
- A Car Charging Point Schedule and a Highways Technical Note;

Policy Update

- 9 The planning assessment originally presented to Elected Members outlined all the relevant planning policies and assessed the issues in turn. The full planning assessment is appended at the end of this report; however, the following policies are most pertinent to the issues that the resolution of the Plans Panel raised;

Relevant Policies from the Core Strategy are:

P10	High quality design.
P12	Good landscaping.
T2	Accessibility.
G4	Greenspace
G8	Biodiversity improvements.
EN1	Climate Change – Carbon Dioxide Reduction
EN2	Sustainable design and construction
EN5	Managing flood risk.
EN8	Electric Vehicle Charging Infrastructure
ID2	Planning obligations and developer contributions.

Relevant Saved Policies from the UDP are:

N25	Landscaping
BD5	General Amenity issues.

Relevant Natural Resources, Minerals and Waste Local Plan Policies are:

WATER1	Water efficiency, including incorporation of sustainable drainage
WATER4	Effect of proposed development on flood risk.
WATER6	Provision of Flood Risk Assessment.
WATER7	No increase in surface water run-off, incorporate SUDs.

- 10 The National Planning Framework has been amended as of the 20th July 2021. The NPPF makes reference to the National Model Design Code. All paragraph references refer to the current NPPF.

Appraisal of Further Information Received:

Drainage Strategy

- 11 The Lead Local Flood Authority (LLFA) were consulted on both the original Outline planning and application and this Reserved Matters application. The Outline consent imposed a suite of conditions to be discharged following the granting of permission; these conditions sought further information to be submitted and approved in respect of the drainage of the site and the surface water run-off rates. A conditions application referenced 19/04127/COND was submitted in August 2019 and this was accompanied by a drainage strategy showing the drainage strategy to be adopted. The conditions have yet to be discharged as they require calculations of surface water run-off rates and locations of foul water pipes. The details required for the conditions also require locations of any swales and drainage attenuation measures. Accordingly, for these details to be finalised and approved as part of the discharge of conditions application, an approved layout and exact numbers of houses is required.
- 12 Although the conditions have not been discharged in full at this stage, the Drainage Strategy that was approved as part of the discharge of conditions application has been submitted to accompany this application to form assurance that the drainage of the site is being addressed in a satisfactory way. A flood risk assessment has been carried out for the site and it is confirmed that the site falls within a 1% probability of flooding, and therefore, the site is not confirmed to be at risk from fluvial flooding. The developer has also been in contact with Yorkshire Water to ensure that the overall drainage strategy is acceptable to them.
- 13 The proposed drainage strategy seeks to ensure that surface water run-off rates do not exceed the existing rates of water discharge from the current Greenfield site. The overall strategy includes the provision of a water attenuation tank, a swale and permeable paving within private drive areas. The overall scheme also includes a variety of landscaping improvements, that include significant lengths of hedging; such landscaping will also help reduce surface water run-off rates across the site. The overall drainage strategy outlined above is considered by the LLFA to be acceptable.
- 14 The LLFA have been consulted on the discharge of conditions application and this Reserved Matters application. Through the course of discussions surrounding the overall layout of the site, the areas of open space have been designed to balance the requirements of land drainage, biodiversity net gains and the need for public recreational space. It was originally discussed prior to the Outline application being submitted that the site should where practical, use detention basins and SUDs to reduce surface water run-off rates to an acceptable level. Design considerations have led to a proposed strategy that would use an attenuation system sited in the lowest part of the site (north eastern corner of the site), together with an off-site swale to improve the water quality and slow the rate of discharge prior to it joining the existing watercourse at Cotton Mill Beck.
- 15 Swales are shallow, broad and vegetated channels designed to store and then release surface water runoff, and remove pollutants prior to meeting the existing watercourse. In this instance the swale is to be a 900mm deep construction located within the parcel of land owned and controlled by the applicant to the south east of the site. The land is also to be used for significant biodiversity improvements and the swale will contribute to the biodiversity within the site. The swale is also located within this location as it will connect to the existing culvert that links to Cotton Mill Beck.
- 16 The overall drainage strategy has been confirmed to be acceptable by the LLFA, however, the conditions imposed on the original Outline consent still remain in force and have yet to be discharged in full. Accordingly, in light of the information provided to date, it is considered that the strategy can meet the requirements of Core Strategy

Policy EN5 and Policies Water 1, 4, 6 and 7 of the Natural Resources, Minerals and Waste Local Plan.

Clarification Regarding the Requirement and Location of School

- 17 Members will recall that the central portion of the site has been identified as a potential location for a future school serving a wider catchment area of Churwell/ Morley, including the future occupants of this site. The outline planning application was assessed by the Education Authority based on the then forecast, which identified a need for a two form entry school being provided in the event that 240 dwellings from the site were occupied.
- 18 A Section 106 legal agreement was prepared, which amongst other things stated that on the delivery of the 240th dwelling, the area allocated within the approved plan, equating to no less than 1.8 hectares was to be offered to the Education Authority so that they could build out a school on the site. Alternatively, should the demand in the wider area require new facilities before this, the Education Authority can serve a notice on the Owner (Persimmons) stating that they wish to pursue the development of the school site at a future date. The developer has never been expected to build out the school site and this is at the Education Authority's discretion.
- 19 At the time that the original application was assessed, the demand generated by the outline proposal for up to 550 dwellings only generated demand for single form entry school. The site offered by the developer is the equivalent of a two form entry school and was sought to ensure that capacity was there should other local SAP housing sites be brought forward (HG2-150 in particular). Although HG2-150, the large housing sites close to the White Rose Office Park, has reverted back to Green Belt within the Development Plan, this large housing scheme alone is considered to generate the most demand from all the SAP sites within the local area. The SAP site HG2-150 is not likely to come forward during this development plan period due to it being reverted back to Green Belt land following the SAP relief judgement handed down by the Inspectorate. However, a significant number of pupils are envisaged to be generated within this area, as a result of this proposal.
- 20 Ultimately, forecasting education needs in an area varies year on year and whilst it has never been envisaged that the developer would build the school, it was, and still is, required that they provide a space equivalent to that of a two form entry school so that the population generated by the development and school placement requirements for the wider catchment area can be accommodated for.
- 21 The site within this scheme equates to 1.8 hectares and this is based on the net and non-net areas of space required for a school, and which is outlined in Government Guidance: Area Guidelines for Mainstream Schools. The size of the site allows for all facilities associated with schools; main buildings, play grounds/fields, car parks and pick up and drop off spaces. The intention has always been that the school will be developed by the Education Authority. Whilst the considerable CIL contributions generated by this scheme cannot be used to deliver the Primary School (due to the developer offering up the site) the monies could be used to expand secondary school capacity. Accordingly, the development provides significant benefits with the Education Authority having access to land for a further local Primary School and the means to increase capacity of secondary schools.
- 22 The site is not dissimilar to other sites of similar size that have been granted across the city. For instance, a large-scale housing scheme off Bradford Road in Tingley, was

refused by the Local Planning Authority, but subsequently approved by the Planning Inspectorate. The Inspectorate, based on the forecasts of the Education Authority, ensured that a proportion of the site was left purposely for a potential future school. Furthermore, City Plans Panel have approved an outline application for 800 dwellings on an allocated site in Wetherby which included land for a two form entry school. The land would be transferred from the landowner to the Council for the construction of the school at some stage during the construction of the development.

- 23 As previously stated, the school site has been required to enable the Education Authority to provide a school should this development, and other SAP sites, generate the need for such facilities at the time of occupation of the 240th dwelling. The location of the site is considered to be the optimal location. The siting of the potential school is centrally located within the site and therefore very accessible to those who reside on the estate; however, it is also set away from the main access junction with Victoria Road to prevent traffic flow issues around this access point. The location also allows a parcel of land to be provided that is the optimal shape to facilitate multiple design options, whilst also being in a location within the overall site that is close to a spine road that has been designed to be a 6.75 metre width and connected to shared footway and cycleways. The width of the road can safely accommodate future school buses.
- 24 Members will recall that road/ pedestrian safety were considered to be of the utmost importance, should the school be built. Unlike some other developments, which have allocated school sites within them, the location within the site is considered to provide the means to ensure that any future development is accessible and safe. The wide spine road and the shared path/cycle ways create a variety of safe routes that connect with the wider area (cycle routes through the site link with the Daisy Hill Estate and Victoria Road and beyond).
- 25 Members concerns regarding the future development of the school site are shared and have been discussed with the applicant and the Education Authority. Members raised concerns regarding future traffic generation and safe drop offs and pick ups, and with how the site could be left in the event that no school was required and/or brought forward.
- 26 Members will recall that on the previous recommendation of the Chief Planning Officer, a condition was to be imposed on any RM that required full details of how the school site would be left in the event that no school was required. Such a condition would ensure that the site is not left in a state which would be harmful to the visual amenities of the area, or in a way that would restrict its informal use of the residents who have occupied the first 240 dwellings.
- 27 At present the school is not required based on current population/ growth that has been forecasted, however, this may change in the future. However, the developer and the Education Authority have worked together to ensure that sufficient space is provided for a future school and to ensure that the site is the most practical for all future users. The developer has gone beyond what has been required from other developers in the past, to ensure that the road around the school is of sufficient width to accommodate school traffic and, to ensure that a network of wide pedestrian/ cycle ways can be provided linking the school with the wider site and Victoria Road/ Elland Road. The proposal is considered to be policy compliant in terms of education provision, subject to the proposal being subjected to a condition requiring interim details of how the site will be finished.

- 28 The LPA has a statutory duty to consider the conservation of biodiversity when making decisions on planning applications. The Core Strategy (policy G9) and the National Planning Policy Framework (NPPF) paragraph 174 (d), both seek to provide biodiversity net gains to protect, enhance and establish ecological networks. Paragraph 180 further states that only where a proposal cannot mitigate or compensate for a loss in biodiversity should it be refused. Paragraph 180 also seeks to ensure that not only does the proposal enhance biodiversity, but it also makes the enhancements accessible to the public.
- 29 The policies seek to provide biodiversity firstly on the development site, but the policy and framework do recognise that there are significant benefits to financial contributions being made for off-site provisions.
- 30 The LPA has set out a target to achieve a 10% net gain on all proposals. However, whilst a Supplementary Planning Document is being prepared to support this, both local and national planning policy only require a net gain to be achieved and 10% gains cannot be insisted upon at present.
- 31 In respect of biodiversity improvements, conditions and a legal agreement formed part of the outline planning application and these secure improvements and management plans to maintain such areas. Members will recall that it was asked whether the proposal did provide a net gain in this instance and whether the scheme in this respect addresses the climate emergency declaration.
- 32 The applicant has commissioned a Biodiversity Net Gain Assessment for the proposal, based on the current state of the site and the proposed development within this RM application. The assessment uses the DEFRA Biodiversity Metric to calculate the number of biodiversity units that currently exist, and then predict the number of units that will be delivered following the biodiversity enhancement works. The applicant owns and controls the parcel of land which is to be developed, as shown on the red line boundary location plan, together with two parcels of land outside this boundary. The off site parcels of land are linked to the site, due to the existing Public Rights of Way and, as such, the delivery of biodiversity improvements in these locations is considered to be acceptable in the context of the NPPF. The overall biodiversity improvements proposed for the site include:
- 74no. faunal refuge boxes (18 integrated swift boxes, 18 integrated house martin nest cups, 15 integrated house sparrow nest boxes, 8 regular bird boxes and 15 integrated bat boxes);
 - 8800m² of meadow grassland;
 - 4515m² of cornfield annuals/grassland;
 - 402no. individual trees to be planted;
 - 2373 linear metres of new ornamental hedgerows;
 - 1797 linear metres of native hedge;
 - 1.16ha of new scrubland;
 - Buffer planting around perimeter of site.
- 33 The existing site has comprises of mostly cereal crops and other neutral grassland. The biodiversity improvements increase the amount of hedgerows around the site significantly and, together with the proposed off site improvements, 4.22 further habitat units are created, above what is currently there. In the context of the biodiversity matrix,

the proposed scheme has been assessed as achieving a 10% increase in the number of habitat units created.

- 34 The conditions and legal agreement of the outline planning permission are still applicable to ensuring that the enhancements proposed are implemented and maintained. A further condition should be attached to any approval given for this RM application to ensure that the proposed enhancements within the Biodiversity net Gain Assessment dated 2 September 2021 are carried out. Accordingly, in line with local and national planning policy, the proposal would achieve a net gain in biodiversity terms and is policy compliant.

Clarification of Climate Change Measures Proposed

- 35 Through the discussions at the Plans Panel meeting, uncertainty surrounded how the scheme could positively work towards the meeting the Climate Change Emergency that has been declared by the Council. Members considered that all dwellings should be net zero carbon.
- 36 Policy EN1 relates to energy usage and requires 10% of predicted energy needs of a completed development to be obtained from decentralised and renewable or low carbon energy. Policy EN2 relates to water standards of 110 litres per person per day.
- 37 The outline planning consent was subjected to a condition to ensure that policy EN1 was met. The development is a large scale residential development that will be phased and that will take time to build out. The applicant has proposed a stepped approach to ensure that the development will not only comply with policies EN1 and EN2, but exceed the requirements across the completed development.
- 38 In the first instance, 50 dwellings will include renewables, such as PV panels and will comply with Part L of Building Regulations (2013), to ensure that policy EN1, and the associated condition attached to the outline consent, is achieved. These dwellings will achieve a carbon emissions saving of 20%.
- 39 The build programme means that the approximately 150 dwellings are likely to be built out following changes in Building Regulations that is likely to come into force mid 2023. These dwellings will achieve a carbon emissions saving of 31% due to the inclusion of a range of renewable technologies. Such technologies are proposed to include:
- Solar PV
 - Flue Gas Heat Recovery (Gas Saver);
 - Waste Water Heat Recovery (Mira Heat Capture)
 - Air Source Heat Pumps
- 40 The final phase of development is likely to affect 250 dwellings. All dwellings that are commenced on site from mid 2026 will be zero-carbon ready, which involves the construction of homes that are air tight, and include renewable technologies. The homes allow occupants to have a carbon neutral lifestyle.
- 41 Further to the renewable energy and water standards provisions that are being proposed, as presented to Members at the Plans Panel, all dwellings shall be provided with Electric Vehicle Charging Points. The aims and objectives of policy EN8 are considered to have been met.

- 42 The proposal complies fully with the Core Strategy policies regarding climate change. Furthermore, the developer is committed to nationally agreed changes in the construction of new homes. Members did comment in the Plans Panel that the proposal should meet the standards that are to be achieved from 2026 onwards now, given that the developer has outlined how this will be achieved. It should be noted that in planning policy terms this cannot be insisted on as the policy requirements, as outlined above, are clearly being met and, they will be exceeded across the majority of the development.

Discussions Surrounding Design and Layout

- 43 Members will recall that the proposed design and layout of the scheme was considered by some Members to be 'disappointing and ordinary'. It was also considered that further discussions should be held to understand the design and layout and address the issues raised regarding connectivity and the location of the potential future school.
- 44 Since the previous Plans Panel, the NPPF has been revised and notably it is acknowledged that the schemes should reflect the current national guidance regarding design, including that of the National Design Guide. Of note, within the National Design Guide it is considered that a well-designed place should encompass the three characteristics of Climate, Character and Community. Within this concept it is considered that the proposal should enhance nature; be accessible and easily navigated and provide a coherent pattern of development; provide a mix of uses; be attractive; and promote safe, social and inclusive public spaces.
- 45 It is acknowledged that when the application was first submitted, the housing density and layout was unacceptable. However, the scheme has been progressed with Planning Officers and officers from the Urban Design team to ensure that the scheme presented to Members is considered to be of a high quality.
- 46 The scheme has a spine road that circumnavigates the site and the as previously mentioned, where possible pedestrian and cycle routes have been accommodated that also connect with Victoria Road and Daisy Hill estate. The spine roads have been designed to accommodate a bus route if required in future and various segregated footpath/cycle routes provide street layouts that are welcomed and a positive contributions to place-making. The layout has routes that are direct and not convoluted and is considered to be a coherent layout that integrates open spaces in a way that will ensure that they can be safely used.
- 47 The layout and design has a clear hierarchy of buildings and a mixture of dwellings that has been identified as being required in a local housing needs assessment (including bungalows, detached and semi-detached properties and small terraced town houses). The heights and scales of the buildings respect the topography of the site and dwelling types are bespoke to this scheme. As a result of this proposal being bespoke to this application, the space and mobility standards have been fully complied with and all garden spaces meet at least the minimum 'Neighbourhoods for Living' guide.
- 48 The Highways Authority have commented further on the layout and in response a technical note was provided by the applicant. The Highways Authority have no objections to the proposal, subject to conditions ensuring the EVCP's are installed to current standards and the car parking areas are fully constructed and laid out prior to occupation of the dwellings.
- 49 The Highways Authority note that all parking arrangements are suitable for the dwelling types proposed with either sufficient off street parking in addition to a small garage, or off street parking and a garage of a larger scale to count as one off street parking space.

The parking layout and garages are considered to sufficient to ensure that the proposal is fully compliant with policy T2. It is also agreed that a condition will be imposed to ensure that the Local Planning Authority has future control of any changes to the parking arrangements.

- 50 The overall layout is logical use of the space and respectful of the topography of the site and the wider suburban context. The proposed layout has logical routes for both vehicles and pedestrians/ cyclists and the dwellings have been designed to ensure that a human scale is achieved. As a result of the design and layout, it is considered that the design is inclusive and promotes a sense of place that can fosters the spirit of sustainable development. The estate is interspersed with various open spaces and access routes that will have a green setting; furthermore, with the incorporation of the range of biodiversity measures, the proposal is considered to create an attractive and unique estate which will be of a high design standard and wholly reflective of current national design policies.

Summary

- 51 The Applicant has provided various supporting information to ensure that the concerns raised by Panel Members have been addressed. The supporting information further supports the original recommendation that the proposal does represent a sustainable form of development, which is of a high design quality.
- 52 With consideration being given to all other matters, the additional information provided is considered to be more than sufficient enough to alleviate the concerns raised by Panel Members and, to enable the support of the recommendation outlined at the head of this report.

APPENDIX 1



Originator:	Mark Jackson
Tel:	0113 378 8136

Report of the Chief Planning Officer

City Plans Panel

Date: 8 July 2021

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APPLICANT	DATE VALID	TARGET DATE
Persimmon Homes	17 th April 2019	30 th May 2020

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RECOMMENDATION: DEFER AND DELEGATE to the Chief Planning Officer for approval subject to the specified conditions identified below (and any amendments or additional conditions that the Chief Planning Officer may consider appropriate)

Conditions

1. Development in line with approved plans
2. Details of cycle parking and bin facilities
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9. Full details of all retaining walls
10. Affordable housing mobility housing to be delivered in agreement with details submitted

INTRODUCTION:

- 1 The application relates to an outline planning consent that was granted in 2017 for the construction of up to 550 dwellings. The outline planning application 16/02988/OT was subject to conditions and a Section 106 legal agreement; the approval related to the principle of developing the site, and the proposed access only. All other matters were reserved. This Reserved Matters application seeks consent for the construction of 450 dwellings and is of scale, and importance to delivering housing across the city, to be brought before the City Plans Panel.

PROPOSAL

- 2 The proposal has been amended since it was first submitted and it relates to the erection of 450 units, which comprise of the following mix.

No of bedrooms/ Type	No of units	Proportion on site
Two bed apartment	23	5.2%
Two bed bungalow	8	1.8%

Two bed semi/ terrace	102	22.6%
Three bed semi/ terrace	125	27.7%
Three bed detached	84	18.6%
Four bed semi/ terrace	20	4.5%
Four bed detached	88	19.5%
TOTAL	450	100%

- 3 The Affordable Housing provision is 15% (68 units in total) and comprises of the following mix.

No of bedrooms/ Type	No of units	Proportion on site
Two bed apartment	5	7%
Two bed bungalow	2	3%
Two bed semi/ terrace	13	19%
Three bed semi/ terrace	32	47%
Four bed semi/ terrace	8	12%
Four bed detached	8	12%

- 4 The application is supported by a package of drawings and the following supporting documents:

- Housing Needs Assessment
- Planning Statement
- Statement of Community Involvement

- Design and Access Statement
- Landscaping Strategy

- 5 All of the technical reports such as Transport Assessment, Contaminated Land, Biodiversity and Ecological Reports, amongst others, were submitted as part of the outline application.

SITE AND SURROUNDINGS:

- 6 The application site extends to 24.02 hectares positioned to the east of Victoria Road between the settlements of Morley and Churwell. It is a broadly rectangular plot (excluding the area of engineering works for surface water drainage). To the west/north-west, the site presents a 140 metre frontage directly onto Victoria Road; the red line boundary then runs to the rear of Laneside Farm itself and then to the rear of the detached and semi-detached dwellings that front the western side of Victoria Road for 316 metres. The red line boundary then adjoins the rear boundary of 6 and 8 Mountcliffe View for 18 metres and the side boundaries of 8 and 11 Mountcliffe View as well as the rear boundary of the All Saints Church for a further 94 metres. The northern boundary extends for 340 metres and runs along the rear gardens of Eastergate, Orchard Lea, the rear gardens of 19-31 Harwill Croft, the side gardens of 6, 17, 38 and 69 Harwill Road and the rear gardens of 75-91 Harwill Rise. Indeed, Harwill Road terminates adjacent to the site boundary between Nos.38 and 59. The southern boundary extends to 431 metres running adjacent to the garden of 138 Victoria Road and 2 George Grove, the rear gardens of 11-55 King George Avenue and 2-6 Daisy Hill Close and the side garden of 36 Daisy Hill Avenue. The main eastern boundary is more fluid in form but covers a distance of circa 450 metres positioned adjacent to the Green Belt.
- 7 The site principally comprises agricultural fields that are utilised for pasture and associated with Broad Oaks Farm and the cluster of farm buildings that lie to the east, outside of the red line boundary. The site also incorporates high voltage overhead power lines, which runs across it from the southeast to the west, before continuing into the adjoining housing development through Westwood Side.
- 8 Topographically, the site falls away from Victoria Road, sloping from a high point at Victoria Road to a lower point on the eastern boundary. The land then continues to fall more steeply to the east of the site towards the railway line. Located approximately 500m to the east of the site on the other side of the railway line is White Rose Shopping Centre. Pedestrian access is possible via a footbridge over the railway line and this footpath connection will remain as existing.
- 9 The site is surrounded on three sides by existing residential development of mixed character. The dwellings that adjoin the site on Victoria Road vary from the stone buildings of Laneside Farm to circa 1930s red brick semi-detached and detached dwellings with front gable and round bay window detailing and more modern bungalows. It is considered that the 1930s post-war house type is the predominant character of the site frontage as it is also evident on the east side of Victoria Road. Further along Victoria Road, towards Mountcliffe View, the houses include some earlier Victorian/Edwardian terraces as well as more contemporary red brick circa 1960s/70s houses. The dwellings on Harwill Court and Harwill Road lie within a contemporary red brick housing estate of circa 1960s/70s comprising mostly two-storey semidetached dwellings whilst on the opposite side of the site, the houses on King Georges Avenue are of a similar post-War age but mostly red brick bungalows.

RELEVANT PLANNING HISTORY:

- 10 Outline planning permission application for residential development of up to 550 dwellings including means of access (Ref. 16/02988/OT) was approved on 19 October 2017. This permission was subject to a Section 106 legal agreement which secured the following obligations:
- Affordable Housing provision 15% of total dwellings
 - Bus stop improvement contribution £40,000
 - Off-site highways works £1,500,000
 - Maintenance scheme for onsite Green Space
 - Providing a 1.8 hectare area of land for the provision of a primary school
 - Sustainable Transport Fund £491 per dwelling
 - Training and employment clause
 - Travel plan monitoring fee £4,750
 - A Section 106 management fee of £4,750
- 11 This consent places a duty for the Reserved Matters approval to be submitted within 3 years, which is 19th October 2020. This application was submitted in April 2019.

HISTORY OF NEGOTIATIONS

- 12 No pre-application enquiry was submitted for this Reserved Matters application.
- 13 Officers have negotiated amendments to this application since its submission. The application was first submitted for 526 dwellings. A meeting was held between the applicants on 9th July 2019 and Officers to discuss issues which related to design, layout, minimum internal spacing standards and the overall quality of the scheme. This meeting was followed by an email sent on 10th July 2019 by the Planning Officer, which articulated the Local Planning Authority's design and layout concerns. It stated to address the layout issues, a number of units would need to be lost as it was considered the proposal constituted an over-development of the site.
- 14 A draft revised layout was submitted on 5th September 2019 which removed 9 number of units, bringing the total to 517. It was not considered that these amendments addressed the fundamental concerns Officers had previously raised, and the amendments were considered to be relatively superficial. The outstanding design and layout objections were articulated in an email to the agents on 12th September 2019 by David Feeney, Chief Planning Officer.
- 15 Revisions were again submitted on 21st November 2019 and these were re-advertised. The revisions reduced the numbers down by a further 6, to 511 in total. Again it was not considered these revisions addressed the fundamental concerns Officers had previously raised. A further meeting was held on 19th December 2019 with the agents. Most properties still did not meet the minimum spacing standards and the layout was still considered to be poor.
- 16 Revised plans were then submitted on 3rd March 2020, with the number of units reduced down to 486. The scheme was still considered to be unsatisfactory and the applicants were advised that the scheme was to be refused permission on the basis of the drawings relating to 486 dwellings.

- 17 The applicant has revised the scheme again to provide 450 dwellings and the proposed drawings submitted in March 2021 are the basis of this planning assessment.

PUBLIC/LOCAL RESPONSE:

- 18 The application was originally publicised by 10 site notices, which were posted adjacent to the site on 17th April 2019, an advert was placed in the local press on 26th June 2019, letters of notification were sent out to all the contributors of the outline application.

- 19 The second set of revisions were also advertised by 10 site notices which were posted adjacent to the site on 26th November 2019.

- 20 To date approximately 232 representations have been received. The points raised in these representations are highlighted below.

- The development is not sustainable development
- The proposal is totally contrary to the climate change emergency declared by Leeds City Council
- Brownfield land should be developed ahead of greenfield land
- Open spaces have cynically been placed under pylons
- Public transport is located too far away from the site
- Local roads cannot cope with additional traffic
- Insufficient parking, garages will not be used for parking
- Frontage parking looks 'ugly' not enough greenery in front of the properties
- Loss of wildlife and nature
- No additional infrastructure to support this development
- The site was not allocated for housing development until after 2028
- The proposal does not provide enough Affordable Housing, most provision is 1 and 2 bed flats. Demand is for 2 and 3 houses.
- Local schools cannot cope with additional population
- Loss of green space
- Poor design
- Scheme is over-intensive and cramped
- Some plots are very close to existing properties on Harwill Road and would over-shadow these properties and appear over-bearing
- Access to Broad oaks Farm should not be through the estate
- The site is not allocated for housing until 2028
- High density does not respect the neighbouring estates of Croft Houses and Harwills
- Negative impact on property prices
- Information within the SCI is incorrect. Adjacent home owners have not been contacted by Persimmon
- Distances marked on the masterplan to existing properties on Victoria Road are incorrect.
- The density, scale, character, design and proportion of plots are out of character with the property at Wycliffe and the other properties on Victoria Road, which are characterised by large houses on large plots, with lots of space in between the properties.
- Parking should be discreetly located. Contrary to SPD 'Neighbourhood for Living'

- The proximity of houses to each other would render the detached or semi-detached design redundant, giving the effective appearance of "a terraced wall of housing", which NFL states should be avoided.
- The plan show a connection to Harwill Road for pedestrians and cyclists. This include land owned by a 3rd party and there is no right for of access over this land
- It now appears that plots 95, 132, 137, 142, 257, 265, 289, 290, 309 & 377, do not conform to the minimum rear garden size guidance
- Only 15 of the 89 single garages are the 6x3m type, surely it would be better if they were all the same
- There are still not enough bungalows
- There is still a lack of rear garden access

21 Ward Members have also objected to the application. At the time the application was submitted, Morley North was represented by Councillor Tom Leadley who made the following representations:

- Issues of drainage do not appear to have been carefully considered
- S106 monies for off-site highway works are not adequate to mitigate the impact of this development
- The safeguarded land for a school could be used to provide more houses upon the application site
- Queries of public open maintenance
- Planning submission provides contradictory information over size of green space
- Gardens seem very small for some plots. The Planning submission should provide information on the garden area for each plot, as they provided the internal floor area
- Housing mix is contrary to policy H4
- Poor dull design. Design should pick up features from the good quality mid-20th century houses along the A643 in front of the site.
- Lack of level details/ cross sections to see impact on the bungalows on King George Avenue
- 3rd party land ownership prohibits pedestrian access onto Harwill Road
- Scheme should include footpath access to Daisy Hill to shorten walks to Morley Rail Station
- AH at 15% should be representative of the development as a whole
- Green space upon a water tank would be poor
- Even following the reduction in number of dwellings the proposal still remains unfit for approval

22 Councillor Finnigan has objected on the following grounds.

- Proposal does not provide enough 2 bed homes. Contrary to Housing Mix policy
- Fails on policy H9- minimum spacing standards
- Design is poor and intense. Appears incongruous in comparison to properties on King George Avenue and the Harwill estate
- Open space under electricity line and pylons is poor and not usable
- Highways capacity concerns
- Design is drab, utilitarian and very brick heavy, lacks fenestration
- Garages are not used for parking, will result in frontages blighted by car parking

- Concerns over drainage
- Detached 4 bed executive style homes is not what Morley needs
- It not clear how Persimmon will incorporate policies EN1 and EN2

23 In addition to these individual objections approximately 1050 batch letters of objection have been received. This is an identical letter which has been photocopied and signed by different individuals. The points raised in this letters are highlighted below.

- Site was not allocated for housing until 2028
- A single spine road is not acceptable for 500 dwellings
- Will add congestion to local highway network
- Affordable Housing should be 25% not 15% and be a better mix
- Not sustainable development – local schools do not have capacity
- Density is over intense and higher than neighbouring estates
- Site has poor public transport links

CONSULTATION RESPONSES:

24 Education

Provision for additional Primary school places was considered at outline application, and land is safeguarded within this site for a potential new Primary school, and through an allocation in the SAP. The S106 only allows the occupation of 250 units until a new Primary school is constructed, to ensure an adequate number of places are available. The relatively low secondary yield from this site is unlikely to have a significant impact on future demand, and there is an excess of places available.

25 Yorkshire Water

No comment to make on the Reserve Matters application, however we do require consultation on the drainage conditions which were imposed on the outline application.

26 Mains Drainage

Object to a lack of information to support the drainage strategy and tank size. No levels have been provided so it's not possible to calculate run-off rates.

27 Highways

The comments received from Highways prior to the drawings submitted in March 2021 stated that there was no objection to access, subject to revisions to ensure that the requirements of the Section 38 Team (adoptions) are met.

28 Landscape

No objection, landscaping strategy broadly appears to be acceptable.

29 Local Plans

Original comments objected to the lack of 4 bed units proposed regarding the affordable housing offer. The proposed scheme now provides 24% of affordable units as 4 bed. No objections to the green space provision as its size is in excess of the minimum requirements.

30 Environmental Studies

No objection to this proposed development in terms of transportation noise.

31 West Yorkshire Police

Security measures regarding lock types and lighting are recommended. Leeds has a high crime rate regarding the theft of cycles, and every property should include secure external storage for cycles.

32 Contaminated Land

No objection subject to conditions placed on the outline application being discharged.

33 Nature Conservation

No objection.

34 Design

Objected to original scheme owing to issues relating to design, layout, spacing, lack of variance, densities, sub-neighbourhoods, prominence of frontage parking. Scheme is contrary to the design guidance of Neighbourhoods for Living. Following further negotiations and design workshops, the revised scheme can now be supported.

35 Rights of Way

No objection subject to a raised table to cross the estate road being provided.

36 Travel Wise

The addendum to the Travel Plan is sufficient to allow the discharge of condition no 21 which was placed on the outline consent.

PLANNING POLICIES:

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

Development Plan

- 38 The Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (as amended 2019)
2. Saved Unitary Development Plan (UDPR) Policies (2006)
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
4. Any Neighbourhood Plan, once made
5. Aire Valley Area Action Plan (adopted 2017)
6. The Site Allocations Plan (adopted in July 2019). Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the Green Belt, has been remitted to the Secretary of State and is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight.

- 39 The application site was granted outline consent in 2017. The SAP allocated the site for housing and it is referred to within the SAP as site HG2-149. The allocation sets out site specific requirements including contributions to improve the local highway network and to provide a proportion of the site for a future school location. The outline consent, through the Section 106 agreement, ensures that these requirements are met. The site requirements also refer to a proposed Conservation Area, however, the proposal is not within a Conservation Area.

Relevant Policies from the Core Strategy are:

SP1	Location of development in main urban areas on previously developed land.
SP6	The Housing Requirement and Allocation of Housing Land
SP7	Distribution of Housing land and Allocations
H2	Housing development on non-allocated sites.
H3	Housing density
H4	Housing mix
H5	Affordable housing
H9	Minimum Spacing Standards
H10	Accessible Housing Standards
P10	High quality design.
P12	Good landscaping.
T2	Accessibility.
G4	Greenspace
G8	Biodiversity improvements.
EN1	Climate Change – Carbon Dioxide Reduction
EN2	Sustainable design and construction
EN4	District heating
EN5	Managing flood risk.
EN7	Protection of mineral resources (coal, sand, gravel).
EN8	Electric Vehicle Charging Infrastructure
ID2	Planning obligations and developer contributions.

Relevant Saved Policies from the UDP are:

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

Relevant DPD Policies are:

GP1	Presumption in favour of sustainable development.
MINERALS3	Surface Coal resources
AIR	Major development proposals to incorporate low emission measures.
WATER1	Water efficiency, including incorporation of sustainable drainage
WATER4	Effect of proposed development on flood risk.
WATER6	Provision of Flood Risk Assessment.
WATER7	No increase in surface water run-off, incorporate SUDs.
LAND1	Land contamination to be dealt with.
LAND2	Development should conserve trees and introduce new tree planting.

Supplementary Planning Guidance and Documents

40 The following SPGs and SPDs are relevant:

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

National Planning Policy

- 41 The revised National Planning Policy Framework (NPPF), published in February 2019, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting 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 Framework is a presumption in favour of Sustainable Development.
- 42 Relevant paragraphs are highlighted below.
- | | |
|---------------|---|
| Paragraph 12 | Presumption in favour of sustainable development |
| Paragraph 34 | Developer contributions |
| Paragraph 59 | Boosting the Supply of Housing |
| Paragraph 64 | Need for Affordable Housing |
| Paragraph 91 | Planning decisions should aim to achieve healthy, inclusive and safe places |
| Paragraph 108 | Sustainable modes of Transport |
| Paragraph 110 | Priority first to pedestrian and cycle movements |
| Paragraph 111 | Requirement for Transport Assessment |
| Paragraph 117 | Effective use of land |
| Paragraph 118 | Recognition undeveloped land can perform functions |
| Paragraph 122 | Achieving appropriate densities |
| Paragraph 127 | Need for Good design which is sympathetic to local Character and history |
| Paragraph 130 | Planning permission should be refused for poor design |
| Paragraph 155 | Inappropriate development in areas at risk of flooding should be avoided |
| Paragraph 163 | Planning decisions should not increase flood risk |
| Paragraph 170 | Planning decisions should contribute to and enhance the natural and local environment |

MAIN ISSUES

1. Principle of development
2. Climate Change
3. Layout
4. Scale/ Density
5. Spacing Standards
6. Appearance/ Design
7. Designing Out Crime
8. Gardens Areas
9. Impact on Adjacent Occupiers
10. Highways
11. Affordable Housing
12. Greenspace/ Landscaping
13. Drainage
14. Rights of Way
15. Other issues

APPRAISAL

Principle of Development

- 43 The principle of development has already been established through the granting of outline planning permission for residential development for up to 550 units. It is also noted here that the site is allocated with the SAP as housing site HG2-149 and the principle of developing the site for housing has been established previously. The outline consent is still extant and valid and it is the Reserved Matters which are being applied for under this application. The Reserved Matters are:
- Layout
 - Scale
 - Appearance
 - Landscaping
- 44 These issues will form the appraisal of this application. Many of the points raised in the objections are concerned with the principle of development, such as: the loss of green land; capacity on the local highway network; and the impact upon education facilities. These matters were considered under the outline application which was approved, and do not therefore form part of this application.

Climate Change

- 45 Leeds City Council has made a declaration of a Climate Emergency and, that the overall aim of the Local Planning Authority's Development Plan seeks to support this statement of intent. The Core Strategy and Unitary Development Plan seek to ensure that all development is sustainable and that wherever possible, a development minimises its impact upon global warming.
- 46 Policies EN1, EN2 and EN8 consider ways to reduce carbon and energy use in developments. Policy EN1 relates to the reduction of carbon and emissions; EN2 seeks to ensure that development is of a sustainable design and construction, and; EN8 requires developments to provide electric vehicle charging points to facilitate. The proposed development will seek to use sustainable construction techniques and sustainably sourced materials.
- 47 The outline planning consent conditioned details to be provided in relation to how the development will reduce carbon emissions and energy use. A separate condition was also imposed requiring electric vehicle charging points to be provided. These conditions remain in force and will need to be complied with. At this reserved matters stage, no further information in these respects is required and it is considered that the development will fully accord with these policies.
- 48 The Reserved Matters application has sought to provide a layout that is logical, legible and accessible to pedestrians and cyclists. The layout seeks to connect the site to the wider area with a series of footpaths and green spaces. The layout is considered to be in accordance with the Neighbourhoods for Living SPD and the inclusion of a school that will be accessible to existing neighbourhoods as well as residents from this site, is welcomed, and shows that the scheme is supportive of the aims and objectives of the Climate Emergency declaration.

Layout

- 49 The layout of the development has been amended significantly and the density of development has been scaled down; the proposal now relates to the construction of 450 dwellings, of which 68 are to be affordable (15% of the total).
- 50 Prior to these revisions the proposal was compromised by the quantum of development, and the large proportion of detached houses. There were themes within the original layout which were considered to be poor and these are highlighted below for reference:
- Lack of space between plots.
 - Dominance and amount of frontage parking.
 - Location of parking, some spaces seem to be located randomly and in front of other properties.
 - Orientation of some plots, deeper properties been located at splayed angles to smaller adjacent properties, causing dominance and over-shadowing issues.
 - Staggered positioning of some plots, is a particular issue when the adjacent plot is taller/ bigger.
 - Expanse of rear boundaries treatments (plots 434 and 450 for example).
 - Plots 110 and 11, surrounded by rear gardens, and totally dominated by parking. These plots would overshadow adjacent properties.
 - Awkward shaped, small gardens on the most of the terraced blocks. Fails the minimum standards 2/3 rule.
 - Lack of assimilation and patterning between some plots heights and types.
 - Lack of overall identity throughout the site, lack of focal points, landmarks, and an overall sense of identity and place.
- 51 The site is broadly rectangular in shape and surrounded by residential developments on three sides; the fourth side is open fields allocated as Green Belt land. The site is accessed by a main spinal road that circulates the site, with a large 1.8 hectares space centrally located which is allocated for the provision of a school (to be provided following the building out of up to 240 dwellings). The site will comprise of an urban contemporary and rural contemporary character areas. The character areas are set out to create a transition between the existing urban built fringes of the site and the rural areas beyond the site to the southeast. The character areas are defined by materials and, together with the use of various green spaces, will create different focal points, landmarks and contribute to the overall character and identity of the site.
- 52 Over-head electricity pylons run through the site, which constrain how the houses are positioned. The proposal is required to provide open space within the confines of the site and representations have stated that these spaces have been positioned where the pylons are sited due to the necessity to have such provisions on site, and the requirement for the dwellings to be set away from them. The revised scheme incorporates several areas of green space that vary in size and shape. The entrance to the site is fairly open with an area of green space that allows views in to the site and softens the visual impact of the estate from Victoria Road. The section of green space that runs along the line of the pylons allows a wide landscaped footpath to run from the northwest to the south east, and also provides a buffer between a significant number of dwellings and the allocated land for a school. The other large area of green space follows the general route of the existing public footpath and this leads to a large square parcel of open space. Other small pockets of green spaces are included where curves in the spinal road meet junctions with the tertiary roads.

- 53 The scale of the site allows for a variety of focal points, feature areas and different land marks to be created that can be used to navigate through the site. Whilst upon entering the site dwellings form a line along the common shared boundary to the southwest, the apartments have a different scale to the wider houses to provide a focal point and visual node to navigate from. The various long open spaces provide various views through the site and landscaped buffers integrate the housing into the wider area and the green spaces.
- 54 The proportion of the site that will facilitate the provision of the school in the future is fairly central within the site and this would maximise connectivity to the wider site and wider area, for pedestrians and cyclists. The siting of this land also ensures that the school is not a dominant focal point at the entrance to the site. A condition should be attached to any approval to ensure that should the phasing of the development allow dwellings to be occupied prior to the delivery of the school being delivered, the area to cater for the school shall be landscaped in a satisfactory way. This will ensure that the visual appearance of the site is acceptable throughout the development of the scheme in its entirety and that the parcel of land is maintained and not left in an unkempt state.
- 55 The layout has been significantly improved upon when compared to the initial submission; it is not considered that the proposal would constitute the over-development of the site, when it is considered that the scale of the development has been reduced (including the number of detached properties) and the layout has improved the spaces between individual properties. Although the density of development is lower than the prescribed density within the Core Strategy, the character of the site is greatly improved to reflect the historic residential character of the area. Unlike the previous iterations of the scheme, the reduced density has improved the spacing between properties and although there is frontage parking to some house types, this has been significantly reduced across the overall layout. Although the car parking to the apartments is to the rear, unlike the original schemes the car parking courts have been removed and parking to individual plots is defined and logical. The prevailing characteristic of the development is not one that is dominated by car parking and hard landscaping; furthermore, the provision of extensive landscaping and green spaces creates visual interest and a sense of place.
- 56 The adopted SPD 'Neighbourhood for Living' states *'the scale, massing, height of proposed development should be considered in relation to its surroundings. It needs to respond well to that of adjoining buildings, the context of the development in terms of scale massing and height in relation to adjacent buildings, topography, and general patterns in the area'*. The proposal has been amended and spaces between properties have been achieved to assimilate those of the surrounding areas. The relationships between the proposed units and the surrounding residential streets is considered to be acceptable and much improved upon compared with previous iterations of the scheme. Cross sections have been provided to demonstrate the relationships between the properties and the wider area in terms of height and massing; furthermore, the layout shows spaces between properties and densities of units that marry well to the surrounding street. For instance the properties that back on to the properties along Victoria Road have wider gaps that replicate the existing units; alternatively, the density of the dwellings along the boundaries with the properties on King Edward Avenue are closer together and laid out in a similar linear way. The spacing of the dwellings is not as great as the surrounding area due to the fact that current national and local planning policy requires higher, more efficient use of land. None the less, the proposal is considered to achieve a positive design and

layout of houses that will have a sympathetic relationship with the existing residential area, whilst efficiently developing the land.

- 57 The layout of the proposal is considered to respond to the form, density and character of the wider area. The proposal is considered to be acceptable with regards to policy P10 of the adopted Core Strategy and the design guidance of the adopted 'Neighbourhoods for Living', together with Paragraph 127 of the NPPF.

Scale (Density)

- 58 The site is also allocated for housing development through the SAP. Policy H3 of the adopted Core Strategy recommends a minimum of 40 dwellings per hectare in urban locations such as this.

- 59 The submitted D&A provided the following information with regard to densities

Total Site Area	20.3 ha
Site area of POS	3.84 ha
Site area for school	1.8 ha
Other roads and footpaths	1.66ha
New Development Area	13 ha
Density of Development (net development only)	34.6 dwelling per ha

- 60 This density is slightly under the guidance of policy H3. However this policy does allow for variances, to allow proposals to reflect local context and character. On balance it is considered that the density of the development is acceptable with regard to unit numbers, given that the proposal does reflect the general character of the area in terms of housing types and sizes. As such, the proposal complies with policy H3.

- 61 The housing types vary in form from relatively narrow 'tall' properties, to much wider and shorter ones. The scale of the properties within the wider area vary significantly and it is considered a positive trait of the development to offer an array of house types and sizes. The reduced scale of the scheme, together with the re-arrangement of the layout, has improved the spaces between the properties and this proposal is not considered to appear awkward and unsympathetic to the topography of the site or wider area. The scale and heights of the proposed dwellings provides visual interest to the street scenes and the variety of house types and sizes enable the scheme to comply with the aims and objectives of policy H4 (housing tenure and mix).

Space Standards

- 62 Since the application was submitted revised plans have been submitted which now ensure the internal floor area of all the units types meets with the guidance of policy H9. The outline planning consent preceded the adoption of the amended Core Strategy and policy H9. As such no condition was attached to the outline planning consent and therefore there is no duty for them to comply with the specifics of this

policy. Nevertheless, the proposal does achieve dwellings that meet the overall internal floor area requirements and the garden spaces generally accord with guidance requiring them to be two thirds of this internal space.

Appearance/ Design/ Elevations

- 63 The design of the proposal utilises standard Persimmon House types, which have been constructed elsewhere on other sites within Leeds. The house types vary in height, scale and appearance and these are considered to be acceptable in terms of the general appearance of the street and the individual buildings. Issues were raised with the applicants regarding the design and detailing of the property types. In response to concerns raised with the applicant, an increased pallet of materials are now proposed, including artificial stone, render and different brick colours and a 'Village Range' has amended the standard house types by a variance in materials, and the use of art stone cills and heads. Moreover, house Type E has been removed from the scheme and a redesign of the apartments has been submitted.
- 64 The apartments are set close to the main entrance of the site and the massing of the structures, together with the elevational treatments has been amended. The siting of the apartments has been improved and their position has been altered to ensure that the buildings are not close to the public highway. The design and siting of these buildings is considered to be acceptable with regards to policy P10 of the Core Strategy.
- 65 Although it is acknowledged that the buildings proposed are similar to other schemes that Persimmon have delivered within the city, the proposal has included chimneys on properties that are most prominent with the street. The proposed traditional feature will provide further variety to the house types and additional visual interest. Such details will be the subject of a condition, should the application be approved and it is considered that adding design features such as this will enhance the schemes character and sense of place.
- 66 It is acknowledged that the layout of the proposal does still have some car parking in front of some of the properties and that some of the groups of terraces will have bins stored to the front and no access to the rear. Whilst this is not the ideal situation, details of how the bins will be stored should be conditioned and it will be expected that the details include a covered store that will organise such features and ensure that bins are not an unwelcomed feature within the street. With regards to access, the proposal will have to meet building regulations and the size of the properties are expected to comply with such legislation. It is not considered that this issue alone would warrant the refusal of planning permission.
- 67 Concerns have been raised that like other residential schemes within the wider area, garages would be converted into additional habitable accommodation. This has been the case on a nearby Persimmon scheme at May Avenue Churwell, which was completed in 2019. The garages provided meet current parking standards (and smaller garage sizes are accompanied with sufficient off street car parking) and contribute to the design and appearance of the dwellings. It is considered to ensure that the Local Planning Authority retains a degree of control over the long term existence of these garage/ storage spaces, permitted development rights that would allow the garage to be converted are removed from any permission granted. Provided that a condition is imposed, the satisfactory design and parking standards of these individual houses will be retained.

Designing Out Crime

- 68 An Architectural Liaison officer has commented on the proposal and outlined the standards which doors and windows should meet. The layout of the proposal is considered to be acceptable in this respect as boundary treatments are proposed to define public and private spaces and natural surveillance is achieved where properties face the public open spaces. It is proposed to have strong boundary treatments to the rear gardens for privacy as well as security and overall the proposal is considered to be satisfactory in this regard.

Garden Areas

- 69 The application submission shows the detailed layout of the scheme and the private garden areas for each dwelling. The submitted layout shows that the majority of the gardens are two thirds the size of the internal space of the dwelling and have acceptable distances to the rear boundary to ensure acceptable privacy standards.

Impact on Adjacent Occupiers

- 70 The application site is surrounded by existing dwellings to 3 sides. 1960's bungalows lie to the north-west of the site along King Edward Avenue. Large Arts and Crafts semi-detached properties from the 1920/ 30's lie to the north of the site fronting Victoria Road and increasingly modern detached suburban properties lie to the south-east on Harwill Croft, and 1970's styled semi-detached properties on Harwill Rise. Many occupiers of these adjacent properties have objected to the application on over-looking, over-shadowing and dominance grounds.
- 71 The distances to the adjacent properties meet the minimum guidance contained within 'Neighbourhoods for Living' which requires a distance of 18m between rear elevation of properties and 12m between a 'side to rear' relationship, based on the information provided. Typically the 'rear to rear' distances to the bungalows on King Edward Avenue are 21m, 30m to the properties on Victoria Road and 24m to the properties on Harwill Croft. The 'rear to side' distances are typically 12m with regard to properties situated on King George Avenue, 17m with regard to Victoria Road, no such relationships exist to the east, but with regard to Harwill Croft, several 'side to side' relationships vary between 9 m and 13.3m, which exceeds minimum guidance.
- 72 Sectional drawings have been provided within the site. Parts of the development include building steeply pitched 2 storeys dwellings opposite existing bungalows (situated on King George Avenue), and the level of details submitted doesn't show the levels with such relationships. It is not known if any retaining structures are required to gardens, or the land level will be altered. The level of detail submitted in this respect is not adequate to make a full assessment, as they are level changes which are not shown on the submitted plans. In any event, there is a condition on the outline permission that requires details of levels to be submitted and approved.

Highways

- 73 A significant majority of the objections received on highways grounds to this application are concerned with the impact on the local highway network, as opposed to the internal arrangement of this proposed development. The traffic impact of the proposal was addressed, and access was approved, when the outline planning

application (16/02988/OT) was approved in 2017. The Reserved Matters can only relate to the issues of car parking associated with the individual plots and the layout and specification of the proposed roads.

- 74 The new dwellings are to be served from a hierarchy of streets, and the primary access is from the A643, Victoria Road. The access will lead to a main primary loop, which then leads onto secondary routes, shared surfaces (to private drives) and new paths (including the alterations to public right of way no.37 Morley). This layout is an amended scheme which is considered to better cater for cyclists and pedestrians, and the future increased movement adjacent the proposed school. The site is also served by a secondary emergency access, of which, full details of its layout and use should be the subject of a condition, should the application be approved
- 75 In line with the comments that were made by the Local Highways Authority, the widths of the roads have been amended, and issues like garage dimensions have been changed in line with current guidance. The proposal is considered to have addressed the details raised by the Highways Authority and it is considered that the proposal would not give rise to any significant highway safety concerns. In this respect, subject to conditions, the proposal is considered to be acceptable in terms of both local (policy T2) and national (paragraph 109) planning policies.

Affordable Housing

- 76 Affordable Housing (AH) is proposed at 15% provision. The table in paragraph 3 of this report highlights the proposed AH provision. The proposed AH contribution has been amended to increase the number of 3+ and 4 bed affordable dwellings.
- 77 Policy H5 states that *'The affordable units should be a pro-rata mix in terms of sizes and house types of the total housing provision, unless there are specific needs which indicate otherwise, and they should be suitably integrated throughout a development site'*. A number of objections have been received relating to the original proposed affordable housing and the fact that the affordable housing offer was not representative of the scheme as a whole.
- 78 The applicant has supported their Affordable Housing offer with a submitted Housing Needs Assessment, which is based on the Council's SHMA with regard to the need for affordable flats. The SHMA and local waiting list data for affordable accommodation does show that there is a need for 4 bed units within the Morley and Churwell area. SHMA table 6.7 suggest that there is a 6% need for 4 bed affordable units within the Leeds district area whilst Table 6.4 refers to an imbalance of 3+ bed housing, not only 3 bed. Paragraph 6.14 of the SHMA also states that it "should be also noted that 60.8% of households considering an intermediate tenure dwelling aspire to a property with 3 or more bedrooms which would suggest scope for increasing the proportion of larger affordable dwellings on development sites".
- 79 The affordable housing mix that is proposed is considered to be acceptable and compliant with policy H5. The Section 106 legal agreement that was entered into by the applicant in the Outline Planning application, secures the provision and delivery of the affordable housing proposed.

Greenspace/ Landscaping

- 80 The application proposes 3.84 ha of green space. Policy G4 would expect 2.1 ha of green space on site, given the quantum and mix of housing, therefore the application is providing well over the required amount on site. Taking this into account, it is acknowledged that some of the green space may be slightly compromised by the placement of the pylons, and utilising an area above a water storage tank, the amount of green space is in significant excess of the minimum requirements, and would still be usable and accessible to the public. The exact landscaping of the green space are subject to the landscaping conditions attached to the outline planning application. On balance, although it is acknowledged that there are elements of the Green Space that are compromised with the existing siting of pylons, the areas of Green Space provided are sufficient enough in quantity and of an acceptable quality overall to ensure that the proposal is compliant with policy G4.
- 81 The updated Landscaping Masterplan shows hedging to the boundaries with the existing neighbouring residential streets, and also a significant green landscaping corridor to the southeast of the site. Whilst the Masterplan outlines the overall strategy to integrate the open spaces with the proposed built environment, the full details will still be subject to condition 6 of the outline permission that requires full details of numbers and species of planting. The Masterplan outlines the vision for the landscaping of the site and it is considered that it is acceptable, subject to details being provided through the existing condition.

Mains Drainage

- 82 Mains Drainage have stated the revised layout does not provide any additional drainage information and therefore the outline planning application conditions (Nos 15 to 20) still apply. The proposed site layout plan only shows a below ground attenuation tank located within the green space to the south east corner of the site, which is located in a different location to that previously shown (at outline stage).
- 83 The outline planning consent was subject to several conditions relating to drainage of surface water run-off from the site. The conditions require the developer to submit for approval details of the drainage of surface water run-off from the development, together with details of the interim surface water drainage measures to be implemented during construction. The conditions remain in force and they sufficiently deal with the issues of drainage associated with this proposal.

Rights of Way

- 84 Public Footpath No.37 Morley crosses the site at present, and the proposed schemes seeks to divert this. The Rights of Way Officer has raised no objection to this, but has stated a raised table to cross the estate road is required where the secondary access and the diverted section of the footpath meet the estate road and this needs to be shown on a revised map.
- 85 It is noted that original layouts include a pedestrian and cycle link from the north-eastern part of the site, to the highway of Harwill Road, and an objector has stated this link includes land owned by them, private 3rd party, and there is no right of way over this land. The link with the internal road to Harwill Road would have been ideal, however, this is a private civil issue between land owners and the LPA do not have the jurisdiction to resolve this dispute. It is considered that whilst the link to Harwill Road would have improved connectivity across proposed and existing residential estates the refusal of consent on this ground alone cannot be warranted.

Other issues

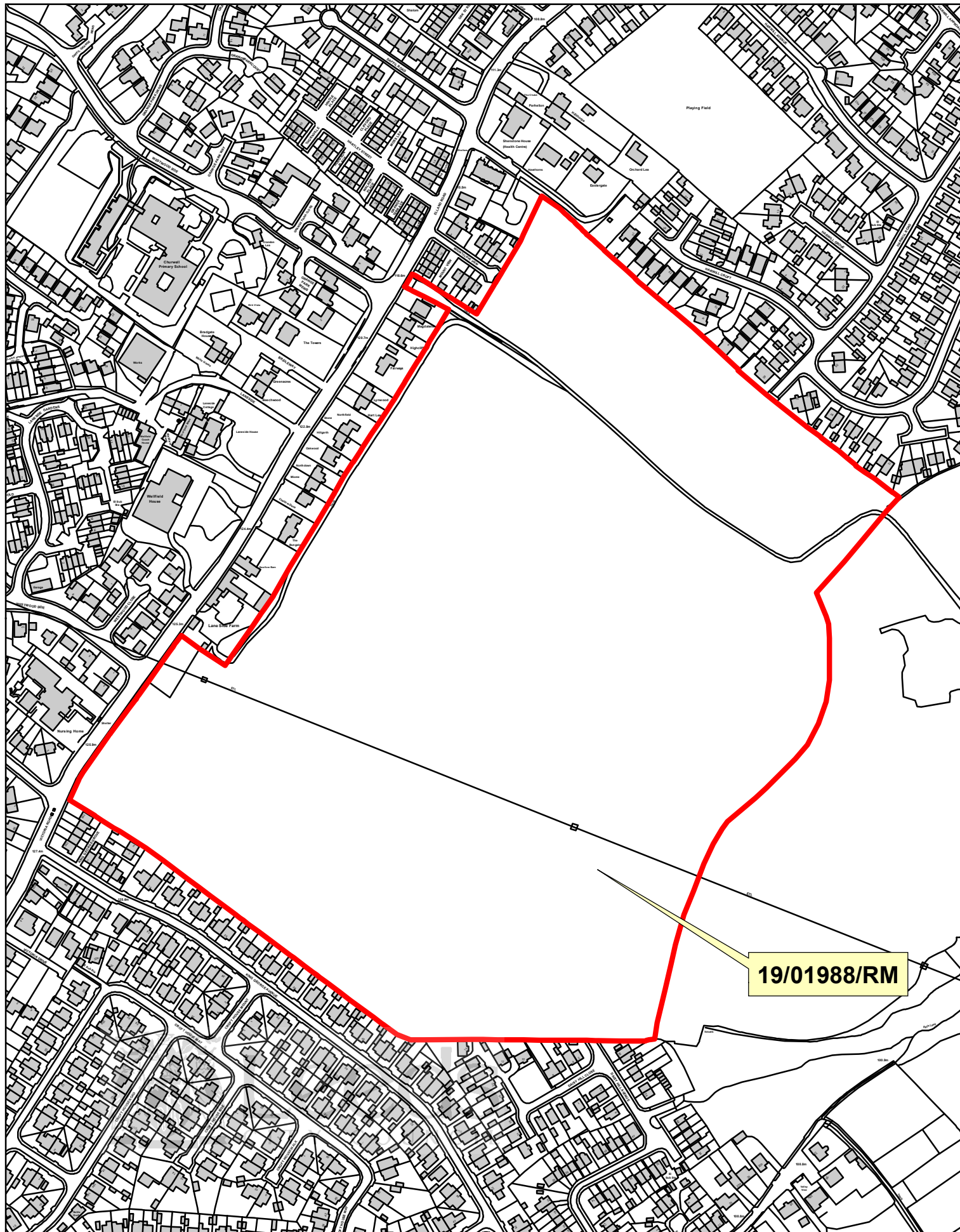
- 86 Issues raised by the representations received include certain aspects that are not relevant to this Reserve Matters application. These include the principle of development, loss of green land, the impact on local services, individual house values, amenity, and infrastructure. These were considered at the outline stage where planning consent was granted up to 550 units. The CIL payment would contribute towards additional infrastructure including education provisions. The S106 package linked to the Outline consent also includes contributions towards off-site improvements works, including those to the Millgarth round-about.

CONCLUSION

- 87 The amended proposal is considered to be acceptable in terms of the scale, density, layout and design detailing of the propose dwellings. The amendments to the application have significantly reduced the number of dwellings across the site (approximately by 18% from the density permitted at Outline stage), and this has allowed a satisfactory layout to be achieved that provides a good mixture of housing that is required within the area. The site is an important strategic housing site, and the largest allocation within the south Leeds area and overall the design of the dwellings, together with the proposed layout, provides a housing scheme that responds to the general character.
- 88 With consideration being given to all other matters, the proposal is considered to be acceptable and recommended for approval subject to conditions.

Background Papers

Application Files: 16/02988/OT and 19/01988/RM



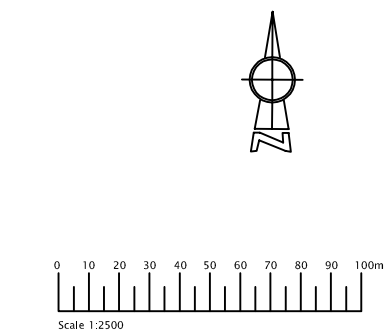
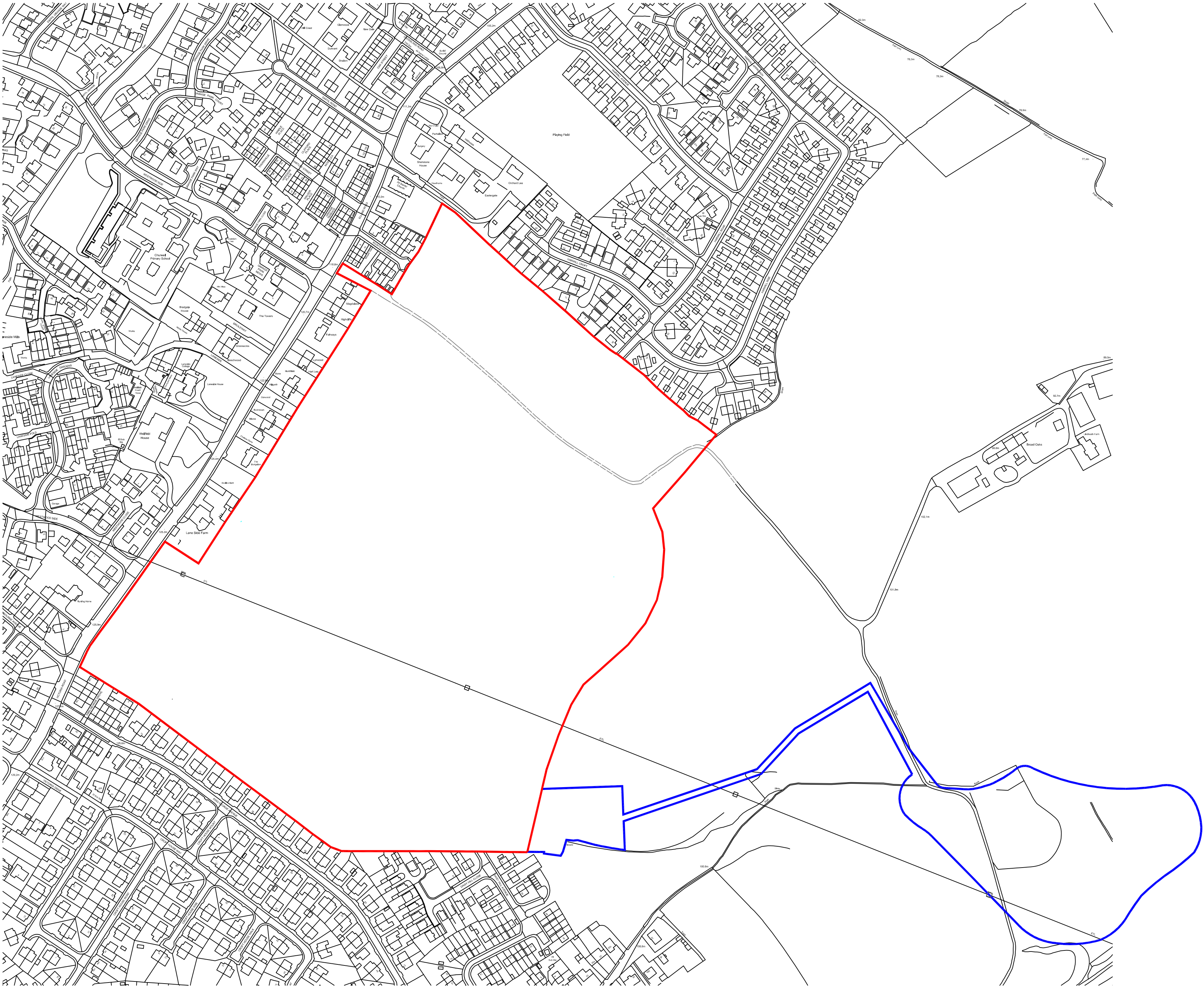
CITY PLANS PANEL

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

SCALE : 1/3500





- Key
- Land subject to Reserved matters application
 - Adjacent land within Persimmon's control and which defines the outline Permission ref : 16/02988/OT

**PERSIMMON**
Together, we make a home

Proposed Development
LANESIDE FARM
MORLEY

LOCATION PLAN

Scale 1:2500@A2

Drawn By RLS

Checked By SAC

Drawing Number
LSF-2019-006

FEB 2019