



**Leeds**  
CITY COUNCIL

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**Report of the Chief Planning Officer**

***PLANS PANEL WEST***

**Date: 1<sup>st</sup> March 2012**

**Subject: APPLICATION NUMBER 11/04955/FU: LAYING OUT OF ACCESS ROAD AND ERECTION OF 45 HOUSES WITH GARAGES AND LANDSCAPING, HOLT AVENUE, ADEL**

**APPLICANT**

David Wilson Homes

**DATE VALID**

05/12/2011

**TARGET DATE**

Planning Performance Agreement

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**Electoral Wards Affected:**

Adel & Wharfedale

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION:**

**Defer and delegate approval to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 Agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations**

- **The development must begin prior to 1 March 2014 (in view of interim affordable housing policy reduction of affordable housing requirements.**
- **On site affordable housing 15% (3 social rent & 4 sub-market)**
- **On site greenspace provision and off site contribution (£21,522.28)**
- **Contribution to play equipment (£26,749.96)**
- **Metrocards for residents (£19,364.40)**
- **Education contributions (£214,371.00)**
- **A management company to be established for landscaped areas maintenance.**
- **Completion of a S38 agreement for the highway works to include for the provision of an adopted area of highway up to the northern site boundary to provide access to the PAS land to the north should this come forward for development.**
- **A management fee to cover the implementation of the S106**

1. Two year time limit on full permission
2. Development carried out in accordance with the approved plans
3. Notwithstanding the approved plans, details of pedestrian linkages from the site to adjoining highways shall be approved in writing and thereafter implemented and maintained.
4. External walls to be constructed in Old Heather Black artificial stone in accordance with sample panel
5. Details and samples of windows, roofing and surfacing.
6. Removal of permitted development concerning outbuildings, rear extensions and boundary walls for plots 15 -19, 36 - 40 and 41.
7. New vehicular accesses and off-site highway works to be approved by the Highways Authority and implemented prior to first occupation
8. Areas to be used by vehicles must be hard surfaced and drained
9. No works shall begin at the site until full details of the methods to be employed to prevent mud, grit, dust and dirt being carried onto the public highway
10. Maximum Access Gradient
11. Garages for dwellings plots 20 and 42 shown on the approved plan must be used for the parking of vehicles only for the lifetime of the development.
12. Boundary treatment across all site frontages of all dwellings fronting the adopted highway must be no greater in height than 1m
13. Details and provision of secure cycle parking
14. Details and provision of bin storage
15. Limiting the surface water run-off generated by the site to greenfield run off rates (5l/s/ha) so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
16. Submitted flood-mitigation measures to be included in the proposed development.
17. Finished floor levels shall be set no lower than 600 mm above the adjacent bank.
18. Full details of the drainage proposed, including balancing facilities to be approved.
19. Details of works to the Watercourse shall be submitted for approval.
20. The submission, agreement and implementation of working practices which reduce the risk of silt or other contamination of the beck during construction.
21. Pre start meeting to agree tree protection measures
22. Arboricultural method statement
23. Protection of Trees/Hedges/Bushes during construction
24. Preservation of Retained Tree/Hedge/Bush
25. Replacement of Trees/Hedges/Shrubs
26. Landscape management plan
27. Submission and implementation of hard and soft and landscape details
28. Unexpected Contamination
29. Importing soil
30. Details of sustainable construction with reference to the Council's policy Building for Tomorrow Today to be approved and implemented.
31. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

Policies GP5;N2/N4;N12;N13;H1;H3;T2;T24;BD5;LD1

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to Panel due to the history associated with the site, scale of development and the high level of local interest in the proposal. The site is a Greenfield site which is allocated for housing (as a 'Phase 2') site in the Unitary Development Plan Review 2006. The principle of development was allowed on appeal in May 2011 when outline planning permission was granted for housing following a Public Inquiry.

## **2.0 PROPOSAL:**

- 2.1 The applicant, David Wilson Homes, is proposing to layout an access road and erect 45 houses with garage and landscaping. In the main, the properties are relatively large detached dwellings that will be between two and two ½ storeys in scale, except for two semi-detached properties fronting Otley Road and one terrace, of 3 houses, to the south of these dwellings. The dwellings and garages would be constructed out of artificial stone and slate.
- 2.2 The site area (red line boundary) is slightly bigger than the original proposal (09/04190/FU) as the developer has managed to acquire 37 Church Lane which would be demolished to enable a row of properties to be built fronting Church Lane.
- 2.3 The site is divided into two by a drainage channel and the associated easement, which has been utilised as part of the public open space (POS) provision. Dwellings will flank the south-east and north-west sides of the POS, which provides pleasant views for the dwellings and the necessary surveillance. A footpath is proposed to run to the north-west side and extends down to the south beyond the channel. The southern end of the POS is wider and of more use for recreation.
- 2.4 The highway/engineering works have been balanced between safety and providing an attractive environment to live in. All vehicular access to the dwellings will be off Holt Avenue. There would be an additional pedestrian access created via Otley Road to Church Lane.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site lies on the edge of the urban area of Adel. The site is located on the north side of Holt Avenue and to the west of Church Lane. The A660 Otley Road runs to the west of the site boundary which is fronted by a mature tree line. To the north of the site the boundary is also defined by tree and hedge cover that are protected by Tree Preservation Orders (TPO).
- 3.2 The site itself comprises two fields in agricultural use. The site is therefore greenfield in nature showing no signs of any form of previous development. The topography of the site is undulating with a central drainage channel running through the site. The site is also located some 400m from St John the Baptist Church which is a grade I listed building. The Adel Conservation Area is located adjacent to the north east of the site.
- 3.3 To the south and west of the site there is a mixture of 1930s and 1960s development that comprises the settlement edge of Adel. The Lawnswood Arms pub and surrounding 1930s semi-detached properties fronting Otley Road are located on higher ground. The properties to the south of Holt Avenue are a mixture of detached and semi-detached 1960s properties, with many dormer windows.

Adel Sports and Social Club and the Adel Memorial sports Ground, comprising a broad area of football and cricket pitches, tennis courts and a bowling green are located to the east of the site.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-

4.1.1 09/04190/FU: Laying out of access road and erection of 70 dwellings with garages and landscaping. Refused on 24.12.2009. Allowed at Appeal but revised from a Full application to an Outline permission with all matters reserved on 09.05.2011; and

4.1.2 PREAPP/11/00518: Residential development. Reviewed by Plans Panel West on 10.11.2011.

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The starting point for the current negotiations was the appeal decision in 2011. During the appeal process it was acknowledged that the Council's design evidence was very strong, however given the Council had lost the previous 7 housing land appeals because it did not have a 5 year housing land supply it was agreed that the application should be altered from a full to an outline so that the Inquiry could focus on the issue of principle only and design matters would be reconsidered if the appeal was successful.

5.2 Since the appeal the applicant has entered into comprehensive pre-application discussion with the Local Planning Authority (LPA). Local residents were also engaged in this process by the applicant. Considering the outcome of the appeal, the Design Officer's evidence was taken as a starting point for negotiation. Discussion focused on the following key issues:

- Improving the movement and connectivity of the layout
- Improving the visual amenity of the layout to Otley Road
- The intensity of highway/paved squares
- Consistent house types respecting the character and appearance of the area
- The usability of the public open space
- Highway safety

5.3 As previously outlined, the pre-application was taken to Plans Panel West on 10<sup>th</sup> November 2011. Members noted the presentation and were in general agreement that the proposal was going in the right direction. Discussion primarily focused on affordable housing and materials. Councillors raised the question, why the affordable housing was clustered together? This was answered by the applicant's representative. In relation to materials, Plans Panel concluded they should not comment until a site visit had been conducted.

5.4 During the application process there have been a number of minor alterations to the layout relating to comments from Highways, Yorkshire Water, Mains Drainage and the Landscape Team. The design of the proposed houses has also been altered and a stone wall boundary treatment has been included to enclose the majority of the front gardens.

5.5 During the application process there have been a number of minor alterations to the layout relating to comments from Highways, Yorkshire Water, Mains Drainage and the Landscape Team. The design of the proposed houses has also been altered and a stone wall boundary treatment has been included to enclose the majority of the front gardens.

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

6.1 The application has been duly advertised via a site notice (posted on 16.12.2011) and an advert in the local newspaper (published on 15.12.2011). In addition to this, those who objected to the previous application were notified in writing on 05.12.2011.

6.2 The Adel Association have made the following comments:

- Plot 40 should be retained as a meadow to preserve views through the old gateway into and across the corner of the meadow.
- A footpath link from the old gateway into the northern field should be introduced, which has been present in other plans reviewed by local residents.
- Lack of scale bar on the approved plans, which made it difficult to gain a sense of space.
- The proposal is out of character with sites setting; the dwellings fronting Church Lane and Otley Road are set down from the respective highways creating a dominance of rooftops; the Church Lane streetscene is a marked change from existing with a straight row of houses and garages that are cramped and too close to the highway; the gable end of plot 41 is too close to the highway creating an intimidating space when you enter Holt Avenue.
- The access from the development to Church Lane should be relocated to the hammerhead, which would be an improvement in urban design and highway safety terms.
- The close proximity of Holt Avenue, the hall road and the access to plots 41-43 could introduce accidents.
- Strong preference for natural stone with little or no pitch to the stone.

6.3 In addition to representation from the Adel association, 17 letters of comment were received; 12 of which are objections. Comments in summary are:

- Loss of a Greenfield site and harm to local character.
- Phase 2 site should not be used for development until either the land in Phase 1 or all previously developed sites have been developed.
- Lack of demand for family housing at the current time.
- The walling material should be natural stone and not brick.
- The proposal is out of character with sites setting; the properties are too tall; there is a lack of verges and space to the front of the properties; the Church Lane streetscene is a marked change from existing with a straight row of houses and garages that are cramped and too close to the highway; and, the garages serving plot 41 and 42 detract from the streetscene.
- Church Lane forms the boundary of the Conservation area and the existing houses along the west side of the Lane are set back, with grass verges. The proposal does not follow this pattern.
- Measures should be taken to preserve the trees and hedges on site. A band of trees should be introduced along the northern boundary to provide green buffer zones. Details should be required including positioning of various plantings, the sizes of various plants and, more especially, the depths of this buffer zone.
- The proposed link road to the northern field is unacceptable.

- The proposal will add traffic to an already congested area; furthering pollution and noise.
- The proposal would put pressure on transport, recreation, sport and community facilities in the area.
- There is no need for traffic calming measures
- The proposed development would result in a loss of amenity for existing residents and devalue their homes. In addition, the proposal would result in a loss of view.
- Construction will cause noise, dust and access issues for residents.
- The development should be built to high sustainable standards.

## **7.0 CONSULTATION RESPONSES:**

### **Statutory:**

7.1 Environment Agency: No objection subject to conditions.

### **Non-Statutory:**

7.2 Highways: No objections in principle subject to a revised plan and conditions/S106 contributions attached to any subsequent planning permission.

7.3 Metro: No objection, subject to the provision of the residential metro card scheme.

7.4 Travel Wise: The site is now less than 50 dwellings, which is the threshold for requiring a travel plan.

7.5 NGT: Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions" has a threshold of 50 units for residential dwellings. The proposed development is therefore too small to trigger a public transport contribution.

7.6 Land Contamination: No objection subject to conditions.

7.7 Mains Drainage: An initial objection that was resolved through additional information. Therefore, no objection subject to condition.

7.8 Yorkshire Water: An initial objection, which has now been resolved through additional information. Therefore, no objection.

7.9 Affordable Housing: There is a requirement for 7 affordable units, 3 for social rent and 4 for submarket, which are included in the proposals. The developer is offering 3 bed houses for affordable housing. Affordable housing units should normally represent a pro-rata mix of the units as a whole. However, there appears to be a greater need for 3 beds compared to 4 & 5 beds. Why is all the affordable housing located in one area of the site?

## **8.0 PLANNING POLICIES:**

8.1 The development plan for Leeds comprises the Regional Spatial Strategy for Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007.

## 8.2 UDP (adopted July 2006)

- GP5: General Planning Considerations.
- N2/N4: Provision of Greenspace.
- N12: Urban Design.
- N13: Design of Urban Environment.
- H1: Provision For Completion of the Annual Average Housing Requirement Identified in The RSS.
- H3: Delivery of Housing Allocated Sites.
- H11/H12/H13: Affordable Housing.
- T2: Transport Infrastructure.
- T24: Parking Provision.
- BD5: General Amenity Issues.
- LD1: Landscape Schemes.

## 8.3 Supplementary Planning Guidance

- Adel Neighbourhood Design Statement 2006.
- Draft Adel Neighbourhood Design Statement 2011.
- Building for Tomorrow Today.

## 8.4 Government Guidance

- PPS1: Delivering sustainable development.
- PPS3: Housing.

## 9.0 **MAIN ISSUES:**

9.1 The following are the main issues for consideration:

- Principle of development
- Design, layout, scale and massing of the development
- Impact upon Conservation Area
- Highways
- Residential amenity (future residents and existing neighbours)
- Landscaping
- S106 package
- Other matters (drainage etc).

## 10.0 **APPRAISAL:**

### **Principle of Development:**

10.1 The site is an allocated housing site (Phase 2) with an expectation within the UDPR that it would be developed between 2008 and 2012. The Inspector residing over the appeal considered that the 5-year supply of available housing land in the Leeds area fell demonstrably short. In addition, the Inspector did not believe that the release of the appeal site would have any marked effect on regeneration prospects. Given these factors, the Inspector concluded that this site being released for a residential development was acceptable in principle. Although this application is a Full application and does not strictly follow on from the appeal Outline permission it is considered that substantial weight is afforded to the fact the site benefits from Outline planning permission for residential development.

10.2 In relation to demand for family housing at the present time, this was raised by third parties at the appeal and so considered. At the Inquiry, it was determined that the site lies within an area of high need and demand and would likely deliver housing in

the next 5-years if approved. The Inspector dismissed the argument that there are other (existing) empty properties that are available within Leeds, saying that 'there will always be some vacancies during property transactions...[and] there is no evidence to suggest that the number of properties for sale or let in the vicinity is high.' (Appeal decision: APP/N4720/A/10/2119622).

### **Design, layout, scale and massing of the development:**

- 10.3 The density of the scheme is considerably lower in terms of house numbers than the proposal discussed at appeal. The reduction in the number of units from 70 down to 45 has had considerable benefits for the design of the scheme. Since the appeal scheme was designed Planning Policy Statement 3 has been revised to remove minimum densities for new housing development. Secondly, the Leeds City Council affordable housing requirement has been reduced. Both of these changes provide the opportunity for a less intensive scheme that provides the space to produce a development that respects the character and appearance of the area.
- 10.4 The character of Adel can be defined as detached or semi-detached houses of generally 2 storeys high. In the main, the proposed development reflects this with some properties having bedrooms within the roofscape. The only exception is one terrace property to the south-western corner of the site. Due to its location, and position in relation to Otley Road, the proposed terrace will not be read as such in the streetscene.
- 10.5 In regards to massing, the proposed dwellings vary between 2 and 2.5 storeys. The properties immediately around the site are generally 2 storeys. As the highway (Holt Avenue) provides punctuation in the streetscene, it doesn't seem inappropriate that a number of the proposed dwellings are slightly higher. Furthermore, Adel is made up of small areas characterised by slightly different design to the next. Given that the difference won't be stark and the proposed development will not dominate, the proposed massing is considered acceptable.
- 10.6 The site is naturally undulating so the levels within the proposed development vary at different points. The Otley Road frontage is set down from the highway with the most extreme difference being approximately 1.25m. The majority of these properties are a sufficient distance from the highway so this level distance won't be overly obviously. Furthermore, there is to be green edge along this frontage so the ground floor will be obscured anyway. However, the first floor will be clearly visible so more than rooftops will be seen from Otley Road. There is a similar situation with the Church Lane frontage, however, the level differences are marginal.
- 10.7 The frontages have been designed so they complement the local context. To the Otley Road and Church Lane frontages the existing green fringe is being retained and enhanced. This will assist in assimilating the development into the green edge of Adel. The properties fronting Holt Avenue have a reasonable separation distance between one another such that no over looking or loss of privacy is envisaged. This prevents the frontage being dominated and allows for dwellings of 2.5 storeys. The gable end of plot 41 fronts Holt Avenue. However, the property is proposed to be set in from the boundary edge and is to be softened with landscaping. Furthermore, on approach to Holt Avenue (from a City Centre direction) the whole of this property would be viewed (instead of just the gable) due to position of number 1 Holt Avenue. Free standing garages are part of these frontages, however, they are relatively attractive and in most cases are stepped



back from the dwelling. Those on the Church Lane frontage aren't but they are adequately screen by landscaping.

- 10.8 Since the application was submitted in December a number of minor amendments have been sought to improve the overall design. In relation to the layout, plots 15 and 16 have been rotated 90 degrees to improve the Otley Road frontage. With this alteration in place, all of the proposed properties front Otley Road in a traditional manor and there is no longer a garage directly on the boundary.
- 10.9 In the main, the properties are staggered from one another to provide a degree of interest in the streetscene. A number of the original house types were flawed with heads and cills missing from the rear (& some side) elevations. In addition to this, window styles change across the site varied. To ensure that there is a sense of place when visiting the development, it is critical that the design detail of the dwellings is consistent. For this reason, the house types were amended.
- 10.10 A key characteristic of much of the older original Adel area is a strong boundary wall condition. This context has been replicated in the form of small boundary walls within the 1960s development to the south of the site. Considering this, and the stone boundary walls to the east of Church Lane, the applicant was asked to revise the plan to include stone walls to the front of the proposed plots. Not every front garden has been enclosed with a stone boundary wall (600mm) as it was felt not to be appropriate in every incidence (the houses fronting the channel for example).
- 10.11 The applicant is proposing that the houses could either be built of an artificial stone or in a (rustic) brick option. Adel is characterised by a range of building materials and as such either of these options could be considered appropriate. However, the local residents have asked the developer if they would use an artificial stone called Old Heather Black. The applicant has agreed to this and officers have no objections to the use of artificial stone for the elevations of the houses.
- 10.12 The Adel Neighbourhood Design Statement (ANDS) encourages pre-application discussion between local residents and developers, which, as previously discussed, is a process the developer undertook last year. The recommendations within the ANDS goes on to say that a new development should respect the local context, provide affordable housing, provide strong boundary treatments, contribute to green space, and preserve trees. All of these criteria are met by the development.
- 10.13 The Adel Association are currently in the process of updating their Neighbourhood Design Statement. It is important to note that this document is in the draft stage and so may change considerably prior to adoption. However, in summery, the document comments that future residential development associated with this site should 'respect the setting of and views into and out of the Conservation Area'. As outlined in section 3 of this report, officer opinion is that the proposed development achieves this.

#### **Impact upon Conservation Area:**

- 10.14 The Adel Conservation Area was extended in November 2009, which brings the boundary to the opposite side of Church Lane from the application site. At the appeal the Inspector considered the impact that developing this site would have on the Conservation Area. He concluded that a '...layout and design that respects the setting of and views into and out of the Conservation Area...should have a neutral effect on the character and appearance of the Conservation Area and especially its setting.' (Appeal decision: APP/N4720/A/10/2119622).

- 10.15 The edge of the development in close proximity to the Conservation Area will be softened by the retention of the ancient hedge and the introduction of a native hedge and trees will near Holt Avenue. In addition to this, the proposed dwellings have been set back a reasonable distance from the highway. This distance does not mirror that of the other properties on Church Lane. However, the proposed dwellings being set slightly forward does not appear out of place as this frontage is separated by a highway from the other properties on Church Lane.
- 10.16 Plot 40 has a relatively large front garden with green boundaries to the north-east, south-east and south-west. This will assist with assimilating the property with the meadow and softened the views through the old gateway.
- 10.17 Given these factors, the proposal is considered well designed and sited and should preserve the setting of the adjacent Adel Conservation Area.

### **Highways:**

- 10.18 During the pre-application discussions efforts were made to make certain that the correct visibility splays at junctions were met; emergency and refuse vehicles can access all areas of the site; and, refuse vehicles are not having to reverse great distances. Within the application process there has been a small number of alterations requested by the Highways Officer. The proposed layout has been amended in line with these comments and so does not raise any highway safety concerns.
- 10.19 The site can be accessed via new two junctions off Holt Avenue. In addition to this, pedestrians and cyclist can approach the development via links from Otley Road and Church Lane. To enable pedestrians and cyclist to cross the site from west to east (or vice-versa) there will be a footpath to the west of the POS that crosses over the channel at the northern most point. The layout provides for at least two parking spaces per dwelling.
- 10.20 The land beyond the turning head to north-west of the site is to be adopted highway and maintained as a grass verge; until such time an appropriate development comes forward for the land to the north. This land is protected area of search and is relatively large. Therefore, it is sensible to provide an appropriate route that could link the two developments should this land ever come forward for development.
- 10.21 In regards to traffic calming measures on Holt Avenue, there is one raised table proposed. This is located at the junction between Holt Avenue and the development to the south-west. The purpose of the raised table is to slow traffic down to a speed of no more than 20mph at this junction to avoid motorists colliding.
- 10.22 A travel plan was written for the previous planning application (09/04190/FU). As this proposal falls under the (50 units) threshold whereby the LPA can require a travel plan, the applicant has withdrawn it. However, the LPA has requested the provision of the residential metro card scheme and this has been agreed with the applicant.

### **Landscaping:**

- 10.23 The Public Open Space proposed within the development was redesigned over the course of the pre-application discussions. It was considered important by officers

that it sits well within the development and can form a meaningful space that can be enjoyed as a visual amenity by the residents. To achieve this the southern end of the space has been enlarged and properties have been orientated so it can be appreciated visually and have a degree of natural surveillance. This has remained the same during the application process.

- 10.24 The landscape master plan illustrates a planted buffer to the northern boundary featuring existing vegetation and new planting. A mixed native hedge will form the garden boundary and gaps between existing trees will be planted with a native tree and shrub mix. This will reduce the visual impact of the development on the neighbouring Greenfield land in accordance with aims of policy N24. Elsewhere on the site, the majority of existing landscaping is to be retained. However, where trees/hedges are proposed to be lost they are to be replaced. This will provide a site that is relative green with frontages that are attractive and act as a buffer that will assist on assimilating the development into the local area.
- 10.25 The majority of the trees positioned along the northern boundary are protected by TPO. Originally the distances between a number of these trees and the proposed development were insufficient. The plots that caused the greatest concern were 16, 38, 39 and 41 and the pumping station. The insufficient distances would cause direct and indirect threats. Directly in that the roots would be damaged through the construction process and canopies will have to be trimmed back to facilitate the building phase. Indirectly in the sense a situation of conflict is being created which will eventually lead to the heavy pruning or even total removal of the trees. In addition to raising these concerns, the LPA requested additional information to ensure that the existing levels within the root protection areas (RPA) remain unchanged and that the drainage infrastructure will not be in these areas.
- 10.26 The revised layout plan details greater distance to the trees and garages removed from the RPA. Achieving bigger distances to the tree has also increased the amount of garden space that is not in shade, giving future residents a better quality of amenity space. The LPA is also confident that the development will not intrude on the RPAs. To preserve the tree associated with plot 41 through construction of the footpath, a hand dig only area has been identified. A full specification of this will be conditioned.

#### **Residential Amenity:**

- 10.27 The layout has been designed so the garden areas (other than those fronting the northern boundary) back onto one another. This provides future occupants with greater security and privacy. In relation to windows, the properties have been positioned so they will not be any significant overlooking from habitable rooms.
- 10.28 The proposed dwellings are a sufficient distance from existing residential properties so will not dominate or introduce overlooking. In relation to plot 12, the main habitable windows are facing Otley Road. The orientation of the sun and the distance to existing dwellings is such that the development will not introduce overshadowing.

#### **S106 Package:**

- 10.29 15% affordable housing is required, which equates to 3 units for social rent and 4 units for submarket. These are proposed to be three bed houses positioned to the south-western corner. This house type meets with a housing need in the area. Due to the scale of the development, the amount of affordable housing, and general size

of the other dwellings it was felt that they would fit better set together instead of pepper potting in this instance. Having the units scattered across the site would appear alien as there is not enough semi detached units to create a theme. Lastly, the Leeds Federated Housing Association (the Registered Social Landlord likely to take the units) has confirmed in writing that it supports the number of affordable homes, the tenure proposed, and the location.

- 10.30 Public open space is provided for on site and in addition there is a contribution (£21,522.28) for further off-site provision. There is also an off site contribution towards children's equipped play (£26,749.96).
- 10.31 Considering the scale and location of the application, the developer is also required to contribute towards secondary and primary education (£214,371.00).
- 10.32 The developer has also agreed to provide the Residential Metro Card scheme (£19,364.40) and a management company to maintained the landscaping across the site.

#### **Other Matters:**

- 10.33 The additional information supplied regarding drainage and flood management have satisfied the relevant consultees. Therefore, the proposed methods of drainage on and off site are considered acceptable. The amount of domestic foul water to be discharged to the public combined water sewer and the proposed point of discharge of foul water to the respective public sewer is also thought to be suitable. The details and sections provided have satisfied the Local Authority that the design has taken account of the watercourse, flood flows and the location of adjacent properties, taking account topography.
- 10.34 A local resident has commented that the proposal will result in a loss of view and disturbance from the construction process. The loss of a view is not considered a material planning consideration. Planning Inspectors have generally considered that construction noise and disturbance are of a temporary nature. However, it is possible to apply a condition to control the construction phase in relation to hours of building and delivery, suppression of mud, grit and dust etc which has been applied to this recommendation.

#### **11.0 CONCLUSION:**

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable and complies with the planning policies set out in the Leeds Unitary Development Plan Review (2006), supplementary planning guidance and national planning guidance. There are no other material planning considerations that outweigh this finding. The proposal is therefore recommended for approval.

#### **Background Papers:**

09/04190/FU

APP/N4720/A/10/2119622