



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 12th July 2012

Subject: POSITION STATEMENT - Application 11/04988/FU for the demolition of outbuildings, laying out of access roads and erect 92 houses, with landscaping on land at Daisy Hill, Morley, Leeds, LS27 8ND.

APPLICANT

Persimmon Homes (West
Yorkshire and Priestgate
Morley Ltd.

DATE VALID

5th December 2011

TARGET DATE

5th March 2012

Electoral Wards Affected:
Morley North

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

POSITION STATEMENT:

Members are requested to note the contents of this position statement, provide feedback on the questions posed and are invited to provide feedback on any other aspect of the proposals.

1.0 INTRODUCTION:

- 1.1 The application is for residential development on a Greenfield site allocated for housing in the Leeds Unitary Development Plan (UDP). Last year Executive Board agreed to release phase 2 and 3 housing sites and this is a Phase 2 site. Morley Town Council and Ward Members, Councillor Leadley and Councillor Gettings, have requested a site visit.
- 1.2 This application is brought to Plans Panel as it is a major proposal, is locally sensitive and to engage with Members to invite their feedback to the proposal.

2.0 PROPOSAL:

- 2.1 The application is a full application with layout details for 92 houses comprising of 2, 3, and 4 bedroom houses in the form of terraced, semi and detached dwellings. The proposed development consists of 3680sqm of on site public open space. Vehicular access into the site would be from two access points on Daisy Hill.
- 2.2 The proposed houses are of a traditional form and design approach and are either two storeys or 2 storeys with accommodation in the roof. The houses are proposed to be of brick, with artificial heads and sills and tiled roofs. The design and layout of the scheme is described in more detail at paragraphs 10.9 to 10.13 below.

3.0 SITE AND SURROUNDINGS:

- 3.1 Site area of 2.9 hectares located at the north eastern edge of Morley positioned at a higher level overlooking Morley Railway Station towards the east. The site slopes from the north to the south with a steep drop to the main railway line along the southern boundary of the site. The site is bounded by existing housing towards the north and west. With established commercial and industrial development towards the south in close proximity to the railway station. Towards the east the area is designated as Green Belt. The site currently comprises of outbuildings contained within fields used for the keeping and grazing of horses. Adjacent to the western boundary of the site is a footpath which runs from Daisy Hill towards the railway station. To the other side of this footpath is a residential estate consisting of red brick dwellings built in a mixture of dwelling types, along this boundary the majority of dwellings are two storey detached. Along Daisy Hill on the opposite side facing the frontage of the application site are existing dwellings which are set back from the highway with front gardens. Opposite the footpath up to King George Avenue the dwellings are in the form of detached and semi detached bungalows. These are set back approximately 5m from the highway with low front walls with vegetation. Facing the frontage of the site going up Daisy Hill the dwellings are all set back approximately 6m and 8m with a mixture of two storey semis and detached. Towards the top end of Daisy Hill which culminates in a cul de sac the properties are detached and set further back with some having landscaped gardens. The majority of the dwellings are built in a red dark brick with buff pantile roofing.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 PREAPP/11/00656 Preapplication for Residential development
Received 12th July 2011

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has been engaged in discussions with officers since July 2011. Detailed discussions have been taking place with officers on layout design and highways issues, landscaping and planning obligations.
- 5.2 Negotiations at pre-application stage reduced the number of units from 96 to 87. The majority of these dwellings were detached.
- 5.3 As a result of the discussions in regards to layout and design some terraced properties have been introduced to replace some detached. Consequently the number of units has increased from 87 to 92 units.

- 5.4 The changes to the layout have increased the spatial setting and contribute towards an improved landscaping scheme. The units facing the site frontage are set back off the highway introducing some landscaping to the frontage.
- 5.5 Negotiations and discussions around Highway issues have resulted in the following:-
- Amendments to driveway widths, changes to private drive numbers and dimensions of car parking spaces and size of garages have been carried out.
 - The internal road layout has been revised.
 - TRO works in the form of parking restrictions at New Bank Street /Church Street have been agreed as part of the S106 Agreement.
 - The applicant has agreed in principle to contribute towards the upgrade of the footpath. Details of which are currently being negotiated, as this is outside of the red line boundary.
 - Metro have requested that the footpath be upgraded and £50,000 towards refurbishment of the railway station car park. The applicant has agreed to this and will be part of the S106 package.
 - Information in relation to the cross sections and levels of the site has just been submitted and are being reviewed.
- 5.6 The application is to be readvertised to accommodate this revision.
- 5.7 The applicant is currently consulting with Ward Members on the revised scheme to achieve a two way dialogue and to engage with Members and the local community in addressing the concerns raised.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice posted on site 16th December 2011. To date 67 households have objected, summarised with the following concerns:-
- Highways around New Bank Street and King George Avenue are already congested. Parking on New Bank Street often leaves the road almost unpassable. An additional 180 traffic movements from this site would be unsustainable.
 - Local Primary and secondary schools are full and cannot accommodate the additional pupils generated from this site. Local health centres cannot accommodate the patients the site will generate. This makes the site unsustainable.
 - The area has a long history of drainage and flooding problems. The drains system cannot take the additional demand this development will generate.
 - The loss of this valuable Greenfield site will remove the green corridor between the estate and the railway line.
 - The site will have a detrimental impact on employment on local businesses as a new housing development will lead to increased complaints which could reduce employment at Harder Brothers and other employees.
 - The loss of this Greenfield site will remove a positive community asset which the local community use for leisure.
 - The view of the only bit of countryside will be blocked by the properties opposite, and will lower the value of the property.
 - The new development has the majority of public open space at the bottom of the development to the benefit of few and only those of the new development.
 - Commuter trains to Leeds are excessively loaded at peak times.

6.2 Object to the application for the following reasons in summary:-

Policy background comments are:-

“This presents most difficulty , Leeds City Councils longstanding and successful housing land supply and release strategy collapsed last year at Grimes Dyke, the last of a run of about ten Greenfield housing planning appeal defeats. Unfortunate that none of the appeal test cases were in Morley, as it meant that we had no opportunity to fend off a policy shift affecting our own fate. But that does not mean that we have to accept the shift without protest.”

Local detail comments are: –

- At one time the site was market gardening land, but has been pony pasture with associated stables and sheds for some years.
- Affordable housing would be provided at a rate of 16% or 14 units, marginally above the local policy requirement of 15%. Developers happy to set aside theoretical need when facing the economic reality of setting affordable housing levels in a recession.
- Hourly bus service needs to be extended to be of use to scholars and commuters.
- Morley station close but down an unsurfaced track which only has a street lighting adoption .An improved surface would be helpful and the pedestrian exit shown from the sites south western corner should be kept even if there are amendments to site layout.
- Sewer surcharging on Daisy Hill and in croft House .Flooding of King George Avenue and New Bank Street by surface water which suggests lack of drainage capacity. This needs to be looked into, to avoid outfall from the application site adding to problems upstream by overloading the lower parts of the system and causing effluent to back up.
- The southern part of the site is an outcrop of Thornhill Rock sandstone which ends in a steep slope .Likely the rock will be deeply weathered and unstable along its edge. Few houses close to brink and might be at risk of subsidence.
- Object to closeness of development to Harder Bros and OSS oil recycling refinery which are local employers and by bringing housing close to them could make them focus of complaints from residents and health enforcement action which could hinder their working or reduce their economic viability.
- Object to extra traffic on existing junctions, and there should be measures to ensure that heavy goods vehicles do not go onto unadopted part of daisy hill which is unmade this would erode it further.
- Heavier loads on services such as doctors, schools and dentists.
- Public open space hidden away and close to railway –should be secured and more accessible to all houses.
- The buffer planting along the north eastern boundary of the housing site should all be within the housing site as defined in the UDP housing allocation.

“Object to the application for policy background and site specific reasons stated above. As the proposal is contentious, it should be determined by Plans Panel East after its members have made a site visit”

6.3 The revised scheme is to be re advertised by site notice with further consultations with local ward members and Morley Town Council.

Councillor Gettings

6.4 Objections to application. Concerns regarding the two access roads – the one into Morley are already a major problem with buses not being able to get through and all local schools are full. Request Panel site visit.

Councillor Leadley

6.5 Following comments and request:-

“In view of the amount of public interest, request Plans Panel members carry out site visit to assess impact of this first post –Grimes Dyke Greenfield housing proposal in Morley on the relationship between the town and its surrounding countryside. To see the closeness of some of the proposed houses to the southerly cliffe edge, and the overall closeness of the proposed development to the OSS oil refinery and Harder Brothers sausage skin factory”

Morley Town Councillor Joyce Sanders

6.6 On behalf of local constituents voicing their concerns raise the following:-

- Infrastructure cannot take the extra housebuilding.
- Schools are full, waiting lists for children 4 to 10 and some have to go to Beeston, totally unacceptable due to transport and distance problems.
- Traffic issues, roads cannot take the additional traffic generated.
- Area susceptible to flooding, horses often standing in flood water. Adjoining railway station platform and track are also regularly under water.
- Bungalows on Croft House estate also suffer from this problem.
- Drains on daisy hill have a sewerage overflow problem in heavy rain.
- At least six of the houses would be built on crumbling land.
- Oil Recovery business which has been established for over 100 years. Owners good employers and built this business away from residential homes due to the smell the process caused. They have done all they can to reduce this problem but would probably have an increase in complaints with houses on the doorstep.

7.0 CONSULTATIONS RESPONSES:

Yorkshire Water

7.1 No objections in principle to the proposed building stand off from public sewer centre line (of six metres) submitted on drawing. If permission to be granted recommend conditions for easement of sewer line and drainage conditions.

Environment Agency

7.2 Proposed development will only be acceptable providing a condition is attached requiring the drainage details to be submitted to the Local Planning Authority and a scheme agreed in writing. The scheme shall include the following details:-

-Greenfield run off rates to be adhered to.

-Written confirmation that Leeds City Council s Flood Risk Management Department are satisfied with the location of the point of connection to the watercourse. This is particularly important given the documented flooding problems in the Valley Road area of Morley.

-Details of the scheme shall be maintained and managed after completion.

Network Rail

7.3 No objections in principle to the development. However the following requirements must be met:-

- Applicant to investigate all the covenants and understand any restrictions.
- Drainage away from Network Rail property and infrastructure
- Fail safe use of crane and plant.
- Excavation/earthworks should have no interference with rail network.
- Security of mutual boundary
- Fencing –to provide trespass proof fencing along mutual boundary.

- Excavation, piling, buildings located within 10m of the railway boundary requires a method statement to be submitted for NR approval.
- Any demolition close to network rail infrastructure will require method statement.
- Any buildings should be located 2m away from network rail boundary to allow maintenance and access.
- Adequate soundproofing for residential dwellings. as could be trains running 24 hours a day.
- Landscaping proposed adjacent to railway details to be agreed with NR to ensure no impact on Network Rail infrastructure.
- Lighting close to railway must be eliminated to ensure no dazzling to driver and colour not be confused with signal lights.
- Access to railway should remain open at all times during development.
- Childrens play area /openspace /amenities close to railway lineshould be securely fenced.

NR recommend boundary fencing, method statements, sound proofing, lighting and landscaping should all be conditioned. Direction for all the others to contact NR.

Neighbourhoods for Housing (Affordable Housing)

- 7.4 Site located within outer suburbs requirement for 15% affordable housing, with 50%/50% social rent and submarket split. Affordable housing should represent prorata mix of total units to be built on siteand should be pepper potted across the site.

Contaminated Land team

- 7.5 Desk study element acceptable, recommend conditions and directions.

Public Rights of Way

- 7.6 Public footpath number 58 abuts the site on its western boundary, no objection as long as the footpath remains open and available for use at all times.

Environment policy team

- 7.7 The information provided follows the general guidelines of the Code for Sustainable Housing however there is insufficient detail provided to enable a proper evaluation with respect to Code 3. Additional information required in accordance with Supplementary Planning Document (SPD) –Building for Tommorrow Today.

Architectural Liaison Officer

- 7.8 Recommendations for doors, windows, glazing, vehicle parking, boundary treatment, defensible space, planting and natural surveillance. In accordance with secure by design scheme.

Travel Wise

- 7.9 The Travel Plan has been revised and is now acceptable

Public Transport

- 7.10 The proposed use will have a significant travel impact, which will need to be addressed; therefore a financial contribution proportionate to the travel impact of the scheme will be required towards the cost of providing the strategic transport enhancements (Detailed in the SPD).

Access Officer

7.11 Generally fine, any newly created crossing points and traffic calming area should have appropriate tactile paving laid at either end.

Environmental protection team

7.12 On far side of railway is an industrial area which includes an oil depot and an animal by products factory. Significant potential for the future occupants of development to be affected by noise and odour. Applicant has submitted a noise report with the application; recommend conditions for sound insulation scheme.
In reference to odours the industrial users are long established. The developer to prove that odour will not be a problem for the new occupiers. However there is no reliable odour monitoring equipment.

City Services streetscene

7.13 Refuse collection arrangements are considered acceptable.

West Yorkshire Archaeological service

7.14 No significant archaeological implications attached to the proposed development

Mains Drainage

7.15 Discussions and negotiations have resulted in an updated Flood and Drainage Assessment being submitted. This is now considered acceptable and the necessary drainage conditions are to be attached.

Highways

7.16 Discussions and negotiations have taken place, in regards to the layout and the upgrading of the footpath to the west to form a link and cycle path to the station. Further discussions are still taking place to resolve the cross sections and the upgrading of the footpath link which lies outside of the red line boundary. The applicant has agreed to contribute towards this upgrading as part of the section 106 package.

Education

7.17 The development of 87 (now 92) family dwellings would generate 21 primary aged pupils and 9 pupils at secondary level. The development resides within the Morley Planning area; there is a significant shortage of school places, both in primary and secondary. Using the formula for defining section 106 educational contributions an amount has been calculated.

Metro

7.18 At the time of writing report consultation response details were not available.

Coal Authority

7.19 At the time of writing report consultation response details were not available.

8.0 PLANNING POLICIES:

8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development including housing. The site is not designated for any particular purpose in the UDPR. Land abutting to the east is designated Green Belt.

- 8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy set sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.
- 8.3 Regional Spatial Strategy (RSS) (adopted May 2008):
H1: annual average additions to housing stock and previously developed target.
H2: Sequential approach to allocation of land.
H3: managed release of housing land.
H4: affordable housing.
YH1: Spatial pattern of development and core approach.
YH2: Sustainable development.
YH4: focus development on regional cities.
YH5: Focus development on principal towns.
YH7: location of development.
LCR1: Leeds city region sub area policy.
LCR2: regionally significant investment priorities, Leeds city region.
- 8.4 Leeds Unitary Development Plan (UDP) Review:
GP5: General planning considerations.
GP7: Use of planning obligations.
GP11: Sustainable development.
N2/N4: Greenspace provision/contributions.
N10: Protection of existing public rights of way.
N12/N13: Urban design principles.
N23/N25: Landscape design and boundary treatment.
N24: Development proposals abutting the Green Belt.
N29: Archaeology.
N38 (a and b): Prevention of flooding and Flood Risk Assessments.
N39a: Sustainable drainage.
BD5: Design considerations for new build.
T2 (b, c, d): Accessibility issues.
T5: Consideration of pedestrian and cyclists needs.
T7/T7A: Cycle routes and parking.
T24: Parking guidelines.
H1: Provision for completion of the annual average housing requirement identified in the RSS.
H2: Monitoring of annual completions for dwellings.
H3: Delivery of housing on allocated sites.
H11/H12/H13: Affordable housing.
LD1: Landscape schemes.
- 8.5 Supplementary Planning Guidance / Documents:
Neighbourhoods for Living – A Guide for Residential Design in Leeds
Street Design Guide
- 8.6 National Planning Guidance:
National Planning Policy Framework (2011)

9.0 MAIN ISSUES

- 9.1 Principle of Development
- Sustainability
- Highway Issues
- Urban Design
- Affordable Housing
- Impact on residential amenities
- Landscaping and Greenspace
- Education
- Drainage
- Environmental issues
- Community and Ward Member consultation
- Section 106 Package

10.0 APPRAISAL

Principle of Development

- 10.1 Section 38(6) of the Planning and Compensation Act 2004 requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The application is on a Phase 2 allocated Greenfield site, within the settlement of Morley.
- 10.2 The submission of this application for housing development follows the decision of the Executive Board to support the principle of releasing Phase 2 and 3 housing allocations following consideration of the adverse outcome of a number of earlier planning appeal decisions. As this site is allocated for housing in Phase 2 no objections in principle are raised.

Sustainability

- 10.3 The site lies at the edge of the Morley settlement. A large range of facilities are located within acceptable distances. The local 213 bus service passes by the site frontage at an hourly frequency. More frequent services are available on Victoria Road, some 600m from the site boundary. The site is also within 200m walking distance of Morley railway station.
- 10.4 The existing footpath links Daisy Hill to Morley railway station but is unmade and in poor condition with limited lighting. In order for this to provide a safe and effective link to the station the full length of the path must be improved to an adopted standard with a minimum of 1.8m hard surface and additional lighting. There is the potential for this to form a cycle link to the station with a wider path of 2.5m

Highway Issues

- 10.5 The site is accessed at three points from Daisy Hill. The first serves a private drive of five dwellings and the other two form a loop through the development. Adequate visibility can be provided at all three access points.
- 10.6 The site is linked to the local highway network via either New Bank Street or King George Avenue. New Bank Street suffers from significant on street parking at its western end due to the terraced housing. The junction with Church Street would benefit from some TROs to restrict parking close to the junction.
- 10.7 King George Avenue is of adequate width to accommodate development traffic but does have poor visibility to the right at the junction with Victoria Road due to narrow footway and garden wall. There is nothing that can be done to improve this visibility without other detrimental knock on effects on Victoria Road. The development is

expected to add in the region of 28 movements at this junction in the AM peak (20 out and 8 in) and 29 in the PM peak (11 out and 18 in) These numbers are small and the site is a UDP allocated housing site. Together with the lack of an existing accident problem the vehicular access to the site make an objection on these grounds difficult to justify.

- 10.8 Negotiations and discussions around highway issues are laid out in paragraph 5.5 above in section 5.0 History and negotiations.

In light of the above do Members have concerns about issues of highway safety?

Urban Design

Layout scale and design

- 10.9 The site essentially provides 92 dwellings in the following forms:-
- Cherryburn, detached two storey – 4 bed (8 in total)
 - Clandon, detached two storey – 3 bed (3 in total)
 - Winstor, detached two storey – 4 bed (8 in total)
 - Crathorne, detached two storey – 4 bed (6 in total)
 - Roseberry, detached two storey – 4 bed (11 in total)
 - Moulton, semi/terrace two storey – 2 bed (16 in total)
 - Hatfield, detached two storey – 3 bed (6 in total)
 - Souter, detached two and half storey – 3 bed (7 in total)
 - Rufford, two storey detached – 3 bed (11 in total)
 - Swale, two and half storey detached – 3 bed (6 in total)
 - Hanbury, two storey semi/terrace – 3 bed (10 in total)
- 10.10 The dwellings are laid out in a semi circle either side of the internal access road. The dwellings siding onto and facing the site frontage (Daisy Hill) are set back with landscaping proposed to the frontage. The majority of the houses front onto the street and rear gardens are secured. Dwellings along the southern boundary adjoining the railway line are set further into the site away from this boundary. Towards the west adjoining the footpath is a similar residential estate. Towards the east of the site is the designated green belt the proposed landscape buffer provides an acceptable level of transition from urban to rural.
- 10.11 Towards the front of the site and where visible from the streetscene the dwellings achieve the distances between the dwellings and being setback with landscaping along the frontage a level of spatial setting is achieved. The dwellings where the distances have fallen slightly short are positioned in locations on the layout where residential amenities have not been compromised and the distances between them are not publicly visible.
- 10.12 During negotiations with officers the scheme has moved away from detached dwellings only to introducing 3 terraced rows located across the site. Whilst the types of dwellings are predominantly detached there are a mixture of semis and terraces.
- 10.13 The dwellings are proposed in the following materials:-
- Hanson Arden Special Reserve brick with a farmhouse red roof tile. These Materials are along the site frontage. The existing dwellings along the opposite side of Daisy Hill are built in red brick. Some units in this material are also located further within the site.
 - Hanson Hanborough Buff Multi brick with Tudor brown roof tiles are proposed on some of the house types that are located through the middle of the site.
 - Leicestershire Russett mixture with a Tudor brown roof tile are pepper potted across the site.

Do Members consider that the design, materials and layout of development has sufficient regard to its setting and context?

Affordable Housing

10.14 A total of 15 affordable housing units are proposed which is just above the 15% requirement set out in the Council's Interim Affordable Housing Policy. The affordable housing units comprise a mixture of 2 and 3 bed properties and are located in the following positions with the following house types:-

- Plots 68,69,72 and 73 Swale House Types
- Plots 57, 58 and 59 Moulton House Type.
- These plots are located within the centre of the site.

Towards the South of the site are the following units:-

- Plots 34 and 35 are Moulton House Types.
- Plots 36 and 37 are Swale House Types.

The South west corner of the site has the following affordable units:-

- Plots 20, 21, 22, and 23 Moulton House Type.

Impact on residential amenities

10.15 The majority of dwellings along the southern boundary have rear garden lengths, and are consequently located a distance, of 13m, 11m and 10m from the boundary. The rear of these properties face towards the railway line. Landscaping and boundary treatment to this southern boundary are subject to a landscaping scheme still to be submitted. The majority of the dwellings have a distance of 2m and 3m between them. All of the dwellings are set back off the highway having front garden lengths varying in size from 6m, 7m, 8m, 9m 10m and 11m.

10.16 The dwellings along the eastern boundary have garden distances of 10m, 11m and 12m and will be facing a landscaped buffer of approximately 10m depth. The majority of these houses rear elevations face out towards open land. Plot 79, in the north eastern corner of the site, is sited parallel to the gable end of No.28 Daisy Hill. There is a gap of some 20m between these properties (10m of which comprises the landscape buffer).

10.17 The dwellings along the site frontage to the site are set back off Daisy Hill and have distances of 20 to 21m from the existing dwellings on the opposite side of Daisy Hill. The proposed dwellings along Daisy Hill are all two storeys in height.

10.18 The three proposed dwellings sited along the western boundary present their gable end to that boundary. They are separated from the existing dwellings of King George Croft by a public footpath that runs along that boundary.

10.19 The dwellings in the semi circle of the heart of the proposed development have rear garden areas at varying lengths of 10m, 11m and 13m. These garden areas adjoin gardens to the rear properties which have a similar length providing distances between dwellings varying between 20, 21, 22 and 23m.

10.20 In light of the above it is not considered that the development will have an adverse impact on the amenities of nearby residents and will provide an adequate level of amenity (in terms of the layout of the development) for the prospective occupiers.

Do Members consider that the development respects the amenities of nearby residents and provides an adequate level of amenity (in terms of private amenity space provision) for the prospective occupiers of the development?

Landscaping and Greenspace

- 10.21 As part of the discussions on layout of the scheme with officers landscaping details have been discussed. A landscaping scheme is imminent. Varying options of the Public Open Space (POS) have been discussed resulting in an open space of 3680sqm being located in the South east corner of the site.

Education

- 10.22 The Leeds established formula for defining section 106 educational contributions has calculated an amount of £414,451. The applicant has requested more information from Childrens Services. These discussions are still ongoing.

Drainage

- 10.23 The drainage scheme in liaison with officers in Flood Risk Management (FRM) has been revised and the updated. Flooding and drainage assessment is now supported by FRM. There are no recorded flooding problems on Daisy Hill. The recorded flooding problems are towards the south of the railway line along Valley Road area where FRM are working with residents and owners to alleviate the problems. It is important to note that the planning test is not whether the development will improve or resolve local flooding issues but that it will not in itself exacerbate an existing problem. The drainage scheme has been revised and the site is to be drained away from Daisy Hill and the Valley Road area towards the east further down towards where the culvert opens up. Having consulted with the relevant drainage bodies, officers are confident that the site can be drained such that surface water discharges are no greater than the current greenfield rates

Do Members consider that drainage and flooding issues are being appropriately addressed?

Environmental issues

- 10.24 Noise and disturbance: The assessment submitted of noise levels from the adjacent railway station covered daytime movements only. A further request from Environmental Health has resulted in this information being submitted and is currently under consideration.
- 10.25 Odours emanating from existing industrial uses nearby: Environmental Health has received complaints about odour from both the oil depot and the animal by products plant affecting existing nearby residents, however the situation has improved over recent years. There is a greater potential for a significant loss of amenity to the residents of the development as they will be closer to the industrial uses. Environmental Health state that it would be extremely difficult and probably impossible to eliminate all the industrial odours. The oil depot is regulated by the Environment Agency. The animal by products plant is regulated by Environmental Health. The existing control on their permit seems effective in preventing disturbance to existing residents. It is considered that the plant is operating in accordance with best practical means and the company could not be asked to take any further measures even if complaints are subsequently received. Environmental Health have also confirmed that they are not aware of any monitoring mechanism to measure levels of odour emanated and what would be an acceptable level.
- 10.26 In considering this aspect due weight needs to be applied to the fact that the site is allocated for residential use.

Do Members consider that the environmental issues are appropriately addressed?

Community consultation and ward member consultation

10.27 The applicant is currently engaging with local ward members on the revised scheme. The applicant also intends to carry out a further community consultation on the revised scheme.

10.28 Section 106 Package: The section 106 package consists of the following:

- Affordable Housing: Provision of 15 units in accordance with the 15% as required as part of the interim policy.
- Public Open Space provision: The on site greenspace measures 0.328 hectares, is marginally smaller but consider the on site provision to be acceptable. In accordance with N2.2 and N2.3 there is not sufficient greenspace within the locality to satisfy either of these policies and further contributions are required. Breakdown of contribution is as follows:-

Laying out of greenspace	66,001.66
Maintenance of greenspace	2,721.47
Equipped childrens play	51,716.59
Fees	10,758.27
Total	£131,197.99
- Education: The Leeds established formula for defining S106 educational contributions has calculated an amount of £414,451. The applicant has requested more information. These discussions are still ongoing.
- Travelplan: Management fee of £2500 for monitoring purposes.
- Public transport Infrastructure: £50,000 towards the upgrade of Morley railway station car park. Applicant has agreed in principle to contribute a sum of money to upgrade the footpath link. The design and costings are currently in negotiation.
- Off –site highway works to provide parking restrictions further up the road at New Bank Street / Church Street.
- Employment and training clause: A clause to ensure local employment and training takes place.

10.29 Section 106 requirements flow from policy. Applicants are not committed to paying what is considered to be full amounts. The following areas are where discussions are still taking place:-

- Education
- Details of the upgrade of the footpath
- Off site highway works (Parking restrictions at New Bank /Church Street)

Do Members consider that the S106 covers all relevant matters?

11.0 CONCLUSION

11.1 Members are asked to note the content of this position statement and raise any specific issues/concerns so that they can be addressed as part of the applications consideration in advance of the scheme being formally brought to Panel for determination. Member's feedback is sought in the following respects:

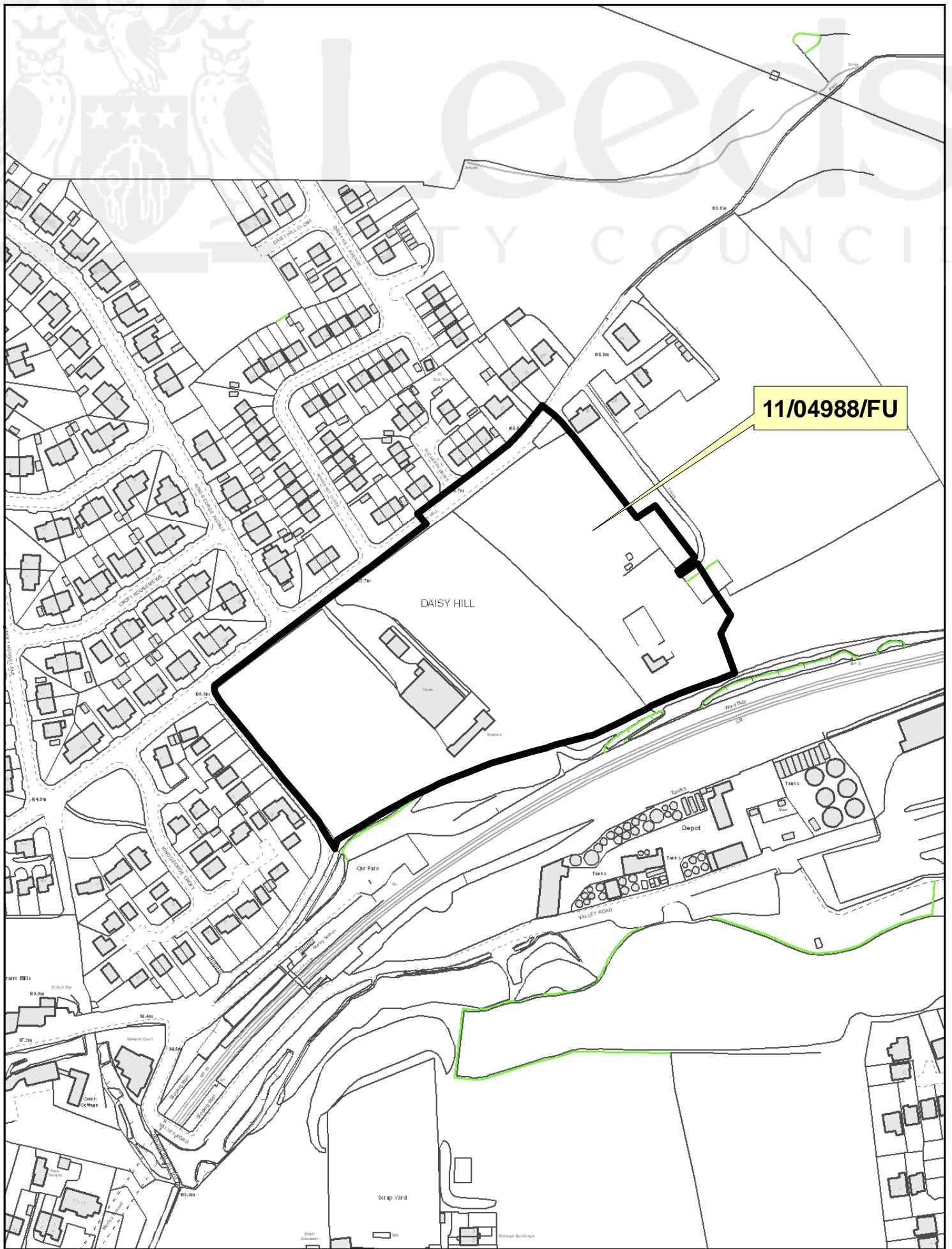
1. In light of the above do Members have concerns about issues of highway safety?

2. Do Members consider that the design, materials and layout of development has sufficient regard to its setting and context?
3. Do Members consider that the development respects the amenities of nearby residents and provides an adequate level of amenity (in terms of private amenity space provision) for the prospective occupiers of the development?
4. Do Members consider that drainage and flooding issues are being appropriately addressed?
5. Do Members consider that the environmental issues are appropriately addressed?
6. Do Members consider that the S106 covers all relevant matters?

Background Papers:

Application files and history

Certificate of ownership: Notice served on Priestgate Morley Limited and Earl of Dartmouth



11/04988/FU

DAISY HILL

EAST PLANS PANEL

