



Report of the Chief Planning Officer

PLANS PANEL (SOUTH & WEST)

Date: 11TH OCTOBER 2012

Subject: APPLICATION 12/01332/OT: OUTLINE APPLICATION TO ERECT RESIDENTIAL DEVELOPMENT ON LAND AT BRUNTCLIFFE ROAD, MORLEY

APPLICANT

Barratt Homes Yorkshire
West & Priestgate Morley
Ltd.

DATE VALID

12 March 2012

TARGET DATE

21 June 2012

Electoral Wards Affected:

Morley South

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 and following completion of a Section 106 Agreement to cover the following matters:

- Provision of Metro Cards - £73,154.40.
- Bus stop improvements - £60, 000
- Green Travel Plan
- Contribution to off-site highway works
- Contribution to education enhancements - £800,321
- Public transport improvements - £1226 per unit
- Provision of 15% affordable housing (within 2 years)
- Provision of on-site greenspace - P.O.S measures 0.78ha , the buffer planting between the residential allocation and employment allocation measures 0.56 ha the open area located between the most southerly residential dwellings and the M62 measures 0.72ha.

In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.

1. Time Limit on Outline Permission
2. Submission of reserved matters
3. Plans to be approved
4. Details of existing and proposed ground levels and finished floor levels to be agreed.
5. Submission of a phasing plan
6. Submission of walling and roofing materials.
7. Sample walling to be provided.
8. Details of fences and walls to be provided.
9. Construction Management Plan
10. Specified off-site highway improvements (footway on Bruntcliffe Road, carriageway narrowing and lining, site access, pelican crossing, pedestrian refuges, MOVA control at Angel lights)
11. Laying out of areas to be used by vehicles.
12. Provision of cycle/motorcycle parking
13. Submission and implementation of landscaping details.
14. Trees/hedges to be protected.
15. Replacement planting as necessary
16. Submission of surfacing materials.
17. Noise levels for internal rooms and gardens.
18. Air quality monitoring.
19. Development to be carried out in accordance with approved drainage details.
20. Reporting of unexpected contamination.
21. Submission of verification reports.
22. Sustainable construction.

Reasons for Approval: This application has been considered in accordance with the requirements of the RSS and UDPR 2006 and policy guidance within the NPPF and it is considered that the scheme provides for a sustainable residential scheme. The application is mainly allocated for residential purposes and therefore the principle of residential development is acceptable. A smaller part of the site is unallocated, but is in a reasonably sustainable area, which doesn't contribute greatly to the character of the area. The proposals satisfactorily address highway and noise issues and offer an acceptable level of amenity to future occupiers. . The application is considered to comply with the policies as set out in the development plan and constitutes a sustainable form of development.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Plans Panel because it relates to a substantial development proposal and is subject to a considerable number of objections from residents. The proposal is for the residential development of an allocated Phase 2 Greenfield site of 7.14 hectares in the Unitary Development Plan, but also includes an adjoining area of land which is not allocated.
- 1.2 The application was subject of a Position Statement at the Plans Panel (East) meeting on 9th August 2012, following a Panel site visit. The agreed minute is set out in paragraphs 1.3 – 1.12 below. Given the scale of development and the number of representations it has generated, a site visit by Plans Panel members who are determining the application is considered appropriate. (The previous site visit was carried out by Plans Panel East members).

Approved minute of meeting

- 1.3 As there were outstanding issues in relation to the proposals, Panel was asked to consider the key issues of highways safety; noise intrusion and compliance with the development plan:

1.4 Highways

- Members were informed that the Highways Agency had a holding direction on the site until 31st August 2012 - although this could be extended – to enable consideration of the impact of cumulative development on Junction 27 of the M62, with a mitigation scheme having been drawn up, with the proposed development for this site likely to be required to make a contribution towards the works
- the traffic assessment submitted with the planning application was based on the provision of 200 homes although this number had now been revised to 168 homes. The proposed access to the allocated site would be from Bruntcliffe Road and pedestrian access would be improved through the provision of widened footways, a pelican crossing and two additional pedestrian refuges on Bruntcliffe Road
- that the position of that part of the allocated housing site which was not coming forward at this stage (the Masonic Lodge land) would also need to be considered at this stage to ensure an acceptable access could be provided to the whole site.

1.5 Noise intrusion

- To mitigate against the impact of noise from the adjacent M62, a revised layout had been provided which proposed less dwellings and the provision of a 40m strip of land adjacent to the motorway to act as a buffer. Officers within the Council's Environmental Protection Team were considering the revisions and the latest noise assessment submitted by the developer
- Members were informed that the developer considered that the issues relating to noise could be dealt with at Reserved Matters stage. However, the Head of Planning Services did not share this view and stressed to the Panel the importance of ensuring at this stage an acceptable living environment both within the houses and the gardens. This may well require additional noise mitigation measures e.g. a bund; planting and an acoustic fence

1.6 Compliance with the development plan

- Much of the site was a Phase 2 allocated greenfield site, and following the Executive Board decision after the Grimes Dyke appeal decision, acceptable in principle to release, part of the site included land which was unallocated in the UDP although this had been expected to form a buffer between the housing allocation and the adjacent employment land. In the region of 40 dwellings were proposed on this unallocated land. The test for development of unallocated sites was one of sustainability and given the close proximity of Morley Town Centre to the site and frequency of bus services past the site, it could be considered to be sustainable, although in terms of education provision, contributions would be required as part of a S106 Agreement
- In respect of the adjacent land allocated for employment use, as this was in the ownership of the applicant, it was considered that the extent of the uses and activities could be controlled and the required buffer zone and extent of the open area would need to be controlled through the S106 agreement - further details on this were still required

- 1.7 The Panel was informed that Councillor Dawson's objection as set out in the submitted report was not complete and provided an update for Members' information

1.8 *Members commented on the following matters:*

- *the lack of an overall framework, as recommended in the UDP policy*
- *the width of the new proposed buffer zone between the proposed employment land and whether this was as wide as indicated in the UDP and whether this area would be landscaped*
- *whether housing had been permanently deleted from the boundary to the motorway*
- *the number of representations received in response to the proposals*
- *the noise levels on site; the impact of this on the ability of the residents to enjoy their gardens and that only substantial mitigation measures could prevent noise nuisance*
- *that the noise to the north of the site was also a concern and that ensuring 'quiet' employment uses, i.e. warehousing in this area was not acceptable and that the buffer needed to be enhanced rather than reduced*
- *that the greenspace between the housing and employment land was being squeezed*
- *that the site was hazardous at this point of Bruntcliffe Road, with particularly narrow footpaths and whether an Environmental Impact Assessment had been carried out*
- *whether in view of the access points indicated to serve the adjacent housing site, the transport assessment was based on the assumption that this site would be brought forward for development*
- *the highways accident record for the area and the concerns being raised by residents and Ward Members*
- *that there were infrastructure deficits in the area which included education provision*
- *the number of additional traffic movements arising from the development*
- *that references in the report to approved developments at Waterwood Close and Shayfield Lane could not be regarded as being directly comparable*

1.9 *The following responses were provided:*

- *that a development framework for the area had not been drawn up*
- *that the buffer between the employment allocation and the housing allocation was narrower and that there was significant encroachment into that area which the Inspector considered should be open and that it would be necessary to ensure the land between the employment land and the buffer zone was clear*
- *that the buffer zone being proposed was less than that shown in the UDP*
- *that the extent of development would need to be determined at outline stage to address the issue of noise*
- *that Panel would be updated on the exact level of representations received on the application when it came to Panel for determination*
- *that whilst noise mitigation measures could move noise away from the site, this could be dependent upon the effect of the wind and the local topography and that proposed noise mitigation measures would need to be modelled and their effectiveness demonstrated*
- *that the proposals could not be determined until the Highways Agency was satisfied on the impact of this and other developments on Junction 27 of the M62*
- *that the transport assessment was initially based on 200 and that this had been revised to 175 although the impact of the adjacent site coming forward for development would need to be considered as an additional entrance into that site from Bruntcliffe Road would not be welcomed*
- *that in terms of traffic accidents, the road was not a length of concern, although it was accepted that the data collected related to reportable accidents rather than taking into account non-reported incidents or damage to property*

- that education contributions were being sought in line with the SPG but that further discussions with colleagues in Children's Services could take place in terms of education provision
- that using the well-established TRICS database, based on 200 units, the peak am hours would see 124 movements and the peak pm hours would see 138 movements

1.10 In addressing the specific questions in the report which the Panel was asked to consider, the following points were made:

- That Members did have concerns about the principle of the development on that part of the site which fell outside of the UDP housing allocation but that subject to a reasonable land swap retaining the size of the buffer, this might be more acceptable. That Members' comments on the buffer zones be noted as was the view that the buffer zone adjacent to the employment land was much smaller than proposed in the UDP and that this should be as a minimum the width envisaged by the Inspector and for there to be no development on this part of the site. In terms of planting on the industrial land at the southwest corner of the site, substantial planting could be considered together with additional planting between the site boundary and the M62, together with a bund and possibly an acoustic fence. In respect of this part of the site, the view was expressed that attempts to put additional housing in this area would be resisted
- That the character of the housing as shown in the indicative layout appeared to be acceptable but that neither the layout or number of houses formed part of the outline application
- Members were satisfied that the location of the proposed access was the most appropriate in the circumstances
- In terms of highway safety, numerous concerns remained
- That the indicative sum – approximately £133,000 – for public transport measures in the S106 Agreement would be discussed with Ward Members
- That Members were not satisfied that the proposed heads of terms of the S106 Agreement addressed all relevant matters and that the issue of land swaps and the necessary legal agreements around these together with public access to the buffer zone would need to be explored further

1.11 Having heard the discussions, the Chief Planning Officer suggested that all parties/landowners be contacted with a view to discussing the proposals to bring forward a development framework covering both the housing and employment allocations and buffer between them as envisaged in the UDP

1.12 It was resolved to note the report, the comments made and the Panel's responses to the questions raised in the report

1.13 This report, therefore, seeks to address the above issues. The previous report, considered by Plans Panel (East) is appended to this report.

2.0 HIGHWAYS CONSIDERATIONS

Junction 27

2.1 The Highways Agency (HA) has been considering the cumulative impact of this scheme and the employment schemes on the A650 Corridor (see paragraphs 4.2.1 and 4.2.2, as set out in the August Plans Panel report). The HA has been designing a scheme of improvements at Junction 27, and are seeking to apportion costs between the three developers. On 30th August 2012, the Highways Agency stated that the principle and proportion of contribution towards the proposed mitigation scheme has now been agreed with the developer. The HA is currently costing the exact amount, and hope to have the exact figure by the end of September/early

October. Once the exact amount has been calculated, the sum can be inserted into the Section 106 Agreement.

- 2.2 The HA has stated that the Holding Direction can be withdrawn upon completion of the Section 106 Agreement, and that no objections are raised to the application being considered by Plans Panel, given the agreement in principle to the principle and proportion of overall costs by the developer.

Bruntcliffe Road corridor
Highway Works

- 2.3 A series of off-site highway works have been agreed to mitigate the development impact on the local highway network:
1. New access to site with visibility splays in excess of 2.4m x 90m in both directions.
 2. 2m wide footway (approx 100m) along the Bruntcliffe Road frontage to tie in with existing provision to east and west, thus forming a continuous footway link on the southern side of Bruntcliffe Road.
 3. Narrowing of Bruntcliffe Road from a point approximately 125m to the east to the western site boundary
 4. Provision of a Pelican Crossing across Bruntcliffe Road 25m to the east of the new access.
 5. Two new pedestrian refuge islands on Bruntcliffe Road to the west of the site.
 6. Remarketing of central reserve to allow for crossing points and road narrowing.
 7. Introduction of MOVA (Microprocessor Optimised Vehicle Activation) control at the junction of Bruntcliffe Road / Howden Clough Road / Bruntcliffe Lane ('Angel' signals) increasing peak capacity by 5-15%
 8. Contribution towards capacity improvements at Junction 27 of the M62 (Gildersome Interchange)

Items 1 to 7 will be secured by condition and implemented prior to first occupation of the development. Item 8 will be secured via the s106 agreement.

- 2.4 In addition to the above there is a bus stop improvement contribution of £20,000 and a public transport contribution of £906 per dwelling (£152,208 for 168 dwellings), both secured via the s106 agreement. Appendix 1 of the Public Transport SPD lists several schemes which may be appropriate for contribution. These include A643 Leeds – Morley bus corridor, M62 corridor Gildersome / Tingley bus park and ride, Morley public transport hub, and A62 Gelderd Road bus priority. The list of schemes is subject to annual review and therefore additional schemes may be added as required.
- 2.5 The impact of the highway works on Bruntcliffe Road is intended to provide safe pedestrian routes to and from the development to local facilities and to reduce vehicle speeds through the narrowing of carriageway widths. The introduction of MOVA at the Angel signals will mitigate against all development impact at this junction and go a significant way in mitigating against the cumulative impact of nearby pending applications (Rowntrees site and Gelderd Road employment allocation).
- 2.6 The Highways Agency have agreed to lift the Holding Direction subject to agreeing the contribution towards the J27 works (final costings still in preparation). These improvements works will mitigate against the cumulative impact of the three currently pending planning applications in the area (with proportional contributions from each).

2.7 As with all development, the proposals can only be expected to result in a 'nil detriment' position on the local highway network. It is not reasonable to expect new development to resolve existing highway issues.

Highway Safety

2.8 Using the agreed development trip rates, the 168 dwellings proposed would result in AM peak flows of 104 vehicle movements (in and out) and PM peak flows of 116. These flows are distributed with approximately 60% west along the A650, 30% east along the A650 and 10% north, via St Andrews Avenue, towards Morley.

2.9 In response to the previous Position Statement, Members raised concerns in regard to vehicle speeds and accident levels on Bruntcliffe Road.

2.10 Speed surveys undertaken for the Transport Assessment by an independent company in November 2011 at the site access point showed

	Westbound (mph)	Eastbound (mph)
Average	33	32
85 th percentile	37	35

2.11 Bruntcliffe Road has a 40mph speed limit at this location and the speeds are therefore not considered excessive. Older speed surveys on Bruntcliffe Road (further to the west) undertaken by the Council show 85th percentile speeds below 40mph. The proposed highway works should have the affect of further reducing speeds in the vicinity of the site.

2.12 The Transport Assessment includes an assessment of Personal Injury Accidents (PIAs) in the vicinity of the site for the five years up to the end of 2011. PIAs are those accidents reported to the police, which the Council keeps a record of. This is the only evidence base which is available to make an assessment of accidents as 'near misses' and minor collisions are not recorded / publicly available. A summary of these accidents is given below.

Location	Slight	Serious	Fatal	TOTAL
A650 (between Scotchman Land and Bruntcliffe Lane	12	0	0	12
A650 / Scotchman Lane / Fountain Lane junction	11	0	0	11
A650 / Howden Clough Road junction	14	1	1	16

2.13 The fatal accident occurred when an elderly person was knocked down crossing at the A650 / Howden Clough Road junction, and the serious accident at the same junction involved a right turning motorist failing to look properly.

2.14 Neither junction of the length of Bruntcliffe Road between, is included in the Council's 'Sites' or 'Lengths' for concerns documents which list those parts of the Leeds highway network suffering from accidents problems.

2.15 The conclusions of the Transport Assessment that the 'accident records do not reveal any trends or underlying road safety issues which would be exacerbated by the development' is accepted. In addition the off-site measures provide three additional safe locations to cross Bruntcliffe Road.

- 2.16 An independent Road Safety Audit of the access and off-site works was submitted as part of the application and did not raise any significant concerns.

Masonic Lodge site

- 2.17 In response to the previous Position Statement, Members asked whether the Transport Assessment had considered the impact of additional housing that could be accommodated on the Masonic Lodge site which forms part of the housing allocation. The indicative internal layout allows for two access points into the Masonic Lodge site from within, so no additional access points would be required onto Bruntcliffe Road. Access without any ransom strips is to be secured via the s106.
- 2.18 Since the Position Statement the applicant has undertaken an assessment of the Masonic Lodge site and concluded that 43 units could be accommodated on it. Applying the same trip rates agreed for the application site this results in a total of 27 vehicle movements in the AM peak and 30 in the PM peak. The modelling at the site access and junctions on the A650 have been revised to include these extra vehicles and the results show a negligible impact. The site access onto Bruntcliffe Road works within capacity, with minor increases in queues at the Angel signals which would be mitigated by the introduction of MOVA control.
- 2.19 Therefore even with the potential addition of the 43 units on the Masonic Lodge site, the development, with mitigation in place, is not expected to have a detrimental impact on the local highway network.

3.0 NOISE CONSIDERATIONS

- 3.1 A revised Noise Assessment has been considered by Neighbourhoods & Housing Officers. It is considered that it would be unacceptable to deal with noise as an issue at reserved matters (layout stage) as stated at the East Plans Panel meeting, and that parameters (conditions) should be agreed at the outline stage, and that this would assist in designing a layout which provides a reasonable level of amenity for future residents. As such, the following condition has been agreed, to ensure reasonable standards in living rooms during the day time and bedrooms at night time, and such that private garden areas can be enjoyed during the day without excessive noise intrusion. The condition is worded as follows:
- 3.2 “Prior to the commencement of development a scheme of noise attenuation for all dwellings shall be submitted to, and approved in writing by, the local planning authority. The scheme shall include measures to ensure noise levels shall not exceed 35dB (A) in living rooms during the day, 30dB (A) in bedrooms at night and 55dB (A) in gardens. The scheme shall include an assessment of which windows will need to remain closed and have alternative full house mechanical ventilation systems. The scheme shall be implemented as approved prior to occupation of each dwelling.”
- 3.3 This condition would effectively deal with noise intrusion concerns. PPS24 (Planning & Noise) has been replaced with NPPF, which in turn refers to the ‘Noise Policy Statement for England’ (March 2010). This document states that the test for the effective management of noise within the context of sustainable development is that it should “avoid significant adverse impacts on health and quality of life”. It is considered that the imposition of this condition will achieve this aim.
- 3.4 The layout as submitted is schematic only, but with this noise condition in place, the likely consequences are :

- (i) there are unlikely to be any dwellings in the area marked in the 40m buffer, marked as Public Open Space, due to the close proximity of the M62 motorway.
- (ii) the southernmost sited dwellings would face onto an access road, with the private gardens being to the north of the dwelling, shielded by the massing of the house.
- (iii) at different points along the boundary with the M62 there is likely to be a requirement for a 1m bund with a 2m noise reflective barrier, close to the top of the M62 embankment.

All these details will be subject to approval at reserved matters stage, but would deal with noise intrusion into the site.

4.0 COMPLIANCE WITH THE DEVELOPMENT PLAN

- 4.1 Members raised concerns that a Planning Framework, as required under UDP Policy, needed to be submitted, and there were concerns raised at the buffer between the housing and employment allocations was being squeezed.
- 4.2 The applicant has now submitted an up-dated Masterplan, which seeks to address these concerns. The proposal now retains the same area of buffer as required in the UDP (at 2.68 hectares). The housing area is at 6.86 hectares, as opposed to the 7.21 hectares in the UDP. There is a reduction in the size of the employment allocation (to accommodate the buffer extending westwards), from 5.86 hectares in the UDP, to 4.47 hectares.
- 4.3 The landscaped buffer now provides an extensive area, which connects the open area (identified by the UDP Inspector as an important area to keep open along the A650 Corridor) with a buffer between the employment and housing allocations, and a corridor of land abutting the M62. All the land is in the control of the applicant.
- 4.4 One issue which arises from the Masterplan is the impact on the employment allocation, as this would be reduced in size. UDP Policy E7 states that where there is a loss of allocated employment land, the applicant should demonstrate that there are sufficient alternative employment sites available, so as not to prejudice opportunities for local employment uses. As such, the applicant has submitted an Employment Land Review report.
- 4.5 The applicant has considered the availability of allocated employment sites within Leeds District. A significant number of vacant and undeveloped sites have been identified along the existing motorway corridors which surround the application site. It is estimated that there is an supply of between 53 and 76 years. Officers have assessed that locally identified land supply for employment purposes is more than adequate. Even allowing for the market conditions, which are exceptional, the supply of vacant property within the 15 minutes peak-travel contour (catchment area) is nevertheless plentiful, and the loss of part of the allocation for employment purposes is acceptable.
- 4.6 It is acknowledged that the proposal does not strictly comply with the allocations as set out in the UDP. The housing allocation extends onto land to the west, due to the non-availability of the Masonic Lodge site. The buffer then extends into the employment allocation land to the west. The buffer land would be delivered by a Section 106 Agreement, and would ensure there is a good standard of amenity for future residents.

5.0 UP-DATE ON REPRESENTATIONS

- 5.1 Section 6 of the report to 10th August Plans Panel set out the representations at that time. Further representations have been submitted, as follows:
- 5.2 392 individual letters were submitted, rather than 384 letters, as stated in paragraph 6.4 of the report. No new issues raised.
- 5.3 In response to the revised plans advertised by site notices on 22nd June 2012, seven letters from four local households have been received. Objections are still raised to the proposal.
- 5.4 Subsequent to the Plans Panel meeting on 10th August, Councillor Tom Leadley has made the following comments:
- (i) in it's current form, the application should be refused;
 - (ii) concern at the size and extent of the buffer shown. It should be as stated by the UDP Inspector;
 - (iii) the 40m buffer adjacent to the motorway is not a firm offer from the applicant;
 - (iv) the report should be up-dated to take into account submitted representations;
 - (v) traffic modelling needs to take into account any additional traffic on the Masonic lodge and within the 40m buffer strip;
 - (vi) consideration needs to be given of the effectiveness of the staggered crossroads where Scotchman Lane and Fountain Street meet the A650;
 - (vii) Waterwood Close is not a comparable site, as it was only excluded as a housing allocation due to its size;
 - (viii) a Planning Framework should be submitted. New greenspace is essential;
 - (ix) the scheme should be based on a theme of 5 hectares of housing (including the Masonic lodge), separated from 6.5 hectares of land by 9 hectares of greenspace.
- 5.5 Councillor Dawson contiues to object to the proposal, on the three grounds set out in paragraph 6.2 of the August Plans Panel report.
- 5.6 Any further representations will be reported verbally to Plans Panel.

Report of the Chief Planning Officer

PLANS PANEL (EAST)

Date: 9th August 2012

Subject: **POSITION STATEMENT : APPLICATION 12/01332/OT: Outline application to erect residential development on Land at Bruntcliffe Road, Morley**

APPLICANT

Barratt Homes Yorkshire
West & Priestgate Morley
Ltd.

DATE VALID

12 March 2012

TARGET DATE

21 June 2012

<p>Electoral Wards Affected:</p> <p>Morley South</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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Members are requested to note the contents of this position statement, provide feedback on the questions asked and are invited to comment in relation to any other aspect of the proposals

1.0 INTRODUCTION:

- 1.3 This application is brought to the Plans Panel because it relates to a substantial development proposal and is subject to local concern by nearby residents. The proposal is for the residential development of an allocated Phase 2 Greenfield site of 7.14 hectares in the Unitary Development Plan, but also includes an adjoining area of land which is not allocated.
- 1.2 Although there are outstanding issues officers consider it is the right time to bring the application to Panel and to seek Members views on the key issues, such as highways safety , noise intrusion and compliance with the development plan.

2.0 PROPOSAL:

- 2.1 The proposal is an outline application for residential development, with access only being applied for. Layout, appearance, landscaping and scale are matters left for future determination. An indicative layout shows approximately 168 dwellings.
- 2.2 The total site area is 7.81 hectares. The revised illustrative layout shows the housing to be served from a single vehicular access from Bruntcliffe Road, to the west of the Street Farm buildings. A footpath/cycleway with provision for emergency vehicle

access is proposed onto Scotchman Lane. The bus stop on the frontage may need to be moved to accommodate the emergency access.

- 2.3 The access arrangements would involve building out the existing footway to provide a wider footway along the southern side of Bruntcliffe Road, to the east of the proposed access. A pelican crossing is proposed to facilitate pedestrian movements across Bruntcliffe Road
- 2.4 Two new pedestrian refuge islands are proposed on the A650 west of the proposed site access. In addition, new road markings in the form of additional hatching are proposed on the stretch of the A650 between Scotchman Lane junction of Scott Lane.
- 2.5 A buffer zone is proposed between the housing and the proposed employment land to the west, and an area of Public Open Space is proposed to the south west and south of the site, abutting the M62 to the southern boundary.
- 2.6 The applicant has indicated that the original farmhouse would be retained, with later additions and other farm buildings demolished. New development around the farm house would reflect the building form of the farm structures, to retain the local character.
- 2.7 The applicant envisages that the detailed scheme will be developed at varying densities and styles in order to create character areas.
- 2.8 The applicant has prepared a draft s106 agreement that covers the following:
- 15% affordable housing contribution provided that the development is commenced within 2 years of the date of the grant of planning permission. This would comprise 50% sub-market and 50% social rented affordable units:
- Or
- If the development is implemented later than 2 years from the date of the grant of planning permission the number of affordable units will accord with the affordable housing policy of the council at the time of the implementation of the development.
- Bus stop improvement contribution of £20K.
 - A primary education contribution based on the following: number of dwellings x £12,257 (cost multipliers) x 0.25 (yield per pupil) x 0.97 (location cost).
 - A secondary education contribution based on the following: number of dwellings x £18,469 (cost multipliers) x 0.10 (yield per pupil) x 0.97 (location cost). (see 10.65)
 - Public Transport Contribution: In the event of 168 dwelling being constructed a sum of £152,208 is provided. In any other event a sum of £906 per dwelling. (see 10.65)
 - Provision of on site greenspace.
 - Off site greenspace contribution of £244,117.53 in the event of 168 dwellings being constructed. In any other event the sum of £1,453.08 multiplied by the number of dwellings constructed.
 - MetroCard scheme for proposed residents (12 month card for use within zones 1 – 3).
 - Travel Plan.
 - Noise Control Area: In the event of land adjacent (as identified on a plan as the Blue Land) being developed for Class B1 (light industrial), B2 (general industrial) or B8 (warehousing) not to permit any development that would have a

detrimental and/or have adverse environmental impacts on the residents of the proposed development.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is located on the south western periphery of Morley, adjacent to the M62. The site covers an area of approximately 7.81ha. It is bounded to the north by Bruntcliffe Road, allotments and a field boundary, to the south by the M62, to the east by residential properties on Scotchman Lane and to the west by agricultural fields.
- 3.2 As set out above, a significant majority of the site is in use as agricultural land, with the exception of the northwest corner, which is occupied by Street Farm, 3 barns and a vegetable patch. The site comprises largely of a Phase 2 Housing Allocation (H3-2A.5) within the Leeds Unitary Development Plan (UDP) Reviewed and adopted in 2006. Under the provisions of UDP Policy E4:47 6.5 hectares of land to the west of the application site is allocated for employment uses.
- 3.3 Morley town centre is located approximately 1km to the north of the site and is easily accessed along the A6123 (Fountain Street). Howley Park Industrial Estate is located to the east of the application site and can be accessed from Britannia Road and Scotchman Lane.
- 3.4 Junctions 27 and 28 of the M62 are located approximately 1.6km and 2.7km to the west and east of the site respectively and allow for access to the wider road network.
- 3.5 Fountain Primary School and Morley High School are both located within 0.7km of the site and recreational facilities exist at Dartmouth Park approximately 0.11km from the sites proposed access point.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no recent relevant planning history on this site.
- 4.2 Of relevance are two undetermined planning applications on the Bruntcliffe Road/A650 corridor, which contribute to traffic generation in the area:
- 4.2.1 Outline application to layout access road and erect light industry, general industry and warehouse development (Use Classes Class B1c, B2 and B8), a 115 bed hotel and pub/restaurant, with car parking, Wakefield Road, Gildersome. Currently subject to a Holding Direction by the Highways Agency (application 10/04597/OT).
- 4.2.2 Outline application for proposed employment development for use classes B1(b) and B1(c) (Research and Development/Light Industrial Uses), B2 (General Industrial Uses) and B8 (Storage and Distribution Uses) with new accesses, associated infrastructure and landscaping, land between Gelderd Road/ Asquith Avenue and Nepshaw Lane North, Gildersome. Submitted on 1st June 2012 (application 12/02470/OT).

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Concerns have been raised regarding noise from road traffic, poor air quality adjoining the M62 motorway, and on protecting and improving the hedgerows on the

western, southern and eastern boundaries with additional planting of native species of shrubs and trees to benefit wildlife. The revised layout, which deletes housing adjacent to the southern boundary assists in all these areas and removes housing from adjacent to the motorway giving a sizeable buffer and reducing the number of dwellings on the illustrative layout.

5.2 Negotiations are ongoing in respect of Section 106 contributions.

5.3 Street Farm house is now retained, and new development in the vicinity has been designed to give a courtyard appearance.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 This application was advertised as Proposed Major Development by Site Notices on 6th April 2012. In addition, the application was advertised in the Morley Advertiser on 18th April 2012. Objections have been received as follows:

6.2 Councillor Neil Dawson objects to the proposal, as follows:

1. Additional noise impact on local residents

The location of the development will lead to a site where there will be level of noise that is unacceptable, This would impinge on the outside experience and enjoyment in local gardens of the existing and proposed residents.

2. Additional unsustainable traffic levels on surrounding roads

I believe that proposal to build an addition 200 dwellings will bring additional traffic onto local roads and major roads such as the A650 and the B6123 (Scotchman Lane). These roads are already extremely busy, especially at peak hours when traffic from local roads has difficulty joining the main roads. The additional traffic is estimated at 262 traffic movements in the Traffic report at peak hours and this will bring extra congestion, noise, pollution and additional road safety issues for the proposed and existing residents. This increase in traffic is not acceptable on dangerous and overcrowded roads .

3. Inconsistency with the existing UDP plan

The indication in the Leeds UDP is that the area around the Masonic lodge should be developed alongside the bulk of this proposed development. However as the Masonic lodge land is not being developed as part of this application then the Plan now includes development further to the west of the Lodge in an area which is not allocated for housing in the UDP but is a neutral boundary between the UDP housing and employment areas . Therefore this is inconsistent with the agreed UDP.

6.3 Morley Town Council objects as follows:

(i) The proposal is not UDP compliant, as it does not include the Masonic Lodge land, and the vehicular access should be taken from this land, rather than through unallocated land.

(ii) The unallocated land should be used to provide a buffer between the housing and the employment land, rather than being developed for housing.

(iii) Street Farm is about to be included in an enlarged conservation area. Demolition of Street farm would, therefore, have to be justified.

- (iv) Housing abutting the M62, to the southern part of the site would be badly affected by road noise. Any tall acoustic fencing would deprive dwellings of sunlight.
- (v) The increase in traffic on the A650 corridor needs careful assessment.
- (vi) Assessment needs to be made in respect of bats in the vicinity of the Masonic Lodge.

The Town Council has since made further comments on the scheme as revised on 25th July:

- (i) The proposal does not comply with the development plan (see (i) above).
- (ii) The proposal is not plan led and does not empower local residents to shape their surroundings (there are substantial objections from local people)
- (iii) Recently published 2011 Census returns show that in March 2011 Leeds had a population of 751,000. This is significantly lower than claims favoured by major house builders. In 1974 Leeds had a population of 747,000 and the Leeds population does not stray from around 750,000. Demands to build 74,000 new houses across Leeds by 2028 are 'massively overstated'.
- (iv) Loss of agricultural land.

6.4 384 individual letters of objection have been received from residents. The objections are on the following grounds:

- (i) The proposal is not UDP compliant, as it does not include the Masonic Lodge land, and the vehicular access should be taken from this land, rather than through unallocated land.
- (ii) The unallocated land should be used to provide a buffer between the housing and the employment land, rather than being developed for housing.
- (iii) Street Farm is about to be included in an enlarged conservation area. Demolition of Street farm would, therefore, have to be justified.
- (iv) Housing abutting the M62, to the southern part of the site would be badly affected by road noise. Any tall acoustic fencing would deprive dwellings of sunlight.
- (v) The increase in traffic on the A650 corridor needs careful assessment.
- (vi) Assessment needs to be made in respect of bats in the vicinity of the Masonic Lodge.
- (vii) Brownfield sites should be developed before greenfield sites. There are sufficient brownfield sites.
- (viii) There is inadequate infrastructure to cope. Doctors, dentists, health centres and schools have no capacity.
- (ix) At peak times, Bruntcliffe Road suffers from major congestion. The proposal will add to congestion on A650 and surrounding streets. The road network cannot cope with additional traffic.
- (x) Loss of areas to walk.
- (xi) 200 houses will put a major strain on the sewerage system.
- (xii) Existing houses do not sell, so there is no point building further ones.
- (xiii) The proposed Pelican crossing would be ineffective.
- (xiv) Insufficient land is available to accommodate heavy rainfall. This could impact on the M62.
- (xv) The proposal is not sustainable as it will lead to increased car journeys.
- (xvi) The loss of agricultural land will increase the amount of 'food miles'.

6.5 Revised plans were also advertised by site notices on 22nd June 2012. To date, two letters of objection have been received from local households.

- (i) The indicative layout shows a house which would overlook an existing house on Scotchman Lane.

6.6 Any further representations will be reported to Plans Panel in due course.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 Highways Agency – Direct that the application cannot be approved until the end of August, pending resolution of impact of cumulative proposals on the A650 Bruntcliffe Road corridor.
- 7.2 Highways – no objections subject to conditions and Section 106 Agreement for necessary highway works, as set out in the report (and subject to Highways Agency being satisfied).
- 7.3 Environment Agency – no objections, subject to conditions.
- ### **Non-statutory:**
- 7.4 Flood Risk Management: No objections, subject to conditions.
- 7.5 Yorkshire Water – no objections, subject to conditions.
- 7.6 Metro – no objections subject to conditions and Section 106 Agreement, as set out in the report.
- 7.7 Public Rights of Way – Public Footpath No.90 Morley abuts the site. No objections are raised as long as the footpath remains open and available for use and is not encroached upon in any way.
- 7.8 West Yorkshire Archaeology – no objections subject to archaeological trial trenches to be excavated as a condition of planning permission.
- 7.9 Neighbourhoods & Housing – object to the original submission on the grounds on noise intrusion from traffic on the motorway. A revised layout, deleting dwellings adjacent to the M62 and a revised noise report are currently under consideration.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 remains and states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise”.

Development Plan

- 8.2 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.

Leeds Unitary Development Plan (UDP), adopted 2001

- 8.3 Under Policy N11 of the Leeds Revised Draft UDP (1993) Bruntcliffe Road, Morley was promoted as a tract of open land which represented a major visual amenity. It stated that *“on the following tracts of land, only open uses will be permitted. Building*

will only be allowed if it can be shown that it is necessary for the operation of farming or recreational uses and if it would not adversely affect the open character of the area”

- 8.4 The UDP Inspector’s site specific comments regarding the allocation of land in the South Leeds area (Chapter 17) referred to Bruntcliffe Road, Morley under Topic 472 states at Paragraph 472.15 that *“the UDP be modified by deletion of this land from Policy N11 and its allocation under Policies E4 (6.5ha) and H4 (5.0ha) along the lines of the objectors’ Appendix RFH 7/2 and subject to the retention of substantial areas of open land and satisfactory highway arrangements”*. The Bruntcliffe Road site was therefore re-allocated for housing ‘New Proposals’.

UDP Review 2006

- 8.5 The Bruntcliffe Road site was re-allocated as a Phase 2 housing allocation in the UDP Review. The current allocation is referenced H3-2A.5 – Bruntcliffe Road, Morley. The UDP Review allocation describes the Bruntcliffe Road site as follows:
- 8.6 The following extract has been taken directly from the Morley Area text in Chapter 17 of the UDP Review where at paragraph 17.2.3 it states:

Bruntcliffe Road, Morley

Under Policy H3-2A.5, 5.0 ha of land are allocated for housing at Bruntcliffe Road, Morley, subject to:

- i. the provision of a satisfactory means of access;**
- ii. the whole of the area between the housing allocation H3-2A.5 and the employment allocation E4(47) to remain open for amenity purposes;**
- iii. retention and enhancement of existing public footpaths;**
- iv. a satisfactory means of drainage;**
- v. preparation of a planning framework to guide development of this site and adjoining employment allocation E4(47).**

- 8.7 The following list of policies is relevant to the consideration and determination of this application. A short remark is made against each of these policies which are primarily dealt with in the submission of other technical reports that accompany this application.

8.8 General Policies:

Policy GP5: Development proposals should resolve detailed planning considerations including access, drainage, contamination, design, landscape. Proposals should seek to avoid environmental intrusion, loss of amenity, pollution, danger to health.

Policy GP7: Where development would not otherwise be acceptable and a condition would not be effective, a planning obligation will be necessary.

Policy GP11: Where applicable, development must ensure that it meets sustainable design principles.

Policy GP12: A sustainability assessment will be encouraged to accompany the submission of all applications for major developments.

Environment Policies:

Policy N2 & N4: Provision of Green Space.

Policy N12: Principles of Urban Design.

Policy N13: High Standards of Design expected for all new buildings.

Policy N23: Incidental Open Space.

Policy N25: Boundaries of Sites.

Policy N49: Protection of natural habitat for wildlife

Policy N51: Design of new development should enhance existing wildlife habitat and provide new habitat.

Transport:

Policy SA2: Encourages development in sustainable locations.

Policy T2: Transportation and Highway Issues, and

Policy T2B: Submission of Transport Assessment, and

Policy T2C: Submission of Travel Plan

Policy T5: Provision of safe access in new developments for pedestrians and cyclists.

Policy T6: Adequate provision for access for people with disabilities within new development

Policy T7A: Provision of secure cycle parking, and

Policy T7B: Provision of secure motorcycle parking, and

Policy T24: Adequate provision of parking facilities.

Housing:

Policy H4: Housing proposals on unallocated sites.

Policy H9: Balanced provision of housing types.

Policy H11: Provision of affordable housing

Policy H12: Submission of appraisal of affordable housing needs and negotiations of that provision, and

Policy H13: Affordable housing provided in perpetuity.

Employment:

Policy E7: Loss of employment land.

Building Design, Conservation and Landscape Design:

Policy BD5: New buildings designed with consideration of their own and others amenities, and

Policy BD5A: Use of materials that conserve energy and water, and

Policy LD1: Landscaping requirements.

Policy LD2: Guidance for new roads.

Policy N29: Archaeology considerations.

Leeds Interim Affordable Housing Policy

- 8.9 The Leeds Draft Interim Affordable Housing Policy came into force on 1st June 2011. The affordable housing requirements that make up this new interim policy are set out below:-

Existing housing market zone as in SPG	SPG policy	Informal Policy July 2008	New Interim Policy 2011
Outer area/rural north	25%	30%	35%
Outer suburbs	25%	30%	15%
Inner suburbs	25%	30%	15%
Inner Areas	15%	15%	5%
City Centre	15%	15%	5%

The site is in the Outer suburbs category and so the interim policy seeks 15% affordable housing provision if delivered within 2 years.

National Guidance

- 8.10 The National Planning Policy Framework (2012). The NPPF seeks to achieve sustainable development and contains a presumption in favour of development that achieves this. Annex 1 makes it clear that a recently adopted local plan is capable of continuing to be the main development plan for one year from the date of publication of the NPPF even where it does not accord with the NPPF. This means that the UDP continues to be the main policy document for development, however the NPPF is a material consideration.
- 8.11 Paragraph 47 requires that local planning authorities should identify a supply of specific, deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%. Where there has been a record of persistent under delivery of housing the buffer should be increased to 20%.
- 8.12 Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 8.13 Paragraph 55 requires that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.
- 8.14 The NPPF also makes good design a key factor in determining applications, along with the recognition that sustainable development should also bring about important benefits to community health and wellbeing, and to improved biodiversity.

8.15 Noise Policy Statement For England (March 2010)

9.0 MAIN ISSUES

9.1 The main issues are considered to be:

- Principle of development
- Conformity with development plan (housing on allocated/unallocated land/relationship to employment land)
- Impact on Street Farm and extended Conservation Area
- Highway Safety (transportation /traffic generation)
- Noise intrusion
- Air quality
- Impact on Landscape and Ecology
- Residential Amenity
- Flood Risk management
- Affordable Housing requirements
- Greenspace
- Education issues

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 largely on a Phase 2 allocated Greenfield site, within the settlement of Morley. The first issue is whether it is appropriate for this Greenfield site to be released.

10.2 The implications that flow from the Grimes Dyke appeal decision, which was reported to Plans Panel on 14th July 2011, have been the subject of reports to Executive Board on 22nd June and the Joint Plans Panel of 30th June 2011. In the light of the Inspectors and the Secretary of State's findings, Executive Board agreed in principle to release all phase 2 and 3 housing sites for development, and as this site is allocated for housing in Phase 2, no objections in principle are raised.

Conformity with development plan (housing on unallocated land/relationship to employment land/implications for land allocated for housing but not within application site)

10.3 The housing proposal does not strictly accord with the housing allocation. The allocation includes land to the north/central part of the site, which is the open land occupied by the Masonic Lodge and its grounds to the south of the building. The land is in third party ownership, and the applicant states that that owner does not wish the land to come forward for development at this time. The application site, however, includes land to the west of the allocation, on land which is unallocated in the UDP, but which was expected to form a landscaped buffer between the proposed housing allocation and the employment allocation, further to the west. On the indicative layout, this additional unallocated greenfield land would be accessed from the principal access into the site (where the access point onto Bruntcliffe Road is in the allocation), and approximately 40 dwellings. The non-conformity with the development plan raises various issues, which are considered in the following paragraphs.

Housing on unallocated Greenfield sites.

- 10.4 The NPPF which replaces PPS3 requires that local planning authorities should identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Deliverable sites should be available now; be in a suitable location; and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. Sites with planning permission should be considered deliverable until permission expires subject to confidence that it will be delivered. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (NPPF paragraphs 47 – 48).
- 10.5 The most recent Annual Monitoring Report (AMR), which monitors Leeds housing provision, was published in December 2011 and approved by Executive Board. This report stated that Leeds did not have a 5 year housing land supply. It is unlikely that the position the Council adopted in December 2011 has altered any. It will be recalled that no objections were raised to the principle of 14 houses at Waterwood Close in West Ardsley on 4th November 2011 and more recently at Shayfield Lane in Carlton (also for less than 15 dwellings).
- 10.6 Notwithstanding this the NPPF and the emerging Core Strategy do not preclude development on greenfield, unallocated sites provided that they meet the criteria for sustainable development. Policy H4 of the UDP also had a similar provision. The main question therefore revolves around whether the proposal on the unallocated part of the site represents sustainable development.

Sustainability issues

- 10.7 The site is a greenfield site which is located on the edge of Morley, but which abuts the Masonic Lodge, existing houses on Bruntcliffe Road and the proposed employment and housing allocations. Morley town centre is located approximately 1km to the north of the site and is easily accessed along the A6123 (Fountain Street). Howley Park Industrial Estate is located to the east of the application site and can be accessed from Britannia Road and Scotchman Lane. Fountain Primary School and Morley High School are both located within 0.7km of the site and recreational facilities exist at Dartmouth Park approximately 0.11km from the sites proposed access point.
- 10.8 In respect of bus services, the 221 service runs on Scotchman Lane with stops directly adjacent to the proposed pedestrian access to the site. Therefore the very large majority of the site is served by two buses per hour to Leeds from Scotchman Lane that fall within the 400m walk distance. An additional two buses per hour are available from Fountain Street which is approx 630m from the centre of the site which doesn't meet our SPD standards.
- 10.9 Members need to consider that the current public transport is not as good as stated in the submission documents and does not fully comply with the Council's SPD standards (or those set out in the draft Core Strategy). However, given the allocated nature of the majority of the site, draft status of the Core Strategy, agreement to pay the SPD public transport contribution and existing bus services (which only just fall short of the SPD standards) Highways Officers do not consider that an objection on sustainability grounds could be sustained.
- 10.10 There is a concern that local primary and secondary schools in the area are at or close to capacity. The education contribution is considered in a section below.

- 10.11 On balance, the site is therefore considered to be reasonably well located with acceptable levels of accessibility to local facilities and services and would be capable of enabling residents to use alternative modes of transport.

Conclusion on Principle

- 10.12 Given the current need for Leeds to provide housing sites, and the reasonably sustainable location on the edge of Morley, it is considered that the proposal on the unallocated part of the site represents sustainable development and that it would comply with the provisions of policies GP5, GP11 and H4 of the UDP, as well as the strategic aims of the RSS, and the guidance contained within the NPPF and the draft Core Strategy. No objection is therefore raised to the principle of residential development at this site.

Do Members have any concerns about the principle of the development of that part of the site that falls outside of the UDP housing allocation?

Character

- 10.13 The unallocated site itself currently visible from views from Bruntcliffe Road, being open agricultural land, which falls away towards the M62 motorway. However, the unallocated site does not have a frontage onto Bruntcliffe Road. The allocation includes Street Farm and open land towards the west, narrowing down towards the north western corner of the application site. If this area was developed, then this would restrict views from Bruntcliffe Road. The UDP Inspector stated that in respect of visual amenity, the covered reservoir to the west was worthy of retention, and found 'nothing of great visual attractiveness' about this land. The UDP Inspector concluded that safeguarding the flatter land to the frontage (covered reservoir) and maintaining a landscaped corridor for the public right of way, there would be no harm to local amenity.
- 10.14 The layout would be subject to details at the reserved matters stage. The developer has indicated that a mix of house types would provide visual interest and higher storey heights can help to create focal points and create a legible environment. The developer considers a mix of two storey and two storeys with rooms in the roof would be appropriate in this location, and that this would be in keeping with the area whilst allowing some variety. This approach is considered acceptable in principle.

Do Members consider that the indicative layout and scale of development has sufficient regard to the prevailing character of the area?

Relationship to employment land

- 10.16 The proposed housing intrudes onto the 'landscaped buffer' identified in the UDP, narrowing the gap between the proposed housing and the proposed employment land. The applicant however has stated that they own the adjoining proposed employment land and can control the extent and nature of the activities proposed within the employment allocation. Initially, they have identified an area within the employment allocation, abutting the proposed buffer zone, as a 'Noise Control Area' where uses which would otherwise impact on residential amenity would be restricted. This matter is covered in the draft s106. No further details have been submitted which would expand upon how this might work in practice, and is subject to further negotiation. It is clear this matter would need to be resolved and secured if a permission is to be considered.

- 10.17 Implications for land allocated for housing but not within application site
The land which includes the Masonic Lodge buildings and land to the south are allocated for housing in the UDP, but not included within the application, as stated

above. In order to prevent this land from being land-locked, and not coming forward for housing, adopted highways will need to be shown on the indicative layout abutting the boundaries of the site. Two such points are shown on the indicative layout, and should the application be supported, these access points will need to be subject of a planning condition.

Impact on Street Farm and extended Conservation Area

- 10.18 Morley Dartmouth Park Conservation Area currently lies to the north of Bruntcliffe Road, with part of the conservation area having a frontage onto Bruntcliffe Road, to the north west of the application site. The draft Morley Conservation Area extension (Area E) proposes to include back-to-back and through terrace development on Bruntcliffe Road, and also further villas towards Scotchman Lane and Street Farm. Street Farm is unlisted but dates back to the 18th Century. Street Farm is an important reminder of Morley's former agricultural character and is one of the earlier surviving elements of this part of town, shown on the 1st edition Ordnance Survey map of 1852.
- 10.19 The proposed extension to the conservation area has been subject to consultation, and an objection has been received from the developer. All consultation responses have been evaluated and the appraisal will be amended in light of comments received as appropriate. The final version of the appraisal and boundary modification will then be formally adopted and will become a material consideration when applications for development within the conservation area and its setting are considered by the Council. Only limited weight could be applied until the final version is adopted.
- 10.20 Also proposed to be included within the enlarged conservation area is the Masonic Lodge, formerly Thornfield, on Bruntcliffe Road and Rose Villa on America Moor Lane. These are impressive 19th century villas with surviving converted coach houses.
- 10.21 The proposed access into the allocated site will have to be taken at some point on Bruntcliffe Road, and will therefore have some impact on the proposed extended conservation area. The access point, adjacent to Street Farm, is within the allocation. The exact position of the access is such that there is not only adequate visibility onto Bruntcliffe Road and good junction spacing to St. Andrew's Avenue, but also is positioned so that Street Farm can be retained.
- 10.22 An indicative plan submitted by the applicant shows the retention of the original farm building, with later extensions to be removed. Other outbuildings would be demolished, but new buildings would reflect the courtyard setting. This approach is supported in principle.
- 10.23 If this access point was not supported, the only other access point into the housing allocation would be through the Masonic Lodge. This land is in third party ownership and in any case vehicular access would entail the demolition of a large section of attractive stone boundary wall and possibly impact on the setting of the Masonic Lodge. It is considered that the access as proposed therefore would be acceptable in terms of its impact on the extended conservation area. New housing within and adjacent to the extended conservation areas would need to respect the character and appearance of the conservation area, and this would be considered at reserved matters stage.

Are Members satisfied that the location of the proposed access is the most appropriate in the circumstances?

Highway Safety (transportation//traffic generation)

- 10.24 The Highways Agency is in the process of modeling the cumulative impact of this site, along with the Rowntrees and Gildersome employment sites (see Relevant Planning History Section above). The current Holding Direction expires at the end of August 2012.
- 10.25 Some mitigation works are likely to be necessary, the cost spread between the developers. The preferred approach from the Highways Agency and LCC Highways is that this developer pays a fixed contribution based on its percentage impact. Plans Panel will be up-dated on this when the application comes back for determination. Initially, it seems that this site would contribute 13.2% of the additional traffic, with Rowntrees contributing 14.7% and Gildersome site 77.9%.
- 10.26 The proposed works to Bruntcliffe Road will provide a continuous footway link on the southern side where none currently exists and will provide new crossing facilities in the form of two new islands and a pelican crossing.
- 10.27 The development is proposed to take access from a single new priority junction onto Bruntcliffe Road. Road Safety, Traffic Management and the Cycling Officer and have the following comments on the access:
All the red coloured surfacing should be removed at the crossing points. Red surfacing is used sparingly in Leeds at locations with demonstrable speed and / or safety issues to maintain its positive impact on motorists.
All the edge of carriageway hatching should be removed to the west of the access point. Such hatching is a maintenance liability and creates safety concerns for cyclists due to pinch points at the islands and an expectation from some motorists that cyclists should be riding within the hatching
Provide a symmetrical access bellmouth with 10m kerb radii
- 10.28 The provision of a Pelican crossing just to the east of the site access is considered acceptable and appropriate. Subject to the above amendments on a submitted plan the access and works to Bruntcliffe Road are considered acceptable. A stage 1 Road Safety Audit has been submitted and identified no safety issues.
- 10.29 It should be noted that the Council has recently secured the adoption of a small parcel of land immediately adjacent to the development as part of an approval for a children's nursery. If this adjacent development is implemented then the access solution may be further considered at the detailed design stage to ease the alignment further and minimize carriageway narrowing. The condition relating to the site access will have to accommodate this future redesign.
- 10.30 The application is an Outline with all matters reserved except access. However the following comments are provided on the indicative site layout (due to the lack of numbering units exact locations are not specified)
- Depending on the final access solution (to be determined at detailed design stage), there may be a requirement for a portion of the new Bruntcliffe Road footway to run on developer land. There is adequate space with the indicative layout for this to occur.
 - The two future links into land behind the Masonic Hall should extend right to the site boundary to provide an adopted highway link to this land without a ransom strip.
 - There are several sections of missing footway
 - The maximum number of houses off a private drive is five

- The maximum number of houses off a Type 3b street (shared surface with no footways) is 10
- Provision must be made for visitor parking across the development including the private drives and Type 3a & b streets (see the LCC Street Design Guide for further detail)
- Several units seem to lack any off street parking
- There are no garages at all shown on the plan which is unlikely to be the case at Reserved Matters – to count as parking spaces garage must have internal dimensions of 3m x 6m
- The pedestrian / cycle link and emergency access to Scotchman Lane must have a hard surfaced width of 3m with appropriate vehicular restraint measures
- Any row of terrace housing should have provision for bin and cycle storage

In light of the above do members have any concerns in respect of highway safety?

Travel Plan

- 10.31 A travel plan has been submitted and is with the Travelwise for comment. This will need finalizing and agreeing prior to any planning approval. The Travel Plan will be secured via the s106 with an appropriate Review fee.

Transport Assessment

- 10.32 The application is accompanied by a Transport Assessment. The trip rates and distributions had been agreed at the pre-application stage. The modelling of the signalized junctions of Bruntcliffe Road with Howden Clough Road and Scotchman Lane has been sent to UTC for checking and comment.
- 10.33 The TA submitted in support of this application shows an existing capacity issue at the Bruntcliffe Road / Howden Clough Road junction which is made worse with the addition of development traffic. The Council has an improvement scheme for the junction which involves the addition of MOVA control and the provision of a new left turn filter lane from Bruntcliffe Road to Howden Clough Road. Given the development impact on this junction in both peak periods this improvement scheme is required as mitigation and should be secured by condition.
- 10.34 The Highways Agency is considering the impact of cumulative development on the operation of M62 J27. A mitigation scheme has been drawn up and it is likely that this development will be required to pay a pro-rata contribution towards the works.
- 10.35 The applicant has submitted a Transport Assessment which demonstrates that the local junctions are close to or already over capacity at peak periods. The modelling work is being checked by UTC, but it has already been identified that mitigation work will be required at the Angel junction. A cumulative impact will also be required of this development with other pending applications in the locality with the HA considered J27 of the M62. However, it has to be noted that the site is allocated for residential use and that the developer can use spare capacity with the network and beyond that provide a nil detriment solution. Further comments will provided in due course on the Highways capacity impact.

Highway conditions/Section 106 Agreement

- 10.36 Conditions will be required in terms of the site access and off-site highway works on Bruntcliffe Road (to include the Angel junction).
- 10.37 A s106 will be required to secure:

- bus stop improvements as identified by Metro
- travel plan and review fee
- public transport contribution (a separate consultation response will follow on this)
- any Highways Agency requirement to provide contributions to works at M62 J27

Highways conclusion

10.38 There are no objections to the principle of residential development at this site subject to the appropriate mitigation works being secured.

Public Transport Improvements and developer contributions

10.39 The proposed development will generate a large number of trips, a proportion of which will have to be accommodated on the public transport network. Under the terms of the SPD guidance, a financial contribution proportionate to the travel impact of the scheme will be required towards the cost of providing the strategic enhancements needed to accommodate the trips. A contribution of £906 per unit has been calculated. This would need to be included in a Section 106 Agreement.

10.40 Public Transport

There are several bus services running next to the development serving various locations including; Morley, Batley, Dewsbury etc. There are also more services nearby. The frequent bus service between Morley and Leeds (First 51) starts/finishes at Morley Town Hall in the town centre 1500 metres (a mile away). A less frequent service to/from Leeds serves the Bruntcliffe Road/Britannia Road area. The 221 service runs on Scotchman Lane with stops directly adjacent to the proposed pedestrian access to the site. Therefore the very large majority of the site is served by two buses per hour to Leeds from Scotchman Lane that fall within the 400m walk distance. An additional two buses per hour are available from Fountain Street which is approx 630m from the centre of the site.

Metro advise that bus stop numbers 11462, 11463 and 11467 should have shelters installed at a cost to the developer of around £10,000 each This payment also includes maintenance of the shelter. These new shelters would benefit the residents of the new development. The shelters should include seating, lighting and bus information and should be provided by a contractor of Metro's choosing.

10.41 Future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at each of the above named bus stops at a cost of approximately £10,000 each (including 10 years maintenance) to the developer. The displays are connected to the West Yorkshire 'real time' system and give accurate times of when the next bus is due, even if it is delayed.

10.42 Metro supports the provision of Residential MetroCards for this application. The scheme requires the applicant to provide discounted tickets to a number of units on the site on a first come first served basis. Our research suggests that in instances where the tickets are applied for, the use of public transport increases for both existing bus and car users. Metro requests that the developer should fund a Bus Only Travel Card for each resident. The current price to the developer is £73,154.40. This includes a 10% fee for the administration of the scheme. These contributions are under negotiation and Members will be up-dated on this when the application comes back for determination.

Do members consider that the public transport measures identified above should be included within the Section 106?

Noise intrusion

- 10.43 This outline application is for a residential development on land at Bruntcliffe Road in Morley. It is a mixed use area and is in close proximity to an industrial estate, the M62 and the A650. Of the four locations measured at the site, N1 was category (PPG24 Noise Exposure Category Descriptions) NEC D and N2, N3 and N4 were all NEC C at night time.
- 10.44 Internal noise levels can be achieved with the glazing specification stated but the windows would have to remain closed. Outside enjoyment of gardens would not be achieved as noise levels will not be acceptable despite the screening that the buildings may provide to rear gardens as all the measured locations exceeded the maximum WHO guidelines of 55 dB. The initial noise report does not specify the type of ventilation system the houses will require. Should this application be approved, each dwelling would have to be provided with a whole house ventilation system that also allowed for cooling without the need to open windows. This would be costly for not only the developer but also for the householder in terms of running costs especially in the summer months.
- 10.45 Originally, Neighbourhoods & Housing Officers stated they would support refusal as this site did not appear to be suitable for residential development. However, a revised indicative layout has been submitted which provisionally deletes dwellings on a 40m strip of land adjacent to the M62, and a revised Noise Assessment has also been submitted, and is under consideration by Neighbourhoods & Housing Officers. The note on the plan within this 40m strip states "Extent of development in this area to be determined at Reserved Matters stage through additional noise and air quality monitoring". Plans Panel will be up-dated on this issue when the application is brought back for determination.

Air quality

- 10.46 The issue of air quality is similar to the issue of noise above. The advice from Environmental Officers is that if the layout is amended to address the concerns at noise intrusion, this is also likely to address the issue. Plans Panel will be up-dated on this issue when the application is brought back for determination.

Impact on Landscape and Ecology

- 10.47 There are a limited number of hedgerows (some of which are gappy) on the site but these are important wildlife features and the detailed landscaping scheme should seek to retain and enhance these and their connectivity across the site. It is noted that at least one section of hedgerow will be removed – to offset this there should be more emphasis on protecting and improving the hedgerows on the western, southern and eastern boundaries with additional planting of native species of shrubs and trees to benefit wildlife. The housing to the south-east is too close to the motorway and instead should be set back to provide an additional area of land to be established as a buffer zone and to develop wildlife value i.e. the POS should be extended eastwards parallel to the boundary of the motorway – and managed to develop native scrub and areas of wildflower grassland as well as amenity grassland. The provision of a 40m wide buffer zone (to deal with noise and air quality issues) is therefore supported.
- 10.48 The bat report submitted by the applicant proposes that the demolition works to the farm buildings are carried out in line with "Appendix 1: Protocol For Working in Areas That Might Support Bats" and this is acceptable to Officers.
- 10.49 It is recognized that this is an outline application only and that therefore the submitted scheme is illustrative only. Nonetheless, the following comments are made as guidance for potential future development:

- 10.50 The northern boundary abuts the main highway corridor. Development adjoining this boundary needs to reflect local context. Stone boundary walling and vegetation, including trees are the local character.
Existing trees and other vegetation on the boundary. These are identified in large part as Category C in the submitted Tree Survey. Consideration should be given to retention and/or replacement to continue the 'green' boundary to Bruntcliffe Road typical of the local context.
Boundaries to the adjacent Masonic Lodge should allow for amenity screening in the form of additional vegetation to boundaries, restoring remaining hedgerow / planted boundary treatments (in association with walling / fencing).
- 10.51 Amenity of adjacent area of allotments to be protected and enhanced with new boundary planting to supplement and restore remaining thorn based hedgerow. Develop as locally-native species field boundaries, including tree species.
Eastern boundary needs to respect the amenity of existing residential properties. Again vegetated amenity screening required to soften and enhance any intended walling or fencing proposals.
Southern boundary to motorway corridor and open land beyond should reflect UDP Policy N24 in providing an enhanced landscape provision to assimilate new development. Planting design will need to work in conjunction with any noise attenuation requirements. Preference will be for substantial locally-native mixed species planting including trees, to maximize biodiversity benefits as well as providing visual screening.
Proposed western boundary 'buffer zone' needs to provide adequate separation and screening to potential future industrial development. Substantial screen planting of locally-native mixed species required, including trees to create woodland buffer. Biodiversity benefits to be maximized as well as screening for residents.
- 10.52 Existing trees and hedges largely restricted to boundaries. The submitted tree survey generally assesses these to be of variable quality. Trees are largely judged to be Category C, with only 2 no. category C. hedgerows have not been well managed and are gappy in consequence. Proposals should seek to retain where feasible and supplement to restore lost vegetation value.
Restored hedgerows can provide enhanced biodiversity habitats, as part of an overall well-considered and integrated landscape scheme for the site.
Long-term management of landscape provision outside of private curtilages will be required.
Boundary and buffer zone planting areas will be expected to be managed collectively by a suitable long-term management company, rather than being conveyed to individual property owners. This allows for a more effective and consistent level of long-term management
The existing north-south footpath link retained but might benefit from greater separation from the main estate road, rather than a shared residential footway. The same applies east-west, although the site development layout as proposed limits what can be achieved here.

Residential Amenity

- 10.53 Detailed considerations of privacy, dominance, overlooking, etc will be dealt with at reserved matter stage. However, it is considered that the site can be developed without causing harm to the amenities of nearby residents and whilst providing a suitable level of amenity for the prospective occupiers of the new development. Matters in relation to noise and air quality have been discussed above. Additional pedestrian movements will take place onto Scotchman Lane, as an emergency access is proposed between houses. It is considered that the existing gap on

Scotchman Lane is sufficient to allow this access without adversely impacting upon adjoining residents.

Flood Risk Management

- 10.54 A Flood Risk Assessment has been submitted, and the Council's Flood Risk Management Section, the Environment Agency and Yorkshire Water raise no objections subject to conditions. It appears that soakaway drainage will be satisfactory without water affecting lower lying land (including the M62 motorway).

Affordable Housing requirements

- 10.55 The application proposes 15% affordable housing provision on site in accordance with the adopted Interim Affordable Housing Policy. Affordable Housing The provision is in the form of a 50/50 mix of social rent and shared equity properties. This site has not been subject to any previous applications/decisions.
- 10.56 In relation to the application site the Interim Policy applies a requirement of 15% affordable housing (a reduction from the SPD figure of 30% applied to the application and from the 30% figure of the previous Interim Guidance adopted in July 2008). The requirement for a 50/50 mix of social rent and shared equity is unchanged.
- 10.57 The Policy indicates that permissions granted will normally be time limited to 2 years. The proposed Section 106 would have a clause which states that if not commenced within 2 years, the requirement will revert to the policy at the time that the site comes forward for development. On a site of this size it is expected that there would be a phasing plan against which the Affordable Housing requirement will be tied into.

Greenspace

- 10.58 The applicant is to enter into a Section 106 agreement to lay out an area of the site as Public Open Space. Any such greenspace will be a matter for detailed consideration at a later stage, and a Section 106 Agreement will be required in this respect.

Education contribution

- 10.59 Children's Services have advised as follows:
In Morley there remains up to a form of entry (30 places per year group) short in reception places up to 2015 (the youngest cohort for which there is data). We are currently consulting on a proposal which would take us up to 382 places between the schools in the area. Births for the cohorts due to enter reception in 2013 to 2015 are 411, 402, 398. There are a number of planning applications that will add demand on top of the birth data reported. The nearest primary school is Fountain Primary.
- 10.60 In the South wedge, including Morley Academy, Bruntcliffe, Woodkirk, Rodillian, Royds, Cockburn and South Leeds Academy, projections exceed the current year 7 admission limit of these schools (352, 240, 300, 210, 220, 210, 210, total 1642) by 2014. The projections are based on the current primary school cohorts, and for 2013 to 2017 are 1638, 1707, 1780, 1829, 1880. Admission of these known cohorts will mean that we have exceeded current capacity. The nearest school is The Morley Academy.
- 10.61 Childrens Services, therefore, have requested full contributions for both primary and secondary for this development. The calculation will follow the usual formula:

Primary: at 168 (no. family dwellings) X £12,257 (cost multipliers) X 0.25 (yield per pupil) X 0.97 (location cost) = £499,350.18
Secondary: at 168 (no. family dwellings) X £18,469 (cost multipliers) X 0.10 (yield per pupil) X 0.97 (location cost) =£300,970.82
Total: £800,321

10.62 The applicant has agreed to pay this contribution.

Employment clauses

10.63 It is expected that a site of this size will include local employment clauses / training initiatives during construction within the Section 106 agreement.

Are Members satisfied that the proposed heads of terms of the Section 106 addresses all relevant matters?

11.0 CONCLUSION

11.1 The proposed development generally accords with the housing allocation within the adopted UDP and will bring forward housing delivery on a greenfield site. There are recognised concerns about traffic generation, the development not being strictly in accordance with the plan and impact from traffic noise, amongst other issues. Planning conditions and obligations, contained within a draft Section 106 Agreement, are proposed to mitigate against some of these difficulties.

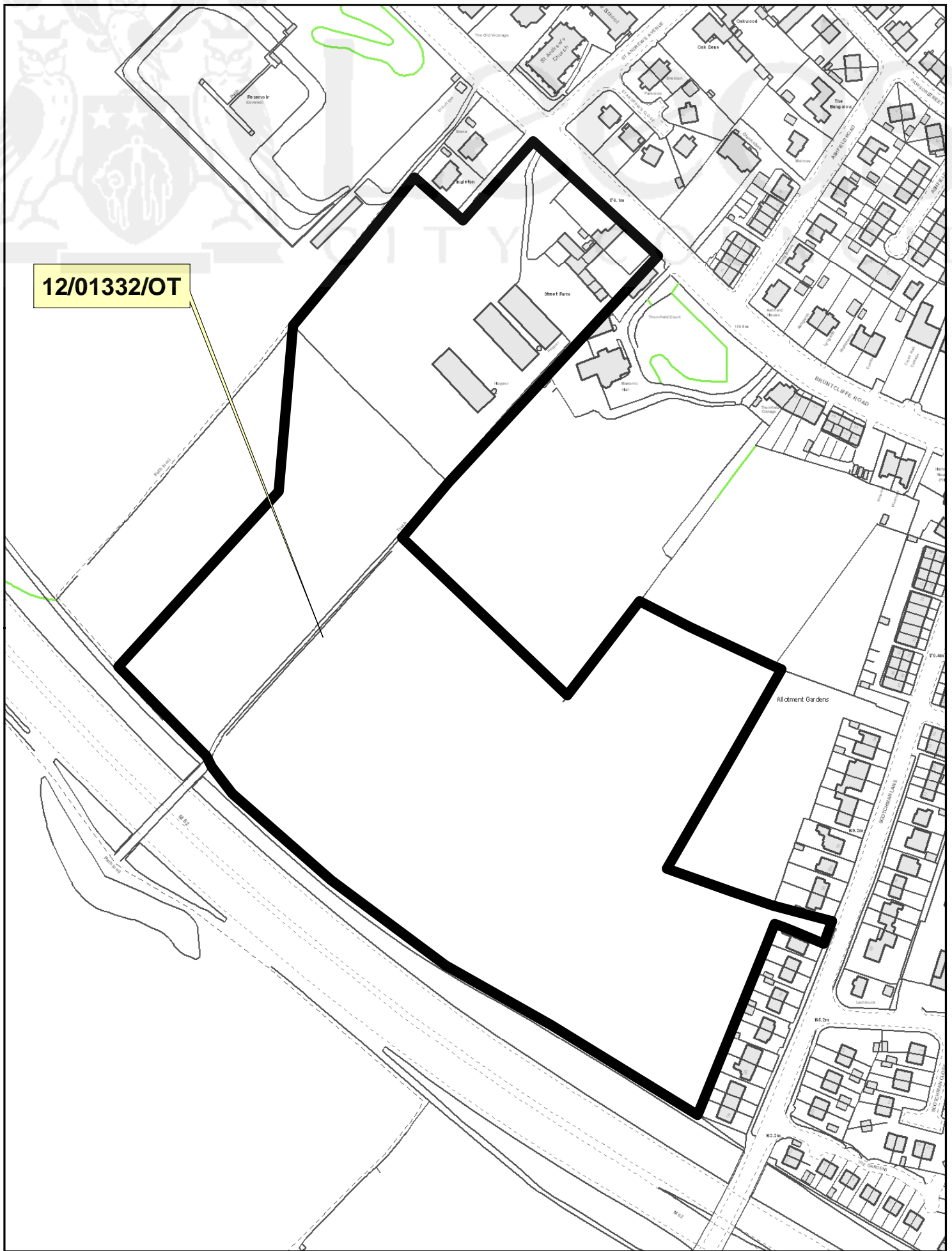
11.2 The application is made in outline to approve the principle of development with access only. At this stage of the application, Members' views are requested. Specifically:

- (1) Do Members have any concerns about the principle of the development of that part of the site that falls outside of the UDP housing allocation?
- (2) Do Members consider that the indicative layout and scale of development has sufficient regard to the prevailing character of the area?
- (3) Are Members satisfied that the location of the proposed access is the most appropriate in the circumstances?
- (4) In light of the above do members have any concerns in respect of highway safety?
- (5) Do members consider that the public transport measures identified above should be included within the Sec.106?
- (6) Are Members satisfied that the proposed heads of terms of the Sec.106 addresses all relevant matters?

Background Papers:

Application and history files

Certificate of Ownership:



12/01332/OT

EAST PLANS PANEL

