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Ask for **Mr Ryan Platten**
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Date: 14 July 2017

Dear Sir/Madam,

Enquiry Number: PREAPP/17/00362
For: Residential development
Site At: Manor Farm Otley Road Adel

Thank you for your enquiry on the above mentioned development received on the 6 June 2017. Leeds City Council welcomes pre-application discussions with applicants prior to the submission of a formal application. The advice provided can provide useful guidance on proposals, leading to better quality developments and an increased chance of a quicker decision on the application. I have had the opportunity to review the information you have supplied and my response is as follows.

The pre-application enquiry relates to a proposal for a new housing development at the Manor Farm site in Adel. The proposal is very much at the concept stage and the Council's initial comments are sought in relation to the principle of developing the site for housing rather than in relation to a detailed design proposal.

The Manor Farm site is situated off Otley Road (A660) in Adel. The main site is accessed by way of a private access road from Otley Road and includes a cluster of former farm buildings which have been converted and buildings, storage and parking areas, workshops and product testing areas which have been constructed as the business grew. A certificate of existing lawful use was granted by the Council in 2015 under application reference 15/06073/CLE which confirmed that the buildings at the site were in lawful use within the B2 and B8 planning use classes. There is also a single dwellinghouse accessed by a separate private access road to the front of the commercial site.

A meeting was held on Monday 3rd July 2017 to discuss the proposal and attended by myself, my colleague Andrew Thickett (Highways) and Councillors Barry Anderson and Billy Flynn. I noted at the meeting that comments from a number of other internal consultees had been received and would be summarised in this written response.

Before I outline my summary of the meeting discussion I want to draw your attention to the planning policies and guidance I would consider relevant to the proposal. The most relevant local development plan documents include:

[Leeds Core Strategy \(November 2014\)](#)
[Saved Unitary Development Plan \(Review 2006\)](#)
[The Adopted Natural Resources and Waste Local Plan 2013](#)

The most relevant local [Supplementary Planning Guidance](#) and [Supplementary Planning Documents](#) include:

Neighbourhoods for Living SPG (September 2003)
Public transport improvements and developer contributions (August 2008)
Street Design Guide SPD (2009)
Sustainable Design and Construction SPD (2011)
Natural Resources and Waste Development Plan Document (January 2013)
Travel Plans SPD (2015)
Parking SPD (2016)

Other relevant local documents include:

The Council's Guideline Distances from Development to Trees (2011)
The Adel Neighbourhood Design Statement SPG (2006) (Unadopted Update 2014)
The Draft Adel Neighbourhood Plan (2016)

Relevant national planning guidance includes the:

[National Planning Policy Framework \(NPPF\)](#)

I have included my summary of the discussion under relevant topic headings below as laid out in the meeting agenda.

Permitted Development

I noted at the meeting that the wording of Schedule 2, Part 3, Class P of the Town and Country (General Permitted Development) Order 2015 was ambiguous in relation to what constitutes the curtilage of a 'building and any land' within the context of a mixed use site with interlinked operations. As such the Council would consider that the case that the two stone buildings in question would meet the permitted development criteria still needs to be made. If this were to be pursued the Council would expect case law examples to be provided in support of such a case.

If such a case were made, and accepted by the Council, a permitted development proposal would be likely to lead to a number of concerns in relation to highway safety and noise relating to the shared access and proximity of the two sites. As a standalone proposal therefore my initial impression is that a permitted development proposal, if such a proposal met the relevant criteria, could not be supported at the site.

Principle of Development

I noted at the meeting that three main issues were central to the principle of a housing development at the site. These are summarised under relevant headings below.

Green Belt

The site falls within the Green Belt. I would not consider that the proposal to redevelop the site for housing would conflict with any of the five purposes of Green Belt as outlined in the NPPF given the existing situation on site. Further to this I would consider that the proposal would be likely to meet the paragraph 89 exception in the NPPF which allows for *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”* subject to an appropriate design and layout.

Employment Use

The site includes existing employment uses and falls within a shortfall area of employment land. Core Strategy policy EC3 notes that where this is the case it should be demonstrated that the loss of the existing employment site is offset by the availability of other sites in the surrounding area. I noted at the meeting that the Council would be looking to see a case made to satisfy the policy test.

It was noted at the meeting that the intention would be to relocate the existing business to Walton, also within the Leeds District. Whilst not within the ‘surrounding area’ of the site this would nevertheless be given some weight within the policy context. I also noted that the site was never envisaged to be used as employment land and that it could be considered that a residential use would be more appropriate for the site. This would also be given some weight within the wider planning balance.

Neighbourhood Plan

A draft version of the Adel Neighbourhood Plan has been produced by the Adel Neighbourhood Forum and will gain increasing weight as it moves towards examination. The site is not acknowledged in the Plan and as a consequence a number of the drafted policies could be argued to be in conflict with the proposal to redevelop the site for housing. It was noted at the meeting by Councillor Barry Anderson that the group would be likely to redraft the plan to acknowledge the site and that the early indications were that the Forum was likely to be supportive of the principle of development proposed.

Green Infrastructure and Landscape

As noted above the site falls within the Green Belt. The impact on the openness and character of the Green Belt will be a key consideration in any detailed design put forward for the site. The site also falls within the Council’s Green Infrastructure Network and within this falls within the Meanwood Valley Key Corridor as outlined by Spatial Policy 13 of the Leeds Core Strategy. This policy, alongside policy G1, sets out a number of aims within the context of enhancing green infrastructure. The site also falls within the Council’s Special Landscape Area as defined by Saved Unitary Development Plan policy N37.

There is some overlap in the three policy aims of Green Belt, Green Infrastructure and Special Landscape Areas which are supported by general local landscaping policies. With this in mind I would advise that it is of critical importance to design the site in such a way that is positive in terms of greenspaces and biodiversity. The retention of the strong tree belt surrounding the site would be essential in any scheme and this should be supplemented by appropriate landscape buffers around the edge of the site and green spaces within it.

I noted at the meeting that this had implications for the density of any housing layout proposed. If, alternatively, a care home proposal is pursued for the site involving the construction of a large single building this should be set in generous landscaped grounds.

Highways

Comments were provided by Andrew Thickett and the meeting. Prior to the meeting Andrew provided the following written comments:

POLICY:

The land is not identified to be allocated for housing within the draft Site Allocation Plan.

RED LINE BOUNDARY / HIGHWAY BOUNDARY / RETAINING WALLS / ADOPTION ISSUES:

The ownership of land outside the red line boundary needs to be understood as improvements to the access will be required outside the red line boundary.

The internal road needs to be built to adoptable standards and offered for adoption under Section 38 of the Highways Act. The speed limit for the proposed development should be 20mph in accordance with the Street Design Guide. For the avoidance of doubt the cost of road markings, signage and appropriate speed limit Orders will be fully funded by the developer (inclusive of staff fees and legal costs). The requirement for a 20mph speed limit should be indicated on a revised plan before the application is approved.

ACCESSIBILITY – WALKING, CYCLING, PT:

The site is outside the main village of Adel, whilst there are bus stops approximately 400m from the centre of the site to the X84 stop, but 900m to the No 1 service which is the high frequency service, the main parade of shops in Adel is 900m and the Co-op 1350m from the centre of the site, the nearest primary school, Adel St Johns is 1850m. Overall the site fails to meet Core Strategy Accessibility requirements.

The site does meet Core Strategy Accessibility requirements for a general employment use, so the development proposals in changing the use of the site changes its acceptability in terms of accessibility.

VEHICULAR ACCESS:

The current vehicular access is via a narrow track that meets the A660 Otley road at an oblique angle.

The level of traffic that the current use generates will need to be established as a comparison with the impact of the proposed development. Should significantly more traffic be generated by the proposed development, its impact on the wider network beyond the site access will need to be examined.

Whilst the level of development is not stated, it is very likely to exceed 5 units, as such the access must be upgraded to an appropriate standard for the level of development and offered for adoption. The access road will require widening and realigned to give a 90degree approach to Otley Road over the first 15m. The speed limit of Otley Road is 50mph at this location requiring visibility splays of 2.4 x 160m.

The existing traffic flow level on Otley Road means that its use of the access is intensified, a ghost island right turn arrangement will be required that is likely to require localised widening of Otley Road

These requirements will require land outside the red line boundary shown on the submitted plan, the applicant should confirm whether land either side is within their control.

INTERNAL LAYOUT / SERVICING / BINS:

The internal layout should meet requirements of the Council's Street Design Guide

PARKING:

The level of car parking required is described in the Council's Street Design Guide.

TRAVEL PLAN:

A travel plan will be required if more than 50 units are proposed

OFF SITE HIGHWAY WORKS:

The existing footway from the site towards Adel is narrow, it should be widened to 1.8m within the grass verge to allow space for pedestrians including parents with children to walk safely.

ROAD SAFETY:

All changes to the highway will need to be supported by a stage 1 safety audit.

WARD MEMBER HIGHWAY COMMENTS:

N/A

PLANNING CONDITIONS / S106:

N/A at this stage

CONCLUSION:

The site fails to meet Core Strategy Accessibility requirements, alterations will be needed to the existing junction with Otley Road and a site access road built to adoptable standards will be required.

It should be borne in mind that the views expressed above are without prejudice to the views of others, including Officers and Members of this Authority and are given in relation to highways matters only. Other issues, ie Planning will require separate consideration and will be determined by Members, whose decision will not be fettered by any officer views offered at this stage

Affordable Housing

The site falls within the Council's 35% area for affordable housing where the threshold is set at ten units. This would be expected to be provided on site as part of any development proposal for C3 housing.

Greenspace

Core Strategy policy G4 would be applied to the development which requires a set quantum of public greenspace for housing development.

Drainage

Colleagues from the Council's Flood Risk and Drainage Team provided the following comments outside of the meeting:

In common with all planning applications over one hectare in Flood Zone 1, the applicant will need to submit a Flood Risk Assessment which addresses all the flood risk related issues which may impact on or be impacted by the proposed development site. However, the requirement is for this to be proportionate to the risk and appropriate to the scale, nature and location of the site — taking account of flooding from any source.

In terms of the flood risks to the site, I can advise that the site is located in EA Flood Risk Zone 1, therefore the risk of flooding from main rivers is considered to be low (<0.1%). Furthermore, our records do not indicate any culverts of minor watercourses within the curtilage of the site itself but there is an open watercourse to the south of the site and this runs through several back gardens. None the less, the risk of flooding from this source is considered to be low.

The surface water flood map does not show the site to be at risk of flooding. However, regardless of that, we usually encourage floor levels of any building to be at least 150mm and preferably 300mm above adjacent ground levels to reduce the risk of any surface water flooding.

The BGS data indicates that there may be restrictions to the use of infiltration drainage for the surface water drainage of the site. This however should be confirmed by field tests (in accordance with BRE Digest 365) and then the next option in accordance with the hierarchy of surface water drainage would be to discharge to the nearby watercourse.

Hence further investigations of the open watercourse would need to be carried out before any surface water discharges can be directed to it. In particular, details of the following should be provided to the council; (refer to watercourse location plan)

- 1. The connectivity of the watercourse which flows along/ within the back gardens of the Kingsley Drive properties, i.e. the connectivity of the west to east flowing section of the watercourse to the south to north flowing section,*
- 2. The outfall of the south to north flowing section of the watercourse and the impact any additional flows would have on this outfall.*

It should be noted that regardless of the location of any existing connection from the site to the watercourse, FRM will not support any outfall post development to the section of the watercourse within the back gardens of the Kingsley Drive properties. Hence a new outfall may be necessary to connect from the site to the south to north flowing section of the watercourse.

In terms of off-site flood risks, we would expect any surface water discharge from the site to be limited to Greenfield rates, i.e. no more than 5l/s/ha for all return periods.

No details about the proposed development have been provided, i.e. whether it entails simply refurbishment of existing buildings or a complete new build on the site. None the less the

above should provide some guidance about the requirements for the flood risk management and drainage of the site.

Contaminated Land

Colleagues from the Council's Contaminated Land Team provided the following comments outside of the meeting:

The proposed end use of the development is sensitive; as such a Phase 1 desk Study report would be required in support of an application.

Depending on the outcome of the Phase 1 Desk Study, a Phase 2 (Site Investigation) Report and Remediation Statement may also be required.

Please refer to www.leeds.gov.uk/contaminatedland where our blue leaflet can provide guidance on report requirements.

AOB

The question was asked at the meeting as to whether the vacant building credit was currently being applied in Leeds. After discussing this with colleagues I can confirm that the Council is looking at each proposal on its own merits with respect to the vacant building credit. As such we would expect a robust case to be put forward if you consider this would apply. This being said, as is noted in the National Planning Practice Guidance, it is appropriate for authorities to consider whether the building has been made vacant for the sole purposes of re-development. In this case I would suggest, noting that the buildings are currently in use, that the Council would not be likely to consider that the credit would apply.

Conclusions

In conclusion the Council considers that a case has yet to be made that two existing stone building buildings would meet the relevant permitted development criteria for conversion to housing. Furthermore the Council considers that, if a case were to be presented to, and agreed by, the Council that such a proposal would be unlikely to be supported due to highway and noise concerns.

However, the comprehensive redevelopment of the site for housing, whether as C3 housing or a C2 residential care home has merit. Indeed, the Council considers that in spite of concerns relating to the loss of the existing employment use and the sustainability of the site in highway terms, that a proposal of an appropriate design and layout would be likely to be supported within the context of the overall planning balance. Key to achieving a successful layout will be a proposal with positive landscaping and biodiversity benefits which acknowledge the status of the site in these respects. In addition to this a satisfactory access to the site, with off-site highway infrastructure where appropriate, would be required to serve a future development.

Recognising the nature of the query and the landowners future plans for the site it is recognised that an outline planning application with means of access may be the best way to proceed. Before doing so however, it would be worthwhile having further pre-application discussion with the Council on those detailed matters noted in the meeting discussion and summarised in this written response.

Public Consultation

As was noted at the meeting the Council recommends full and meaningful public consultation is carried out at the pre-application stage. Given the implications for neighbouring residents and the level of local interest in this location it is recommended that a public consultation event at a local venue would be most appropriate and should be held before a planning application is submitted to the Council.

I would recommend that any public consultation is co-ordinated with the Adel Ward Members. Councillors will be able to advise further as to which residents and community groups should be contacted.

Additional Matters

As you will be aware new developments are now liable for the Community Infrastructure Levy. Details of this and a CIL calculator are available from the Documents part of the [planning application forms](#) page on our web site. As matters arise it may also be necessary to address other relevant matters by way of section 106 agreements and section 278 highways agreements.

The information you need to provide with any future application is detailed on the planning validation criteria available from the Documents part of the [planning application forms](#) page on our web site.

You can use the [Planning Portal fee calculator](#) to calculate how much the planning fee would be for your proposal.

I hope you have found my response helpful, however, the advice provided cannot deliver a guaranteed decision because:

1. formal applications are subject to a wider consultation process and issues may come to light that are not known at the time of giving the advice.
2. the views given will be current at the time of giving the advice but changes in planning circumstances and policy will need to be taken into account when the application is decided; and
3. larger and/or more contentious applications may be decided by a plans panel made up of elected members. Whilst the panel will have an officer report and recommendation to consider, members may decide to give different weight to key issues and other material considerations, in arriving at their decision.

Yours faithfully

Mr Ryan Platten
Principal Planner