



Planning Services
Merrion House
110 Merrion Centre
Leeds LS2 8BB

DELEGATION REPORT

REPORT OF THE CHIEF PLANNING OFFICER

WARD: Adel & Wharfedale **Application:** 23/05379/OT
Address: Land At South-West Corner **Applicant:** Mr M Poole
Of Junction Of Adel Lane And
Weetwood Lane
LS16 8BH
Proposal: Outline planning application for one dwelling with all matters reserved

Application advertised by means of:

Site Notice	19 December 2023
Advert Posted	
Neighbour Notification letters posted	
Publicity Expires on	12 January 2024

Proposal:

This application seeks outline planning permission for the construction of a residential dwelling (C3 use) at Land at South-West Corner of Junction of Adel Lane And Weetwood Lane, Adel

The applicant has applied for outline permission with all matters reserved, albeit a block plan, floor plan and elevation drawings have been received showing a two bedroomed detached bungalow on the site.

Site and Surroundings:

The application site forms the northern half of an open strip of land which is bordered by Adel Lane to the north, Weetwood Lane to the east, the Ring Road (A6120) to the south and the Leeds University Boddington site to the west. The site has a historical access point with a gate on to Adel Lane to its northern boundary.

The application site forms part of a wider corridor of green spaces running along both the north and south sides of the Outer Ring Road which separate the suburban residential area of Adel to the North and Weetwood to the South. The green and leafy appearance of these spaces, as well as their important biodiversity and ecological functions, has been previously recognised by their designation as part of the Council's Urban Green Corridor network (saved Leeds UDP policy N8) and more recently by their designation as Strategic Green Infrastructure under the Council's Core Strategy spatial policy 13. Within the Strategic Green Infrastructure network a number of 'key corridors' for enhancement have been identified. The application site falls within the Meanwood Valley key corridor. The site also forms a protected area of green space within the Site Allocations Plan.

The application site itself is a relatively narrow strip of open land (greenfield) bordered by trees. The trees along the western boundary of the site benefit from protection under Tree Preservation Order 2005/72. These trees, which consist of good quality, mainly native species, are located adjacent to a watercourse (Adel Beck/Meanwood Beck) which is located within the site and discharges to the south. Tall conifers are present to the eastern boundary above a low stone wall.

Relevant Planning History:

17/03141/FU - Detached single storey meeting hall with associated car parking, landscaping and alterations to vehicle access (Refused – 2017) – *Appeal dismissed*

11/05376/OT – Outline application for detached dwelling and garage (Refused – 2012) – *Appeal Dismissed*

26/120/94/OT - Outline application to erect detached dwelling (Withdrawn – 1994)

26/317/93/OT – Outline application to erect detached dwelling (Refused - 1993)

H26/358/89 - Outline application to erect dwellinghouse to allotment site (Refused – 1989)

Non Statutory Consultations:

Flood Risk Management

The application site is located within Flood Zone 1. However, the site lies immediately adjacent to the Adel Beck/Meanwood Beck and is also identified as being potentially at risk of flooding from surface water. As the proposed development will have a flood risk vulnerability classification of more vulnerable (buildings used for dwelling houses) within an area subject to other sources

of flooding (surface water), a NPPF compliant Flood Risk Assessment will need to be submitted to support this application or a future full application. Flood Risk Management cannot at this stage support an approval of this outline application and the principle of developing the site until an acceptable Flood Risk Assessment has been submitted. No drainage details have also been provided.

Highways:

Due to the limited information at this stage, several pre-commencement conditions will be required relating to the access details, visibility splays and internal layout.

Environmental studies:

This team was consulted on the above application for a residential development because of its proximity to a major road. As such we would like to see a noise assessment submitted for the application site to quantify environmental noise levels across the site to inform on the layout of the dwelling and mitigation measures that may be required to ensure that occupants enjoy a good standard of residential amenity both inside and outside their dwellings. A noise report should include references to the ProPG Planning and Noise Guidance, BS8233:2014 and World Health Organisation Guidelines for Community Noise.

Landscape Officer:

The site is identified in the Local Plan as part of the strategic green infrastructure network with visual amenity and habitat connectivity value, as well as providing a screening/buffer function between Adel and the A6120 ring road. The proposal to construct a single dwelling on the site is expected to directly impact the line of mature Western Red Cedar by seriously damaging and potentially destabilising T16-T30. If these trees survived construction, they would be too close to the dwelling and require frequent pruning and pressure for removal. While these trees are closely spaced and potentially reaching overmaturity, they are still valuable as part of the strategic green infrastructure network as habitat, visual amenity and screening. The proposed dwelling is located approximately 5-8m from five Salix alba (White Willow) trees within the Area TPO (T6-T10). The recommended minimum distance between side of dwelling and this species is 10m and so there are expected to be long term conflicts with resident amenity and pressure for pruning and removal.

Contaminated Land:

The information provided in support of this planning application is not considered to be appropriate. The

proposed end use of the development is sensitive and past potentially contaminative land uses have been identified which could pose a potential risk to the proposed development. Therefore, a minimum of a Phase 1 Desk Study report is required to be submitted in support of this planning application. Conditions recommended if approved

Public/Local Response:

Twelve letters of representation have been received (11 from neighbouring residents and 1 from the Adel Neighbourhood Forum) in relation to the proposed development. All of the letters are in objection to the planning application raising the following issues:

- Flooding issues on and close to site.
- Drainage
- Impact on green corridor / wildlife / flora and fauna
- Impact on trees / Carbon capture
- Visual amenity
- Noise – impact on neighbours by removing sound block
- Highway access / highway safety
- Builders / contractor parking
- Amount of house building in Adel
- Lack of information (materials, roofing etc)

Planning Policies & Legislation:

Relevant Legislation

Section 38(6) of the Planning and Compulsory Purchase Act states that for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Local plan, unless material considerations indicate otherwise. The Development Plan comprises of the Core Strategy as amended by the Core Strategy Selective Review (2019), Site Allocations Plan, as amended (2024), Natural Resources and Waste DPD (2015), Aire Valley Area Action Plan (2017), saved policies of the UDPR (2006) and any made Neighbourhood Plan.

National

National Planning Policy Framework (2023)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy

Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

National Planning Policy Guidance

Provides further detailed guidance on a range of planning issues, in particular in relation to the importance of good design

Local

Core Strategy, as amended (2019)

SP1 - Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.

SP13 – Strategic Green Infrastructure

H2 - Relates to new housing development on non-allocated sites.

H9 - Minimum Space Standards for new dwellings

G1 – Enhancing and extending green infrastructure

G6 – Redevelopment of protected green space

G8 – Protection of important species and habitats

G9 – Biodiversity improvements

P10 - Seeks to ensure that new development is well designed and respects its context.

P12 - Landscape

T2 - Seeks to ensure that new development does not harm highway safety.

EN5 - Managing Flood Risk.

EN8 - Electric Vehicle Charging Infrastructure

ID2 – Planning obligations and developer contributions

Site Allocations Plan, as amended (2024)

GS1 – Protected Green Space (G1166 – Boddington Sports Fields)

Natural Resources and Waste DPD (2015):

<u>General Policy 1</u>	General planning considerations
<u>Water 4</u>	Development in Flood Risk Areas
<u>Water 6</u>	Flood Risk Assessments
<u>Water 7</u>	Surface Water Run Off
<u>Land 1</u>	Land contamination
<u>Land 2</u>	Trees

Saved UDPR (2006) Policies:

<u>GP5</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
<u>N25</u>	Seeks to ensure boundary treatment around sites is designed in a positive manner.
<u>BD5</u>	The design of new buildings should give regard to both their own amenity and that of their surroundings.
<u>LD1</u>	Seeks to ensure that development is adequately landscaped.
<u>N8</u>	Urban Green Corridor
<u>N9</u>	Urban Green Corridor and development

Relevant Supplementary Planning Guidance/Documents:

Transport SPD
 Neighbourhoods for Living SPG
 Guideline Distances to Trees document

Emerging Planning Policy

Adel Neighbourhood Plan

The site lies within the Adel Neighbourhood Area. Adel Neighbourhood Forum are currently producing a Neighbourhood Plan for the Neighbourhood Area. The plan is still in draft form and it has yet to be submitted for Independent Examination.

The emerging plan contains policies in relation to the following planning areas:

- Natural and built heritage
- Character and design
- Housing
- Community facilities and green space
- Retail and business
- Highways and traffic

Weight to be attached to Neighbourhood Plans is judged in accordance with the NPPF which states Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Consequently at this moment in time only limited weight can be attributed to the emerging policies, given the remaining key processes (Submission + Referendum) which still need to be undertaken prior to the Plan being Made and forming part of the Leeds Development Plan.

MAIN ISSUES

1. Principle of development.
2. Design and Character inc green corridor / Green Infrastructure.
3. Residential Amenity – Neighbouring Occupants.
4. Residential Amenity – Occupants.
5. Highway Safety.
6. Flood Risk
7. Biodiversity
8. Representations.
9. Other Matters.

APPRAISAL

1. Principle of Development

Protected Green Space

The site forms part of a wider site which is designated as protected green space within the Site Allocation Plan (G1166 – Boddington Sports Fields). The redevelopment of protected green space is subject to compliance with Policy G6 of the Core Strategy with states:

Green space (including open space and pedestrian corridors in the City Centre) will be protected from development unless one of the following criteria is met:

- (i) There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or,*
- (ii) The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality; or*
- (iii) Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality*

The applicant has failed to acknowledge the green space designation which affects the site and has provided no evidence to show the proposals comply with Policy G6.

In terms of assessment against the above criteria. Whilst it is acknowledged that the site does not appear to be in outdoor sports use, as it is identified in the SAP, the site has potential to be used for alternative green space typologies such as natural green space (arguably its current typology), or allotments (historic use of the site). Both of these typologies are in deficit within the Adel & Wharfedale ward. Secondly, no replacement green space is proposed within this application, nor are any wider planning benefits identified. As such the redevelopment of the site for residential use would fail to comply with the requirements of Policy G6 of Core Strategy and would result in the unjustified loss of green space provision within the locality, contrary to Policy G6 of the Core Strategy and guidance contained within the NPPF.

Policy H2 of the Core Strategy (Non-allocated housing sites)

The site is situated on the edge of Adel within the main urban area of Leeds. The site generally benefits from a good level of access to a range of local services and facilities. The main urban area is situated at the top of the defined settlement hierarchy within the Core Strategy and is considered to be the main focus for housing delivery within the city.

The site is not allocated for development within the adopted Site Allocations Plan. Policy H2 of the Core Strategy states that new housing development on non-allocated land is acceptable in principle providing that specific criteria are met. The proposal will not exceed the capacity of transport, educational and health infrastructure given that it relates to one dwelling which will create a very modest infrastructure burden. The proposal does not meet the threshold of 5 dwellings and is consequently not required to comply with the accessibility criteria contained within criterion ii) of Policy H2.

However, further criteria apply to greenfield sites, such as the application site. Firstly, the policy states greenfield land *'Should not be developed if it has intrinsic value as amenity space or for recreation or for nature conservation, or makes a valuable contribution to the visual, historic and/or spatial character of an area'*. In this instance it is considered that the land makes a valuable contribution to the visual and spatial character of the area, amongst others (discussed later within this report).

Secondly the policy states a site *'may be developed if it concerns a piece of designated green space found to be surplus to requirements by the Open Space, Sport and Recreation Assessment'*. In response the green space on the site has not been found to be surplus to requirements. On the contrary the site has recently been designated as green space (circa 2019), following the adoption of the Site Allocations Plan.

As such the proposal would be contrary to policies G6 and H2 of the Core Strategy and consequently the principle of residential development on the site is not acceptable.

2. Design and Character inc green corridor / Green Infrastructure

The application site is considered to be particularly positive in terms of character / visual amenity functions and benefits from a number of local designations. The site forms part of the Council's Urban Green Corridor network under saved UDP policy N8. Policy N8 notes that corridors provide or have the potential to contribute towards visual amenity and nature conservation. Proposals within the Urban Green Corridor should ensure that any existing corridor function is retained, enhanced or replaced. Saved UDP policy N9 states that corridor functions include nature conservation and visual amenity.

The site also forms part of the designated Meanwood Valley key corridor within the Council's Strategic Green Infrastructure network under Core Strategy Spatial Policy 13. Spatial policy 13 notes that this green infrastructure performs many important functions and that the key corridors within them should be enhanced in relation to these functions. One of the key

functions of strategic green infrastructure is to help maintain and enhance the character and distinctiveness of local communities and the wider setting of places and this can be important in providing buffers between different areas. Green infrastructure is also important for biodiversity, health and well-being. Core Strategy policy G1 requires development to retain and improve existing green corridor functions, particularly in areas of growth.

The site forms part of a wider corridor of green spaces running along both the north and south sides of the Outer Ring Road which separates the suburban residential area of Adel to the North and Weetwood to the South. These spaces, individually and collectively, are significant in contributing to the wider character, appearance and corridor functions. Indeed, the Planning Inspector for the previous appeal (2012) at the site noted that the application site formed an integral part of the narrow neck of the important undeveloped land between the Outer Ring Road and the suburb of Adel to the north both in terms of its green corridor function and its character and amenity value.

In character and visual amenity terms the value of the site is gained from its green and leafy appearance, its open and undeveloped nature, and its important contribution to separating the suburb of Adel from the Outer Ring Road and Weetwood beyond. In all these respects the proposed development would be harmful. The proposal would introduce an urbanising form of development and a considerable amount of built development in the form of a building, expansive residential curtilage and likely hardstanding areas that would significantly detract from this important character and undermine the corridor function of the land in this respect. The proposal would also compromise the integrity of the site and represents an encroachment outside of the recognised residential area of Adel into an important buffer area to the south important to the setting of both Adel and Weetwood.

Whilst it is acknowledged that the applicant has only sought to apply for the principal of residential development of the site, a layout plan and elevations have nevertheless been provided. These indicate that the dwelling would be situated close to the eastern boundary of the site and would be readily visible within streetscene, failing to retain the predominate green and open nature of the land. It is considered that given the narrowness and other physical constraints of the site that it is very unlikely that a dwelling could be provided on the site without being detrimental to the green corridor or character of the site.

In terms of nearby trees, the trees to the western side of the site are covered by a TPO. The indicative layout shows that the proposed dwelling is located approximately 5-8m from five *Salix alba* (White Willow) trees within the Area TPO (T6-T10). The recommended minimum distance between side of dwelling and this species is 10m and so there are expected to be long term conflicts with residents amenity and pressure for pruning and removal, given that main windows are proposed to this elevation. Whilst a tree survey has been submitted with the application which notes, no trees will need to be removed, this directly conflicts with the site plan which indicates that a number of mature Western Red Cedar trees to the east boundary of the site will be removed to facilitate the development. Nevertheless, even if the Cedars were to be retained (as shown in the tree survey), the dwelling would seriously damage and potentially destabilise the trees (T16-T30), given its very close proximity.

The Tree Survey also states that it has been undertaken on the basis that land levels will remain the same. The land appears to slope down towards the beck, whereas the submitted

plans indicate an extensive flat building slab will be introduced. Furthermore, the applicant has stated that the dwelling will be an accessible unit, which is likely to require further land level alterations (eg. From parking area to dwelling). These level changes are likely to impact further upon nearby trees than accounted for in the Tree Survey. Overall given the constraints of the site, any dwelling is likely to have a negative impact on nearby trees, with very limited scope for replacement planting within the site, in line with the 3:1 requirements of Policies LAND 2 of the Natural Resources and Waste DPD

Furthermore, Policy G8 of the Core Strategy relates to protected species. The site contains a watercourse, mature trees and grassland which are likely to provide a habitat for protected species such as bats. No ecological or protected species studies have been submitted with the proposals. As such the extent of any required mitigation measures, and whether these are feasible and achievable with any subsequent Reserved Matters applications on site cannot be identified. Thus, the proposal is unacceptable in this regard.

As such it is considered that the proposal will introduce a form of harmful urbanising development which will significantly harm the existing positive character and visual amenity value of the site when considered in isolation and within the wider urban green corridor and strategic green infrastructure functions of the site. The proposal would therefore be contrary to the aims of Core Strategy policies SP13, H2, P10, P12, G1, G8, saved Unitary Development Plan policies GP5, N8, N9, Policy LAND 2 of the Natural Resources and Waste DPD and guidance contained in the National Planning Policy Framework and LCC Guideline Distances to Trees Document.

It should be noted that a large number of these these conclusions are similar to those highlighted by the Planning Inspector within the most recent appeal on the site (APP/N4720/W/18/3196158). Whilst this development related to a meeting hall and a larger site boundary, it nevertheless resulted in similar urbanizing development and impacts on the site.

3. Residential Amenity – Neighbouring Occupants

Core Strategy Policy P10 and saved UDP policy GP5 note that development should protect amenity whilst policy BD5 notes that “all new buildings should be designed with consideration given to both their own amenity and that of their surroundings”. This means that new housing development must provide an adequate level of amenity for future occupants.

Whilst layout, design and scale are a reserved matter in this instance, the site is detached from the existing urban area of Adel by Adel Lane. Given the sites separation distances to neighbouring properties and the indicative plans it is considered unlikely that a residential property on the site would have a detrimental impact on any neighbouring properties in terms of loss of light, outlook or privacy. Nevertheless, this issue would be assessed in

4. Residential Amenity - Occupants

The NPPF (paragraph 135), states decisions should ensure that developments create a “high standard of amenity for existing and future users”. New residential development should look to provide a good level of amenity for future occupiers. This includes providing living accommodation which is of an appropriate size, offers appropriate outlook, gives good daylight and sunlight penetration, protects privacy and ensures an appropriate juxtaposition of rooms both within a property and with neighbouring properties to prevent general noise and disturbance issues. This also includes providing good quality outdoor amenity areas for the enjoyment of occupiers.

The site is heavily constrained by mature tree cover (inc expansive canopies), tall conifers, the watercourse and its associated flood risk and the narrow form of the site. These constraints make it unlikely that a dwelling and garden area could be positioned on-site providing adequate natural light, outlook and usable garden area for the future residents (without unduly compromising other key policy areas). In particular, the dwelling (and likely garden area) shown on the indicative plans, would be heavily overshadowed and dominated by the adjacent trees and very tall conifers, to the detriment of the amenity of future occupants. The dwelling is also positioned very close to the adjacent footway to the east, not in line with the recommended separation distances within the Neighbourhoods For Living SPG, which is likely to lead to privacy concerns.

Whilst the Local Authority have significant concerns in this regard, given that the application is made in outline only, matters such as size, scale and the position of the dwelling on site are not determinative. As such, whilst taking into account the aforementioned significant constraints of the site, it may be possible to provide acceptable levels of amenity for future occupants via an alternative design and layout.

5. Highway Safety

Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety. This means that the applicants must demonstrate that the development can achieve safe access and will not overburden the capacity of existing infrastructure. As outlined within the spatial policies of the Core Strategy it is also expected that development is sited within sustainable locations and meets the accessibility criteria of the Core Strategy.

The proposal relates to a single dwelling which will not materially impact upon the capacity of the surrounding highway network. Whilst access to the site is a key issue, in this instance it is reserved for consideration at Reserved Matters stage. Nevertheless, it appears that the dwelling would utilise an historic vehicular access point to the north, which is likely to be acceptable in principle, subject to detailed considerations at a later point in time.

6. Flood Risk

The site is situated within Flood Zone 1. Notwithstanding this, Adel Beck / Meanwood Beck runs through the site to its western side, which represents a flooding risk and hazard in its own right. The Lead Local Flood Authority has also identified that the site is at risk from

surface water flooding, with maps (from the government website) showing that the vast majority of the site includes areas of low, medium and high risk from surface water flooding.

The NPPF states:

173. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment (footnote 59). Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan*

174. Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 59.

Footnote 59

A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use. (my emphasis)

The proposals would introduce a vulnerable use (residential development) and it has not been demonstrated though a site-specific flood risk assessment (as required), that the most vulnerable development is located in areas of lowest flood risk, that the development is appropriately flood resistant and resilient and that the residual risk can be safely managed alongside safe access and escape routes. As such the proposal is contrary to Policy EN5 of the Core Strategy, Policies Water 4 and Water 6 of the Natural Resources and Waste DPD and guidance contained within the NPPF.

7. Biodiversity

Policy G9 of the Core Strategy relates to biodiversity improvements and requires development to result in a biodiversity net gain and requires enhancement to existing wildlife habitats and provides new areas and opportunities for wildlife (amongst others).

No biodiversity information has been submitted with the application. The site includes several mature trees, a watercourse and grassland habitat and as a consequence it would have a potentially high baseline biodiversity and nature conservation value.

Whilst landscaping is a reserved matter, biodiversity and compliance with Policy G9 (a strategic policy), is an outline matter. Outline consents should clearly define the expectations/obligations for a development and secure these at outline stage.

In this instance no biodiversity information has been provided, as such the applicant has failed to indicate how a residential scheme, which would develop and urbanise the site, could in principle achieve a biodiversity net gain. In particular, the site is constrained and offers limited potential for on-site improvements. It is noted that Policy G9 also allows the potential for such a benefit to be achieved off-site, however the applicant has not put forward any mechanisms to achieve this, such as through a relevant S106 agreement (Policy ID2).

Overall, it is considered that the proposals have failed to demonstrate that the development will not be detrimental to biodiversity and that a biodiversity net gain is achievable as a result of the proposals in line with the requirements of Policies G9 and ID2 of the Core Strategy and advice contained within the NPPF.

8. Representations

As previously outlined twelve letters of representation have been received (11 from neighbouring residents and 1 from the Adel Neighbourhood Forum) in relation to the proposed development. All of the letters are in objection to the planning application raising the following issues which are responded to in turn:

- Flooding/ Drainage issues on and close to site
 - *This issue is considered within the appraisal above.*
- Impact on green corridor / wildlife / flora and fauna
 - *This issue is considered within the appraisal above*
- Impact on trees / Carbon capture
 - *The impact on trees is considered within the appraisal above, which is inherently linked to carbon capture*
- Visual amenity
 - *This issue is considered within the appraisal above*
- Noise – impact on neighbours by removing sound block
 - *Notwithstanding that the submitted tree information which indicates that no trees will be removed, the potential removal of trees from the site is not considered to give rise to any demonstrable noise impacts for neighbours, given the distances to the Ring Road and the scale of the site*
- Highway access / highway safety

- *This issue is considered within the appraisal above*
- Builders / contractor parking
 - *If the application was to be approved, it would be appropriate to include a planning condition detailing the proposed contractor parking areas*
- Amount of house building in Adel
 - *This is not a material planning consideration in this instance as the Development Plan does not put a cap on potential housebuilding numbers.*
- Lack of information (materials, roofing etc)
 - *These are not issues of consideration at outline stage.*

9. Other Matters

The comments from consultees (and the suggested planning conditions) are noted and the conditions would be applied if the application was to be approved, to help mitigate the impacts of the development.

The applicant has stated that the proposed dwelling would be an accessible unit. However, limited information has been provided in this regard and the indicative floor plans do not appear to show a unit which has been designed as such. Consequently, no weight is attached to this issue.

All other material planning considerations have been covered within this report. Ultimately, the provision of an additional dwelling to the housing supply is not considered to outweigh the significant harm identified as a result of the proposal. Furthermore, the proposal raises and has not overcome several key issues which were highlighted within previous appeals and planning decisions on the site.

For the reasons given in the above report and taking into account all other material considerations it is concluded that planning permission should be refused.

RECOMMENDATION:

Refuse for the following reason(s):-

- 1) The proposed site is designated as protected green space within the Development Plan (SAP - G1166). The proposed redevelopment of the protected green space, fails to comply with the requirements of Policy G6 of Core Strategy and would result in the unjustified loss of green space provision within the locality, contrary to Policy G6 of the Core Strategy and guidance contained within the NPPF.

- 2) The Local Planning Authority considers that the proposal will introduce a form of harmful urbanising development which will significantly harm the existing positive character and visual amenity value of the site when considered in isolation and within the wider urban green corridor and strategic green infrastructure functions of the site. The proposal is also likely to impact on nearby trees. The proposal would therefore be contrary to the aims of Core Strategy policies SP13, H2, P10, P12, G1, G8, saved Unitary Development Plan policies GP5, N8, N9, the Natural Resources and Waste DPD policy Land 2, and guidance contained in the National Planning Policy Framework and LCC Guideline Distances to Trees Document.
- 3) The proposals have failed to demonstrate that the development will not be detrimental to biodiversity and that a biodiversity net gain is achievable as a result of the proposals in line with the requirements of Policies G9 and ID2 of the Core Strategy and advice contained within the NPPF.
- 4) The Lead Local Flood Authority has identified that Adel Beck/Meanwood Beck runs through the site which represents a flooding risk and the site is also identified as being at risk of flooding from surface water. The proposals would introduce a vulnerable use (residential development) and it has not been demonstrated though a site specific flood risk assessment (as required), that the most vulnerable development is located in areas of lowest flood risk, that the development is appropriately flood resistant and resilient and that the residual risk can be safely managed alongside safe access and escape routes. As such the proposal is contrary to Policy EN5 of the Core Strategy, Policies Water 4 and Water 6 of the Natural Resources and Waste DPD and guidance contained within the NPPF.

For information:-

- 1) The Council engages with all applicants in positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. For this particular application, no advice was sought before the application was submitted. As the proposal was clearly contrary to the provisions of the Development Plan, it was considered that further discussions would be unproductive for all parties.

This recommendation relates to the following Refused Plans

Plan Type	Plan Reference	Version	Received
Site Location Plan/Red Line/OS Plan			11.12.2023
Block Plan/Layout Plan			11.12.2023
Floor Plans			11.12.2023

Elevations			11.12.2023
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