

# MICKLEFIELD PARISH COUNCIL

**The Case Officer**  
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**Leeds City Council**

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**Ms Joanne Hebden**  
Clerk & RFO to the Council  
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**Date : 1<sup>st</sup> December 2020**

## **PLANNING APPLICATION : 20 / 05669 / RM**

**Applicant** : Avant Homes , Great North Developments Ltd & Ashdale Land and Property Co. Ltd .  
C / O : Mr Jonathan Dunbavin , I. D. Planning , 9 York Place , Leeds , LS1 2DS .

**Location** : **Land off Church Lane , Micklefield near Leeds , LS25 4AX ( west of Hallfield Avenue and south of St Mary's Walk and Churchville Terrace ) .**

**Description** : **Reserved Matters Application** for Residential Development of 172 Houses ( Appearance , Landscaping , Layout and Scale ) , pursuant to approved Outline Planning Application 15 / 05484 / OT ( for 180 Houses and means of Access only ) .

Dear Sir ,

At the Extraordinary meeting of Micklefield Parish Council held on Monday 12<sup>th</sup> October 2020 :

**It was Resolved that Micklefield Parish Council OBJECTS to this Planning Application and :**

**Acknowledges the legitimate basis of this Reserved Matters Planning Application , *in principle* , but OBJECTS to a number of aspects of the proposal . As a result , we cannot recommend its approval , unless specific revisions to , or requirements for , the plan are agreed and incorporated into the proposal . If not , then this Reserved Matters Planning application should be refused .**

The Parish Council's considered view is based on the following issues :

### **1.0 No apparent provision of any Local Facilities**

- 1.1 In the Leeds UDP 2001 , development of this specific housing allocation was subject to : " Provision of Local Facilities within or close to the site " . This was an intriguing requirement , not replicated in the requirements for the much larger ' Manor Farm ' Housing Site . It would be interesting to know what the applicants and Leeds City Council as the Local Planning Authority think these ' Local Facilities ' were logically intended to be .
- 1.2 It had to be something over and above any of the other stated requirements and cannot be something that other planning guidance etc. would require anyway . Therefore , the ' Local Facilities ' cannot be a reference to public greenspace including an equipped playground , as that particular provision applies across all the designated housing allocations in any case .
- 1.3 So , what does this requirement actually mean ? Is it a reference to provision or passive provision of a shop , a chemist or some kind of community building ? If " close to the site " is an option , could this include improvements to an existing community building ? Would it be over and above the standard CIL payment ( because it was a site - specific requirement ) or in reality just offset the figure that Leeds City Council and Micklefield Parish Council should receive anyway ?

## **2.0 Potentially Unsatisfactory Junction with Church Lane**

- 2.1 The approved means of access is via a new 'T' junction on Church Lane, which would be provided as an integral element of the housing development. Micklefield Parish Council is fully aware that the approved housing allocation H3-3A:31 was only ever going to have one vehicular access point, that this would be from Church Lane and that the precise location on Church Lane is pretty much fixed by virtue of the site boundary.
- 2.2 However, there is not enough detail in the plans for Micklefield Parish Council to ascertain if the design of the 'T' junction with Church Lane is satisfactory. There is no reference to splays, signs, road markings or any traffic calming measures at the 'T' junction, for the Parish Council to be sure that the junction will operate safely.
- 2.3 The 'T' junction will be either at or outwith the current 30mph limit, and even if the 30mph signs are moved to the west, many vehicles approaching the new junction from the west are likely to be still travelling at 40mph or even 50mph at the junction itself. Consideration should therefore be given to additional off-site highway improvements, such as a full width speed table at the 'T' junction, or at least speed cushions immediately to the west of the junction.

## **3.0 Existing Established Vehicular Rights along the Track to the rear of Hallfield Avenue may be Potentially Compromised by the Development as per the Submitted Plans**

- 3.1 There is an existing means of access for vehicles into this housing site from Church Lane along the track which runs along the rear of Hallfield Avenue. However, this does not just provide vehicular access for the two landowners of the agricultural fields which form the housing allocation; it also provides vehicular access to the rear gardens and the various garages to the rear of No. 15 Church Lane and Nos. 4 - 28 Hallfield Avenue.
- 3.2 These established vehicular rights were clearly understood by Leeds City Council when it was formulating the Draft Planning Framework for the then South of Old Micklefield housing allocation in 1997-98.
- 3.3 In the accompanying plan drawing 'Development Proposals – Plan 3', the existing vehicular access from Church Lane would be closed, but the track would be provided with a new connection to the highway from the main access road within the housing development. This is expressly stated on the attached plan, viz: "New access to existing garages" and is reinforced by the "Termination of Vehicle access" being correctly set at the southern edge of the rear garden to No. 28 Hallfield Avenue.
- 3.4 Vehicular access to this track must be retained, so that the rear gardens and the various garages to the rear of No. 15 Church Lane and Nos. 4 - 28 Hallfield Avenue can be accessed. It follows that the full width of the track must be retained so that the turning movements into and out of the garages/parking spaces can still be accomplished.
- 3.5 Whilst the plans appear to show this trackway being retained, they are unclear as to the width of the trackway or its alignment when the development has been completed. There are also inconsistencies between the various plan drawings, leading the Parish Council to be worried that there might be obstructions created by new hedgerows and/or fences which could potentially constrain, or even prevent, the turning movements into and out of the garages/parking spaces.
- 3.6 Regardless of what acceptable amendments might be made to the vehicular access, the track should continue to provide a public pedestrian route from its current entrance off Church Lane all the way to PF No. 3.

## **4.0 Inappropriate Location of Tree and Shrub Planting along the Site Boundary**

- 4.1 Micklefield Parish Council has no problem with the tree and shrub planting along the western boundary of the housing development being off-site. Tree and shrub planting in the Green Belt is clearly acceptable in its own right and there are no other issues in terms of landownership/control of that land or the amenity of the general public that would otherwise preclude this landscaping being off-site.

- 4.2 Whereas , the Parish Council has profound concerns about the tree and shrub planting proposed along the southern boundary of the housing development . It would be extremely unsatisfactory for this landscaping to be entirely off - site and thereby positioned immediately to the south of Micklefield Public Footpath No. 3 . A solid continuous tree and shrub belt with no breaks , blocking all views from PF No. 3 across the valley , is completely unacceptable .
- 4.3 The users of PF No. 3 currently have an unobstructed view of the valley of Micklefield Dike , the open landscape between Old and New Micklefield and the longer views of the Green Belt landscape to the south west and across Daisy Bank and the A1 (M) to the east . The Adopted Leeds UDP 2001 states : “ Old and New Micklefield are separated by open countryside which provides a valuable visual feature and permits long distance views over the countryside ” .
- 4.4 The development of this site for housing should aim to retain the amenity of the users of PF No. 3 in a much more substantive way than that suggested by the applicants . The landscaping along the southern boundary ought to be on - site , separate from the residential gardens and wholly to the north of PF No. 3 . In that way the important outward views afforded to the general public from PF No. 3 would be retained .
- 4.5 Furthermore , the trees and shrubs forming the Green Belt landscaping next to PF No. 3 must be planted fully in the adjacent field and not on any part of the verge of this field - head footpath , in order to maintain the existing footpath width and encourage pedestrian and cycle connectivity . If this means that a tree and shrub belt on the north side of PF No. 3 would be narrower than it ought to be , then additional short sections of tree and shrub planting on the south side of PF No. 3 ( again , fully in the field and not on the verge ) might be acceptable .
- 4.6 All of the tree and shrub planting alongside PF No. 3 must be treated as an integral part of the landscaping of the development and be maintained by the management company set up by the developer to maintain the internal greenspace , trees and other landscaping within the site after the development has been completed .

## **5.0 Loss of the Established Footpath which connects St Mary’s Walk to PF No. 3**

- 5.1 There is also a footpath that has become established over the last 28 years which connects St. Mary’s Walk (between Nos. 31 and 40 ) to the track running down the rear of Hallfield Avenue . This existing and well used pedestrian link , which even has a concrete bollard access control at the boundary with St. Mary’s Walk , can certainly be documented to have been in existence for at least 20 years , prior to the footpath being fenced off in 2020 ( presumably at the behest of Ashdale Land & Property Co. Ltd. ) , and should be fully incorporated into the Reserved Matters detailed design layout for the development , as there is no reason whatsoever to close it off or otherwise remove it .

## **6.0 Insufficient Pedestrian and cycle connectivity to the bus service and other facilities in Old Micklefield**

- 6.1 The s.106 legal agreement for this site , agreed and signed for the Outline Planning approval clearly states that a 3.5m wide pedestrian / cycle path will be provided by the City Council between the development site and Churchville Terrace . It is implicit that the continuation of this link within the actual development also needs to be of the same width and specification .
- 6.2 The plans submitted show the link into the development continuing at a width of only 1.2m , which is both nonsensical and contrary to the obvious intention of the s.106 legal agreement . This is absolutely unacceptable – in fact it is unconscionable . There should be a shared pedestrian and cycleway link from the southern head of Churchville Terrace right through the development to join PF No. 3 at the south eastern corner of the housing site .
- 6.3 The first stretch of this pedestrian / cycle path , from the southern head of Churchville Terrace to where it makes its first connection to the internal roads within the development , must be 3.5m wide , so that it matches the specification of the external link to be provided by the City Council . The remainder , up to where it ought to connect to PF No. 3 to the south east , could be narrower , but will still need to be at least 2.5m wide .

- 6.4 Whilst this pedestrian / cycle link cannot extend all the way to 11 Great North Road , as suggested in the 1998 Draft Planning Framework for the larger ' South of Old Micklefield ' housing allocation , it *could* be extended along PF No.3 at a width of 2.5m to reach PF No.16 ( commonly known as ' The New Path ' ) and would form a hard surfaced pedestrian and cycleway to the School , the Blands Arms and the takeaway in Old Micklefield .
- 6.5 Ideally , the southern stretch of PF No.16 could also be widened to continue the shared pedestrian cycleway to the ' S ' Bends on the Great North Road ( thus creating a more sustainable link to Micklefield Railway Station ) . Ashdale Land & Property Co. Ltd. own the land that would be required to widen the southern stretch of PF No.16 and far better for this provision to be made by them and their co - applicants as an integral CIL - funded part of this housing development , rather than as a separate City Council or Parish Council initiative using the same CIL .
- 6.6 Furthermore , there is scope for creating a pedestrian link from the southern bulk of the development to Churchville Drive ( between No.45 and the block of garages ) . That would provide a direct link to Churchville House Social Centre , although this might be a bit superfluous if the more important shared pedestrian and cycleway link is provided into Churchville Terrace .

## **7.0 Unacceptably High Net Density of the Development**

- 7.1 Notwithstanding the Outline Approval for up to 180 dwellings , the pre - application consultation document for this Reserved Matters application showed a much more acceptable 152 houses , and yet the actual Reserved Matters application proposes 172 houses . On a gross development site of 5.62 ha , 172 houses equates to a density of 30.6 dwellings per hectare .
- 7.2 However, in terms of the net development site ( ie. excluding the proposed area of on - site greenspace ) , the resulting density would be 37 dwellings per hectare . An effective density of 37 dwellings per hectare in a large development site such as this is not in keeping with the general housing density in the vicinity , will be likely to cause the floorspace of the new dwellings to be too small and the residential space around them to be sub - standard , and are only achievable by trying to have all of the landscaping along the southern boundary off - site .
- 7.3 The suggested density is too high , and , in terms of the net development site ( ie. excluding the prescribed area of on - site greenspace ) , a net density of 32 dwellings per hectare would be far more appropriate in this location . Effectively , this would result in a total of 158 new dwellings on a gross development site of 5.62 ha , which equates to a gross density of just over 28 dwellings per hectare .
- 7.4 Therefore , given the constraints of the site , the density of the existing houses in the vicinity and what should be required within the net development area for the design to ultimately be acceptable , the proposed gross and net densities will lead to ' cramming ' of the site and the net density must be reduced .

## **8.0 Concerns over the Proposed Building Materials**

- 8.1 The Design Access Statement ( and other supporting documents ) alludes to a wide ranging palette of building materials being appropriate for this location , as there are ostensibly a range of different types of masonry and roofing materials that have been used in Micklefield .
- 8.2 It is important to note though , that unlike the housing development at Oldfield Close in 1999 – 2000 or the smaller and more recent development at Grange Farm Close , this application extends the built form of the village into the surrounding countryside , as an entirely new construct and would form the new edge of Old Micklefield when viewed from the west , south and south east from that open countryside .
- 8.3 This development is therefore more akin to the housing developments to the south and north of The Crescent in New Micklefield , all of which were built in natural stone . For these reasons the Parish Council's ideal aim would be for the elevations of the new houses to all be in natural stone , with slate or clay pantile roofing materials .

- 8.4 However , we recognise that it would be nigh on impossible for Leeds City Council to enforce that upon an experienced and well - resourced independent developer on land that the City Council does not control , especially where the existing dwellings in the Churchville Estate are almost uniformly brick . That said , the group of buildings centred on the Blands Arms , including Micklefield Primary School are all natural stone , so there is still a need for some level of prescription with regard to which building materials will be acceptable and in which areas of the development site .
- 8.5 The palette and pattern of building materials that *will* be appropriate for the two distinct portions of the development site are as follows :

South of St. Mary's Walk , Churchville Terrace and Churchville Drive

30% natural magnesian limestone , ideally including all of the southern flank nearest to PF No. 3 , but certainly in the south eastern corner , as this forms the principal view of the development from the 'S' Bends on the Great North Road , in conjunction with the magnesian limestone of the Primary School building , the Blands Arms Public House , Manor Farm House and the recent stone developments immediately around Manor Farm ( albeit those two having been built using reconstituted stone ) .

70% brick ( red brick and / or buff brick )

0 % render

West of St. Mary's Walk and Hallfield Avenue

0 % natural magnesian limestone

100% brick ( red brick , but with some buff brick to reflect the west end of St Mary's Walk )

0 % render

**9.0 Absence of any Chimneys**

- 9.1 There are no chimneys proposed for any of the new houses . This is not acceptable and is at odds with what has been agreed with all the constituent parts of the Manor Farm UDP Housing Allocation ( which is in the process of being built out ) and the Pit Lane Housing Allocation ( recently approved as a Full Planning Application ) .
- 9.2 When Arncliffe Homes were asked to include chimneys in their Grange Farm Court development ( 12 / 05140 / RM / E ) , they agreed to provide chimneys on all 10 houses , regardless of the building materials . Barratt Homes & Persimmon Homes , when asked to make similar provision , agreed to provide chimneys on all the reconstituted stone houses within their joint development around Manor Farm ( 15 / 01973 / FU / E ) . Taylor Wimpey Homes have agreed to provide chimneys on a percentage of the stone *and* the brick houses within their development at Pit Lane ( 19 / 05296 / FU / E ) .
- 9.3 The mass and scale of the Church Lane development , and the fairly basic design of the proposed houses , mean that the roof lines need to be broken up by the provision of chimneys . So that a reasonable level of consistency is maintained in comparison to the other recent housing developments , Micklefield Parish Council contends that chimneys should be included on ideally 20% , but at least 15% , of the number of houses ultimately approved on the housing development south of Church Lane .

**10.0 Deficiencies in the Proposed Housing Mix**

- 10.1 The mix of housing types should be closer to Policy H4 .

**11.0 Under - provision of On - site Public Greenspace and the Absence of any Play Facilities**

- 11.1 The plan as submitted is short on public greenspace . Also , the greenspace should be fully functional as a greenspace , ie. accessible and usable for the public all year round , which is not the case with an area of greenspace that also contains a "secured" water attenuation pond in the open air .

11.2 This residential development is large enough to warrant some structural play facilities being part of the plan and constitutes a one - off , never - to - be - repeated opportunity to provide a playground in close proximity to the Churchvilles and Hallfields Estate in Old Micklefield .

11.3 The plan should be revised to include a playground in the vicinity of plots 82 and 83 that would serve both the residents in the new development and the existing housing nearby .

Additional comments , which while not objection points should still be fully addressed in the consideration of this Reserved Matters application , are as follows :

### **Archaeology**

To the south of this housing site is a cropmark (HER 1072) of a rectangular enclosure with an associated ditch or track , and a possible second enclosure to its west . The ditch or track appears to possibly continue through the housing site and , although undated , these features are most likely of Iron Age and/or Roman date .

An evaluation of the full archaeological implications of the proposed development is required , involving a geophysical survey and earthwork survey , followed by the excavation of a number of archaeological evaluation trenches along the likely route of this ancient ditch or track . Whilst it might be appropriate for this archaeological investigation to take place *after* any approval of the Reserved Matters Application , the relevant Condition of the approval needs to be carefully judged .

### **Foul Sewer and Surface Water Drainage , and Surface Water Flood Risk**

Clearly , there are significant issues in Micklefield , regarding the existing foul sewer and surface water drains and the provision of an adequate and effective drainage system for any new dwellings . The technicalities of these are outside the scope of the Parish Council , but they need to be resolved to the satisfaction of all parties . We have noted though that according to the Environment Agency's online mapping system , part of this site ( in its existing form as an agricultural field ) already has a quantifiable risk of surface water flooding . This seems to be towards the southern boundary opposite Churchville Terrace and on the western boundary opposite St. Mary's Walk .

### **Community Infrastructure Levy ( CIL )**

A suitable amount for the required CIL will also need to be identified , although that could be dependent on whether the applicants remotely want to engage with the idea of creating the off - site shared pedestrian and cycleway by widening PF No. 16 ( using the land that Ashdale Land & Property Co. Ltd. controls ) , as an integral element of the plan .

### **Massing of the Proposed Dwellings and the Level of Off - street Parking Provision**

The Parish Council has no objection to the massing of any of the proposed houses , and the proposed number of off - street parking spaces is acceptable .

Yours sincerely ,

Joanne Hebden ( Clerk & RFO to the Parish Council )