



LEEDS
CITY COUNCIL

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PLANS PANEL EAST 11 DECEMBER 2008

REPORT OF THE CHIEF PLANNING OFFICER

WARD: City and Hunslet **Application:** 08/03227/RM
Valid Date: 28 May 2008 **Target Date:** 27 August 2008
Address: Land at Yarn Street, Hunslet **Applicant:** Miller Homes Ltd
Proposal: Reserved matters application for the erection of 168 houses and 112 flats, 4 shop or café units and riverside pavilion

RECOMMENDATION:

DEFER AND DELEGATE to the Chief Planning Officer for approval subject to the specified conditions and following completion of a S106 agreement to secure commuted sum payments and provisions specified below and those additional conditions listed

Section 106 requirements

- Education provision
- Homezone designation of the highway layout
- Provision of affordable housing comprising 15% of the units and a pro-rata mix of house types
- A financial contribution to the provision of off-site Greenspace and the provision and maintenance of on-site Greenspace together with the provision of moorings and an associated pavilion, and the provision of off-site biodiversity mitigation including provision for otters.
- A financial contribution to public transport provision.
- A financial contribution to off-site highway works and provision of bus stops in National Road.

Further details including the amount of the contributions agreed with the developer are set out below. All financial contributions are to be index-linked.

Additional conditions

1. The development hereby permitted shall not be commenced until such a time as details of the proposed flood defence scheme have been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the

scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

2. Details of all bin storage areas; cycle storage and security entrance gates shall be approved, carried out and maintained in accordance with the approved details.

3. There shall be no alterations to car ports or garages, and no fences, gates or walls shall be erected within the curtilage of any dwelling house other than those expressly authorised by this permission

(To maintain adequate level of off street parking and prevent obstruction of visibility splays)

4. Details of the river pontoons and provision for public access and future maintenance to be approved.

Reason for approval:

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR). The relevant UDPR policies are listed under Planning Policies below.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

Introduction:

This is a reserved matters submission for a detailed housing scheme with small scale commercial development (shops and cafes to the river frontage area.) Detailed approval is now sought for appearance, landscaping, layout and scale of the development. Outline planning permission was granted in November 2006 for residential and commercial development under application 06/02554/OT, but no details of the development other than the means of access to the site (from Goodman Street and Low Mill Road) were approved as part of that permission. The application seeks approval for details of appearance, landscaping, layout and scale

As this is a reserved matters application, the conditions applied to the outline planning permission apply, and the additional conditions recommended above relate only to matters arising out of the scheme i.e. the flood defence works and the design and position of the pontoons, bin and cycle storage and the removal of permitted development rights for works which could result in the loss of car parking on the development.

The site is a vacant 4.85 hectare site next to the River Aire and to Hunslet Mills and is within the Hunslet and Riverside Strategic Housing and Mixed Use Site which became part of the adopted revised Unitary Development Plan in 2006.

This application is reported to Plans Panel as it is for development of a major site of strategic significance to the future regeneration of the Aire Valley.

Proposal:

The application proposes 280 dwellings and commercial development comprising:

168 houses – 3 x 2 bed units, 53 x 3 bed units, 103 x 4 bed units, 9 x 5 bed units
112 flats – 9 x 1 bed units and 103 x 2 bed units.

Single storey pavilion building next to the pontoon area and two ground floor units appropriate for small scale shop/café usage.

The scheme also provides open space within the site, a riverside walkway and a pontoon mooring area in the river.

Access in to the site for vehicles is from Goodman Street to the north and Mill Lane to the South. The access throughout is designed as a shared vehicle/pedestrian surface in “home-zone” style as used, for example, at the Allerton Bywater Millennium Village development. Further design details are set out under the Design section below

Site and Surroundings:

The application site lies to the south-east of Leeds city centre next to the eastern bank of the River Aire adjacent to Hunslet Mills.

The site is a 4.85ha area of mainly cleared and generally level land which was previously the site of a petro-chemical works until 1996, following which the site was cleared and remediated to a standard to enable commercial use. Since the grant of outline planning permission, further remediation works have taken place on the site.

The River Aire runs to the east alongside the northern half of the site, after which there is a lock gate which marks the start of the Aire and Calder Navigation which runs parallel to the River traveling south and east. A cul-de-sac arm of the river adjoins the remaining eastern boundary of the site before terminating where it reaches Old Mill Lane.

The area is characterised by past industrial and modern commercial uses. To the north is the substantial 7-storey Grade II* listed Hunslet mills complex which has planning permission for a development of 699 residential units which is part conversion of the listed buildings and part new-build. On the opposite side of Atkinson Street from Hunslet Mills, planning permission has been granted for a new depot for First Bus to operate from a former warehouse site.

To the west, adjoining National Road, are modern industrial/warehouse units and a coach depot. A modern warehouse lies immediately to the south on Old Mill Lane.

Relevant Planning History:

06/02554/OT: Outline planning permission for residential and commercial development – granted 30 November 2006.

21/25/99/FU: Reclamation works to former petrochemicals site – approved - (these works were subsequently carried out).

Adjacent Hunslet Mills Site

21/100/00/FU (adjacent Hunslet Mills/Victoria embankment site) – Planning permission for conversion of industrial buildings to residential use and new build comprising a total of 699 flats. Application approved in 2001.

History of Negotiations

There have been extensive negotiations both prior to and during consideration of this reserved matters application. These negotiations have resulted in the provision of areas of open space and other recreation facilities within the development and improved contributions to off-site Greenspace provision, better design and amenity space provision for residents and a contribution to local education provision.

Statutory Consultations:

Highway Authority: Has no objections to the scheme provided the developer submits the scheme once completed for approval under the Homezone designation process.

Mains Drainage: Surface water attenuation of discharges to the River Aire required.

Environment Agency: The Environment agency is satisfied that, in principle, the site provides for adequate flood protection subject to detailed agreement of the construction details and phasing of provision of the flood protection works.

British Waterways: Supports reinstatement of riverside walk and provision of moorings.

English Heritage: No comments. The application should be determined in accordance with national and local policy guidance.

Non Statutory Consultations:

Environmental Health: No objections.

Yorkshire Water: No objections. Water mains cross the site and a 3m easement is required to either side of these. Foul sewers are available in Goodman Street and National Road.

Public/Local Response:

The application has been publicised by press and site notices as a major application. The following representation was received:

Leeds Civic Trust: supportive of scheme.

Planning Policies:

Regional Spatial Strategy

The proposals is supported by the housing and regeneration policies of the RSS

Unitary Development Plan Review 2006

R1: Regeneration.

GP5: Detailed planning considerations including amenity and highway safety.

H2: Hunslet Riverside Strategic Housing and Mixed Use Site.

H3: Phasing of housing developments.

H11: Housing developments throughout the district will normally be required to provide an appropriate proportion of affordable houses.

H12: the City Council will negotiate the proportion and type of affordable units appropriate on individual sites, to reflect the extent and nature of need for affordable housing in the

locality, and the characteristics of the specific site. Normally developers will be required to conduct an assessment detailing these factors.

N2 and N4: Greenspace on new housing developments.

N12 and N13: Urban Design.

LT6B: The City Council will seek where appropriate to secure footpath access and public rights of way along both banks of the River Aire and its major tributaries, and also along the Leeds canal system, having regard to public safety and nature conservation interests.

T1: Transport investment.

T2: Highway safety.

T9: Public transport investment.

BD5: Building design and amenity.

Affordable Housing Policy – Executive Board amendment of 16 July 2008 regarding affordable housing provision and housing mix

Requires 65% of new dwellings as houses with gardens and 40% of dwellings to be 3 or more bedroom in size.

Aire Valley Leeds Area Action Plan

Preferred options document still at draft stage. Housing and mixed uses are proposed for the surrounding area.

Supplementary Planning Guidance

A Design Guide for the Aire Valley Leeds 2005.

SPG3: Affordable housing, including 2005 annexe.

SPG4: Greenspace.

SPG5: Public transport contributions.

SPG21: Leeds Waterfront Strategy 2002 – This document has specific proposals for this site which requires that a new public area be created next to the river and that the overall character of the area be promoted as a soft green environment.

Strategic Vision for the Aire Valley Leeds 2002.

A Design Guide for the Aire Valley Leeds 2005.

(On residential development in the Aire Valley – the policy aims to “Integrate housing, especially at the edge of the Aire Valley and along the waterfront – providing integration with existing communities and good connectivity, especially for pedestrians”)

MAIN ISSUES

1. Aire valley regeneration and the planning policy background.
2. Design (appearance, landscaping, layout and scale).
3. Flood risk and the proposed River Aire Flood Alleviation Scheme.
4. Affordable housing.
5. Greenspace provision and the river frontage.
6. Highway safety and public transport contributions.
7. Education contribution.
8. Contamination.

APPRAISAL

1. Aire valley regeneration and the planning policy background

Although the site and surroundings are industrial in character, the area is within the Aire Valley Regeneration Area and within the Hunslet Riverside Strategic Housing and Mixed

Use site on the Unitary Development Plan Review. This area straddles both sides of the river and was brought forward as a new housing and mixed use site in the UDP Review.

Within this area and adjoining the site is the listed Hunslet Mills/Victoria Embankment site. This has planning permission for a scheme of 699 flats, a mixture of conversion and new-build, although work (other than some work to secure the building) on this has not yet commenced.

Planning permission was granted in outline for residential and commercial development on this site in November 2006

2. Design (appearance, landscaping, layout and scale).

The scheme provides 280 dwellings on a site of 4.85ha which equates to 69 dwellings per hectare when the 0.82 ha of on-site Greenspace is excluded. The design and density of the scheme reflects its location as an edge of City Centre site.

This density has been achieved by a number of design measures including:

- Building heights of three and four storeys for the family houses and up to six storeys for the flats blocks.
- The use of a shared pedestrian/vehicular highway layout to the Homezone principle. This saves on the space that is taken up by more generous roads and footways on more conventional highway layouts.
- Other space-saving measures including the use of decked external amenity spaces over parking courts for flats instead of provision at ground floor level.

To the River Aire frontage are a series of 7, four, five and six-storey apartment blocks interspersed with 5 blocks of four-storey family housing.

Further back into the site, the development is terraced housing forms of three and four storeys.

The larger blocks to the river frontage are of a more striking modern design. Although using brick as the principal facing material, whereas the family housing to the rear of the site is of more conventional appearance and again are built of brick. Council officers have worked with the developer to arrive at a scheme which presents an attractive open frontage to the river with a landscaped frontage to the river and wedges of open space extending back from that frontage into the site. The scale is more domestic to the rear of the layout where terraced urban built forms predominate.

3. Flood risk and the Leeds Flood Alleviation Scheme

The site is within an area subject to a high risk of flooding – the majority of the site is lower lying than the predicted 1 in 100 year flood levels. In order to deal with this risk, the application proposes that site levels be raised such that habitable buildings are set at least 600mm above predicted flood levels.

In addition, the Environment Agency has now announced proposals for a flood alleviation scheme which will involve the building of an extensive length of walling and or embankment on the Leeds city side of the River Aire, including the frontage to the Yarn Street application site.

In order to avoid, for example, building a wall which could cut through the open space at the front of the site, destroying the concept of an open frontage to the river, the developer

proposes to engineer the levels of the site and the details of the scheme such that the development itself will form the defensive flood alleviation scheme along this stretch of the river. The scheme does this by sloping up levels away from the frontage such that the 1 in 200 year flood protection level is achieved to the river side of the new housing development. The additional conditions recommended above are designed to ensure that the flood defence works are done to approved engineering details and to an agreed phasing of provision.

It is considered that this offers an attractive design solution to the provision of flood defences which is integral to the scheme and will not appear as a distinct flood defence scheme. The Environment Agency is supportive of this proposal subject to agreement on the phasing of the works.

4. Affordable Housing

UDP policy and the Council's supplementary planning guidance on affordable housing requires that residential development of this site should deliver 15% affordable provision. This should be sub-market provision to reflect that whilst the area has a surplus of social rented housing, there is a need for quality sub-market housing such as shared-ownership housing.

The applicant proposes that 15% of the units will be affordable housing of a pro-rate mix of the house and flats types to be constructed which accords with Council policy set out above. Provision will be:

25 houses – mix of 3 and 4 bed units

17 flats – 2 bed units.

5. Greenspace provision and the river frontage

Greenspace is required to be provided as part of new housing developments under policy N4 of the UDP. Policy N2 requires that there should be: -

1. Local amenity space – 0.2 ha per 50 dwellings. This should normally provided on the site
2. Local recreational areas – 2.8 within 400m
3. Neighbourhood/District parks – 12 ha within 800m

As there is no provision for 2 and 3 within the 400m and 800m zones of the site, this provision also needs to be provided by the development at a ratio of 0.2 ha per 50 dwellings. For a development 280 dwellings at 0.4 ha per 50 dwellings the total requirement is for 2.24 ha of Greenspace provision.

As this is a substantial proportion of this 4.85 ha site, (although this is partly because the density of the development is high), the applicant proposes that the majority of the Greenspace is provided in the form of a financial contribution towards off-site Greenspace as follows:

- 0.82 Ha on site.
- A financial contribution (£479,639) to provide or upgrade Greenspace off-site (this could also be used, for example, to upgrade the provision for pedestrian river crossing.)
- Provision of boat moorings and an ancillary single storey pavilion building.

The on-site provision is mainly to the river frontage where there is an area of open green space along which is a footway/cycleway which would allow the Transpennine Trail to be diverted next to the river as intended. In the river cul-de-sac area to which the site has a frontage it is proposed to provide pontoons for boat mooring (this is a requirement of the outline permission) and adjacent to this on the bank, a single storey pavilion which could provide e.g. a café serving the mooring area. The open space to the site frontage extends back into the site in two wedge-shaped areas leading to the inner part of the site. Provision for children's play is however rather limited on site but the scheme provides a balance of on and off-site provision and accords with the need identified in the Aire Valley Design Guide to create connected areas of open space.

6. Highway safety and public transport contributions

The development was supported by a detailed transport statement at outline application stage, and subject to off-site improvements it is considered that traffic from the scheme can be safely accommodated by the local highway network. Off-site improvements required are to Old Mill Lane which provides one of the two vehicular points of access to the site and to the Thwaite Gate junction south of the site. The developer contribution required is £24,000.

There is also a need to promote public transport improvements to serve this and anticipated future residential developments in the neighbourhood. The site is not well served by public transport at present but can be made so in part through this development. With this aim, the development will also be required to make a contribution to public transport infrastructure improvements (formerly Supertram which was to have run nearby the site) and more specifically to provide for 2 bus stops and real time information displays on National Road (at a cost of £40, 000 to the developer) as bus services do not currently run there, and a contribution to nearby upgrades to the local highway network.

Within the site the scheme has been designed to the Homezone principle where the highways are all shared vehicular/pedestrian spaces. Such schemes are designed to promote low traffic speeds and an attractive residential environment where the pedestrian and not the car is the priority. Enhanced pedestrian linkages are primarily the incorporation of a public footpath and cycle way along the river frontage which will provide a pedestrian link to the City Centre to the north and the Transpennine Trail to the south.

7. Education provision

Education Leeds advises that whilst local secondary school places would be sufficient to cater for children living at the development, that local first school places are not sufficient. In consultation with Education Leeds it has been agreed that the Developer will make a contribution of £170,000 which would enable an extra classroom to be provided at Low Road Primary School, the nearest to the site. This extra classroom would allow the admission limit to be raised from 20 to 30 per year which should be enough to accommodate the children living at the development.

8. Site contamination

The site has now been remediated to a standard suitable for residential development

Conclusion:

It is considered that the development provides an acceptable package of development. The scheme will deliver housing on a brownfield site in a regeneration area, which are key objectives of the Leeds Unitary Development Plan Review and the Regional Spatial Strategy. This scheme in particular provides family housing to this key site in the regeneration area which is next to both the River Aire and the Grade II* listed Hunslet Mills complex.

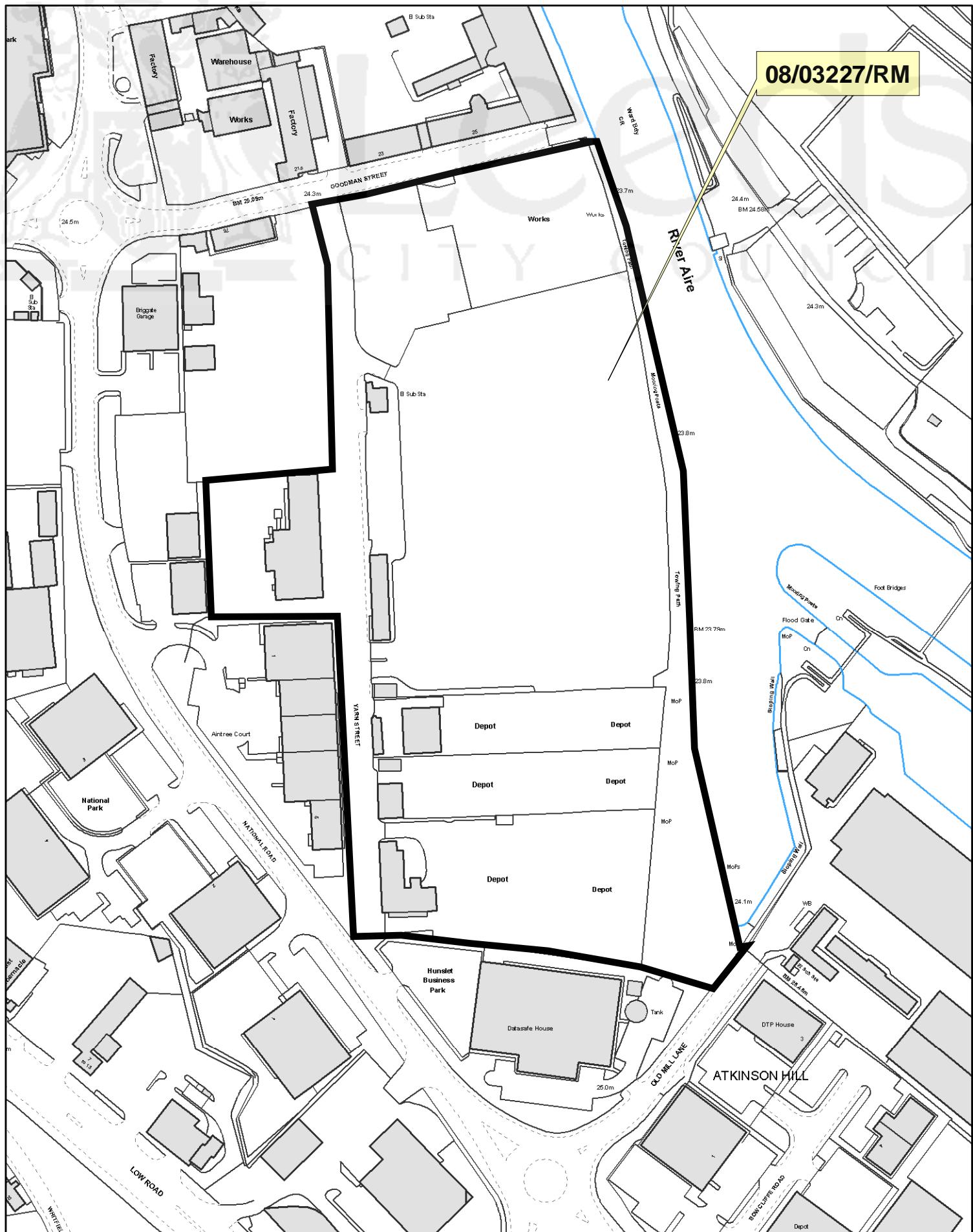
Background Papers:

Application files.

Certificate of Ownership:

Signed as applicant.

08/03227/RM



EAST PLANS PANEL

Scale 1/2000