

# Public Document Pack

**CITY PLANS PANEL – 14<sup>TH</sup> MAY 2015 MEETING**

**SUPPLEMENTARY REPORT – ITEM 9 – APPLICATION 15/00415/FU LOW FOLD –  
POSITION STATEMENT**

**To consider a supplementary report of the Chief Planning Officer providing updates  
on issues in respect of the proposed development**

**(report attached)**

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## Supplementary Report of the Chief Planning Officer

### *CITY PLANS PANEL*

Date: 14 MAY 2015

**Subject: PLANNING APPLICATION REF. 15/00415/FU FOR 312 DWELLINGS INCLUDING NEW OPEN SPACE AND ASSOCIATED WORKS AT LOW FOLD, SOUTH ACCOMMODATION ROAD, LEEDS**

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### **1.0 Introduction**

1.1 This is a supplementary report relating to the application for a residential development at Low Fold, South Accommodation Road. The report provides an update on the outstanding highway matters; flood risk issues; and potential noise, air quality and industrial odour implications for the development.

### **2.0 Highway Matters**

2.1 Further discussions have taken place with Highway Services and it has been concluded that although the river bridge link is considered highly desirable to enhance the pedestrian and cycle connectivity of the site to existing and planned facilities to the south of the site it is not essential to meet the needs of the development proposal subject to providing an acceptable standard of pedestrian and cycle connections to existing facilities in the city centre and to the north of the site.

2.2 If the river bridge is not to be provided, Highway Services have identified the following potential accessibility enhancements which will need to be considered and agreed for the development:

a) widening of the footway along the site frontage between the site access and the existing Pelican Crossing of the northbound South Accommodation Road close to Cross Green Lane, to provide a minimum 3.0m wide shared pedestrian/ cycle route

b) conversion of the existing Pelican Crossings of the northbound and southbound South Accommodation Road adjacent to Cross Green Lane to Toucan Crossings

c) widening of the existing footway connecting these improved crossings within the A61 South Accommodation Road central reserve. This internal pedestrian / cycle route to be at least 3.0m wide.

2.3 Discussions have been continuing on other detailed highway and travel plan matters as follows:

a) the applicant has indicated their agreement to the highway authority's request for the full length of the site access road to be adopted given the location of large vehicle turning heads and so that on-street parking can be controlled. This is on the understanding that the landscape design approach to this route would be preserved apart from any necessary yellow lining and signage requirements to control the use of the road. Swept paths manoeuvres have been provided which demonstrate that large vehicles can be accommodated in the indicated turning areas.

b) The adequacy of arrangements for managing visitor, service and delivery parking have been discussed. The applicant has indicated their agreement to locating the delivery bay closer to the turning area on the adopted access road. Whilst a Traffic Regulation Order would be able to control unwanted visitor parking on the access road, Officers view is that there are unlikely to be sufficient on site visitor spaces to accommodate demand resulting in a risk that there will be overspill parking off-site. In response to this the applicant has agreed to survey nearby roads where there are no waiting restrictions, such as Easy Road, both before and after occupation and has agreed to fund additional Traffic Regulation Orders if it was found that the development has generated any noticeable off-site parking demand. This matter can be controlled through the Section 106 agreement including the funding of any necessary additional parking control measures.

c) the applicant has also been advised that there will be demand for vehicle access onto the internal routes that run alongside properties which are primarily for pedestrians and cyclists and that a permanent management presence is the only way to ensure that the bollards regulating access are raised only when necessary. A condition will be needed requiring submission of an agreed Management Statement which includes details of a regime to manage visitor vehicles.

d) with regard to internal site accessibility the applicant has confirmed that residents would be no further than 22m from a staircore exit to their residence when accessing the site from the undercroft car park. This will need to be demonstrated on the plans. In terms of accessibility around the site in general, they have confirmed that all ramps and steps will meet the relevant British Standard, and they have improved the scheme to provide full level access around the dwellings to the south of the access road (phase 2). Steps have been removed from several locations to provide level access from the east of blocks A-I and J-O. Blocks R+Q have a new level access path and circulation has been improved around blocks J-O by removing steps to the south of block O. To the north of the access road,

due to the challenging topography of the site, steps do feature on the north western pedestrian route between blocks A, B and T, and the route from the central landscaped space up to South Accommodation Road between blocks S and R. The applicant has stated that would not be practical to provide ramps to these routes due to the land take needed to make this route accessible. Residents and visitors who are unable to use steps would in this case need to travel past Blocks Q and R and use the site access road, an extra distance of 200m. The applicant has stated that ramps would need to start outside of the site and would require significant engineering works such as battered slopes and retaining structures, which would result in reduced tree planting and soft landscaping, and reduced circulation and usable green space. Ramps would need to be some 60-138m in length to concertina down the slope in order to deal with level changes of 4.4-6.6m. On that basis it was not possible to provide level access directly onto East Street without significant layout changes and a reduction in the number of houses. These issues have been raised with the applicant recently and they are exploring whether there are any other alternative solutions.

- 2.4 Urban Traffic Control have advised that signals timings can be adjusted to offset the increase in queuing at the South Accommodation Road junction so there are no outstanding concerns regarding traffic impact.
- 2.5 The applicant has also agreed to fund two car club parking spaces and a £25,000 contribution to fund membership for all residents for a 2 year period. The TravelWise team have now agreed the amended Travel Plan.
- 2.6 The number and location of cycle and motorcycle parking spaces has been agreed. Details of individual secure cycle storage areas will need to be provided which can be dealt with by a standard condition.
- 2.7 At present the developer's proposal to provide a new river bridge link from the site to the South Bank is not part of the formal planning application. Therefore they would need a separate planning application for the works which includes land outside the current application site boundary.
- 2.8 Whilst the provision of the river bridge is not considered to be a strict requirement to make the scheme acceptable in planning terms (subject to achieving suitable pedestrian and cycle accessibility to the north of the site), it is strongly desirable in wider place-making and connectivity terms. It is considered that the provision of a new bridge over the River Aire would help the regeneration of this part of the Aire Valley and the South Bank. A new bridge linking Low Fold and the Trans Pennine trail would significantly improve accessibility to/from the site to local facilities at Leeds Dock, and improve accessibility from East Street, Richmond Hill and Cross Green to the South Bank and the future City Centre Park.
- 2.9 The developer has estimated that the cost of the bridge cannot be met by the proposals without reducing the Council's normal affordable housing requirement. The normal affordable housing requirement for the site is 5% of

the total units which in this case is equivalent to 16 pro-rata units. The developer has undertaken a feasibility study for footbridge options at this point which indicates a maximum cost for a new pedestrian/cycle bridge across the River Aire would be £1,186,037.50

- 2.10 The developer would like to offset this cost by reducing the cost of the normal affordable housing requirement by a similar amount, and have estimated that this would be 2.5% of the total units, equivalent to 8 pro-rata unit types in this case.
- 2.11 Officers have taken advice from the Councils Asset Management and Bridges teams. The Bridges team have stated that the cost estimate for the bridge may be on the low side because there are unknown costs associated with the need for other consents and site investigations. Asset Management have indicated that the open market housing valuations used to calculate the cost of the affordable housing to the developer are possibly on the high side for the 3 and 4 bed units, although they recognise that it is not possible to find an adequate comparison with a similar form of development in the area.
- 2.12 Although the exact cost of the bridge is unknown at this time, it is unlikely to be any less than the developer's estimate based on the Bridges team's advice and Asset Management have stated that the likely value of 2.5% of the AH units may be less than that indicated by the applicant . Based on this the Council would not be discounting more affordable housing value on the site than would be needed to deliver the river bridge.
- 2.13 The applicant has not provided an open book appraisal of profit generated by the scheme so it has not been possible to assess whether the developer could provide a bridge and the appropriate level of affordable housing. However it is not considered to be necessary or reasonable to require this since the provision of a bridge would not be a strict planning requirement for the scheme (subject to achieving the alternative access enhancements indicated above).
- 2.14 The wider place-making and connectivity benefits of the delivery of a footbridge are a material planning consideration in this case. If Members are satisfied with the officers advice above then there is the option of reducing the amount of normal affordable housing provision on-site in return for the delivery of the bridge. To safeguard the Council's position if the developer could not deliver the bridge during the course of the development then the full 5% on-site affordable housing provision would apply to the scheme along with the necessary alternative pedestrian and cycle accessibility enhancements indicated above. This matter would be controlled by the Section 106 legal agreement.
- 2.15 Further to paragraph 10.8.7 of the main report, do Members support the provision of a river bridge in lieu of a 2.5% reduction in the normal affordable housing requirement in this case?**

### **3.0 Flood Risk**

- 3.1 The Environment Agency have confirmed that in principle that a phased approach to the development would remove their concerns regarding flood risk. The applicant has yet to formally submit an addendum to the Flood Risk Assessment (FRA) but the following approach would be acceptable to the EA. The development will be split into two phases. Phase 1 will include the access road and all development to the north of this. Phase two includes development south of the access road.
- 3.2 The proposed schedule of works (subject to determination of this planning application) would be as follows:
- 6 month remediation works on-site start Summer 2015
  - Early 2016 start building phase 1 (will take approximately 1 year)
  - Early 2017 start phase 2
- 3.3 The proposed phase 1 is partially situated in the 1 in 100 year zone, and compensatory storage for up to the 1 in 100 year event would be provided. Given that the works to the Leeds Flood Alleviation Scheme (FAS) have already started, and once completed would result in phase 1 not being in the 1 in 100 year outline, it is not considered appropriate to provide additional compensatory storage for the climate change allowance for that part of the site. The timing of phase 2 of the Low Fold development, and the timing of the completion of the FAS would determine the volume of on-site compensatory storage required. By the time phase 2 is ready to start, it is expected the FAS model would be approved by the Environment Agency. It is therefore considered that the current objection from the Environment Agency can be overcome, subject to an addendum to the FRA and an appropriately worded phasing condition to include the following:
- Phase 1 - provide compensatory storage for the 1 in 100 year outline based on existing model results.
  - Phase 2 – condition commencement of phase 2 development until a scheme for compensatory storage has been approved, based on the new model.
- 3.4 Yorkshire Water have confirmed that they have no objections to the proposal subject to standard drainage and sewer easement conditions.

#### **4.0 Noise, air quality and industrial odour implications**

- 4.1 Given the location of the application site there is a potential for noise from road traffic sources and activities and operation of plant/machinery at nearby industrial premises. There is also the potential for issues in relation to both air quality and odour.
- 4.2 The Council's Environmental Protection and Air Quality Management teams have confirmed that the submitted modelling assessment confirms that levels of stack emissions from Allied Glass are highly unlikely to breach the health standards within the development site. They have also confirmed that dwellings at this site would meet acceptable odour guidance criteria.

- 4.3 In terms of the traffic-related pollution, the properties located close to the back of the footpath along South Accommodation Road could potentially breach the annual standard, as many existing residential properties do in the city. However, the proposed ventilation system, ducted from the roof, would provide the best possible mitigation against reduced air quality within the properties themselves.
- 4.4 In terms of potential environmental noise nuisance, the acoustic glazing mitigation measures would meet the internal noise levels contained in British Standard 8233. The submitted report states that this would be achievable with the ventilation design proposed in terms of the traffic noise from South Accommodation Road. There is also concern regarding noise from lorries tipping glass at Allied Glass over a 24 hour period. Glazing and insulation requirements would need a greater degree of mitigation on the facades facing the river in order to achieve required internal noise levels. The submitted report states that given the separation distance between the glassworks and application site, and the façade mitigation measures proposed, conditions would be acceptable within the proposed development.
- 4.5 Environmental Protection has raised concern regarding the expected noise levels within private external areas. The applicant's noise consultant has confirmed that the external noise level should be approximately 50 dB LAeq, which is the World Health Organisation standard. Overall, at this edge of City Centre location this is considered acceptable, bearing in mind the appropriate internal standards, and the ability for residents to access to the relatively quieter riverside space and courtyard spaces.
- 4.6 Subject to the above considerations, appropriately worded conditions would ensure that the amenities of the future residents would be protected by noise attenuation features such as the ventilation system, glazing, façade and roof terrace enclosure.