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## PLANS PANEL (WEST)

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 15th July, 2010  
at 1.30 pm

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### MEMBERSHIP

#### Councillors

N Taggart (Chair)	B Chastney	A Castle	T Leadley
J Akhtar	J Matthews	R Wood	
M Coulson			
J Hardy			
J Harper			

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p>	

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3			<p><b>LATE ITEMS</b></p> <p>To identify items which may have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATIONS OF INTEREST</b></p> <p>To declare any personal/prejudicial interest for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence</p>	
6			<p><b>MINUTES</b></p> <p>To approve the minutes of the previous meeting held 18<sup>th</sup> June 2010 as a correct record</p> <p>(copy attached)</p>	3 - 8
7	Bramley and Stanningley;		<p><b>APPLICATION 10/02447/FU - SINGLE STOREY EXTENSION AND WIDENING OF DRIVEWAY TO FRONT OF 31A HALF MILE, STANNINGLEY, LEEDS LS13</b></p> <p>To consider the report of the Chief Planning Officer on an application for a single storey extension and proposals to widen the driveway at 31A Half Mile, Stanningley</p> <p>(Report attached)</p>	9 - 14

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8	Adel and Wharfedale;		<p><b>APPLICATION 10/02226/LA - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING OF C2 (RESIDENTIAL INSTITUTIONS) ON LAND AT FARRAR LANE, ADEL, LEEDS LS16</b></p> <p>To consider the report of the Chief Planning Officer on residential development proposals for land at Farrar Lane, Adel</p> <p>(Report attached)</p>	15 - 26
9	Armley;		<p><b>APPLICATION 10/02363/OT - POSITION STATEMENT ON OUTLINE APPLICATION TO ERECT RETAIL FOODSTORE WITH CAR PARKING AND PETROL FILLING STATION, LAND OFF CAR CROFTS, TOWN STREET &amp; MODDER PLACE, ARMLEY, LEEDS LS12</b></p> <p>To consider the report of the Chief Planning Officer setting out the current position with regards to proposals to develop a new retail food store with associated car parking and petrol filling station on land off Car Crofts, Town Street and Modder Place, Armley.</p> <p>(Report attached)</p>	27 - 38
10	Horsforth;		<p><b>APPLICATION 10/01780/FU - RETENTION OF CATTLE SHED, SINGLE STOREY SIDE EXTENSION TO CATTLE SHED AND ERECT DETACHED SHEEP SHED, LOW GREEN FARM, 40 LEEDS ROAD, RAWDON, LEEDS LS19</b></p> <p>To consider the report of the Chief Planning Officer on an application seeking to retain and extend an existing Cattle Shed and to erect a Sheep Shed at Low Green Farm, Rawdon.</p> <p>(Report attached)</p>	39 - 48

Item No	Ward	Item Not Open		Page No
11	Calverley and Farsley;		<p><b>APPLICATION 25/407/05/OT - TERMS OF THE SECTION 106 AGREEMENT FOR RESIDENTIAL DEVELOPMENT AT LAND TO THE REAR OF MID POINT, OFFICE PARK, DICK LANE, PUDSEY LS28</b></p> <p>To consider the report f the Chief Planning Officer setting out the terms of the Section 106 Agreement associated with the development proposals for Mid Point, Dick Lane, Pudsey</p> <p>(Report attached)</p>	49 - 56
12			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note the date and time of the next meeting as Thursday 12<sup>th</sup> August 2010 at 1.30 pm</p>	

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To:

Members of Plans Panel (West)  
Plus appropriate Ward Members and  
Parish/Town Councils

**Chief Executive's Department**  
Democratic Services  
4<sup>th</sup> Floor West  
Civic Hall  
Leeds LS1 1UR

Contact: Helen Gray  
Tel: 0113 247 4355  
Fax: 0113 395 1599  
helen.gray@leeds.gov.uk  
Your reference:  
Our reference: ppw/sitevisit/  
7<sup>th</sup> July 2010

Dear Councillor

**PLANS PANEL (WEST) – SITE VISITS – THURSDAY 15<sup>TH</sup> JULY 2010 AT 1.30 pm**

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 10.30 am Application 10/01780/FU – Retention of Cattle Shed, Single Storey Side Extension to Cattle Shed and erect detached Sheep Shed, Low Green Farm, Rawdon. (Horsforth Ward)  
(meet at entrance to farm off Leeds Road if travelling independently)
- 2 11.15 am Application 10/02363/OT – Position Statement on Outline application to erect Retail Food Store, with Car Parking and Petrol Filling Station Land off Car Crofts, Town Street and Modder Place, Armley (Armley Ward)  
(meet on Modder Avenue if travelling independently).

Return to Civic Hall at 12 noon approximately

**A minibus will leave the Civic Hall at 10.10 am prompt.** Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 10.05 am

Yours sincerely

**Helen Gray**  
**Governance Officer**

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## PLANS PANEL (WEST)

FRIDAY, 18TH JUNE, 2010

**PRESENT:** Councillor N Taggart in the Chair

Councillors J Akhtar, A Castle, B Chastney,  
M Coulson, J Hardy, J Harper, T Leadley,  
J Matthews and R Wood

### 130 Late Items

There were no late items

### 131 Declarations of Interest

The following Members declared person/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Councillor Castle – Application No. 09/03666/FU – Demolition of Care Home and replacement with part 3,4 & 5 storey Care Home at St Joseph's Convalescent Home, Outwood Lane, Horsforth, Leeds 18 – Declared a personal interest as a Member of Leeds Civic Trust who had commented on the proposal (Minute 137 refers)

Councillor Castle – Application No. 10/01211/FU – New Railway Station and Car Park to land adjoining Kirkstall Forge, Abbey Road, Kirkstall – Declared a personal interest as a Member of Leeds Civic Trust who had commented on the proposal (Minute 138 refers)

Councillor Harper – Application No. 10/01211/FU – New Railway Station and Car Park to land adjoining Kirkstall Forge, Abbey Road, Kirkstall – Declared a personal interest as a Member of Kirkstall Valley Country Park (Minute 138 refers)

Councillor Taggart – Application No. 10/01211/FU – New Railway Station and Car Park to land adjoining Kirkstall Forge, Abbey Road, Kirkstall – Declared a personal interest as a Member of Kirkstall Valley Country Park (Minute 138 refers)

Councillor Coulson – Application No. 10/01211/FU – New Railway Station and Car Park to land adjoining Kirkstall Forge, Abbey Road, Kirkstall – Declared a personal interest as a Member involved in early discussions about a railway station at the Kirkstall Forge site (Minute 138 refers)

**132 Apologies for Absence**

There were no apologies for absence

**133 Minutes**

The minutes of the previous meeting held on 20<sup>th</sup> May 2010 were accepted as a true and correct record

**134 Application 10/01655/FU - Dormer Window to rear at Hark to Rover, 92 Morris Lane, Kirkstall LS5 3EN**

The Panel considered the report of the Chief Planning Officer setting out details of an application for the erection of a dormer window to rear at Hark to Rover , 92 Morris Lane, Kirkstall, Leeds, LS5 3EN. It was reported that the application had been brought before Member because the application had been submitted by an Elected Member of the City Council

Plans of the site were displayed at the meeting.

**RESOLVED** – That the application be approved subject to the conditions specified in the submitted report with the removal of condition No.3 relating to obscure glazing

**135 Application 10/01598/FU - Change of Use and Alterations of Public House to an Art Studio and Arts Education Centre with a Two Bedroom First Floor Flat and a Second Floor Resident Caretakers Flat at The Woolpack Inn, Bondgate, Otley LS21**

The Panel considered the report of the Chief Planning Officer setting out details of an application for the change of use and alterations of Public House to an Art Studio and Arts Education Centre with a two bedroom first floor flat and a second floor resident caretakers flat at the Woolpack Inn, Bondgate, Otley, Leeds, LS21 3AB

Plans architect drawings and slides of the site were displayed at the meeting. The application was subject of a site visit on the morning of the meeting.

Officers reported that alterations to the building would be relatively low key, and would not have a negative impact upon either the Listed Building or the Otley Conservation Area. The proposal represented an opportunity to create an enhanced pedestrian space in a prominent location at the front of the building.

The Panel heard representations from the applicant who attended the meeting

Officers reported that the applicant was seeking forecourt parking provision to assist disabled groups when visiting the Arts Centre

The Chair sought clarification as to whether this would be a pick up and drop off point

The applicant was invited to respond who confirmed that forecourt parking was required for the duration of the session (two hours)

**RESOLVED –**

That the application be approved subject to the conditions specified in the submitted report with the inclusion of an additional condition ensuring the retention of the cast iron street name plate attached to the building. That a further condition be added to ensure 1 parking space was secured on the forecourt and marked out for disabled persons parking and that one parking space for drop off and deliveries be marked out on the forecourt.

**136 Application 08/03190/RM - Laying out of Access and Erection of 96 Houses and Conversion of offices to 4 Houses, Occupation Lane and Uppermoor, Pudsey LS28**

The Panel considered the report of the Chief Planning Officer setting out details of an application for the laying out of access and erection of 96 houses and conversion of offices to 4 houses at Occupation Lane and Uppermoor, Pudsey

Plans architect drawings and slides of the site were displayed at the meeting. The application was subject of a site visit on the morning of the meeting.

Officers were of the opinion that the proposal constituted an acceptable development for the site in terms of layout and design and was acceptable in highway terms and would not result in unacceptable loss of amenity for adjacent residents

In expressing concerns about the highway implications Councillor Coulson said that Victoria Road/ Occupation Lane were a major roads into Pudsey and traffic generation to and from the site could result in serious highway problem

Highway officers confirmed that an upgraded controlled crossing was proposed for the site

**RESOLVED –** That the application be deferred and delegated to the Chief Planning Officer for approval subject to ensuring that adequate crossing facilities were provided on Occupation Lane.

**137 Application 09/03666/FU - Demolition of Care Home and Replacement with part 3/4/5 storey Care Home with 39 Self Contained Flats, Care Rooms, Chapel, Lounges, Dining Area, Activity Rooms and Function Room with car parking and landscaping at St Joseph's Convalescent Home, Outwood Lane, Horsforth LS18**

The Panel considered the report of the Chief Planning Officer setting out details of an application for the demolition of Care Home and replacement with part 3/4/5 Care Home, with 39 self contained flats, care rooms, chapel, lounges, dining area, activity rooms and function room, with car parking and landscaping at St Josephs Convalescent Home, Outwood Lane, Horsforth, Leeds 18

Plans architect drawings and slides of the site were displayed at the meeting. The application was subject of a site visit on the morning of the meeting.

Officers were of the opinion that the proposal had merit in terms of design ethos, visual interest and use of materials. However, it was considered that the proposal represented overdevelopment of the site and would unacceptably impact on the streetscene and adjoining residential properties at 8A Outwood Lane and 1 Oliver Hill

The Panel heard representations from the applicant and an objector who attended the meeting

In the discussion that ensued it was the view of Members that the proposal was too big and represented overdevelopment of the site with a building that would have a detrimental impact on the streetscene and neighbouring properties.

**RESOLVED** – That the application be refused for the reasons specified in the submitted report

**138 Application 10/01211/FU - New Railway Station and Car Park, land adjoining Kirkstall Forge, Abbey Road, Kirkstall**

The Panel considered the report of the Chief Planning Officer setting out details of an application for a new Railway Station and Car Park to land adjoining Kirkstall Forge, Abbey Road, Kirkstall, Leeds.

Plans architect drawings and slides of the site were displayed at the meeting.

Officers were of the opinion that the principle of the development was acceptable in the context of the previous planning permission at Kirkstall Forge and pre-application discussions with Network Rail and METRO on this scheme. The proposal would represent a valuable addition to public transport opportunities in the area and help the wider Kirkstall Forge site to be developed successfully.

The Panel heard representations from the an objector and from the applicant who attended the meeting

In the discussion that ensued it was the view of Members that in order for the wider kirkstall Forge development to succeed the provision of a Railway Station was an important element. Members were of the opinion that the proposal was acceptable

**RESOLVED** – That the application be approved subject to the conditions specified in the submitted report

**139 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Thursday 15<sup>th</sup> July 2010 at 1.30pm in the Civic Hall, Leeds

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Originator: Matthew Walker

Tel: 0113 2475646

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15<sup>th</sup> July 2010

#### **Subject:**

**Planning application 10/02447/FU Single storey extension and widening of driveway to front of 31a Half Mile, Stanningley, LS13 1BN**

#### **APPLICANT**

R Holmes

#### **DATE VALID**

27.05.2010

#### **TARGET DATE**

22.07.2010

#### **Electoral Wards Affected:**

**Bramley & Stanningley**

n

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: GRANT PERMISSION subject to the following conditions;**

- 1. 3 year time limit**
- 2. Plans to be approved**
- 3. Materials to match existing**
- 4. No insertion of windows**
- 5. Retention of garage**

**Reason for approval:** The detail of this limited front extension is considered fully acceptable in terms of its impact on the street scene and neighbours and is considered to comply fully with policies GP5, BD6 and T24 of the UDP Review. Therefore having regard to the policies in the Development Plan and all other material considerations the application is recommended for approval.

## **1.0 INTRODUCTION**

- 1.1 The application is brought to Plans Panel as the application has been submitted on behalf of Councillor David Congreve, who is Chair of the East Plans Panel, who has confirmed in writing that this is the case.

## **2.0 PROPOSAL**

- 2.1 The applicant seeks permission to erect a single storey extension to the front of the existing integral garage. The extension is proposed to be 3.35 metres in width, projecting 3 metres from the existing front elevation of the house. The extension is to be faced in brick, with a tiled roof to match the existing property, with a ridge height of 4.3 metres and an eaves height of 2.9 metres. The extension is to be set 2 metres from the shared boundary with 31 Half Mile, to the north of the application site. The applicant also intends to introduce a small amount of additional hard-standing to the side of the existing driveway with the intention of widening the available driveway.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application dwelling is a detached, red brick dual pitched roofed bungalow. The property is the middle one of three large detached bungalows running south to north along the southern most 'cul-de sac' section of Half Mile. The area is residential in character.
- 3.2 All three of the detached bungalows (31-33 Half Mile) feature large front garden areas, with low boundary treatments defined by low stone / brick walling and reinforced by sporadic planting.
- 3.3 This section of Half Mile is somewhat secluded in comparison to the remaining street scene with access to 31-33 Half mile via a thin vehicular access road adjacent to number 29 Half Mile, such that the three dwellings are set away from the main street scene to the north.
- 3.4 The dwelling benefits from a large paved area in front of the existing garden, forming a long driveway to the highway. The bungalows to either side each have front extensions.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There is no relevant planning history applicable to this site.

## **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 The proposal to extend at the front was the subject of a pre application discussion with the Head of Planning Services who advised that the extension would require planning permission, would have to be dealt with at a Plans Panel and appeared acceptable in principle given its context.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 The proposal has been advertised by neighbour notification letter to 8 residential properties on 02.06.2010.



6.2 No representations have been received.

## **7.0 CONSULTATION RESPONSES:**

7.1 The highways team were consulted on 07.06.2010. No objections.

## **8.0 PLANNING POLICIES:**

8.1 National PPS1: 'Delivering Sustainable Development'

8.11 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

8.2 Local Leeds Unitary Development Plan Policies

8.21 Policy GP5: refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion, and to maximise highway safety. Should have regard for guidance contained in any framework or planning brief for the site or area.

8.22 Policy BD6 refers to the scale, form, materials and detailing of an extension's design in respect of the original building.

8.23 Policy T24 refers to parking guidelines for developments

## **9.0 MAIN ISSUES**

- Design, character, detailing and materials
- Dominance / overshadowing
- Privacy
- Highway safety

## **10.0 APPRAISAL**

### **10.1 Design, character, detailing and materials**

10.2 The design and materials of the proposed single storey front extension are considered acceptable, as they are to match the original dwelling. The extension is subservient in format, with a significant step down from the roof ridge of the host property. The extension is considered to be of an appropriate scale and projection from the original house, being 3 metres in length with a retained 8.9 metres between the extended house and the public highway, such that the extension is not considered to break the existing pattern of development in the street scene.

- 10.3 In terms of design, the dual-pitched / front gable format of the extension is respectful of the host dwelling's existing features – namely the dual pitched roof of the host property and ornamental front gable above the front door. Furthermore, the street scene is comprised of single storey properties, with both immediate neighbours featuring single storey projections, forward of the front elevation of the dwelling and of similar appearance to that proposed here, albeit of greater height and scale than the extension under appraisal.
- 10.4 It is therefore considered that the proposal will not be out of keeping with the locality and will not be unduly detrimental to the character or appearance of the original dwelling or the present street-scene.

### **11.1 Dominance / overshadowing**

- 11.2 The application site and both immediate neighbours are situated on a similar level on this section of Half Mile. The extension is situated some 14.5 metres away from the adjacent neighbour at 33 Half Mile and there is no adverse impact to this neighbour.
- 11.3 The proposed extension is set slightly in excess of two metres from the boundary with 31 Half Mile. 31 Half Mile has a lounge window to the front elevation closest to the front extension. The proposal satisfies the 45 degree code in respect of this neighbouring window and, being single storey, the extension is not considered to be over-dominant or significantly impact upon the residential amenity of this neighbour.
- 11.4 Furthermore, the extension being single storey and limited to a 3m projection will have little impact on overshadowing. No adverse harm is therefore predicted to the adjacent neighbour.

### **12.0 Privacy**

- 12.1 No side facing windows are proposed as part of the scheme, and given the proximity of the proposed extension to the adjacent neighbour at 31 Half Mile, it is recommended that a condition be applied preventing the future insertion of windows to the northern elevation of the extension for the lifetime of the development (unless agreed in writing by the Local Planning Authority).
- 12.2 It is not considered necessary to recommend a condition in respect of the future insertion of windows to the southern elevation as the proposal retains some 14.5 metres to the southern boundary and this is considered to be insufficient proximity to overlook the adjacent neighbour at 33 Half Mile.

### **13.0 Highway safety**

- 13.1 The proposal will not affect the current car parking provision at the property, as the existing integral garage will be retained. Additional car parking is also available off street to maintain two car parking spaces and so no adverse highway safety issues resulting from the proposal are foreseen.
- 13.2 The highways team were consulted on 07.06.2010 with no objections raised in respect of the proposal with 6 metres left in front of the garage left to park a second vehicle.

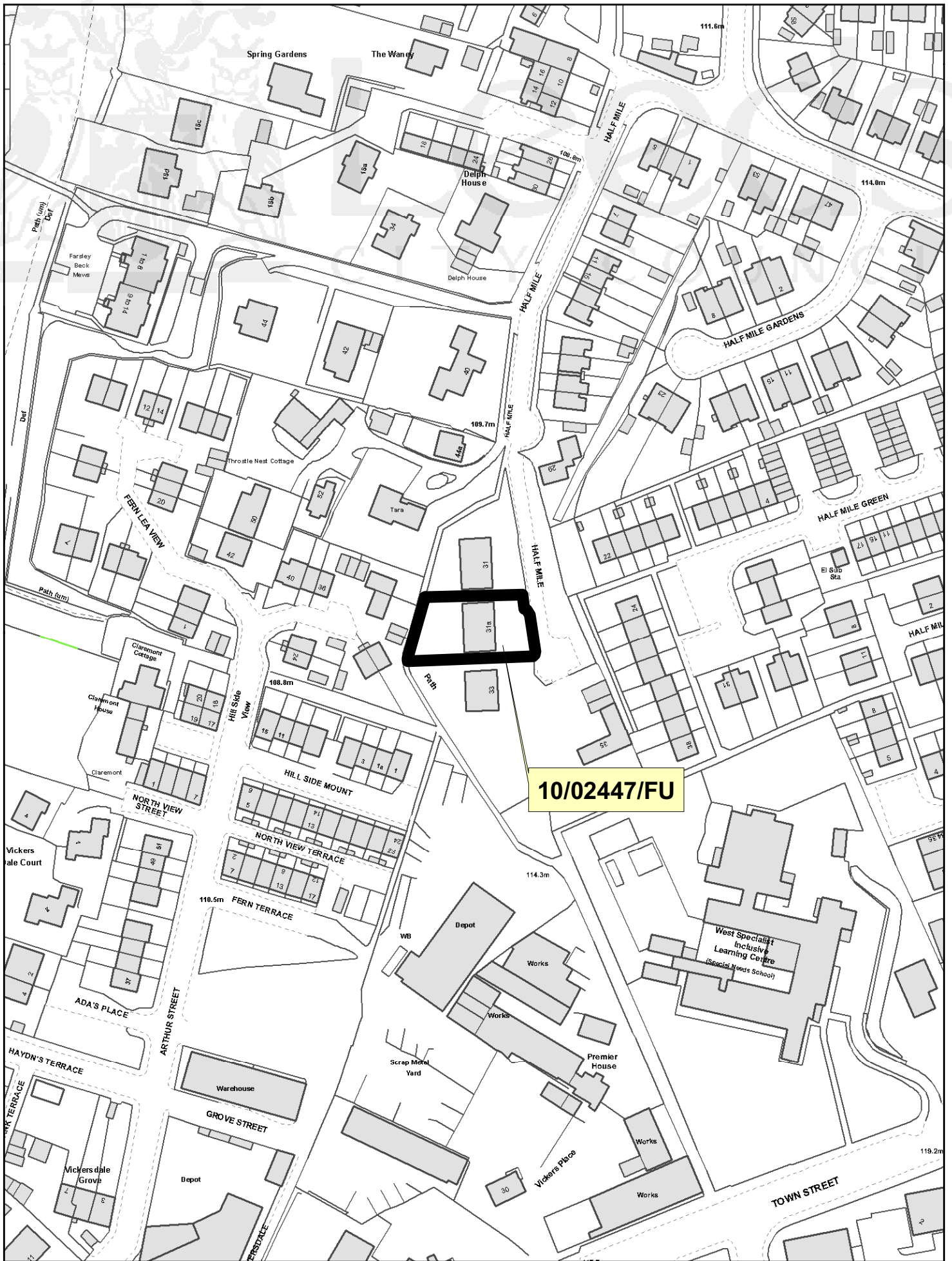
### **14.0 CONCLUSION**

- 14.1 For the reasons outlined in the above report and taking into account all other material considerations it is recommended that planning permission should be approved, subject to conditions.

#### **Background Papers:**

SPG13 – ‘Neighbourhoods for Living’

Leeds City Council Street Design Guide



10/02447/FU

# WEST PLANS PANEL

Scale 1/1500



Originator: Susie Watson

Tel: 0113 2475647

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15 July 2010

**Subject: APPLICATION 10/02226/LA– OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING OF C2 (RESIDENTIAL INSTITUTIONS) ON LAND AT FARRAR LANE, ADEL.**

#### **APPLICANT**

Leeds City Council

#### **DATE VALID**

14 May 2010

#### **TARGET DATE**

13 August 2010

#### **Electoral Wards Affected:**

**Adel & Wharfedale**

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Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### **RECOMMENDATION:**

**GRANT PERMISSION subject to the following conditions.**

1. Submission of Reserved Matters.
2. Time limit on outline permission (3 years).
3. Plans to be approved.
4. Samples of walling and roofing materials to be submitted.
5. Provision for contractors during construction.
6. Areas to be used by vehicles to be laid out.
7. The car park must be completed and available to vehicles prior to the first occupation of any dwelling on the site.

8. Prior to the development being brought in to use details of the alterations/improvements to the existing ramps to the rear of the Holt Park District Centre to make them DDA compliant.
9. Prior to the development being brought into use details of facilities to be provided for the parking of cycles which belong to members of the public and staff.
10. Submission of landscape details.
11. Landscape implementation.
12. The Reserved Matters for approval shall include an arboricultural survey of the existing trees on site. This shall indicate trees to be retained and trees to be removed.
13. Preservation existing trees/vegetation
14. Protection of trees/other vegetation
15. Provision for replacement of trees.
16. Details of fencing and walls to be provided.
17. Submission of Phase 1 Desk Study.
18. Amendment to remediation statement.
19. Submission of verification reports.
20. Measures to prevent mud, grit and dirt being carried onto the public highway from the development shall be submitted for the approval and shall be implemented at the commencement of work on site.
21. A scheme to prevent dust generated by construction vehicles in dry weather conditions shall be submitted for the approval and shall be implemented at the commencement of work on site.
22. Separate systems of drainage to be provided.
23. No development until details of works for dealing with foul and surface water discharges have been submitted for approval.
24. The site shall be drained by sustainable drainage methods with infiltration methods used in preference.
25. No piped discharges of surface water from the application site shall take place until the surface water drainage conditions approved under the foregoing conditions have been completed.
26. Unless otherwise agreed in writing by the local planning authority, no building or other obstruction (including trees) shall be located over or within 3.0 (three) metres either side of the centre line of the sewers, which cross the site.
27. Notwithstanding the plans hereby approved, full details of the servicing and access arrangements for the development shall be submitted to and approved in writing by

the Local Planning Authority no later than the submission of the first Reserved matters application. The servicing and access arrangements thereby approved shall be implemented prior to the first occupation of the development.

28. The first Reserved Matters submission shall include plans of and sections through the site showing details of the existing and proposed ground levels with a fixed datum point within and outside the development site and proposed finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
29. Prior to the commencement of development a scheme detailing the future of the existing sheltered housing complex (to include details of its demolition, the removal of waste, the remediation and restoration of land and the on going maintenance of the land) shall be submitted to and approved in writing by the Local Planning Authority. This land shall be reinstated as an open green space and shall be managed in accordance with a management plan that has been agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved.
30. No development shall commence until a scheme has been submitted to approved in writing to deliver public transport improvements.
31. All occupiers of the development, other than staff, shall be in need of care and satisfy a qualifying criteria in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority.
32. Submission of updated travel plan to include arrangements for monitoring.

## **1.0 INTRODUCTION:**

- 1.1 This application is brought to the Plans Panel because it relates to a substantial and significant redevelopment proposal of significant community interest to the Adel area of the city in addition to the immediate area surrounding the site.
- 1.2 Lifetime Neighbourhoods for Leeds is a housing PFI project which subject to Government approval will result in the development and 25 year management of at least 675 new build homes for older people, comprising of both extra care and general needs units. This site is one of seven sites which are currently under consideration for a combination of both extra care and general needs housing across the City. A further 4 applications will be submitted in a second phase.
- 1.2 All properties will meet Lifetime Homes standards and Code for Sustainable Homes Level 4/BREEAM Very Good as a minimum. In July 2009 the Homes and Communities Agency (HCA) approved the Council's Expression of Interest for the project. An Outline Business Case is now being prepared which will be submitted to the HCA in the summer. This includes detailed costs and outputs for all sites which have been prioritised under this scheme. Outline planning approval must be obtained for these 11 sites prior to the PFI contract procurement process, which is programmed to commence in early 2011.
- 1.3 The Lifetime Neighbourhoods for Leeds project is the result of a partnership between Housing, Regeneration, Adult Social Care and Health. It will create or enhance services for older people across a number of neighbourhoods in Leeds to enable residents to lead more active and independent lives. The project seeks to strengthen existing neighbourhood regeneration strategies and focuses on the

provision of new and high quality, affordable homes with extra care options for older people. It also supports the City Council's vision that neighbourhoods in Leeds will be transformed into places that are mixed, cohesive and able to meet the aspirations of all residents. This includes ensuring the availability of a range of housing, health and support services to meet varying lifetime needs. By investing in the needs of older people, their valuable contribution to achieving mixed and sustainable communities will be enhanced leading to the improved inclusion and social well being of our local neighbourhoods.

## **2.0 PROPOSAL:**

- 2.1 This application is seeking outline planning permission for residential development on an area of land measuring 1.47 hectares and comprising of part of the former Ralph Thoresby High School and the existing Farrar Lane sheltered housing complex. Consent is sought for the access to the site only, with appearance, landscaping, layout and scale all reserved for subsequent approval.
- 2.2 The proposed residential development is part of the Lifetime Neighbourhoods for Leeds project which aims to provide new housing over a 5 year period from 2013 to 2018, with the aim of creating and enhancing services for older people across Leeds, enabling residents to lead more active and independent lives.
- 2.3 The proposal seeks to demolish the existing two storey sheltered housing complex and replace it with new Extra Care accommodation for the over 55's. The number of units is yet to be finalised but it is expected to be in the region of 60 units and will comprise a 60:40 mix of 2-bed and 1-bed flats. It is intended that the proposed development will be built before the occupiers of the existing sheltered housing are decanted and the existing buildings demolished. On site amenity space and resident and visitor parking will be provided.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The application site comprises of part of the former Ralph Thoresby High School and the existing Farrar Lane sheltered housing complex. It is accessed off Farrar Lane and abuts Holt Park District Centre to the north. Residential properties are located opposite the site to the south and to the east is the existing bus turn-around and District Centre car parking.
- 3.2 Planning permission has recently been granted for a new 'wellbeing' centre to the north west / west of the application site and to the west of that is the new Ralph Thoresby School, a two storey facility completed in 2007.
- 3.3 The site slopes downwards from north to south and also downwards from west to east across the southern part of the site. There are a number of trees within the site. These are protected by a tree preservation order.

## **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 There is no relevant planning history relating to the existing sheltered housing complex. The erection of the new Ralph Thoresby School (26/380/04/OT and 26/748/04/RM) on land west of the application site has left the application site vacant. Planning permission has recently been granted (09/02578/OT and 10/01088/RM) for a Wellbeing Centre to replace the existing Holt Park Leisure Centre on the remainder of the old school site, immediately west / north west of the current application site.



## **5.0 HISTORY OF NEGOTIATIONS:**

5.1 Extensive discussions have taken place involving pre- application work and design workshops with key stakeholders. Community consultation and feed back events have also been held to help inform the development process. Briefing sessions with Ward Members have also taken place.

## **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 The aforementioned public consultation exercise extended over 3 months and started in March 2010. This has given all residents in the area the opportunity to comment and involved leaflets, drop-in sessions, residents meetings and display and notice boards in local libraries and community centres. A number of stakeholder groups have also been involved including LCC Adult Social Care, LCC Housing Services, Ward Members, Executive Members, tenants and residents, families and carers, community groups and local businesses.

6.2 The proposals were generally supported, especially by local residents who acknowledge the need for improved housing provision for older people in the area. However, concern was raised that the proposals would have an adverse impact on the level of traffic on access roads, primarily Farrar Lane. Comments have been formally received from 30 local residents.

6.3 The application has been advertised by site notices posted on 2 June 2010 and by a newspaper advert published in the Leeds Weekly News on 10 June 2010. The application has been advertised as a major development which is a departure due to the development involving part of a former playing pitch. To date (1 July) no representation have been received from the public.

## **7.0 CONSULTATIONS RESPONSES:**

7.1 Sport England comment that although the site does not have a playing field as defined in the Playing Field Direction, Sport England are a statutory consultee by virtue of the N6 designation. The school was demolished with all playing field and sports facilities replaced on the adjacent Ralph Thoresby School site. Given all replacement playing field has been provided and is in use, Sport England is satisfied that the proposal meets one of the exceptions (E4) of Sport England's playing field policy. As such no objections are raised.

7.2 The Council's Highway Engineer states that the scheme raises no specific road safety concerns and make the following comments.

- The vehicular access to the site would be in a similar position to the existing access but would be designed to adoptable standards as identified in the Council's Street Design Guide. However, an adopted footpath from the turning head to the adjacent Public Open Space beyond must also be provided. This should be 3m wide and have barriers to prevent access by motorcycles. The applicant's red line site boundary plan will have to be amended to include the access improvements and must also include the area of existing roadway from which the access is taken which is not adopted highway. The applicant's will be required to make this area of roadway up to adoptable standards along with the footway which links the development site to the bus terminus which must also be within the redline.

- Given there would be a maximum of 8 staff on site at any one time and that the future residents would be adults over 55 years of age with varying care needs and that the site is well located in respect of access to Public Transport and local facilities the level of car parking proposed, i.e. 31 spaces, is considered to be sufficient.

7.3 Colleagues working on the New Generation Transport (NGT) scheme have stated that the proposed development will generate a large number of trips, a proportion of which will have to be accommodated on the public transport network. The scheme has been assessed in accordance with the City Councils adopted Supplementary Planning Document (SPD) "Public Transport Improvements and Developer Contributions". The development falls within a C2 ( Residential Institution) use and the threshold for public transport contributions is 30 units. It is clear that the proposed use will have a significant travel impact. Under the terms of the SPD guidance a financial contribution proportionate to the travel impact of the scheme will be required towards the cost of providing the strategic transport enhancements which are needed to accommodate additional trips on the network.

In this case a contribution in the order of £11,617 should be sought based on 60 C2 units. In calculating the required sum a deduction of 10% has been incorporated to take account the previous trip generation on the site and out of peak hour trips.

7.4 Metro state that several bus services run next to the development serving various locations including Leeds, Headingley, Horsforth and Cookridge. Future residents would benefit if one of Metro's new 'live' bus information displays were to be erected at bus stop numbers 10754 and 10755 at a cost of approximately £10,000 each (including 10 years maintenance) to the developer. The displays are connected to the West Yorkshire 'real time' system and give accurate times of when the next bus is due, even if it is delayed.

7.5 Colleagues in Public Rights of Way advise that the site is located within an area of Leeds currently excluded from the coverage of the Definitive Map. However, this does not preclude unrecorded public rights of way from being present within this area. This office has no objection to the proposal as a nearby footpath is shown in the Design and Access Statement as being open and available between the shops and housing estate.

7.6 Yorkshire Water state that if planning permission is to be granted conditions relating to separate systems of drainage, no development until drainage details agreed, no discharge of surface water until drainage works completed and no building within 3m of the sewers which cross the site should be included.

They also advise that:

- There are public surface water and public foul sewers recorded to cross the red line site boundary. The presence of the pipes may affect the layout of the site and as such may be a material consideration in the determination of the application.
- The local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site.
- The use of Sustainable Systems (SUDS) should be encouraged.
- Discharges to the public sewer must be on a like for like basis and take into account climate change i.e. have a reduction of a minimum of 30%.
- The developer will have to demonstrate positive drainage to the public sewer.

7.7 The Council's Drainage Engineer states that if planning permission is to be granted conditions relating to no development until drainage details agreed, no discharge of surface water until drainage works completed, submission of a feasibility study into the use of infiltration drainage, restriction of surface water flows from the development, details of on-site storage for additional run-off from storm events to be agreed, no trees or structures within 3m of the public sewer, porous surfacing to be used where practicable and submission of a Flood Risk Assessment, should be included.

They also state that the final drainage proposal must be supported with appropriate calculations and confirmation of the present drainage arrangement in order to determine and justify the final detail proposals for surface water disposal from the site. Attention is drawn to the extract from the Drainage Impact Assessment (DIA) which reiterates the council's requirements that surface water discharges from Brownfield sites should be reduced.

7.8 The Environment Agency states that the proposed development will only be acceptable if the measure(s) detailed in the Flood Risk Assessment are implemented and secured by way of a planning condition on any planning permission. They also state that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management.

7.9 The Council's Contaminated Land Officer has no objections to planning permission being granted as long as conditions relating to the submission and approval of a Phase I Desk Study, notification of unexpected contamination during development, submission and approval of a verification report upon completion of remediation works are required.

7.10 The West Yorkshire Police Architectural Liaison Officer supports the development and advises that the proposal should be designed to ensure a safe and secure environment and reduce the opportunities for crime. It would benefit from achieving the Secured by Design award and a number of design principles relating to design out crime are recommended.

## **8.0 PLANNING POLICIES:**

8.1 Unitary Development Plan (Review 2006)

The south west corner of the site is designated as protected playing pitch (N6) and urban green corridor (N8). The site is also situated adjacent to Holt Park District Centre (S2).

GP2 – supports the development of vacant and under-used sites.

GP5 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

BD5 – requires new buildings to give consideration to both their amenity and that of their surroundings.

N2 – supports the establishment of a hierarchy of green spaces.

N4 – relates to the provision of green space in new residential developments.

N6 – restricts development on playing pitches.

N8 – requires development in urban green corridors to ensure the function of the land is retained, enhanced or replaced.

N10 - development will not be permitted which adversely affects a public right of way.

N12- states that development proposals should consider and respect spaces between buildings; the best buildings of the past; good design; character and scale; encouragement of walking and cycling; adaptability for future uses; the needs of the elderly and people with disabilities and restricted mobility; visual interest; and crime prevention.

N13 - requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N23 – incidental space around built development should provide a visually attractive setting.

H4 – relates to residential development on sites not identified for that purpose.

H9 – seeks to ensure a balanced provision of housing types.

H10 – requires proposals to consider the suitability of a site to accommodate development specifically for the elderly and disabled.

T2 – developments need to be adequately served by existing or proposed highways, capable of being served by public transport and have provision for safe and secure cycle use and parking.

T5 - safe and secure access for pedestrians and cyclists should be provided to new development.

T6 - satisfactory access to new development for disabled people and people with mobility problems should be provided.

T7A - secure cycle parking is required in new developments, to reflect standards in UDP Appendix 9.

T24 - parking provision to reflect the guidelines set out in UDP Appendix 9.

LD1 - development proposals should protect existing vegetation, allow sufficient space around buildings to retain existing trees in healthy condition and allow new trees to grow to maturity.

## 8.2 Supplementary Planning Documents

Neighbourhoods for Living.

Designing for Community Safety.

Travel Plans

Public Transport Improvements and Developer Contributions

## 8.3 National Planning Policy

Planning Policy Statement 1 Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system and aims to improve urban design.

Planning Policy Statement 3 Housing sets out the Government's policy on housing and aims to ensure that everyone has the opportunity of living in a decent home.

## 9.0 **MAIN ISSUES:**

1. Principle and suitability of site.
2. Design and landscape.
3. Access, traffic and car parking.

## 10.0 **APPRAISAL:**

### Principle and suitability of site

- 10.1 A large proportion of the application site was last used as a school and is therefore considered to be Brownfield land. The remaining area also contains an existing

sheltered housing development (containing approximately 33 units) which is dated and in need of investment. The scheme involves the demolition of this existing facility and the redevelopment of a modern purpose development to deliver extra care, which will be integrated and linked to the adjoining S2 District Centre. The development is therefore well placed to connect and link into existing and proposed facilities and to provide a more logical pattern for access and movement. The site is very sustainable given this connection to the District Centre and public transport connections. In this context, the proposed redevelopment of the site for the purpose proposed is considered to be acceptable in principle.

- 10.2 Given the sites former use as a school site, part of the site is designated as N6 playing pitch and N8 urban green corridor.
- 10.3 Planning consent was granted for the new Ralph Thoresby School in 2004 and this effectively re-provided the provision of playing pitches as part of that proposal. It is clear that the N6 playing pitch designation is therefore an historic arrangement given that this area is now derelict and no longer functional.
- 10.4 This area of land does contain some trees and other greenery but it also contains areas of hard standing from the previous school use. As such, and having looked at the wider issues in the area, it is considered appropriate in this instance to allow development on a small area of this land. As previously discussed, a new school and associated facilities have been provided west of the application site resulting in this site being declared surplus to operational requirements. It must also be borne in mind that the proposals will help provide satisfactory and much needed accommodation for the elderly and will help contribute to the regeneration of Holt Park District Centre. Furthermore, a condition (number 29) is recommended to ensure that satisfactory green space is retained in the locality by reinstating the site of the existing sheltered housing complex as open green space.
- 10.5 Sport England have been consulted regarding this issue and given the context, have raised no issues to the principle of development.

#### Design and landscape.

- 10.6 The application is in outline only with no details of the proposed building(s) being provided. The application site is located in a prominent and important position in relation to the surrounding community. It is intended that the building will have a general height 3 storeys but that it will remain domestic in scale. It is suggested that this will be achieved through breaks along the frontage length, most likely at points of change in levels, or by setting back.
- 10.7 Although the exact layout has yet to be determined an indicative layout plan has been submitted. This has evolved over a period of time from weekly workshops and meetings with technical experts. This indicative layout shows the proposed building located on the northern part of the site. An internal courtyard area is indicated within the centre of the building and a car park would be provided in the south western corner.
- 10.8 Not only will a high quality building be required but also quality landscaping proposals will be needed to help assimilate the development into its surroundings, especially in views from Farrar Lane. This will contribute towards the attractiveness of the building and the public realm. Provision will also need to be made to assess the quality and health of the existing trees, which are protected by a TPO and

ensure that, wherever possible, existing good, healthy trees are retained as part of the detailed design scheme.

- 10.9 The existing sheltered housing will be demolished once the new building is completed and existing occupiers have been decanted into the new development. It is considered highly important that the site of the existing building is not left in an untidy or derelict state. As such, a condition requiring the submission of a scheme for the treatment of this land is recommended.

Access, traffic and car parking.

- 10.10 The vehicle access to the site will be taken via the existing bus turn around off Farrar Lane. The site is well-served by public transport, with bus termini adjacent to the existing Asda store and off Farrar Lane. It is likely that car parking will be located in the south west corner of the site.

- 10.11 As well as been located in an area well served by public transport, the development is for affordable housing for those over 55. Car ownership is therefore expected to be low and the car parking demand is envisaged to be below Unitary Development Plan guidelines. 33 parking spaces are currently indicated but this will be re-assessed when the detailed proposals are finalised. It is intended that as well as providing designated disabled parking bays the majority of spaces will be wider than standard bays to make it easier for the less mobile to access vehicles. A dedicated ambulance space will be provided.

- 10.12 In section 5 of the Transport Statement the applicants outline accessibility improvements including the introduction of dropped kerbs and tactile paving at various locations around the site and improvements to the ramps in the pedestrian concourse to the rear of the Holt Park District Centre. Pedestrian accessibility via this rear area is particularly poor especially for those who are less able bodied and as part of the proposals it is essential that the ramps are compliant with the requirements of the Disability Discrimination Act (DDA) at the developer's expense. A condition relating to this is recommended.

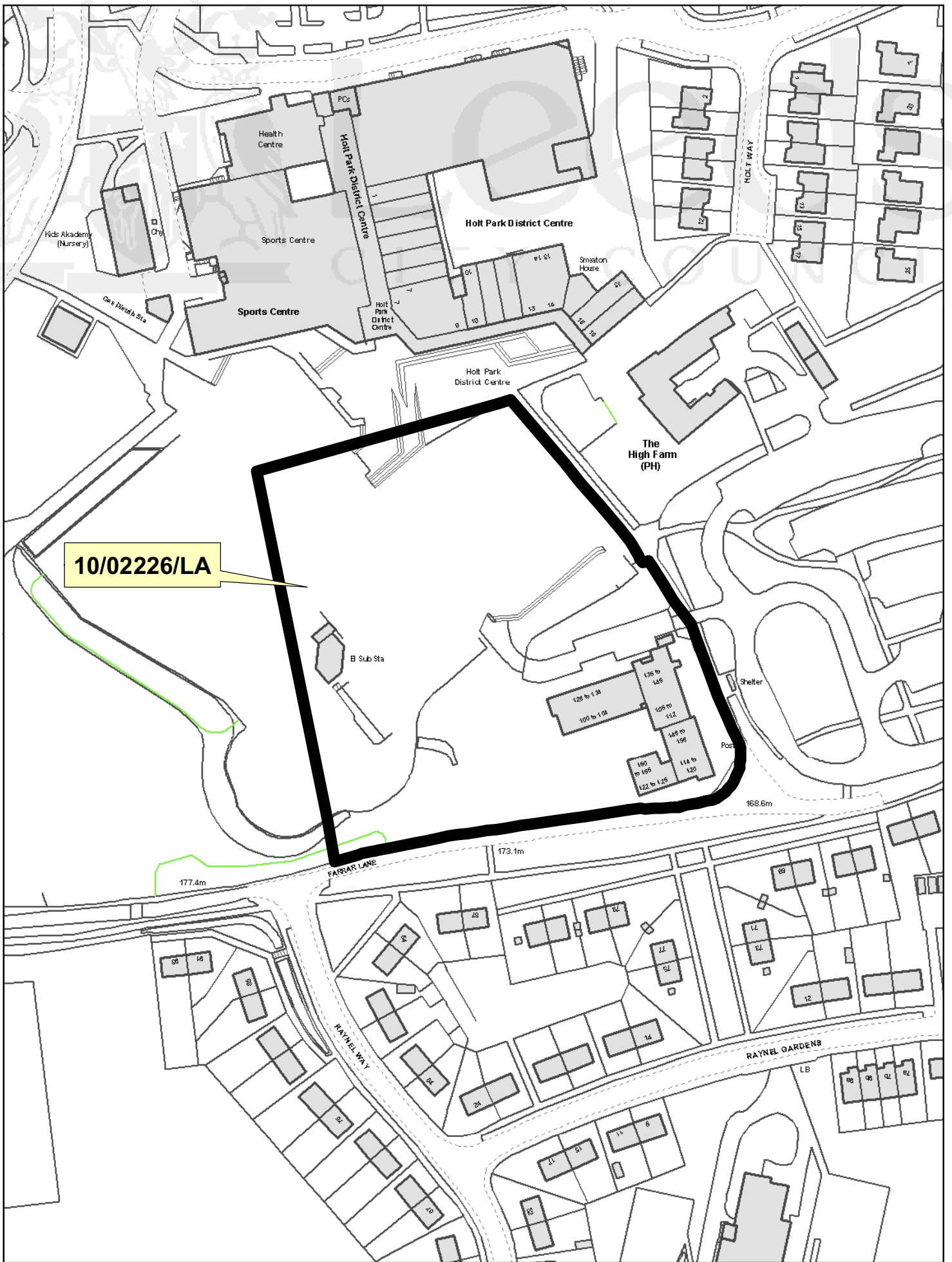
**11.0 CONCLUSION:**

- 11.1 The proposed scheme would help provide much needed housing in this area of north Leeds and would provide a safe and appropriate access to the site. Therefore, after careful consideration of all relevant planning matters, it is recommended that the application be approved.

**Background Papers:**

Application file 10/02226/LA.

Certificate of Ownership – signed as applicant.



10/02226/LA

# WEST PLANS PANEL

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Originator: Peter Jorysz

Tel: 0113 247 7998

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15<sup>th</sup> July 2010

**Subject: PROGRESS REPORT: APPLICATION 10/02363/OT – OUTLINE APPLICATION TO ERECT RETAIL FOODSTORE, WITH CAR PARKING AND PETROL FILLING STATION; LAND OFF CAR CROFTS, TOWN STREET AND MODDER PLACE, ARMLEY.**

#### **APPLICANT**

Morbaine Limited

#### **DATE VALID**

25<sup>th</sup> May 2010

#### **TARGET DATE**

24<sup>th</sup> August 2010

#### **Electoral Wards Affected: Armley**

Y

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: Members are asked to note this progress report and are invited to comment on the main issues.**

#### **1.0 INTRODUCTION:**

1.1 The application comprises a proposal for a significant new retail development in Armley. This report aims to update Panel on progress to date although the application is not at a stage where a recommendation can be made.

#### **2.0 PROPOSAL:**

2.1 An outline application has been submitted seeking approval for new retail development near Town Street, Armley. The application is for an open A1 consent for a superstore comprising 8,361 sq m (90,000 sq ft) excluding atrium, with associated car parking, petrol filling station, new “town square” and highway improvements.

2.2 The application was submitted with various elements of supporting information including a Design and Access Statement, proposed site plan, proposed elevations, proposed sections and proposed three dimensional perspectives. All of these drawings/plans are illustrative.

- 2.3 The proposed illustrative site layout shows an intention for a superstore of 8,361 sq m (90,000 sq ft) with 506 car parking spaces on the southern part of the site (current Waste Transfer Station and adjoining commercial buildings). Access would be off Modder Avenue and the main elevation would face Modder Avenue. Servicing would be off Carr Crofts to the rear.
- 2.4 The proposed layout also proposes the demolition of five unlisted buildings in the Conservation Area to be replaced by a Petrol Filling Station (4 pump) at the junction of Modder Avenue and Carr Crofts with access off Carr Crofts.
- 2.5 The proposed layout also proposes the demolition of a further unlisted building in the Conservation Area for an improved road junction (Town Street/Carr Crofts), new public space, with retention and refurbishment of the “Carpet Mill” shop (former chapel).
- 2.6 The proposed illustrative elevations show a largely rectangular superstore building, with undercroft parking at ground floor level and potential for two storeys of retail. The treatment comprises a mix of aluminium curtain walling and timber wall cladding with a low pitched roof.
- 2.7 The proposed illustrative public space details shows the relationship between Town Street, the Petrol Filling Station and the Superstore. The applicant suggests that a new public square at the road junction off Town Street and Carr Crofts will enhance the retained stone built Carpet Shop and provide a valuable new public space for Armley, as well as drawing the eye to the Petrol Filling Station and store behind.

### **3.0 SITE AND SURROUNDINGS:**

- 3.1 The site is located within the designated Armley town centre; the majority of the site is located to the south of the shops on Town Street. The site slopes up Carr Crofts from Town Street towards the railway line and contains limited vegetation, mostly comprising a line of shrubs along the railway line and trees along Modder Place, Station Road and behind 41 Carr Crofts. The site comprises a number of elements as follows:

#### **Land between Carr Crofts, Modder Avenue and Station Road**

- 3.2 This comprises a variety of commercial buildings namely a modern waste transfer station on Carr Crofts, 2-storey Victorian industrial premises and parking facing Modder Avenue/Station Road.

#### **Land between Carr Crofts, Town Street, Modder Avenue**

- 3.3 This land lies within the Conservation Area and comprises a stone built commercial premises on Modder Avenue, the site of a demolished Victorian commercial premises behind and three properties along Carr Crofts. The latter three properties comprise a modern brick built Indian restaurant building, Victorian red brick detached house and rendered Victorian Sunday School building.

#### **Land fronting Town Street**

- 3.4 This comprises a Victorian retail premises at the junction off Carr Crofts and Town Street and a former stone built chapel (The Carpet Mill).

#### **Surroundings**

- 3.5 The site is surrounded by retail units on Town Street to the north, open land and the new Sports and Leisure centre to the east, railway line and commercial buildings to

the south and the Armley Health centre/semi-detached properties off Station Road/ commercial buildings off Station Road to the west.

**4.0 RELEVANT PLANNING HISTORY:**

4.1 The only application relevant to this site is a previous application for a supermarket (H24/284/87) which was withdrawn in October 1990.

**5.0 HISTORY OF NEGOTIATIONS:**

5.1 Initial informal meetings were held with Policy Officers and Development Control officers in December 2009. Support was given for the principle of retail development on this site. The applicant was advised to enter in formal pre-application discussions, although this suggestion was not pursued.

5.2 Following submission the applicant was requested to provide an assessment of the impact of the development on the Conservation Area (which was subsequently submitted). In addition formal notification was made that the Local Planning Authority considered the highway details fundamental to any assessment at outline stage and that details of the means of access would be required at outline stage.

**6.0 PUBLIC/LOCAL RESPONSE:**

6.1 The application was advertised by site notice posted 2<sup>nd</sup> June 2010 as development affecting the character of a Conservation Area.

6.2 Councillor Lowe has written in support of the application agreeing the loss of the buildings in the Conservation Area with no concerns re the location of the petrol station. Considers that it is no good looking at the best for the conservation area when the existing site is an eyesore. What is proposed is better and will rejuvenate Town Street.

6.3 Seven representations have so far been received (as at 1<sup>st</sup> July 2010) from members of the public comprising one representation of support, one objection and five representation of partial support/partial objection.

6.4 Objections are made on the grounds that:  
-large supermarket detrimental to local independent shops, could be the end of Town Street,  
-is Petrol station necessary, better situated out of Conservation Area adjacent to the train line,  
-lack of access to Town Street and use of alleys.

6.5 Support is made on the grounds that:  
-site underused and looks a mess,  
-Town Street shops not very good,  
-no adverse impact on vitality/viability of Town Street, supermarket and footfall has potential to inspire confidence within the town centre,  
-need for a quality supermarket without travelling by car- is in a sustainable location,  
-closure of Waste Transfer Station massively welcomed (generates high level of noise and pollution),  
-loss of building on junction of Town Street Carr Crofts regrettable, but not outstanding special merit,  
-proposed open space would enhance and benefit the conservation area,  
-good use of ugly/underutilised land,  
-support, but only if it has a positive influence over health and well-being of local residents e.g. working with local community groups to encourage healthy eating/activity/living,

-support, but only if doesn't erode and destroy local high Street as supermarkets at Holbeck and Cross Green have.

- 6.6 Leeds Civic Trust objects on the basis:
- detracts from commercial viability on Town Street,
  - buildings on Town Street important part of townscape, demolition would destroy historic fabric of the street,
  - residents have access to Armley Moor, better than the proposed public space on road junction,
  - oppose demolition of the chapel,
  - house and restaurant should be retained on grounds of sustainability,
  - every town has its supermarket shed - still time to acquaint citizens with Armley's historic enclaves/buildings of interest.
- 6.7 The Victorian Society objects on the grounds:
- damaging effect on retail on Town Street,
  - increased levels of road traffic demanding widening junction which will damage Town Street,
  - Loss of buildings in Conservation Area which make "positive contribution" i.e.
  - demolition of 67-71 Town Street would leave unacceptable gap in street frontage,
  - demolition of 43 Carr Crofts when could be refurbished,
  - demolition of 41 Carr Crofts as dwelling in reasonable condition,
  - demolition of disused building on Modder Avenue recognised in poor condition,
- All these buildings could be retained, and re-used with imaginative conversion.  
-welcome retention and refurbishment of former chapel on Town Street.

## 7.0 CONSULTATIONS RESPONSES:

### **Statutory:**

#### **English Heritage**

No comment.

#### **Environment Agency**

The Environment Agency has formally objected on the basis of the lack of a Flood Risk Assessment.

#### **Yorkshire Water**

Yorkshire Water has commented that any reserved matters application on the basis of the illustrative drawings would not be supported on the basis that the buildings are located over the line of existing sewers/water mains.

#### **Network Rail**

No objections, subject to conditions.

### **Non-statutory:**

#### **Policy**

Policy have commented that in terms of the Retail Statement this level of convenience floorspace is acceptable, but that the comparison floorspace could have a "more significant impact" on Armley retail. They conclude that the assessment of comparison goods is insufficient and that if a revised assessment found this level of comparison floorspace acceptable, a condition should be imposed limiting the comparison floorspace to that level.

## **Conservation**

The Conservation Team leader has responded with a number of concerns and queries in particular:

- the proposal weakens the enclosure of Town Street (which is a defining feature of the Conservation Area); could a new building turn the corner instead of the public space?
- impact of the petrol Filling Station on the Conservation Area and
- long distance views (views up the valley and down Town Street are identified as key vistas in the Armley Conservation Area Appraisal).

He has concluded that it is not possible to give a final assessment without further information and that:

“The scheme will have a major impact on the Armley Conservation Area which, without compensatory interventions, is considered negative. Detailed studies are required of the remodeling of the Chapel and the proposal for the junction. Further information is required - sections, studies of long distance views from the Aire Valley- to make an assessment of the scheme.”

## **Highways**

A formal consultation response has been received objecting on a number of grounds:

- significant increase in traffic flows (especially HGV) through Town Street which is nos 1 in “Leeds Lengths for Concern” list,
- junction of Carr Crofts and Tong Road should be significantly improved (inc. signalisation) for a store of this size (discussions required with Leeds Structures team re capacity of bridge. Traffic generation excessive over bridge because of width restriction,
- proposed signalised junction of Town Street/Carr Crofts can only be achieved if on-street parking is removed and replaced, there is no provision for this. A Stage1/2 Road Safety Audit also required,
- if a Petrol Filling Station is required it should be closer to Tong Road which is the major local distributor,
- consideration should be given to signalling junction of Modder Avenue/Carr Crofts or moving the vehicular access directly onto Carr Crofts,
- baseline traffic surveys do not tie up and traffic accessing the health centre and residential beyond have been missed from the assessment,
- pedestrian access routes need fully assessing and required improvements detailed at outline stage. Suggested that the public footpath linking the end of Station Road with Station Way/Wortley Road should be upgraded and a pedestrian refuge or zebra crossing provided across Carr Crofts,
- means of access should not be reserved but considered at outline stage along with all necessary off-site highway works.

Travelwise have also commented that the lack of a Travel Plan is unacceptable.

## **Design**

The Design consultation response concludes that on the basis of information provided, a proper assessment of the scheme cannot be made. It is noted that the proposal lacks interest and fails to achieve quality spaces.

The application was also considered at Design Review on Wednesday 23<sup>rd</sup> June chaired by the City Architect with Design Team Leader and a further architect from the Design Team. The status of the application as outline and drawings as illustrative was clearly presented. It was the Design Review Panel's view that:

- the principle of extending the town centre is acceptable, but the scale of the development is more like an out of town centre and does not comply with this intimate town centre,
- elevations (though illustrative at this stage) are poor and should provide more live/active frontage Carr Crofts as well as Modder Place,
- site layout (although illustrative) has a poor visual connection to Town Centre,
- there are issues of scale and lack of landscaping between the west elevation/car park and semi-detached properties on Station Road,
- it is crucial to retain nodal points and frontage on Town Street.

The Design Review Panel conclusion was that although the proposal lies within the designated town centre, in design terms it does not represent an extension of Town Street but is more like an out of town store next to an existing town centre. The size of development, consequences for the townscape and illustrative proposals are very poor with little to commend them.

#### **Mains Drainage**

Mains Drainage had objected that the site is within flood zone 1 as it comprises over 0.5ha and requires a Flood Risk Assessment (FRA) which has not been submitted. Subsequent to direct discussions the objection has been withdrawn, information has yet to be submitted as part of the planning application.

#### **Access Officer**

No objection, subject to conditions.

#### **Refuse Collection**

No objection.

#### **Environmental Health**

No objection, subject to conditions.

#### **Contaminated Land**

No objection, subject to conditions.

### **8.0 PLANNING POLICIES:**

8.1 The site is identified within the main urban area and Armley District Centre as designated in the adopted Leeds UDP (2006). The northern element of the site north of Modder Avenue lies within the Armley Conservation Area. No other allocations or designations affect the site. Relevant policies include:

SA5: strategic aim refers to the desire to ensure a wide range of shops in locations accessible to all members of the community without the car,

SA7: strategic aim to promote physical and economic regeneration of urban land and buildings,

GP5: development to resolve detailed planning considerations inc access,

GP12: a Sustainability Assessment is encouraged to accompany all applications for major development,

T2: new development to be served adequately from the existing or proposed highway network,

T2C: all significant generators of travel demand require a travel plan,

T24: parking standards,  
 N12: urban design principles inc. spaces between buildings, good design, visual interest. Best buildings of the past should be retained. New development to respect scale and character of buildings,  
 N13: design of new buildings to be of high quality and have regard to character and appearance of surroundings, good contemporary design welcomed,  
 N18A: presumption against any demolition of a building which makes a positive contribution to the character and appearance of a Conservation Area,  
 N18B: demolition in Conservation Area not allowed unless detailed plans approved.  
 N19: new buildings to preserve or enhance character and appearance of Conservation Areas,  
 N22: development control decisions informed by Conservation Area Statements.  
 N23: incidental open space should be designed to provide a visually attractive setting and contribute to informal public recreation,  
 N25: boundaries should be developed in a positive manner,  
 S2: vitality and viability of town centres to be maintained and enhanced. Retail development encouraged and permitted in town centres unless it would:

i)undermine the vitality and viability of any S2 centre.

S3: enhancement of town centres promoted to secure refurbishment. Expansion and redevelopment of existing retail premises, environmental improvements and retention of larger redevelopment sites for large unit retailing,  
 S6: identifies centres deficient in convenience retailing (Armley not identified),  
 BD2: design and siting should enhance vistas and skylines,  
 BC7: development in Conservation Areas required in local materials,  
 LD1: landscape should reflect scale and form of adjacent development, complement views/skylines and provide visual interest,  
 LD2: altered roads should follow latest government guidance on environmental appraisal and design and minimise the demolition of existing property.

- 8.2 The RSS (2008) contains a number of policies relevant to the application. However a Ministerial Statement by letter dated 27<sup>th</sup> May 2010 confirms the government's intention to abolish RSS and as such those policies have limited weight in the interim.
- 8.3 PPS1 refers to the desire to improve the character and quality of an area (para 13 iv) and enhance the environment (para 19). Design which is inappropriate in its context or fails to take opportunities for improving the character and quality of an area should not be accepted (para 34).
- 8.4 PPS4 E16.1e) states that town centre uses in a town centre should be assessed whether they are of an appropriate scale in relation to the size of the centre.
- 8.5 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a "clear and convincing justification."
- 8.6 The draft SPD "West Leeds Gateway" has been published (June 2010) which includes an overall vision for a vibrant economy which provides local jobs. A key aim is stated at para 1.3 of supporting the regeneration of west Leeds. Key objectives are listed at para 1.6 including improving the vitality and viability of Armley Town Street. Para 3.6.2 states that Town Street is the commercial focus and its success is fundamental to regeneration and prosperity of the wider west Leeds area. Para

3.6.7 states a key objective that Armley fulfils it's true potential and remains the principal location for retail for local residents.

- 8.7 The draft SPD "West Leeds Gateway" also includes a key objective at para 1.6 of improving the built environment through promoting high quality design and preserving and enhancing the area's heritage to reinforce it's distinct identity and sense of place. Policy WL1 also states "positive" buildings should be retained, unless it is not viable or the proposal preserves or enhance the Conservation Area.

## 9.0 MAIN ISSUES

1. Principle of Development
2. Regeneration
3. Impact on Town Centre
4. Conservation
5. Highways
6. Design
7. Drainage

## 10.0 ISSUES

### Principle of development

- 10.1 The proposals represents significant new investment in Armley. The additional retail offer that a superstore will bring could offer the potential to support this town centre. As such the principle of the development should be supported.

### Regeneration

- 10.2 The West Leeds Gateway initiative promotes physical regeneration and job creation in Armley, including enhancing the role of Armley district centre (in particular Town Street) as a retail focus. The Planning Support Statement estimates that up to 400 jobs could be provided which would make a significant contribution to employment generation in the locality. The draft SPD "West Leeds Gateway" para 3.7.43 seeks to support business growth and help the local community access jobs. Whilst retail use is distinct from business use in terms of the use classes order, it is clear that a development of this scale would have significant benefits in terms of job creation in the locality.

### Impact on Town Centre

- 10.3 The application is on the basis of an open A1 consent although the covering letter indicates an intention to divide the 5,017 sq m (net) store into c 3010 sq m convenience goods and c 2007 sq m comparison goods. Policy have commented that this level of convenience floorspace is acceptable (subject to other development control considerations) but that the comparison floorspace could have a "more significant impact" on Armley retail.
- 10.4 The store lies within the designated town centre but a store of this size (which is significantly larger than regular format supermarkets) on the vitality and viability of Town Street (especially comparison goods) is a material consideration and needs further assessing. The superstore (which is 1,000 sq m larger than that at Kirkstall) should also be assessed further in terms of any impact on neighbouring existing centres. Indeed para 5.69 of the Planning and Retail Statement indicates that there will be a trade draw from Morrisons (Kirkstall) of 24% and Tescos at Bramley (3%) with no significant assessment on the impact on viability of those stores. Although "overtrading" is argued at Asda at Owlcotes and Morrisons at Bramley this is not defined.



- 10.5 Whilst the Planning and Retail Statement does address these issues further information is required to assess the proposal against PPS4 E16.1 and adopted Leeds UDP (2006) Policy S2 i).

### **Conservation**

- 10.6 The proposal as submitted results in the demolition of 8 properties (6 buildings) in the Conservation Area; 5 of which are identified in the Armley Conservation Area Appraisal as positive buildings (where demolition will be resisted). The buildings on Carr Crofts form an important part of the historic street pattern leading to Town Street and the building at the junction of Carr Crofts and Town Street is a key pivot building in the Conservation Area. The building on Modder Avenue is an attractive stone built building. It is noted that one building noted as positive (to the rear of 39-41 Carr Crofts) appears to have been demolished. If this demolition was undertaken after designation of the Conservation Area it would have required Conservation Area Consent.
- 10.7 PPS5 policy HE9 includes a presumption in favour of the conservation of designated Heritage Assets; once lost these cannot be replaced. Their loss requires a “clear and convincing justification” which we do not consider has yet been provided. The draft SPD “West Leeds Gateway” Policy WL1 also states “positive” buildings should be retained, unless it is not viable or the proposal preserves or enhance the Conservation Area. Para 3.6.2 states that Town Street is the commercial focus and it’s success is fundamental to regeneration and prosperity of west Leeds.
- 10.8 Planning officers agree with the Conservation Officer’s view that
- “The scheme will have a major impact on the Armley Conservation Area which, without compensatory interventions, is considered negative.”
- 10.9 It is considered that the proposal as it stands would have a significant and detrimental impact on the Conservation Area. It fails to preserve or enhance the character and appearance of the Conservation Area.
- 10.10 Initial research indicates that most major supermarket retailers in suburban/inner city locations would require c 2,800 sq m as the ideal format (e.g. Sainsburys average c 2764 sq m and Tescos average 2,786 sq m) whereas this proposal is substantially larger at 8,360 sq m. The supporting letter refers to the need to compete with Morrisons at Kirkstall (7,432 sq m) and the Owlcotes centre at Pudsey, which is a major out of town shopping centre, (12,820 sq m).
- 10.11 Despite the significant impact on the Conservation Area, the submission contains no detailed assessment of whether a smaller store (i.e. less than 8,360 sq m), with lower traffic generation, would need the level of highway improvements at the junction of Town street and Carr Crofts. Such a store may be viable, without needing to demolish a significant number of buildings in the Conservation Area. This needs further assessment and discussion.

### **Highways**

- 10.12 The proposal would result in an additional 1197 two way vehicle trips in the pm peak and 1293 two way vehicle trips in the am peak. This translates as an increase in traffic by 2015 of 29-53% along Town Street and 8-12% on Tong Road.
- 10.13 The Highways consultation response indicates a number of significant issues that need addressing prior to determination in particular relating to acceptability of potential traffic flows towards Town Street or Tong Road, level of necessary off-site

highway works, clarification of flows in the Transport Statement, redesign of proposed access points and provision of a Travel Plan.

- 10.14 Given implications of the proposed highway works on the Conservation Area, it has been concluded that details of means of access should be required at outline stage and the applicant has been notified of this. Given highways concerns on the highway strategy further discussions are required.

### **Design**

- 10.15 Design is a reserved matter, but the applicant is seeking approval of 8,361 sq m at outline stage which has design implications. The Design consultation response and Design Review Panel conclude that on the basis of information provided, a proper assessment of the scheme cannot be made. It is noted that the proposal lacks interest and fails to achieve quality spaces.
- 10.16 As all the drawings are illustrative the majority of design issues would be discussed and assessed fully at reserved matters stage. However concerns about the urban design implications of the potential size of the store, highway improvements at Town Street and loss of existing buildings are all matters that need addressing at outline stage.

### **Drainage**

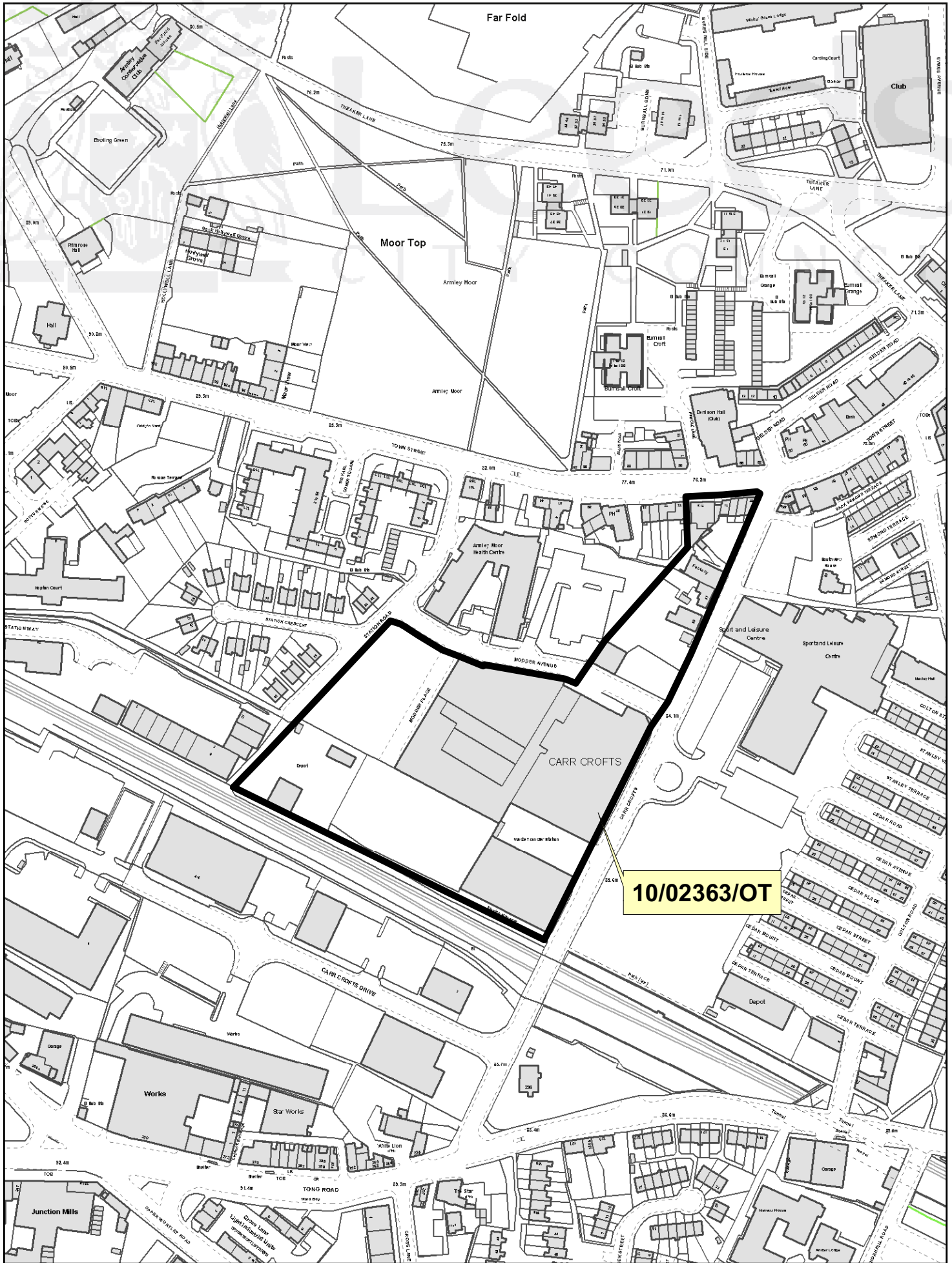
- 10.17 The Environment Agency has formally objected on the basis of the lack of a Flood Risk Assessment. Further information is awaited from the applicant.

## **11.0 CONCLUSION**

- 11.1 The application is in outline (now with access at outline stage) and all supporting material is illustrative. However a number of the issues listed above go to the heart of the application relating to conservation, highways and drainage issues.
- 11.2 Officers consider that the principal of retail development on this site should be supported, but these issues must be fully addressed prior to any recommendation to Panel.
- 11.3 Members are requested to note progress to date and are invited to comment on the main issues, in particular the balance between the potential benefits of encouraging regeneration/employment generation and the potential disbenefits of loss of a significant number of positive buildings in the Conservation Area.

### **Background Papers:**

Application file 10/02363/OT, associated applications 10/02364/CA and 10/02365/FU and history file H24/284/87.



# WEST PLANS PANEL

Scale 1/2500

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Originator: Bob Packham

Tel: 24 78204

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15 July 2010

**Subject: APPLICATION 10/01780/FU – RETENTION OF CATTLE SHED, SINGLE STOREY SIDE EXTENSION TO CATTLE SHED AND ERECT DETACHED SHEEP SHED AT LOW GREEN FARM, 40 LEEDS ROAD RAWDON**

#### **APPLICANT**

John Penny and Sons

#### **DATE VALID**

29 April 2010

#### **TARGET DATE**

29 July 2010

#### **Electoral Wards Affected: Horsforth**

YES

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

### **RECOMMENDATION: REFUSE**

The existing and proposed development, due to its size, location and design has a detrimental impact on the visual amenities and openness of the Green Belt and the character and appearance of the Woodhall/Calverley/Cragg Wood/Hunger Hills Special Landscape Area. The proposed extension and additional building will exacerbate this impact. In view of this the application conflicts with the guidance in Planning Policy Guidance Note 2, and with Strategic Aim SA1, Strategic Principle SP2 and Policies GP5; N13; N33 N37; N37A and BD2 of the Leeds Unitary Development Plan (Review 2006).

#### **1.0 INTRODUCTION:**

The application is reported to Panel because of the size of the development and the fact that the existing structure has been erected without planning permission.

#### **2.0 PROPOSAL:**

This is an application for full planning permission for the retention of an existing cattle shed, for the erection of single storey side extension to that cattle shed and for the erection of detached sheep shed at Low Green Farm, Leeds Road, Rawdon.

The existing cattle building which is to be retained is 158.6 metres long x 24.5 metres wide (26.6 metres including the exterior access way) with a height to eaves level of 6.6 metres and to ridge level of 9 metres. The extension to the cattle shed is on the western end and will measure 24 metres by 26.6 metres, and result in the addition of four 6 metre wide pens (the existing building currently contains twenty six pens). The proposed extension would be constructed of materials to match those on the existing building. The elevations would be clad with matching concrete blocks at lower level with stained timber boarding above, the roof will be dark coloured asbestos cement sheeting.

The proposed sheep shed stands to the south of the cattle shed and will measure 36 metres long and 16.6 metres wide, (floor area 598 m<sup>2</sup>), with a height to eaves level of 5.9 metres and to ridge level of 7.5 metres. It will be constructed of materials to match the existing cattle building. The area between the cattle and sheep buildings is used for storage and access.

The applicant indicates that the extension is required as it has become necessary to house all livestock under cover during the winter to meet the requirements of the Farm Payments Scheme. It is anticipated that this will also assist the farm to achieve Farm Assured Status, which is a recent food standard for farmers to demonstrate quality production techniques. The extension will also allow the farm to increase its animal rearing capacity – the shed can currently hold 300 cattle; with the extension it will be able to house 100-150 more.

### **3.0 SITE AND SURROUNDINGS:**

The building to be extended is a large modern detached cattle shed located to the south of Leeds Road on the hillside overlooking the Aire Valley. The shed is constructed of timber boarding on a concrete block plinth with a roof of green profiled sheeting. The building has a green feed cylinder attached to its eastern side, which extends upwards to the full height of the building. There is an external enclosed storage area in front (to the south) of the cattle shed. The building is set into the hillside.

This is an isolated building within the farm and is surrounded by fields. Approximately 200 metres to the north, on the Leeds Road frontage, is an abattoir.

The building is accessed by a drive running south from Leeds Road to the east of the adjoining abattoir (which is on the road frontage to the north). The abattoir and Low Green Farm are in the same ownership. In addition to the abattoir the applicant has indicated that the farm comprises a total of approximately 120 hectares of land of which 100 is used for grazing sheep and cattle and the balance is in arable use.

The nearest residential properties are 'The Bungalow', Low Green, approximately 150 metres to the north west and Carrs Cottage, approximately 170 metres to the east.

The site is visible from properties further to the west on Rawdon Hall Drive and from numerous locations on the surrounding footpath network, with close up views of the existing building and associated earth mounding from the footpath to the west.

There are long distance views of the building and earthworks from many vantage points to the south of the site on the opposite side of the Aire Valley, including from Woodhall Road Calverley, Rodley Lane close to the roundabout with the Ring Road from Leeds Bradford Road west of Whitecote Hill, Spingbank Drive, Farsley. The building is less visible from the north and west as a result of the topography but can be seen from the Leeds Road frontage east of the abattoir.

The site is within the designated Green Belt and Special Landscape Area as defined on the Leeds Unitary Development Plan. The site is close to but outside the Rawdon Low Green Conservation Area, which lies to the north and north west of the site, (part of the abattoir is within the Conservation Area).

#### **4.0 RELEVANT PLANNING HISTORY:**

27/39/02/FU – planning permission granted 18 June 2002 for an agricultural building described as an animal shelter/hay/equipment store, 30 metres wide x 18 metres deep, 6 metres to the eaves and 7.8 metres to the ridge in a location approximately corresponding to part of the present cattle shed. This permission has not been implemented. Approved 18.6.02

27/48/03/FU – planning permission granted for a detached agricultural building, 60 metres wide x 18 metres deep in a similar location as 27/39/02/FU (slightly further to the north and east), and of the same eaves and ridge height. Approved 22.5.03

The footprint of the two applications referred to above overlapped, precluding the implementation of both.

06/03980/FU – extension of agricultural cattle shed., showing an extension to the cattle shed 30 metres in length and 18 metres wide, with an eaves height of 6 metres and a ridge height of 7.8 metres. Approved 17.10.06

09/02937/FU - single storey side extension to cattle shed and erection of detached sheep shed. Withdrawn 30.3.10

#### **5.0 HISTORY OF NEGOTIATIONS:**

In relation to application 09/02937/FU, referred to above, the submitted drawings showed an existing building of 60 metres x 16.6 metres on the existing plans, elevations and sections, whilst the location plan showed a building of approximately 90 by 24 metres and the site plan a building of 158.6 metres long x 24.5 metres wide (26.6 metres including the exterior access way). The extension to the cattle shed was shown as 24 metres by 26.6 metres, and the sheep shed as 36 metres x 36 metres. The application was withdrawn when the discrepancy was pointed out to the applicant and that it appeared that a considerable part of the existing building did not appear to have planning permission.

Subsequent to the withdrawal of the above application the Council served a Planning Contravention Notice on 22 January 2010. A subsequent meeting was held with the applicant and his agent at which Officers expressed the view that the building as constructed was likely to be considered unacceptable in this Green Belt location and that it was unclear whether the use of the building was appropriate to this Green Belt location.

In response the applicant has submitted the current application to retain the existing building and for the extensions shown on the previous application.

## **6.0 PUBLIC/LOCAL RESPONSE:**

The application was advertised by a site notice posted on 4 May 2010 and as a result 3 representations have been received from residents of Henley Avenue and Leeds Road; they raise the following concerns:

- The building is not used for agriculture – it is a warehouse for animals awaiting slaughter/industrial building and ancillary to the slaughter house.
- Therefore inappropriate development and Contrary to Green Belt policy.
- Large industrial building not in keeping with nearby stone structures or surrounding area.
- Negative impact on Conservation Area.
- Damage to character and conservation value of the valley.
- Will further affect the value of adjacent property.
- It will increase the amount of work for the abattoir thereby creating more noise nuisance including at anti-social hours.
- Retrospective permission should not be given.
- It will increase the size of what is already a massive structure and is not in keeping with the character of the Conservation Area.
- Will increase smells and odours emanating from the premises to the detriment of the amenities of local residents.
- Expansion will add to traffic, with detriment to highway safety compounded by parking on the road outside the premises.
- No screening or landscaping has been done round the existing building to lessen its impact.
- Abattoir does not employ people from local area therefore little or no impact on local economy.

## **7.0 CONSULTATIONS RESPONSES:**

Statutory:

None

Non-statutory:

Public Rights of Way:  
No objection

Neighbourhoods and Housing:  
No objection

Highways:  
No objection

SDU Landscape:

The development presents an extensive linearity and horizontality that is over-dominant in the landscape - which is designated as Special Landscape Area, under UDP Policy N37. Policy N37a is also relevant.



It is significant that landscape schemes for dealing with the development were only forthcoming after enforcement.

The levels shown on the JCA landscape drawing do not tie up with the illustrative cross sections in the TEL Landscape assessment. The TEL report underplays the impact of the building on users of the PROW in establishing the visual receptors, and "dilutes" the overall impact by choosing highly remote receptors such as in Rodley and Calverley.

Recommendation

- Refusal on grounds of adverse landscape impact

## 8.0 PLANNING POLICIES:

Leeds Unitary Development Plan policies:

- SP2 – Protection of countryside
- GP5 – General Planning Considerations
- N13 Design and new buildings
- N33 Development within the Green Belt
- N37 – Development within Special Landscape Areas
- N37A – Development in the countryside
- N19 – Extension within and adjacent to Conservation Areas
- BD2 - Design and siting of new buildings
- T2 – Highways considerations

Government Planning Policy

- PPG2 Green Belts January 1995
- PPS4 Planning for Sustainable Economic Growth
- PPS7 Sustainable development in rural areas

## 9.0 MAIN ISSUES

Principle of development - is the development appropriate in the Green Belt  
Effect on visual amenities of the Green Belt and the character of the SLA

Other issues

Neighbour representations

## 10.0 APPRAISAL

### **1. Principle of Development - is the development appropriate in the Green Belt**

Paragraph 3.4 of PPG2 Green Belts, indicates that the construction of buildings in the Green Belt is inappropriate, unless it is for a number of purposes including agricultural use.

The buildings are certainly designed for agricultural purposes. In addition the present building is occupied by agricultural animals, and the same will apply to the extension and proposed building. The key is whether the existing and proposed buildings are used for agriculture or are primarily required as lairage for the abattoir since the latter use would not be agricultural and would be inappropriate in this location.

In clarification of the use of the buildings the applicant's agricultural advisor has indicated that in order to meet the requirements of the farm assurance scheme all animals must be kept in farm buildings for a specified time before slaughter (90 days for cattle and 60 days for sheep). It is unclear if this applies to all animals, and local residents have indicated that in their view the building is used for lairage with animals being placed in the building one day and sent to slaughter the next.

There is no clear evidence however, at this time, that the applicant is using the building for anything other than what he has applied for, agricultural purposes. If planning permission were to be granted for the present use this would not preclude future enforcement action in relation to unauthorized use of the building if it could be shown that the use had changed.

On the basis of current information therefore it is concluded that the use is appropriate to this location in the Green Belt.

## **2 Effect on visual amenities of the Green Belt and the character of the SLA**

That the building is "appropriate" in terms of its use, however does not necessarily mean it is acceptable in terms Green Belt or indeed Special Landscape Area Policies.

Paragraph 3.15 indicates that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which although they would not prejudice the purposes of including land in the Green Belt might be visually intrusive by reason of siting, materials or design. In addition, paragraph 1.4 states that the most important attribute of Green Belts is their openness.

The existing building is visible from numerous viewpoints around the site, both in close and longer distance views. The applicant provides a landscape visual impact assessment with the application which include a series of view points. However, the photographs do not accurately reflect the visual impact from the points chosen and do not include a number of closer and more distant viewpoints from which the building is visible.

It is considered that the building is particularly visible from a number of viewpoints, in particular from locations not selected in the visual impact assessment on the footpath west of the site, from the Leeds Country Way east of the site and in more distant views from Woodhall Lane east of Calverley and from the Leeds Bradford Road between Bramley and Rodley.

From the more distant locations the building appears as a very large linear feature which is overdominant in the landscape. Its separation from existing development is evident from these longer views and it stands isolated in the SLA and Green Belt between Rawdon and Calverley. From Leeds Road itself the long roof of the building is clearly visible against the panoramic long distance views to the Pennines.

The building as constructed is much larger than that approved by the City Council, which taking account of the two planning permission s granted was to be a total of 90m long by 18m (1620m<sup>2</sup>). The building as constructed is 158.6 metres long x 24.5 metres wide and has a floor area of 3885m<sup>2</sup>. The building as constructed is therefore 76% greater in length than that approved and has a floor area nearly 2.4 times greater.

It is considered, given the combination of its size, linear design and location that the existing building without extension is detrimental to both the visual amenities and openness of the Green Belt. The proposal therefore conflicts with the advice in PPG2.

The applicant has implemented extensive earthworks (which are clearly visible from the footpath and in more distant views) which effectively provide a platform for the existing and proposed buildings and planting is proposed on the banking to the south, west and north of the buildings. Realistically this will take some time to establish, and although this may provide a degree of screening from the footpath network to the west and south it is considered that the effect on long distance views will be limited due to: the elevation of the viewpoints, which look down on the building; and the size of the main building.

On the basis of the above comments relating to the siting and linear design of the building it is also considered that the development as constructed is seriously detrimental to the character of the Special Landscape Area and contrary to Policy N37 of the LUDPR and the more general policy relating to the countryside, N37A. It is considered that the proposal therefore conflicts with a strategic principle SP2 of the LUDPR which seeks to protect the countryside for its own sake.

It is also considered that the construction of a further extension to the building and the construction of the additional sheep building will exacerbate the impact of the building on the Green Belt and SLA..

### **3 Other issues**

It follows that the application also conflicts with Policies GP5 and BD2. In relation to GP5 it results in a loss of visual amenity whilst with regard to BD2 it is considered that the building does not complement the existing vistas, particularly when viewed from a number of viewpoints across the valley. The landscape proposals do not resolve the problem of the impact of a building of this size in such a prominent location.

With regard to Policy N19 (development within and adjacent to conservation areas) the impact is less harmful. Whilst the site is within 120 metres of the Low Green Conservation Area the land slopes quite steeply from the Leeds Road and in public viewpoints it is not prominent from any location within the Conservation Area. In views from the Leeds Road it can be seen from the road frontage east of the abattoir, but whilst its appearance from this location does affect the openness and visual amenities of the Green Belt and the character of the SLA, it does not impact on the conservation area itself.

Similarly in long distance views it is seen to be clearly separated from adjacent development and whilst the buildings within the Conservation Area are visible beyond the building the character of the conservation area is not apparent in such views. In view of this it is not considered that the proposal conflicts with policy N19.

In addition consultation responses indicate that there are no objections to the existing and proposed development from Highways, Neighbourhoods and Housing and Rights of Way.

Finally, in relation to employment and the rural economy, it should be noted that the Planning Statement accompanying the application makes passing reference to the

applicant's business and role as a local employer. However the application does not seek to justify the development in terms of its economic importance and no Government or LUDPR policies are quoted by the applicant in relation to this issue.

#### **4 Neighbour representations.**

With regard to the representations received in respect of this application, the majority are dealt with above. Of those points not covered, the effect on the market value of adjacent property and the assertion that the abattoir does not employ people from local area and therefore has little or no impact on local economy are not planning matters.

#### **11.0 CONCLUSION**

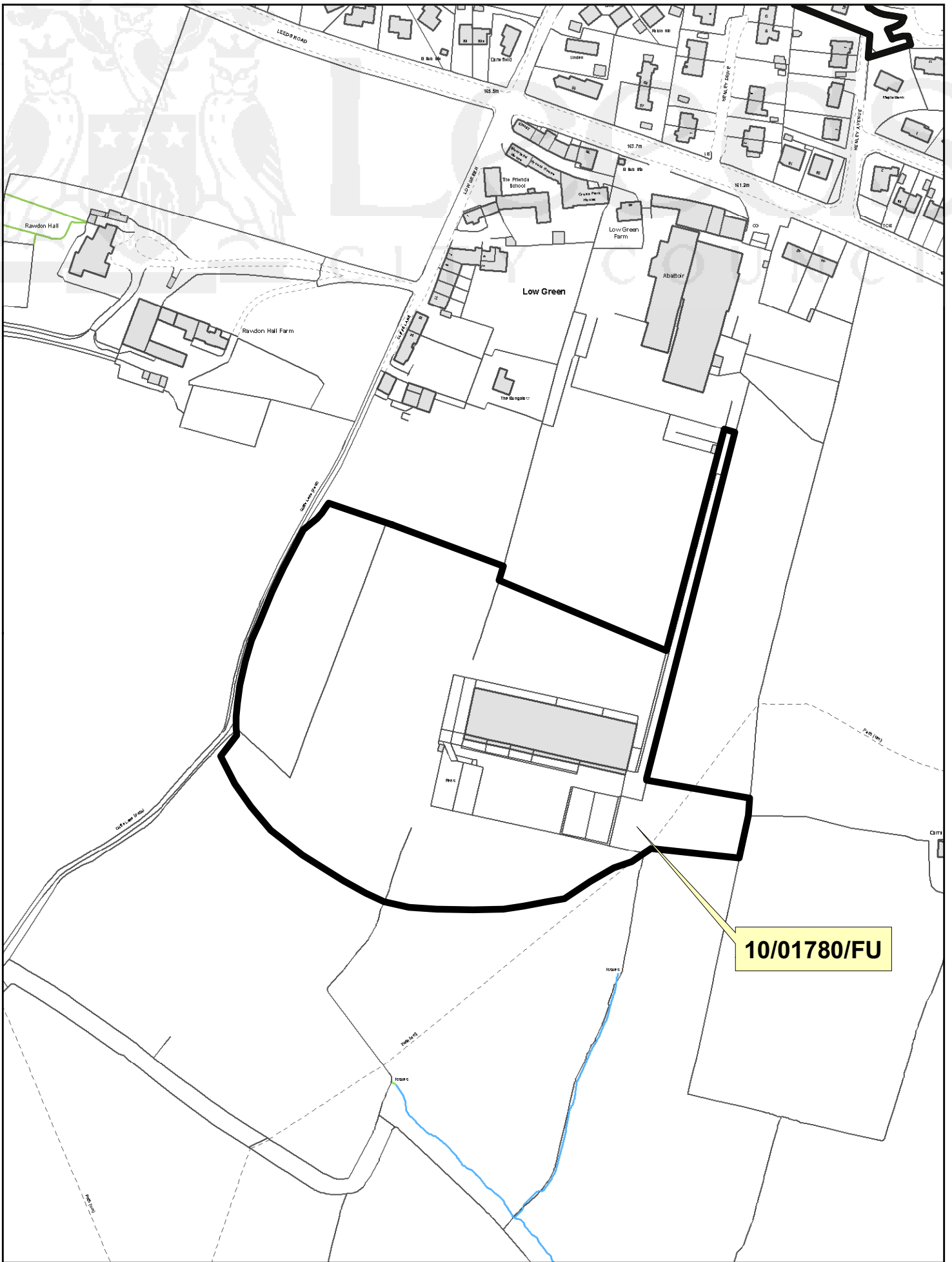
It is considered that the existing unauthorised and the proposed developments are unacceptable as a result of the impact on the openness and visual amenities of the Green Belt; the effect on the character and appearance of the Special Landscape Area and the countryside. It is therefore recommended for refusal.

#### **Background Papers:**

Application file: 10/01780/10FU

History files: 27/39/02/FU 27/48/03/FU 06/03980/FU 09/02937/FU

Certificate of Ownership Signed by Agent on behalf of owner.



# WEST PLANS PANEL

Scale 1/2500

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Originator: Carol  
Cunningham  
Tel: 2478017

## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15<sup>th</sup> JULY 2010

**Subject: TERMS OF THE SECTION 106 AGREEMENT FOR RESIDENTIAL DEVELOPMENT AT LAND TO THE REAR OF MID POINT, OFFICE PARK, DICK LANE, PUDSEY.**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Taylor Wimpey Yorkshire	11 February 2010	13 May 2010

**Electoral Wards Affected:**

**Calverley & Farsley**

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: TO APPROVE THE TERMS OF THE SECTION 106 AGREEMENT IN RELATION TO AFFORDABLE HOUSING AND GREENSPACE**

#### **1.0 INTRODUCTION:**

1.1 The report comprises the proposed terms for a section 106 agreement in relation to affordable housing and greenspace. The report details the developers latest offer in relation to this required contributions for Members to consider.

#### **2.0 PROPOSAL:**

2.1 Outline planning permission for residential development was granted in September 2006. This outline permission was for layout of access road and to erect a residential development. Subsequent to this approval a reserved matters application was granted permission in February 2009 for laying out of an access road, 48 apartments, 1 flat over garage, 119 houses with associated bin and cycle's store. This permission was granted by Panel on 22<sup>nd</sup> January 2009 and a copy of this Panel report is attached.

2.2 An application to vary condition 28 of the previous application relating to affordable housing was submitted to Plans Panel on 15<sup>th</sup> April 2010. The application was to amend the condition to read:

‘Prior to the commencement of development arrangements for the provision of affordable housing shall be agreed in writing by the Local Planning Authority.’

At the same time an application to vary condition 5 of the reserve matters application which also covers affordable housing was considered by Panel.

Panel approved the condition in terms of affordable housing to be varied to the wording above and planning permission was granted on 15<sup>th</sup> April 2010. The purpose of these amendments was allow flexibility in relation to the discharge of these conditions and the terms of the section 106 agreement to reflect changes in the economic climate.

2.3 Also at this Panel there was a discussion regarding the precise terms of a section 106 agreement to cover affordable housing and greenspace contributions. Panel accepted that both could be provided by a full commuted sum. The offer in terms of the full commuted sum from the developer was to pay £406,400 upfront towards affordable housing and greenspace out of a requirement of approximately £1.8 million. The rest of the contributions would be subject to a financial viability statement to be submitted 2, 3 and 4 years after the signing of the section 106 agreement. Panel did not accept this way forward and suggested that they would support the full affordable housing and greenspace requirement but phased to allow for some of the houses to be constructed and sold before having to pay the commuted sums. A phasing of the payments was suggested so that when 25% of the houses were sold 25% of the affordable housing requirement had to be paid. When 50% sold another 25% of affordable housing contribution was to be paid. Another quarter would be paid when 75% of houses sold and the last quarter when 100% of houses sold.

2.4 The applicant due to the current economic climate cannot commit to this way forward as it will make the scheme financial unviable. They have offered another package. The previous offer was to pay a total contribution to affordable housing and greenspace of £406,400 and £104,160 for bus passes for the residents and £10,000 for a Traffic Regulation Order and these would have been paid upfront. This amounts to £520,560 of a £2.2 million requirement which is 23% of the overall requirement. The rest of the contributions would have been subject to a financial viability assessment carried out at 2, 3 and 4 years from signing the section 106. The developer has increased their offer to still pay for the Traffic Regulation Order and the bus passes plus £1.03 million for affordable housing and greenspace. The offer is to pay £406,400 after 25% of the properties sold and then a further £202,200 when 50%, 75% and 95% of properties sold. This would then be a guaranteed 51% of the total contributions. The other 49% would be subject to the financial viability statements submitted at 2, 3 and 4 years after signing the section 106 agreement.

2.5 A table attached to this Panel report shows a summary of both the previously rejected scheme and the new proposal.

### **3.0 SITE AND SURROUNDINGS:**

3.1 The site comprises of 3.76 ha, and was formerly used for engineering and manufacturing purposes. It is accessed off Dick Lane, which itself links onto the Thornbury roundabout 200m to the north west and the A647 Leeds Road/Bradford Road.



3.2 The site is surrounded by open land to the south, a golf course to the east, both of which are in green belt, the Odeon cinema and car park to the north and office uses to the west.

#### **4.0 RELEVANT PLANNING HISTORY:**

4.1 An outline planning application (25/407/05/OT) for residential development was reported to Panel on the 13<sup>th</sup> July 2006 and granted permission on 28<sup>th</sup> September 2006. A reserved matters application (07/05428/RM) was forwarded to Panel on 22 January 2009 and granted planning permission on 26 February 2009.

4.2 A number of planning permissions exist on the adjoining site to the west originating with an outline permission in 1991 for a major leisure development. (H25/47/91.). Since then a variety of permissions have provided for mixed uses comprising a leisure use, A3 uses, Travelodge hotel and various offices.

4.3 Planning application number 10/00613 is to vary condition 5 of the reserved matters application relating to affordable housing Approved 15/4/2010

4.4 Planning application number 10/00614 – vary condition 28 of the outline application relating to affordable housing Approved 15/4/2010.

#### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 A residential viability assessment has been submitted which formed the basis for a section 106 agreement to ensure the provision of affordable housing, greenspace and highway contribution. The developers previous offer was not acceptable by Panel on 15<sup>th</sup> April and officers have been in discussions with officers to negotiate the scheme in front of you today.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

6.1 Ward members have been reconsulted on this new proposal. Councillor Carter has commented supporting the new offer stating that there is a good chance of getting a scheme moving quickly and we should face the economic reality that we are all in at the moment. This is a scheme of low cost housing with a significant regenerative effect once it has commenced.

Councillor Marjoram has very strong support of the proposal stating that the committed sum will allow house building in higher priority areas; there is plenty of private sector affordable housing in this location; it will provide much needed work for many people over a number of years.

#### **7.0 CONSULTATIONS RESPONSES:**

7.1 Statutory

No comments received.

Non-Statutory

No comments received.

#### **8.0 PLANNING POLICIES:**

8.1 The Development Plan for the area consists of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan (Review 2006).

## Unitary Development Plan (Review 2006)

The site is located within the main urban area and comprises part of a LT5B:5 (leisure and tourism) allocation as defined by the Leeds UDP Review 2006. It is also includes a small element of the adopted green belt and a protected playing pitch. The whole site is also included within an area under GP5 (unimplemented local plan proposals). No other allocations or designations affect the site.

Relevant policies include:

GP5 Applications to resolve development control considerations.  
H12 Affordable housing to be negotiated.

Leeds City Council SPG3 'Affordable Housing' is relevant.

PPS3 states that new housing development should provide good private and public amenity space.

### **9.0 MAIN ISSUES**

Viability of the proposal

### **10.0 APPRAISAL**

- 10.1 A financial viability statement was submitted in July 2009 which stated that the amount of profit available from the development equated to the financial contributions that were required for the commuted sums.
- 10.2 Based on the submitted viability information Asset Management ran a number of different development scenarios based on fixed cost/residual land value and different affordable housing requirements of 0%, 25% and 30%. The conclusions of the various assessments are:
- 10.3
1. Given the price that George Wimpey paid for the land, the scheme for which they have permission would not be viable if affordable housing and greenspace contributions provided now on the basis that development commenced immediately.
  2. If the land was sold to another housebuilder at current residential land values, the scheme would be viable with a 20% profit and a partial contribution towards affordable housing and greenspace (£300,000 - £400,000).
  3. The land would be more profitable in the current market for an industrial development.
- 10.4 The view from Asset Management is that the price paid for the land was paid knowing the commercial risk involved and it is not the responsibility of the planning system to underwrite developer's losses.
- 10.5 On the other hand the local planning authority is seeking to be helpful to the development sector where appropriate in a difficult economic climate. It is agreed that this is in line with the recent DCLG announcements and both the national and local need in Leeds to increase housebuilding development rates, particularly on brownfield sites such as this. It is acknowledged that the economics of provision are a material planning consideration.

- 10.6 The developer is committed to starting on site in the very near future and have submitted a letter to this effect. They need to start on site before February 2011 when the reserve matters application expires. The section 106 agreement is only awaiting the decision on these terms of contributions and then it is ready for signature and issuing. The section 106 ties the developer to the site so they cannot sell the land on for a profit and allow another developer to not have to contribute to affordable housing. If the site is sold it would involve a new section 106 agreement and this matter would have to be re-examined.
- 10.7 A residential viability assessment which seeks to demonstrate that the scheme is unviable with contributions to affordable housing and greenspace as stated previously has been submitted. This has formed the basis of negotiation to formulate the section 106 agreement. The previous s106 agreement allowed for flexibility which included clauses foregoing affordable housing provision in early phases, to be reviewed as part of subsequent phases when the market may have improved. This would be appropriate to the individual circumstances of this developer and the section 106 agreement ties the development in with this developer.
- 10.8 This S106 allowed for no commitment to affordable housing to be provided immediately development commences, however, if development is not substantially completed within 2 years, the viability assessment will have to be resubmitted. This will assess if the market has improved and whether provision for affordable housing can then be provided. The two years start from when the S106 agreement is signed and not when development starts on site. If in two years time the financial viability shows that a contribution to affordable housing is able to be provided then this will be the full amount required of affordable housing based on the total number of residential dwellings proposed rather than a percentage of the residential units left to be built. This assessment has then to be carried out yearly until the development is complete. The initial provision allowed for 50% of the provision to be provided on site with 50% being a commuted sum. Comments from the Ward Members have indicated that they would prefer to see the affordable housing provided in a full financial contribution and not the 50% split for provision on site and off site contribution. The Ward Members have requested this as the site is in a location where the prices of the houses will be competitive and the financial contribution can then be used were the provision of affordable housing is low which is likely to be locally. Whilst this request is at odds with current policy guidance it does ensure that development can commence on site as soon as possible with all the economic benefits and the prices of the properties in this location would be competitive and the commuted sum put to use where it is most needed.
- 10.9 The new scheme for consideration today increases the guaranteed contribution from 23% of the overall financial contribution required as part of the planning permission to 51%. This is a substantial increase on the previous offer. The offer is to pay the amount in phases when 25%, 50%, 75% and 95% of the development is sold. The developer is happy to consider other phases of payment for this 51%. The remaining 49% will be subject to the financial viability assessment discussed elsewhere in this report.

The s106 allows development to proceed on site in this difficult financial period and protects the interests of the Council in that the full amount of affordable housing provision may be required and provided before the development is complete.

- 10.10 It has to be acknowledged, that the situation could arise where development has been completed on site and the viability of the site still does not generate any affordable housing. However, it is considered, on balance that in view of the current

trends viability of the site will improve and the early commencement of development on site and the economic benefits this will bring, outweighing the possibility that the site may not generate any affordable housing provision.

- 10.11 In summary the previous proposal guaranteed a payment of £406,400 for affordable housing and greenspace which when added to the contributions for bus passes and a traffic regulation order it amounted to 23% of the anticipated contributions. The payment of the remaining sum for affordable housing and greenspace would be based on assessment by the viability of the site at 2, 3 and 4 years from signing of the section 106 agreement. This proposal before you today now guarantees a minimum of £1.127m which is 51% of the total anticipated contributions, paid at various stages during construction. The other 49% will be based on the viability of the site at 2, 3 and 4 years from the signing of the section 106 agreement.

## **11.0 CONCLUSION**

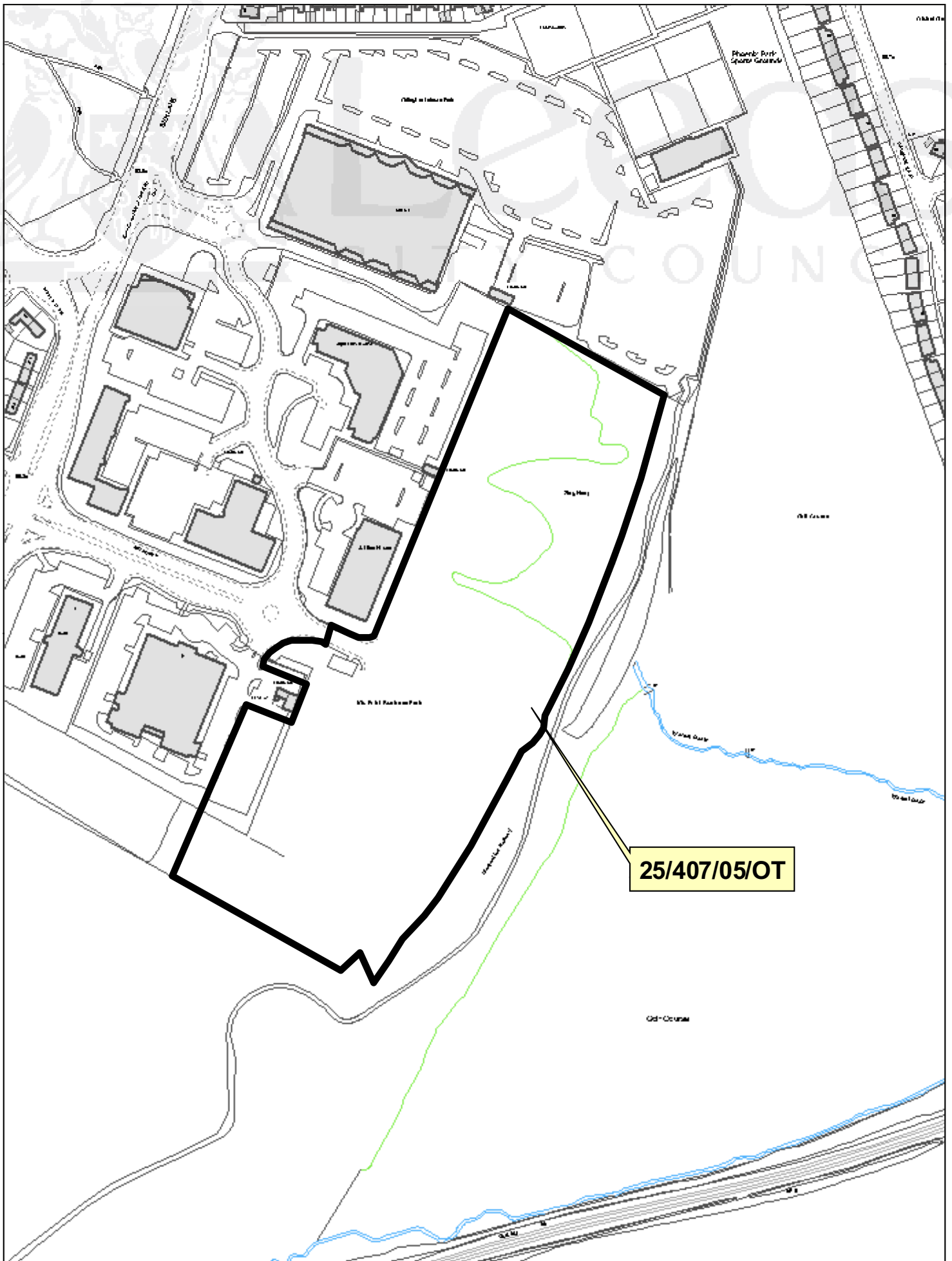
It is concluded that the terms of the section 106 agreement allow for development to commence and continue on site while guaranteeing the payment of half of the required contributions. The other half is subject to reassessment through the financial viability statement during the course of the development.

### **Background Papers:**

Certificate of Ownership – signed as applicant.

Application file 10 /00613/fu.

<u>PREVIOUSLY REJECTED SCHEME</u>		<u>NEW PROPOSAL</u>	
<u>PHASE</u>	<u>CONTRIBUTION</u>	<u>PHASE</u>	<u>CONTRIBUTION</u>
Commencement of Development	£406,400	On sale of 25% of dwellings (expected within 1st year)	£406, 400
		On sale of 50% of dwellings (expected within 2nd year)	£202, 200
		On sale of 75% of dwellings (expected within 3rd year)	£202,200
		On sale of 95% of dwellings (expected within final year)	£202, 200
After 2 years from signing of Section 106 agreement	Financial viability to be submitted if house prices have risen further contributions will be paid	After 2 years from signing of Section 106 agreement	Financial viability to be submitted if house prices have risen further contributions will be paid
After 3 years from the signing of the Section 106 Agreement	Financial viability to be submitted if house prices have risen further contributions will be paid	After 3 years from the signing of the Section 106 Agreement	Financial viability to be submitted if house prices have risen further contributions will be paid
After 4 years from the signing of the Section 106 Agreement	Financial viability to be submitted if house prices have risen further contributions will be paid	After 4 years from the signing of the Section 106 Agreement	Financial viability to be submitted if house prices have risen further contributions will be paid
Traffic Regulation Order	£10,000	Traffic Regulation Order	£10,000
Bus passes	£104, 160	Bus passes	£104,160
<b>TOTAL % OF CONTRIBUTIONS GUARANTEED</b>	<b>23%</b>	<b>TOTAL % OF CONTRIBUTIONS GUARANTEED</b>	<b>51%</b>
<b>POSITIVES</b> £406,400 secured upfront before development commences and is 23% of the overall requirement		<b>POSITIVES</b> Minimum of £1.03 million secured which is 51% of the overall requirement	
<b>NEGATIVES</b> May be all that is paid if economy does not improve during the 4 years of development		<b>NEGATIVES</b> May be all that is paid if economy does not improve during the 4 years of development	



# WEST PLANS PANEL

  
Scale 1/2500