



PLANS PANEL (WEST)

Meeting to be held in Civic Hall, Leeds on
Thursday, 21st July, 2011
at 1.30 pm

MEMBERSHIP

Councillors

N Taggart (Chair)	B Chastney	P Wadsworth	T Leadley
J Akhtar	J Matthews	R Wood	
M Coulson			
K Groves			
J Hardy			
J Harper			

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</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 Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</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>RESOLVED – 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>LATE ITEMS</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>DECLARATIONS OF INTEREST</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>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the Plans Panel West meeting held on 23 June 2011</p> <p>(minutes attached)</p>	3 - 6
7	Headingley;		<p>POSITION STATEMENT FOR APPLICATION 11/02021/FU - HEADINGLEY STADIUM, LS6</p> <p>To consider a report of the Chief Planning Officer regarding a position statement for Application 11/02021/FU – Full planning application for demolition of the existing South Stand and erection of a replacement covered spectator terrace with associated facilities for food and drink concessions, stores, car parking and turnstiles</p> <p>(report attached)</p>	7 - 18

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8	Otley and Yeadon;		<p>APPLICATION 09/04287/RM - GARNETTS PAPER MILL, OTLEY, LS21 AND APPLICATION 10/0395/FU</p> <p>To consider a report of the Chief Planning Officer on a reserved matters application for laying out of access roads and erection of 138 dwellings, 21 flats in 3 blocks, 41 retirement apartments, 2 storey office block and alterations and extensions to mill building to form 36 flats and 1 office unit and change of use of building to bar/restaurant and 20 space public car park, greenspace and landscaping at Garnetts Paper Mill, Otley; and laying out of access road at land adjacent to Gallows Hill, Pool Road, Otley LS21.</p> <p>(report attached)</p>	19 - 36
9	Guiseley and Rawdon;		<p>APPLICATION 11/01843/FU - NETHERFIELD ROAD, GUISELEY, LS20</p> <p>To consider a report of the Chief Planning Officer on a planning application for the erection of 74 dwelling houses at land off Netherfield Road, Guiseley, LS20</p> <p>(report attached)</p>	37 - 52
10	Weetwood;		<p>APPLICATION 10/03063/FU - RICHMOND HOUSE SCHOOL, OTLEY ROAD LS16</p> <p>To consider a report of the Chief Planning Officer on a planning application for improvements to access and egress with new parking area to schools and playing fields at Richmond House School, 168-170 Otley Road, LS16 5LG</p> <p>(report attached)</p>	53 - 60

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11	Guiseley and Rawdon;		<p>APPLICATION 11/01857/OT - SPRINGHEAD MILLS, GUISELEY, LS20</p> <p>To consider a report of the Chief Planning Officer for an outline application including laying out of access road, public open space and erection of 54 dwellings with associated car parking, landscaping and full application for the refurbishment of industrial building and the replacement of 1 industrial building</p> <p>(report attached)</p>	61 - 76
12	Calverley and Farsley;		<p>APPLICATION 11/00903/FU - 16 WOODHALL CROFT, STANNINGLEY, LS28</p> <p>To consider a report of the Chief Planning Officer for a planning application for one detached house to replace existing bungalow</p> <p>(report attached)</p>	77 - 84
13	Horsforth;		<p>APPLICATION 11/01290/FU - 194B TO 194C NEW ROAD SIDE, HORSFORTH, LS18</p> <p>To consider a report of the Chief Planning Officer for a application for change of use and alterations including addition of two extractor fans to retail unit to form tow restaurants/takeaways</p> <p>(report attached)</p>	85 - 92
14			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as 18 August 2012</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
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Andy Booth
Tel: 0113 247 4325
Fax: 0113 395 1599
andy.booth@leeds.gov.uk
Your reference:
Our reference: ppw/sitevisit/
2011

Dear Councillor

PLANS PANEL (WEST) – SITE VISITS – THURSDAY, 21 JULY AT 1.30 pm

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

- 1 Otley and Yeadon
10.50am on site – **09/04287/RM** – Reserved Matters application for laying out of access roads and erection of 138 dwellings, 21 flats in 3 blocks, 41 retirement apartments, 2 storey office block and alterations and extensions to mill building to form 36 flats and 1 office and change of use of building to bar/restaurant and 20 space public car park greenspace and landscaping – Garnetts Paper Mill, Mill Lane, Otley.

And
10/03695/FU – Laying out of access road – Land adjacent Gallows Hill, Pool Road, Otley Leave 11.10am (meet at entrance off Mill Lane if travelling independently)
- 2 Weetwood
11.25am on site – **10/03063/FU** – Improvements to access and egress with new parking area and play areas to school. Leave 11.45 (Meet at main entrance to school off Otley Road if travelling independently).

Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 10.25 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 10.20 am

Yours sincerely

Andy Booth
Governance Officer

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PLANS PANEL (WEST)

THURSDAY, 23RD JUNE, 2011

PRESENT: Councillor J Harper in the Chair

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

152 Election of Chair

In the absence of Councillor Taggart, the Panel was asked to nominate a Chair for the meeting. A nomination was made on behalf of Councillor Harper, and following a vote by Members present, it was

RESOLVED – That Councillor Harper be appointed to the chair for the meeting.

153 Declarations of Interest

There were no declarations of interest.

154 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Groves and Taggart.

155 Minutes

RESOLVED – That the minutes of the meeting held on 25 May 2011 be confirmed as a correct record.

156 Appeal decisions

The report of the Chief Planning Officer referred to appeal decisions in respect of the following applications:

- Application 09/04512/FU (Sentinel) – Appeal against non determination of an application for the use of land as a secure off site car park at Sentinel Car Park, Warren House Lane, Yeadon, Leeds, LS19 7FT
- Application 09/05365/FU (Learmonth) – Appeal against refusal of permission for the change of use of Unit 1A from general industrial use to use for off-airport car parking at Unit 1A, Leeds Bradford Airport Industrial Estate, Harrogate Road, Leeds, LS19 7WP

Members were reminded of the details of the applications and shown site designs and pictures. It was reported that the appeals were heard at a joint public inquiry and were both subsequently upheld and permanent planning permission was issued.

An summary of the Inspector's case was given and the following issues were highlighted:

- Current demand for parking
- Growth of the airport
- Negotiations on Section 106 agreements for transport
- There would be no harm to green belt land
- Future masterplan and airport surface strategy
- Customer choice

In response to Members comments and questions, the following issues were discussed:

- Highway safety due to increased transport and previous concern regarding this in relation to the Learmonth application – it was reported that there would be a shuttle bus service to and from the car park which picked up and dropped off at the airport forecourt.
- Impact on airport plans – there had been concern from Leeds Bradford International Airport that this could lead to a potential loss of revenue which in turn could affect other public transport proposals in relation to Section 106 agreements and the core strategy.

The Panel was also given an update on appeals relating to Tiverside Mills, Horsforth and the Leeds Girls High School Site

RESOLVED – That the appeal decisions be noted.

157 Applications 10/00739/FU and 10/00742/CA - The Tannery Leeds Road Otley LS21

Plans and photographs of the site were displayed at the meeting. Members of the Panel had also visited the site prior to the meeting.

It was reported that the applications submitted were for the demolition of The Tannery building and for it to be replaced with 12 dwellings. A previous application had been withdrawn which had included the retention of the front of the Tannery buildings.

The applications had been recommended for refusal. Amongst the reasons for recommending refusal were the following:

- The building was in a conservation area
- Highway safety issues
- Design and layout of the site

The panel heard representations from the applicant. It was reported that the majority of the buildings had been empty since 2006 and active marketing had not been successful in attracting new tenants. The buildings were now in an un-lettable condition and a decision had been taken to re-develop the site. Costs to repair the site were also prohibitive.

The applicant's agent also addressed the Panel. He made reference to the fact that the application had been amended to accommodate previous concern and it was felt that the highway layout was adequate with space to turn the largest vehicles.

Further representations were made by a representative from Highways and it was suggested that the applicant has further discussion with Highways regarding revision of the plans.

Members discussed options available to the site including full and partial demolition of the buildings and indicated that they would be prepared to consider a future application which sought full demolition of the building to facilitate an improved access.

RESOLVED – That the applications be refused for the reasons specified in the submitted report.

158 Application 10/04924/FU - Former St Joseph's Convalescent Home - Outwood Lane Horsforth LS18

Plans and photographs of the site and proposed development were displayed at the meeting. Members of the Panel had also visited the site prior to the meeting.

It was reported that a previous application had been refused in June 2010 and the following main amendments to the application were highlighted:

- The plans had been amended to bring the building in at both ends
- The roof had been designed so it was further into the building
- The building would be further into the site
- More natural materials would be used

The application had been recommended for refusal. Amongst the reasons for recommending refusal were the following:

- Design issues
- Conservation issues
- Highways and Car Parking
- Amenity issues for local residents

The applicant's agent addressed the Panel. The Panel was informed that advice had been considered since the previous application; that reasonable changes had been made to the plans and that all necessary consultation had been carried out. The previous application had been substantially bigger and changes had been made to the side elevations. Members were asked to consider the nature of the application and the employment opportunities it would create.

Members discussed the application in further detail and it in summary concluded that the changes had not been substantial enough since the previous application.

RESOLVED – That the applications be refused for the reasons specified in the submitted report.

159 Date and Time of Next Meeting

Thursday, 21 July at 1.30 p.m. in the Civic Hall, Leeds.



Report of the Chief Planning Officer

Plans Panel West

Position Statement

Date: 21st July 2011

Subject: POSITION STATEMENT FOR APPLICATION 11/02021/FU – FULL PLANNING APPLICATION FOR DEMOLITION OF THE EXISTING SOUTH STAND AND SUPPORTERS CLUB AND ERECTION OF A REPLACEMENT COVERED SPECTATOR TERRACE WITH ASSOCIATED FACILITIES FOR FOOD AND DRINK CONCESSIONS, STORES, CAR PARKING AND TURNSTILES AT HEADINGLEY CARNEGIE STADIUM, ST MICHAELS LANE, HEADINGLEY LS6 3BR

APPLICANT

Leeds Football, Cricket and Athletic Co Ltd

DATE VALID

25th May 2011

TARGET DATE

24th August 2011

Electoral Wards Affected:

Headingley

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 position statement and are invited to provide their comment on the following matters:

1. Principle of the redevelopment
2. Design, scale, layout, landscaping and character
3. Impact on residential amenity
4. Highways matters

1.0 INTRODUCTION:

1.1 This position statement is brought to Plans Panel to update Members on the progress of this proposal since the last pre-application presentation in 2010. A full planning application has now been submitted and is under consideration.

1.2 Councillor Hamilton has objected to the application and requested that the application is determined by Plans Panel. His comments are copied later within the report.

2.0 PROPOSAL:

- 2.1 The proposal is for the demolition of the existing terrace stand and the erection of a replacement standing terrace stand for 7400 spectators as was seen previously at pre-application stage by Plans Panel West. The proposal is designed as a single tiered building, open on one side and with brick and cladding to match the other newer developments at the rugby ground. Side elevations will utilise glazed panels and much of the design follows that of the Carnegie Stand on the East side of the ground. The building is proposed to have a mono pitch roof with the pitch sloping upward to the pitch side. Underneath the roof is proposed to be a television gantry. The elevation of the stand facing the car park would project out at ground floor level to provide additional spectator facilities and amenities within the concourse area of the stand. The stand would measure 21m in depth increasing to 32m in depth at the widest part. The length alongside the pitch is 114m. The height to the eaves line facing the car park is 12m and 16m to the eaves line of the roof over the rugby pitch. At its closest point, the stand is approximately 7m from St Michaels Lane and between 9m and 11m from the footpath to the rear of properties on The Turnaways.
- 2.2 Improved facilities at the stand would include refreshment and drinks serving points, a first aid room for spectator use, a new TV camera gantry, new changing areas for the pre-match entertainment team, new referee changing rooms and new groundsman facilities. The proposal also involves the erection of a new turnstile entrance located at the southern end of the car park and accessed off St Michael's Lane.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is part of the Headingley stadium complex. The existing south stand is a single storey terrace building located off St Michael's Lane. The rugby ground has recently completed the redevelopment of the Carnegie stand at the eastern edge of the ground facing St Michael's Lane. The ground itself is located within the urban area and within a predominantly residential area. Although the south stand is separated slightly from the neighbouring residential properties, due to the siting of the parking area adjacent to the road, the siting of the stand and shape of the site result in the eastern-most corner of the existing stand being on the boundary with St Michaels Lane. The rugby stand is located on higher ground level than the adjacent properties on St Michael's Lane by 1.5m. The Headingley Conservation Area boundary is situated to the East of the cricket ground following a line along the rear of the properties fronting Cardigan Lane.
- 3.2 The existing South Stand is in a poor state of repair and has, due to safety reasons seen its capacity reduced. It has a safety certificate for its current capacity which is due for renewal next year. The rugby club have previously invested substantial funds in repairing the existing terrace stand just to maintain it at its current reduced capacity. It is recognised that the existing stand is in need of being replaced to afford spectators, fans and the ground with facilities that modern sporting stadia require. In addition the design and appearance of the existing stand is rather poor, particularly when it is viewed next to the new east stand.
- 3.3 The role of the rugby club is recognised as being an important asset to the City. Both in its status as being internationally recognised due to the success of the team and hosting international fixtures that are viewed worldwide but also in relation to the positive community work that the club does in relation to sports, education, cultural and social development enterprises throughout the City. Retaining and

enhancing this is considered to be part of the aspirations of the City in relation to the core aims of the Vision Statement and the status of Leeds within the Regional Strategy.

4.0 RELEVANT PLANNING HISTORY:

H26/541/74: Replacement concrete approach steps to terraces to rugby ground. Withdrawn

H26/264/88: Erection of 4, 37m high floodlight towers, to rugby ground. Approved

26/185/95/OT: Outline application for new cricket and rugby stands and facilities – Approved August 2000.

26/304/99/FU: 2 additional roof mounted television platforms with external staircase and alterations to wheelchair viewing platform: Approved

26/12/01/FU: 4 storey stand with practice area bar restaurant and 36 bedroom/box hotel. Approved

5.0 HISTORY OF NEGOTIATIONS:

5.1 The developer engaged with officers and plans panel in a formal pre-application process presenting a scheme for discussion to Plans Panel West on the 18th March 2010. Since then further discussion with officers has occurred and a public consultation with residents and fans was held in April 2011.

5.2 The scheme has been amended since the public consultation, the details of which can be seen in the table below. When officers became aware that the scheme had altered from that proposed in the public consultation they advised the developer that further consultation was advisable.

	Existing Stand	Plans Panel – Pre-application	Public Consultation	Current Application
Capacity (approx)	6,000 (restricted)	7,400	6,500	7,400
Maximum Height of Roof	12.8m	19.5m	15.5m	16m
Maximum Height of Superstructure	N/A	18.8m	15.3m	17.8m
Height closest to St Michaels Lane	10.3m	12m	12m	12m
Minimum distance to St Michaels Lane	0m	6.5m	6.5m	6.5m
Car parking spaces	102	90	130	102
Total gross internal floorspace	2,162m ²	unknown	unknown	2,413m²

6.0 PUBLIC/LOCAL RESPONSE:

6.1 19 letters of objection from local residents have been received to date. These include Residents Associations from the Turnways and Laurel Bank and Becketts Park as well as the pressure group South Stand Alliance. They raise issues related to:

- Increased capacity and height from scheme shown at public consultation
- Loss of sunlight to properties on St Michaels Lane

- Problems with turnstiles and traffic on match days
- Improved tannoy system required – current system creates problems with excessive noise – request for a noise report
- Tree planting should be improved to screen stand from St Michaels Lane
- Lighting should be minimised – concern over light pollution
- Need a balance between needs of local residents and stadium
- Concern about design detailing of signage
- Height is excessive and over-dominant
- Needs to address issues outlined in Headingley Neighbourhood Design Statement
- Concern about disruption during construction
- Drainage concerns – no proposed use of SUDS
- Lack of an EIA
- Concern over noise from ventilation systems
- Proposal needs a more domestic, less industrial appearance in keeping with the residential area
- Increased anti-social behaviour as a result of the availability of alcohol on site

6.2 Leeds Civic Trust has also made representations as follows:

- Proposal should address the issues raised in the Headingley NDS
- The stand is higher than the existing stand
- The landscaping proposals are inadequate to soften the impact on the streetscape
- Measures should be taken to ensure noise is not funnelled between the gap between the stands
- The turnstiles appear inadequate to prevent queuing on to the street

6.3 The planning group of the Inner North West Area Committee also makes representations. They recommend that the proposal should refer back to the issues raised in the Headingley NDS.

6.4 Councillor Hamilton has made the following objection:

Could I please add my objections to this proposal to replace the existing stand with a new structure. My main concerns are:

1. The size of the structure is considerably higher than the existing building. This would provide a structure which was overbearing and which would create a greater degree of shadowing and intrusion than is the case with the existing stand. This is a matter of considerable concern to residents who overlook the stand.

2. Proposed landscaping. The proposed landscaping is completely inadequate and does little to mitigate the impact of the new stand on its surroundings. A much better tree-planting and general landscaping scheme is needed

3. Noise pollution. Before the application is determined, a proper noise-nuisance impact assessment should be carried out. The design of the existing stand contains (to an extent) noise from within the ground. This is a much more permeable structure and as such a proper assessment of the impact of match day noise on the immediate surroundings should be undertaken. This may lead to specific conditions, for example regarding the positioning of speakers. Noise attenuation may also be achieved by providing a softer perimeter landscape (maybe hedging or trees), this comment ties in with 2. above.

4. *Signage. A comprehensive code should be agreed as part of any planning approval to ensure that inappropriate and garish signage is not permitted.*

5. *Light pollution. The lighting should be conditioned such that it is not intrusive for local residents; 24 hour lighting should not be needed on this site.*

I should add that the Stadium is guilty of bad faith in presenting a stand with a lower capacity at the consultation events, but submitting an application for a larger structure. This does nothing to build trust between the Rugby Club and the local community.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways officers have objected to the proposal as the applicant has not submitted a travel plan or matchday management plan for the increased crowds and consequent additional parking pressures on match days and how the new turnstile position will impact on traffic flows on the narrow bridge on St Michaels Lane. The new turnstile position will also result in spectators walking through the car park between cars with no designated pedestrian route – details of how this will be managed should be included in the traffic management plan. The traffic management scheme should also include a ban on vehicle movements on the bridge on match days as pedestrians are likely to congregate near this position due to the siting of the turnstiles.

Additional match day parking traffic management should be proposed and shown on a plan. The applicant should revise the HCS Event Plan 24.09.10 and join in the quarterly meetings with the highways authority.

7.2 The applicant has provided a response to Highways officers comments detailing how the car park and bridge on St Michaels Lane are managed on match days. They have also asked that the matters relating to a matchday management plan and staff travel plan can be dealt with via planning condition to give them sufficient time to develop a robust and meaningful document given the level of involvement and consultation required.

7.3 Highways have responded to this by requesting that a matchday management plan, similar to that at the cricket ground and to include closing of the bridge pre- and post-match, is developed. They have also asked the applicant to consider closing St Michaels Lane after matches for a suitable time frame. Motorcycle and bin storage should be included on the plans but officers would be able to consider a condition to ensure the matchday management plan is completed prior to first occupation of the stand. Other conditions are recommended to cover disruption during demolition and construction, bin/ cycle/ motorcycle storage and the hard surfacing of the parking areas.

7.4 Environmental protection have recommended the need for planning conditions related to hours of work during demolition and construction, methods for suppressing dust, noise levels, details of the lighting scheme and operation of the tannoy system.

7.5 The design of the new stand has been scrutinised by City Development's Design Review Panel. The principal comment has been that the single storey concessions area needs greater presence. At present, it was felt that the building was of a more

domestic scale and didn't relate well to the stand behind it. Suggestions included increasing the height of the concessions area, adding a pavilion-style roof and looking at giving the building a more impressive appearance. Other minor points were noted including the need for improved soft landscaping, concern about glare from lighting and details of the glazing bars on the side elevations.

- 7.6 Access officers have raised concerns about the lack of any clear pedestrian route from the turnstiles to the entrance to the stand. They have also requested that the applicant indicate the level of disabled seating/ viewing spaces across the site as the provision within the new stand is sub-standard.
- 7.7 Landscape officers have indicated that the scheme fails to take opportunities to improve the green environment along the street frontage or to respond positively to the public right of way to the western boundary. Further tree planting to screen views of the parking area is required along with planting within the car park.
- 7.8 A public transport contribution is not required as taking into account the previous capacity of the stadium, level of current usage and level of impact on the public transport impact is negligible.
- 7.9 The travel plan team have also requested that the event plan is updated to include spectator travel to the rugby, including consideration of closing the railway bridge to assist in pedestrian safety. A travel plan should be developed to cover staff travel and focus on minimising single occupancy car journeys.
- 7.10 Sport England raise no objections to the proposal as the stand is ancillary to the main purpose of the site as a playing field and does not affect the pitch at the ground.

8.0 PLANNING POLICIES:

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

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

BD5 –all new buildings should be designed with consideration given to their amenity and that of their surroundings.

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.

T24 – parking provision requirements

N12 - development proposals should respect the main principles of good urban design

A4 - Refers to development and refurbishment proposals designed to ensure safe and secure environment

GP2 - Development on vacant sites where there is no specific allocation will be considered favourably in the context of other UDPR policies.

GP11 - Development to meet sustainable development principles.

SP3 - New development should be concentrated within or adjoining the main urban areas and should be well served by public transport.
N6 - Protected Playing Pitches and replacement of lost protected planning pitch provision in the locality
N13 - Building design to be of high quality and have regard to the character and appearance of their surroundings.
N23 - Incidental open space around new built development.
LD1 - Criteria for landscape design.
SA2 - Encourages development in locations that will reduce the need for travel, promotes the use of public transport and other sustainable modes of transport.
SA6 - Seeks to encourage the provision of facilities for leisure activities and promote tourist visits to Leeds.
LT4 – encourages development of cultural and sporting facilities in sustainable locations

Relevant supplementary guidance:

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Street Design Guide
Neighbourhoods for Living
Headingley and Hyde Park Neighbourhood Design Statement

Government Planning Policy Guidance/Statements:

In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes:-

PPS1: Delivering Sustainable Development (2005)

The Vision for Leeds II (2004-2020)

This document provides the strategic vision for Leeds and sets out the aspirations of the Leeds Initiative for the City. Two of the central aims are to move Leeds up a league as a city and make Leeds a major European City.

9.0 MAIN ISSUES:

- 9.1 The principle of the development
- 9.2 Design, scale and massing, Landscape and character
- 9.3 Amenity issues
- 9.4 Highways considerations
- 9.5 Representations

10.0 APPRAISAL:

Principle of the redevelopment

10.1 The proposal is considered acceptable in principle and complies with the development plan. The site has a lawful use as a sports ground and the proposal is acceptable within this use and replaces the existing stand with a scheme accommodating similar numbers of fans but with improved facilities and design. It is considered the main issues of this application relate to the design, scale, massing, impact on the neighbouring properties and highway and pedestrian safety.

10.2 **Do Members have comments relating to the principle of the redevelopment of the south stand?**

Design, scale, massing, Landscape and character

10.3 Council policies positively encourage improvement and development of the stadium facilities. The current South Stand at the ground is antiquated and is not conducive to a major sporting arena of the 21st century. The proposal is considered a substantial improvement upon the existing spectator facilities that are provided at the club. The design and appearance of the scheme is of a modern design and can help to make a positive statement about both Headingley stadium and the City's commitment to good stadia design. Given the international nature of the game and the role of television media providing coverage the proposal is considered to positively enhance the image of the City in an international context.

10.4 The existing south stand is currently in a poor state of repair. The capacity has been reduced from 8,000 to 6,000 due to structural problems with the concrete base. The stand currently has restricted views for spectators as a result of the columns that hold the roof in position and due to the existing roof design and siting. In addition the external appearance of the current stand is visually poor within the street scene and is out of keeping with the style and appearance of new developments at the stadium complex, particularly those located along St Michael's Lane.

10.5 The issues relating to the strategic dimension of the proposal, the role of the rugby ground in moving 'Leeds up a League' and delivering on the aspirations of the Vision were discussed at pre-application stage as were comments relating to the condition of the current stand.

10.6 The design submitted with the application is in line with that considered at pre-application stage. The maximum height of the structure is reduced from that seen previously but capacity remains the same. As has been previously stated the submitted scheme is larger than that taken to public consultation following a number of representations which felt that the consultation scheme was not big or ambitious enough. Officers recommended that further consultation was undertaken following the amendments to this scheme but this has not been done.

10.7 The design essentially mimics that of the eastern Carnegie Stand with a monopitch roof with external supporting structure. The palette of materials also closely matches the nearby stand with low level brick work and higher level smooth white cladding. Clear panels will be used to the side elevations to reduce the visual impact of the building within the streetscene.

10.8 Currently the site presents a poor frontage to this part of St Michaels Lane and relates poorly to the residential character of the area due to the expanse of poor quality car parking to the front of the stand; the appearance of the existing stand; and the lack of soft landscaping on the frontage. The current scheme seeks to address these issues and much time has been spent in discussion with landscape officers to try to improve the environment of the stand.

- 10.9 The current landscape scheme shows increased tree planting along the boundary with St Michaels Lane and the footpath to the west. Tree planting is also proposed within the parking area and adjacent to the turnstiles. Special consideration has been made to ensuring the tree planting is viable and that appropriate measures are taken to ensure the trees make a significant impact on the streetscene. Further discussions have taken place to secure further soft landscape improvements to include an enlarged planting bed to the western boundary of the car park, improved landscaping along the St Michaels Lane frontage and some visual softening of the turnstile area. The applicant has committed to looking in to these issues and it is hoped that a revised plan will be presented to Panel on 21st July.
- 10.10 The application has been discussed by the Design Review panel whose comments are detailed above. The applicant has been forwarded these comments and is in the process of formulating a response which it is hoped will be presented to Panel on 21st July.
- 10.11 **Members may wish to comment on the height and massing of the building. They may also wish to comment on the design and appearance of the stand in regard to the existing stand and the impact on the street scene.**

Amenity Considerations

- 10.12 The new stand is set back from the boundary with St Michaels Lane by approximately 7m which improves on the existing situation where the corner of the stand adjoins the boundary. While it is accepted that there is a small increase in height of 1.7m in the building at this corner, this is more than compensated for by the set back from the highway. The lighter weight feel to the design resulting from the clear side elevations and the monopitch roof further enhances the appearance of the building and reduces the over-bearing impact on neighbouring residents. There is a change in levels of approximately 1.5m between the site and St Michaels Lane but the set back of the new stadium will help to mitigate for this and ensure no significantly overbearing impact from the new stand.
- 10.13 Sectional drawings have been supplied which show the relationship between the new stadium and nearby residential properties. These clearly show the visual improvements from the setting back of the stand on the amenity of residents of St Michaels Lane beyond that currently experienced. The set back creates a greater feeling of space to the front of the dwellings and reduces the over bearing impact of the stand on neighbours. To the west the stand is approximately 7m closer to the properties on The Turnways than the existing stand. However at its closest point the stand will still be approximately 13m from the rear garden of the nearest property on The Turnways and 21m from the rear of the nearest house and is therefore unlikely to result in any significant loss of amenity.
- 10.14 Concern has been raised in relation to the impact of the new stand on overshadowing and loss of light to neighbouring properties. The applicant has produced plans showing the anticipated overshadowing from the new stand at various times of the day and of the year in comparison with the situation resulting from the existing stand. These show that there will be very little difference in overshadowing to neighbouring properties in general with only a small increase in overshadowing to a small number of properties to the east of the stand in the evening during the summer beyond that which they already experience.

- 10.15 The addition of turnstiles on the boundary of the site has raised a number of amenity related concerns with residents concerned about fans queuing to access the site. The applicant does not anticipate that there will be any significant increase in numbers of fans accessing the site at this point. A matchday management plan is to be developed in conjunction with LCC and in conjunction with the existing event plan for the stadium which will assess how this can best be managed. The applicant has made a commitment to commencing the process immediately although it is unlikely to be finished before the application date and would therefore need securing by condition.
- 10.16 Other amenity issues related to lighting, noise from tannoy systems and signage and raised within representations can be controlled via planning conditions. A response is being sought from Building Control for their comments on how the turnstiles will function.
- 10.17 **Members may wish to comment upon the relationship of the proposed stand to the neighbouring properties on St Michaels Lane and The Turnways**

Highways matters

- 10.18 Parking provision for the new stand is considered acceptable. The stadium is sited within an urban area and historically high levels of parking were not required. The proposal is no different in parking provision to the existing situation and while obviously not providing sufficient parking for all spectators using the stand, it is no worse than the current position. Parking is currently provided only for VIP ticket holders within the car park on match days and this would not change. The applicant will need to consider other spectators' parking needs within the matchday management plan.
- 10.19 The main highways issues are in relation to matchday management and the functionality of the new turnstiles on the site boundary. Currently turnstiles are situated on the edge of the South Stand. These allow access for ticket holders of the south stand only. There is also turnstile access for spectators to the western terrace from a separate turnstile at the western end of the stand. Once within the stand there is no exit from the stand to other parts of the stadium without a 'pass-out'.
- 10.20 The new turnstiles will bring the south stand area in to line with the rest of the stadium as regards access arrangements. Any ticket holder will be able to use the new turnstiles and then circulate round the stadium to their allocated stand where tickets are again checked. Current spectator movements have shown that the majority of fans will use the entry point closest to their stand and therefore the number of people using St Michaels Lane is not considered likely to significantly increase. This method of entry means that all spectators will have free access to circulate within the stadium and have use of the shop and refreshment facilities. The number of turnstiles provided on the boundary with St Michaels Lane are considered to ensure that no significant queuing takes place at the boundary and adequate space is provided for queuing spectators.
- 10.21 Concern has been raised about the conflict between pedestrians and vehicles in the car park area between the stand and St Michaels Lane. This is no different to the existing situation where fans cross the car park to the stand. The applicant has confirmed that the car park is shut from 1 hour before kick off. The car park is used by VIP ticket holders only and as their pre-match hospitality starts at 6pm the

shutting of the car park is not problematic. This information will need including in a match day management plan.

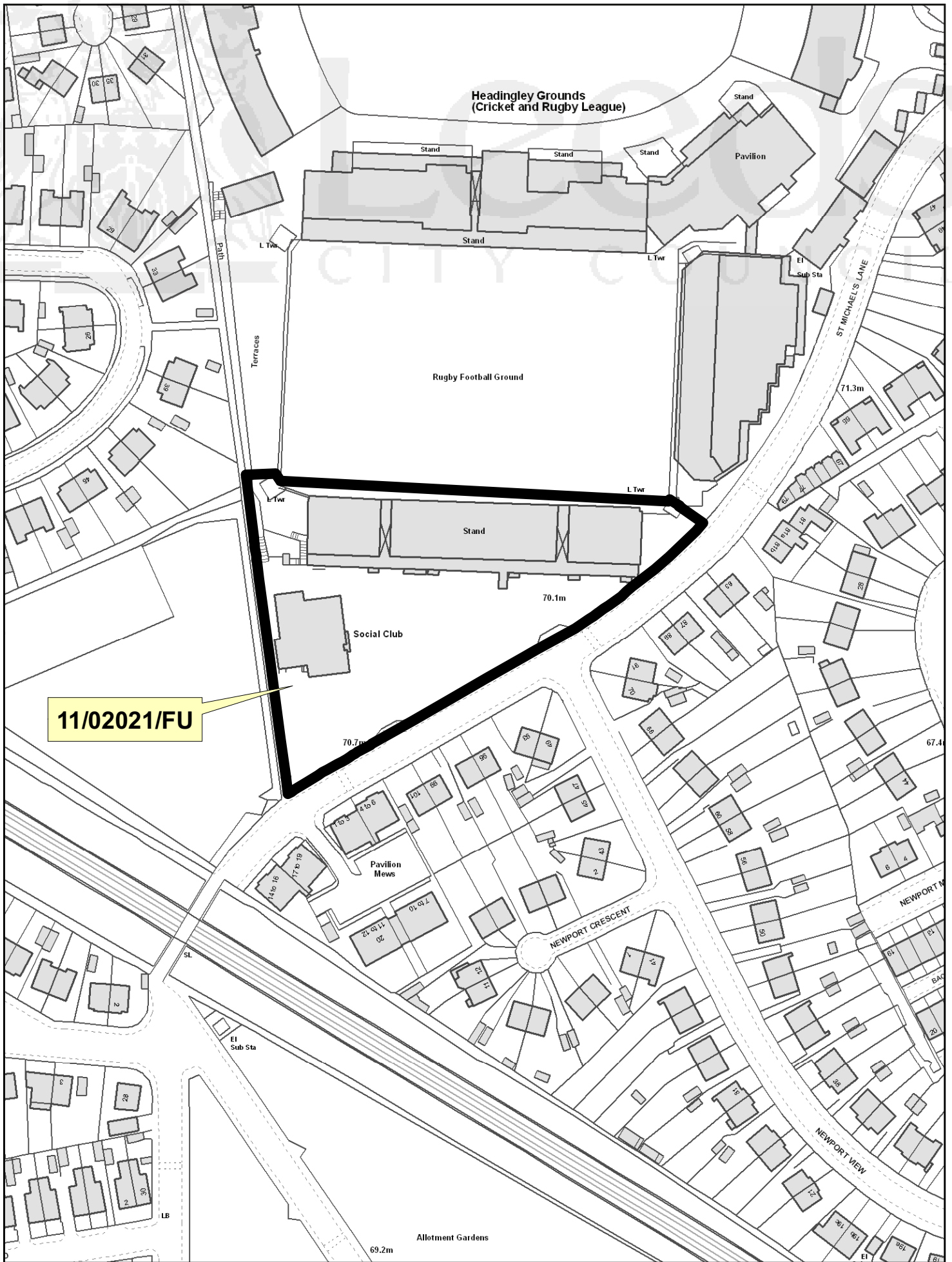
- 10.22 Outside the site, concern has been raised about safety and traffic movements on the single lane bridge on St Michaels Lane. The applicant has confirmed that the bridge is closed 20 minutes before kick-off until the start of the match and then closed again at the final whistle for 20/ 30 minutes depending on match numbers. Again, these details would be included in the matchday plan.
- 10.23 The applicant had asked if preparation of the matchday management plan could be commenced after determination. Following discussion, he has verbally confirmed that this will now be commenced immediately in conjunction with the existing Headingley Stadium Event Plan.

11.0 CONCLUSION:

- 11.1 On balance it is considered that the proposed replacement stand represents a significant visual improvement on the existing South Stand. However there are outstanding issues relating to soft landscaping, design and matchday management and highway safety which are still under discussion.
- 11.2 Members are requested to note the progress to date and are invited to comment on the main issues, in particular the principle of the development, design, scale, layout and impact on the character of the area, impact on residential amenity and highway safety.

Background Papers:

Application and history files.



11/02021/FU

EAST PLANS PANEL



Originator: Mathias Franklin
Tel: 0113 24 77019

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21st July 2011

Subject: APPLICATION NUMBER: 09/04287/RM - Reserved matters application for laying out of access roads and erection of 138 dwellings, 21 flats in 3 blocks, 41 retirement apartments, 2 storey office block and alterations and extensions to mill building to form 36 flats and 1 office unit and change of use of building to bar/ restaurant and 20 space public car park, greenspace and landscaping at Garnetts Paper Mill, Otley; and:

APPLICATION NUMBER 10/03695/FU - Laying out of access road at land adjacent to Gallows Hill, Pool Road, Otley LS21.

APPLICANT	DATE VALID	TARGET DATE
BDW Ltd 09/04287/RM	29.10.2009	PPA 18.03.2010
BDW Ltd 10/03695/FU	10.08.2010	09.11.2010

<p>Electoral Wards Affected:</p> <p>OTLEY AND YEADON</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION:

09/04287/RM DEFER AND DELEGATE approval to the Chief Planning Officer subject to the conditions specified and the completion of a Section 106 agreement within 3 months from the date of resolution to include the following: laying out of public car park, affordable housing (59 units of affordable housing, 29 for social rent and 30 for submarket) greenspace (£185,951.21), education (£619,295), travel planning monitoring fee and contributions for cycle way and pedestrian footway improvements and £46,000.00 for bus stops, metrocards for residents and employees & £75,000.00 per annum for 3 years for a bus diversion service and contributions for off site highway works and the construction of the Eastern Access Road (10/03695/FU) prior to occupation of any dwelling at the Garnetts Mill site. The hydro electric turbine shall be brought back into beneficial use and the long term maintenance of the turbine and the pump house shall be secured. All contributions to be indexed linked.

10/03695/FU DEFER AND DELEGATE approval to the Chief Planning Officer

subject to the conditions specified and the completion of a Section 106 agreement within 3 months from the date of resolution to include the following: Mechanism and funding to ensuring that the Eastern Access Road is constructed and made available prior to first occupation or use of any development associated with application 09/04287/RM

Conditions 09/04287/RM

1. Development to be carried out in accordance with approved plans.
2. Highway works to be completed and brought into use prior to first occupation.
3. The new vehicular access and footway/cycleway onto Pool Road must be completed before first occupation of the Garnetts Mill Development (planning application number 10/03695/FU), unless otherwise agreed beforehand in writing with the local planning authority.
4. No vehicular access or egress to be taken to the residential development from Mill Lane and details of the operation of the bus gate are required.
5. A management plan is required for the maintenance and operation of Mill Lane, the bus gate and the flood warning scheme.
6. Pedestrian linkages to Otley Town Centre and connecting path and link to White Bridge to be provided prior to first occupation.
7. Means of Preventing Mud etc on Highway.
8. Removal of Permitted Development rights Part 1, Classes A-H (Extensions, roof alterations and outbuildings).
9. Area used by vehicles to be laid out prior to occupation
10. Prior to the commencement of development a scheme for the protection of the otter holt during the construction phase of the development shall be submitted and approved by the LPA.
11. Prior to first occupation a scheme for the external lighting of the riverside walk and public open spaces areas shall be submitted and approved in writing by the LPA.
12. Hours of use of pub-restaurant and offices to be approved by LPA.
13. Details of the type, style and reveals of window and door frames to be submitted and approved and installed in a manner traditional to the area.
14. Details of proposed works to re-use the hydro electric turbine to be submitted to and approved by the LPA.
15. Updated tree survey and programme of works to be submitted and approved by LPA.
16. Details and plans for extension to Manor Parade Gardens to be submitted and approved by LPA.
17. Construction management plan to be submitted and approved prior to the commencement of development including principle construction access to be via the eastern access road to be built in accordance with planning permission 10/03695/FU.

In approving these reserved matters the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

UDPR Policies: H1A, GP5, BD5, N2, N3, N4, N12, N13, N23, N25, N26, N38, N39, N49, N50, N51, H11, H12, LD1, T2, T5, T6, T24, BC7, BC8, N18, N18B, N19, N20, N21, N22 and H4.

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

Conditions 10/03695/FU

1. The Eastern Access Road shall be built to a standard capable of serving the construction traffic for the redevelopment of the Garnetts site as agreed in writing by the LPA.
2. Development to be carried out in accordance with approved plans.
3. The off-site highway works shown on the approved plans must be completed before first occupation of the Garnetts Mill Development (planning application number 09/04287/RM), unless otherwise agreed beforehand in writing with the local planning authority.
4. Details of surfacing materials to be submitted.
5. Levels details to be submitted
6. Landscape scheme to be submitted and implemented.
7. replacement trees and shrubs to be provided.
8. Means of Preventing Mud etc on Highway
9. The Eastern Access Road hereby approved shall not be brought into use until all approved drainage works have been implemented in accordance with full details previously submitted to and agreed in writing by the Local Planning Authority.

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

GP5, N33, LD1, N37, T2, T5

On balance, the City Council considers there are very special circumstances to justify this development in the Green Belt.

1. INTRODUCTION:

- 1.1 This application was deferred from Plans Panel West in May 2011 at the request of the applicant who wanted some further time to look at the Eastern Access Road issues raised by the objectors and also to look at the feasibility of providing a pedestrian footbridge at the western end of the site. The developer supplied additional drawings on these matters which are considered within the body of this report. The drawings were put on the Public Access website and objectors were notified of these additional drawings. The drawings included, alternative options for the Eastern Access Road, 3D visuals and artists impressions of the current Eastern Access Road proposals and drawings showing footbridge options for the western end of the site (discussed in paragraphs 10.7 & 10.9). Member's will recall that in December 2010, this scheme was presented before Panel as a position statement. The applications are now brought to Panel for a determination. Application (09/04287/RM) relates to the former Garnett's Paper Mill site in Otley adjacent to the River Wharfe. The proposal represents a substantial redevelopment on the edge of Otley town centre. Application 10/03695/FU relates to the proposed Eastern Access Road which would serve the residential element of the Garnetts site and would be

accessed via Pool Road, close to the access track to Gallows Hill. Members comments from the December Panel report are shown below:

Members discussed the following issues with officers:

- *Reduction in the mix of uses. Members did note however the developed site would retain some element of destination and public spaces and have scope for further development in the future. The development of the riverside walkway was regarded as an attractive asset*
- *Sustainable access to the site. Members voiced concern over the impact of flooding on the developed site and accessibility for visitors/residents. Officers responded that even if Mill Road was raised; the western area could still be susceptible to flooding. The Panel noted the comment by the Mill owner who stated their records showed the site had not flooded to the point of impassibility in the previous 100 years.*
- *Pedestrian footbridge. Members commented that the area could become an island site particularly for pedestrians in the event of a major flood but recognised that more detail on the flood risk and necessary engineering works to establish a bridge would be required before they could comment further.*
- *Standard of design and quality of materials. Members were keen to ensure the proposals maintained the high quality originally proposed which had promised an exemplar estate. Members sought a consistent palette of materials for the substantial apartment block.*

1.2 This application follows on from an Outline planning permission issued first in 2007 ref: 29/267/05/OT (then renewed and conditions varied in 2008 ref: 08/02079/OT) for the redevelopment of the site for a mixed use development comprising, residential, offices, bar restaurant, hotel and nursing home and surgery with a public car park and associated landscaping and new access road to connect the site to Pool Road to the east of Otley town centre. The Outline approval granted planning permission for this mixed use scheme. All matters were reserved except for Access which included using the existing Mill Lane access road onto Bridge Street and creation of a new access road to connect to Pool Road running east out of the site at Gallows Hill. The Outline planning permission did not include any indicative details of the proposed mixed use scheme except for a masterplan which showed the areas of the site where the various uses would be located.

1.3 The Reserved Matters application has been submitted in accordance with the Outline planning permission. The notable changes from what was approved in Outline relate to the reduction in amount of office spaces proposed and the removal of the hotel and doctors surgery elements which the developer states have no market in Otley. The Reserved Matters proposal is still a mixed use scheme with the predominant use being residential. It is noted that the Outline planning permission does not contain any planning conditions to restrict the amount of residential development that can be built before commercial elements are built, accordingly it is accepted that the Reserved Matters application can remove some of the Uses approved under the Outline permission.

1.4 The Reserved Matters application is twinned with an application for the creation of a new vehicular access at land next to Gallows Hill out on to Pool Road. The application ref: 10/03695/FU has been submitted as the approved access onto Pool Road which the applicants state they could deliver would not be as efficient or as safe as the proposed Eastern Access Road. This application varies only slightly the point of access out onto Pool road which is now proposed to be slightly further to the east; about 40 metres. The proposed Eastern Access Road would be within the Green Belt and represents a Departure from the Development Plan and is inappropriate development. As such very special circumstances need to be

demonstrated by the applicant to justify this element of the scheme. This application would be linked to the Reserved Matters application by Section 106 agreement for the delivery of this access road prior to the commencement of development.

2.0 PROPOSAL:

- 2.1 The proposed masterplan shows the layout of the site. The commercial elements of the scheme are located next to the Mill Lane access road which is towards the western end of the site, nearest the town centre. In this area are proposed the new build offices, amphitheatre, public car park, and pub restaurant. These uses will have vehicular access from Mill Lane. The remainder of the site will be served via the new Eastern Access Road. Behind the commercial elements will be located the start of the housing estate and the nursing home. The retained mill and proposed extension located on the river front will be converted into apartments blending a mixture of contemporary and traditional designs unified by a constant palette of materials. The majority of the new build housing would be constructed out of artificial slate and stone, though the buildings in and adjacent to the Conservation Area would be natural stone and slate as would some of the new build houses to provide a change of appearance and to add interest and variety. The houses would be mixture of 2, 2.5 and 3 storeys. The houses would be of traditional design and appearance including heads and cills, pitched roofs and gable features. The nursing home would be 3-4 storeys in height and would be located in front of a proposed public and vehicular square and would incorporate a tower feature. Car parking would be accommodated mostly within communal courtyard areas. The proposal includes a few flats over garages within the courtyards which are considered important to provide surveillance and ownership of territory to enhance security and separate out private and public spaces.
- 2.2 The public open space would be located to the south of the site, described on plan as the 'ecological park'. This area of land would also accommodate the flood storage capacity for the site. The site would create pedestrian foot paths and cycle routes to link to both White bridge and Otley town centre. This is in line with the aspirations of creating an urban extension to make the site as connected to the town centre as possible and also to create a tourist destination by promoting a circular walk from Titty Bottle Park down to White Bridge and back round through Wharfemeadows Park and via the ecology park if desired.
- 2.3 The site would have two vehicular access points as per the Outline approval, though the proposed Eastern Access Road is about 40 metres east of the location of the Outline approved location. The site however, would not be a through access except for buses and emergency vehicles. A bus gate or similar device will be installed at a point on the internal spine road to control through access at a time of flood or emergency. This gate would be located close to the commercial element of the proposal near to the pub restaurant and offices during times of flood. The remainder of the time an enforcement camera would be used to ensure motorists did not use the spine road as a 'rat run'. Enforcement cameras are starting to be deployed in the City and are considered a more sophisticated method of highway enforcement than a raising bollard or just having a bus gate. Vehicles for the housing element of the scheme would only be able to enter and exit the site via the new eastern access connecting on to Pool Road. This eastern access would be constructed to ensure that the road was above the 1:100 year plus climate change level to ensure safe and dry means of access. The existing site access onto Mill Lane would not have its levels altered from the existing situation. Rather this road, which is shown in flood maps of the Environment agency to flood, would be allowed to flood and signage and appropriate flood warning procedures would advise people of this if the river is

thought to be flooding. The bus gates would prevent through traffic in this situation also.

- 2.4 A table showing a comparison between the proposed floor space and numbers of the approved Outline applications and currently proposed Reserved Matters scheme is shown below. The detailed proposals are consistent with areas of development approved in the outline permission.

Reserved Matters proposal and floorspace)	Outline approval 08/02079/OT Uses were granted permission in terms of Hectares (ha)
139 Dwellings and 21 new build apartments	Residential (apartments and housing) 3.20 Ha
325 sqm of pub restaurant in converted mill building and 36 apartments	Commercial uses (office, hotel and restaurant) 0.77 ha
604sqm of new build office space	(as above)
41 bedroom nursing home	Nursery and Surgery 0.08 Ha
20 space public car park	As proposed
Greenspace, cycle route and footpaths, circa 5.0ha	Open Space 5.0 Ha

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is that of the former Garnetts paper manufacturers on the riverside at Otley. The site as a whole extends to an area of 6.1 hectares. The main buildings and active part of the complex are concentrated towards the western end of the site and along the riverside. Access to the site is taken from this end along Mill Lane ie: along the rivers edge from Bridge St. The more eastern parts are open areas of former landfill area and flood plain land. A small part of the site located at the western end of the site is located within the Otley Conservation Area, namely half of the Mill buildings and the access road area between the site and Mill Lane. The site is surrounded by flood zone 2 but the main developable area is out of this zoning.
- 3.2 The location of the proposed Eastern Access Road is within the Green Belt. The boundary of the Green Belt is the track at Gallows Hill where the Outline approved eastern access road was proposed. The character of this area is rural edgeland with a mixture of uses and buildings. Pool Road is a main road, there is a row of semi detached dwellings fronting this section of Pool Road and there is a small cul de sac located behind these dwellings and further backland development served off East Busk Lane. The area to the east of Gallows Hill is largely open fields leading down to the river Wharfe.

4 RELEVANT PLANNING HISTORY:

- 4.1 08/02079/OT - Amendments to conditions numbers 22, 24 and 31 to extend planning permission 29/267/05/OT and to amend conditions relating to highways, footpath, cycleway and off site improvements including flood storage (approved 4th July 2008)
 29/267/05 – Outline application for access, residential, offices, pub, hotel, retirement complex and surgery. Approved 14 Nov 06

29/2/95: Outline application to erect business, warehouse and industrial units and nursing home –approved July 1995.

29/24/97: laying out access and hospital and residential development withdrawn March 1999.

29/265/97/OT: Outline proposal for housing on land to east of Garnetts Mill. (Appeal against non-determination was dismissed).

29/167/98 -25: Industrial and warehouse units and 3 storey nursing home approved 2002.

29/166/99/OT: Proposed Wharfedale General Hospital (relocation) withdrawn.

5 HISTORY OF NEGOTIATIONS:

- 5.1 The developer engaged with Officers in a formal pre-application process and also undertook community consultation prior to submitting this application. Pre-application meetings with officers took place and a community exhibition was held by the developer. Ward Members were also briefed during the pre-application process. The developer also presented the scheme to Plans Panel West in September 2009.

6 PUBLIC/LOCAL RESPONSE:

- 6.1 These applications were advertised via site notices and also with adverts in the Press. The bullet points below relate to both planning applications. One letter has been received from Greg Mullholland and 13 letters of objection, 1 letter of support and 6 letters making general comments have also been received. 51 petition letters of objection have also been received. These letters are individually signed and addressed but contain the same pre-printed objections to the applications. Greg Mullholland MP is not objecting personally but is expressing the concerns of a constituent who has contacted him about the application. Councillor Campbell has objected to the access road planning application for the following reasons:

- The original application [2005 Outline] was for the current entrance to the area and though not ideal for residents opposite did not infringe on the green belt. There has to be a good reason for setting aside policy and I cannot see one in this case.
- The area in question has some historical significance hence the name Gallows Hill and was also a Victorian tip”.

- 6.2 The other grounds for objection, in summary, are:

- Scale and height of the proposed houses and offices,
- Impact on local roads, rat running and increased traffic and highway safety,
- Impact of the access road on Gallows Hill nature reserve,
- Concern over highway safety of the proposed eastern access,
- Harm to the green belt,
- Impact on trees and local landscape,
- Otley is already full and cannot accommodate more houses or cars,
- Design, appearance and layout objections,
- The impact on the character of the area,
- Impact on views across the river,
- Noise and disturbance,
- Insufficient car parking for increased tourism,
- Concerns over flood risk and drainage,

- Concern over construction phase,
- Relocation of large over ground sewer,
- Proposed bus route will create more traffic,
- Loss of local chimney landmark,
- Devaluation of property prices,
- Increased congestion at Pool Road access,
- Increased likelihood of accidents at Pool Road access,
- Harm to highway safety caused by density of the site and the impacts of high numbers of cars on Pool Road at the proposed access location,
- The applicants' very special circumstances as outlined in the letter from Walker Morris Solicitors are not supported.
- Objection to the technical specifications of the proposed eastern access road,
- One letter of support has been received for the new access onto Pool Road,
- The petition letters object to both the Reserved Matters application and the New Eastern Access Road application. The petition objects on the following grounds; over development and overly dense form of development on the site, Eastern access road will be within the green belt, promotes urban sprawl and is harmful to local character. No special circumstances demonstrated to justify the development in the green belt. Harm to residential amenity from eastern access road. Increases in traffic and congestion. Loss of on street parking for local residents.

6.3 Otley Council makes the following comments:

- The construction of the buildings should be natural stone with slate roofing.
- The road from Pool Road into the development should be built prior to the development in view of safety and parking issues, and there should be no direct access from Mill Lane.
- The Council is concerned that there is insufficient parking for the restaurant/bar.
- Allotments should be provided on the open areas for the benefit of the community of Otley.
- Section 106: Council requests that before the Section 106 is settled the developer is required to meet with Otley Town Council to decide what terms would be suitable.
- Council is disappointed to note that there will not be a hotel on the development.

7.0 CONSULTATIONS RESPONSES:

Statutory Consultees

- 7.1 **Highways** – All streets need to meet the requirements of Leeds Street Design Guide SPD. This requires that roads serving in excess of 5 dwellings need laying out to adoptable standards. Shared surface roads can serve up to 10 dwellings without the need for a footway / designated pedestrian route but if there is a desire line through the shared area then this should also be catered for. With regard to the application at Gallows Hill for a new access onto Pool road, this provides safe access to the new development, but action under the Highways Act will be necessary to close the existing track which emerges onto Pool Road at this point as it conflicts with the new access. The pedestrian crossing islands on Pool Road are for safety improvements and improved accessibility for local residents. A short right turn lane facility has been provided for the vehicular access between dwellings 57 and 63a Pool Road. The eastbound bus stop has also been moved to a suitable location. Highways support the inclusion of a pedestrian footbridge at the western of the site.

- 7.2 **Drainage** – Have no objections to the proposed layout in relation to flood risk matters. Drainage engineers have been engaged within the discussions and negotiations with the applicant. The drainage position is that this scheme should not result in flooding of the proposed houses and that the proposed flood storage areas located to the south of the site within the proposed ecological park is sufficient to meet the needs of PPS25. There are no serious concerns in relation to displaced flood waters affecting neighbouring residents or affecting flooding down stream. The eastern access road complies with the requirements of PPS25 and it is accepted in drainage terms that Mill Lane does not need to be raised and can remain within the flood zone. Overall the drainage considerations of the scheme have been resolved.
- 7.3 **Environment Agency** – have formally withdrawn their objection to the planning application and recommend conditions to be attached.
- 7.4 **Natural England** – Have withdrawn their previous objection to the scheme as the discovery of an Otter Holt at the site required that the layout of the proposed housing estate needed to be revised in order to protect this habit. Natural England is satisfied with the approach set out in the mitigation strategy. The construction of a barrier wall and erection of dog proof fencing should ensure that there is no direct disturbance to otters during the construction and operation phases. Natural England also welcome the steps that will be taken to ensure that otters are prevented from entering the proposal site. The establishment of a planting screen and the use of directional lighting should ensure that there is no indirect disturbance from noise and light pollution during the operation of the site. Natural England welcomes the fact that an ecologist will oversee the construction of the wall and that regular monitoring of the Otter Holt will be undertaken during the construction phase of the development.

Non- Statutory Consultees

- 7.5 **Contaminated land Team** - No objections subject to conditions
- 7.6 **Environmental Health** – Do not object.
- 7.7 **Education Leeds** – Require a contribution of £619,295 due to a shortfall of both places at both primary and secondary schools in the locality.
- 7.8 **Refuse Management Team**- The refuse collection arrangements on the above site look to be ok although closer attention will have to be paid to the size of the bin
- 7.9 **Yorkshire Water** – No objection but have requested the developer supply further information about the proposed drainage details for the site.
- 7.10 **West Yorkshire Police** - Fully support the application.
- 7.11 **Metro** – Had pre-application discussions with the development. No objections to the application. Some changes to the wording of the draft S106 requested as they have not identified a specific bus service at this time they intend to divert with the funds allocated.

8.0 PLANNING POLICIES:

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan which consists of the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

- 8.1 The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

The application site is unallocated within the UDP.

The adopted Leeds UDP (Review 2006) Proposals Map identifies the site within a defined shopping and conservation area. There are a number of relevant policies in the adopted Leeds UDP Review (2006) as follows:

Policy H1A of the Unitary Development Plan states that account must be taken of the guidance contained in PPS3 – Housing June 2010.

GP5: seeks to ensure development proposals resolve detailed planning considerations.

BD5: seeks to ensure appropriate design for new build developments

N2, N3, N4: seek to secure greenspace provision within new residential development. The type of greenspace required dependent on size and location of development.

N12: Seek to achieve appropriate urban design.

N13: Seeks to ensure that the design of the buildings is of a high quality and respects urban design.

N23: seeks to ensure quality in design of incidental open space, also aid nature conservation.

N25: Seek to ensure the design of boundary treatments is positive.

N26: Seeks with ensure a full landscape scheme for part of the proposal.

N33: Green Belt considerations

N38, N39: Washlands

N49, N50, N51: nature conservation

H11, H12: seek to secure affordable housing where appropriate.

LD1: Aims of landscape schemes.

T2 : Guidance relating to new development and the highway network.

T5: Safe and secure access for pedestrians/cyclists.

T6: Satisfactory access for disabled people and persons with mobility problems.

T24: Seeks to ensure that there is sufficient parking provision.

BC7 Development within Conservation Areas will be expected to be in traditional local materials.

BC8 Certain features of buildings may require to be salvaged.

N18, N18B, N19, N20, N21, N22: all advocate high quality design which, especially in Conservation Areas, respects its surroundings. N18 seeks to ensure that buildings which contribute to the character of a Conservation Area are retained.

N18B requires that plans for replacement buildings are approved prior to consent for demolition of the existing is granted.

N25: Seek to ensure the design of boundary treatments is positive.

SF8: Development within secondary shopping frontages.

H4: Residential development

Relevant supplementary guidance:

Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

Neighbourhoods for Living
Street Design Guide SPD
Travel Plan SPD
Greenspace relating to new housing development SPG
Otley CA SPG appraisal
Otley Riverside Strategy

Government Planning Policy Guidance/Statements:

In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) are of relevance to the submitted proposal. This includes:-

PPS1: Delivering Sustainable Development (2005)

PPG2: Green Belts (1995)

PPS3: Housing (2010)

PPS4: Planning for Sustainable Economic Growth (2009)

PPS5: Planning for the Historic Environment (2010)

PPS25: Development and Flood Risk (2010)

9.0 MAIN ISSUES:

- Principle of the development
- Design and layout and masterplanning
- Highways and sustainability
- Drainage and flooding
- S106 package

10.0 APPRAISAL:

Principle of the development

10.1 The principle of the development was established when the Outline planning permission was granted for a mixed use redevelopment of the site. The proposal is still considered to be compliant with PPS3 Housing in relation to the preference for using previously developed land first. The site is in a sustainable location. The mixture and disposition of uses is considered well thought out. The re-use and conversion of the positive buildings on site along with sympathetic new build developments are considered to preserve the character and appearance of this part of the Otley Conservation Area. The creation of the Eastern Access Road within the Green Belt is considered acceptable and very special circumstances have on balance been demonstrated to outweigh the harm caused by inappropriate development.

Design and layout and masterplanning

- 10.2 The masterplan that was shown to the Panel by the developer in September 2009 prior to the submission of the Reserved Matters application has been revised through the course of negotiations and discussions with Officers. Broadly the layout remains similar and the architecture is similar to what was shown. It is considered that the design and layout in relation to streets, courtyards, public open spaces, pedestrian linkages into the site and through the site are well thought out and considered and will make a positive contribution to local character and amenity. The proposed new build elements adopt a traditional design on the whole except for the mill extension building for apartments located on the riverside and the new build office. The use of stone and slate materials predominantly is considered reflective of local character. Members will recall from the pre-application presentation that the style and layout of properties, broadly was welcomed however, much more detail needed to be shown. The presentation to Panel in December 2010 which showed drawings and plans of the masterplan, house types, riverside apartment building, nursing home and mill conversion was also well received by Members. The house types are traditional in appearance and are considered reflective of local character. The riverside walk is an attractive feature and properties will front onto this walkway. The main estate road has properties fronting on to the estate road with courtyards set behind this. The estate will not have properties with integral garages and courtyards have been considered a suitable way to accommodate car parking. The use of a limited number of flats over garages is considered appropriate for surveillance and security and also creates a homezone effect. The nursing home building is a large building located in the south western part of the site. This building has been reduced in height through negotiations and fronts onto a public space proposed as part of the layout of the site. Behind the nursing home would be the open space which is also the flood storage area. The scale of this building is acceptable given the openness and space around the building which officers feel allows a building of this 4 storey scale to work comfortably without being overbearing or dominant or out of local context.
- 10.3 The commercial elements have a mixture of styles and appearance though traditional materials on the whole unify the different design of this part of the scheme. The grouping of the commercial elements at the western end of the site closest to the town centre and the existing access off Mill Lane is considered appropriate to create a 'destination' which was an aspiration of the Outline approval. Whilst the hotel and doctors surgery elements of the Outline have not been brought forward the scheme is still considered likely to attract visitors to the pub restaurant located in the converted mill buildings and the office elements are hoped to be attractive to small sized businesses. The public car park will be located off Mill Lane at the Western end of the site enabling access for visitors. In addition the riverside walk is an attractive feature and discussion have been held to use the S106 greenspace money to upgrade and create connections to White Bridge and make a circuit connection to Wharfe Meadow Parks.
- 10.4 Overall the design and layout of the site is considered to result in a positive addition to Otley and should create an attractive place to live, work and visit. The proposals are considered to preserve the setting and appearance of this part of the Otley Conservation Area.

Highway and Sustainability Matters

- 10.5 The western access road cannot reasonably be raised above the 1:100 year flood level and the Highway Authority will not therefore take responsibility for the adoption and maintenance of this road. As the western access road will only serve the office car park, public car park, public house and public bus route it is considered that this

is acceptable subject to an acceptable maintenance and management plan. Outline consent has already been granted for a mixed use development on the site. The principle of the development is therefore acceptable and the proposed Eastern Access Road as the principle access road is on balanced considered acceptable. Further discussions between officers, the developer and legal representatives have been concluded in order to make the application for the new access next to Gallows Hill acceptable. The Highway Authority has no objection to the proposed Eastern Access Road and the existing track access to Gallows Hill will be closed off when the Eastern Access Road is completed and prior to the occupation of the development. Access to Gallows Hill will be retained within the new road arrangements. The site is fully connected in pedestrian terms. Whilst there is potential that the footway at the western end of the site may be liable to flooding. It is considered that the proposed Pool Road footway delivers a safe pedestrian link above the flood levels for this purpose.

- 10.6 The proposed bus service that will have access through the site from Pool Road out on to Mill Lane through the bus gate will be funded for by the developer and is included in the S106. Metro have not yet established which service will be extended but have agreed with the developer the contribution of £75,000 per year for 3 years.
- 10.7 The proposed Eastern Access Road as stated would be within the Green Belt. Very special circumstances need to be demonstrated to overcome the policy objection as stipulated in PPG2 if this element is to be accepted. The proposed Eastern Access road is required as the Outline application approved location of the Pool Road access would result in an inefficient and poor access solution, which is sub standard but it would potentially work in highway terms. This element of the scheme has drawn the majority of the objections. It is clear that the introduction of a new access road in this location would have some detrimental effects upon the visual amenity of the area and in relation to local character. It is considered however, that these impacts are relatively minor in nature given the amount of development involved and given the limited extent of the incursion into the Green Belt and the ability to appropriately landscape the area around the proposed road. Although the current proposal is in the Green Belt it is considered that resiting the access road through the adjacent cemetery just to the west of Gallows Hill is not a suitable option. This is because of sensitivities of developing within a cemetery, loss of trees, loss of boundary wall and because there would be no improvement in residential amenity considerations overall. The current proposed Eastern Access Road is acceptable to highways officers and would be a safer and more efficient junction arrangement than if the access that was approved under the Outline planning permission was installed. The proposed Eastern Access Road has been designed in accordance with the guidance in the Street Design Guide SPD. A signalised junction arrangement would be the only likely option that could be installed under the Outline approved access location at Gallows Hill. The current proposal is more efficient and safer than this option. The proposed Eastern Access may have a limited impact on the outlook of the local residents but it is not envisaged it would result in any serious harm to the living in conditions of the neighbouring residents by reason of noise and disturbance or comings and goings. It is noted that the Outline planning permission had sited the main access into and out of the site broadly in this location at Gallows Hill about 40 metres away. The proposal is not considered to adversely impact the car parking arrangements for existing neighbouring residents though the location of some on street car parking would be affected. This impact however is not considered significant. The current proposal would also enable the more effective delivery of the former Garnetts site which is a major development site within the urban area and would assist in the delivery of key policy objectives such as provision of housing on a sustainable brownfield sites, education contributions and

affordable housing provision. On balance therefore it is considered very special circumstances have been demonstrated that outweigh any harm to the objectives and purposes of including land within the Green Belt.

Drainage and flooding

10.8 Since the Outline was first approved, the flood maps for this area have been revised and updated. In addition there has been a change of planning circumstance with the publication of PPS25. Flooding and flood risk management are significant issues in the determination of this application. The Environment Agency have formally withdrawn their objection to the application. The discussions and revisions to the scheme involving officers, the applicant and the EA have addressed their [EA] concerns. The site is located adjacent to the River Wharfe, the surrounding area is liable to flooding. The site layout, access arrangements and compensatory flood storage provision have been part of the masterplanning process. The storage area is located to the south of the site and will also be part of the public open space provision. This accords with the approach of PPS25 as the land is not suitable for development but has ecological and amenity value. Due to the site being surrounded by areas highly liable to flooding it is necessary to ensure this development meets the requirements of PPS25. The Council's drainage engineer has been involved in the masterplanning phase of the application and has no objections in relation to PPS25 considerations or the application as a whole. Much time has been spent resolving and considering this issue. The broad layout is considered to be acceptable in relation to not adding to flooding in other parts of Otley or further downstream.

10.9 The Pool Road access will be above the 1:100 plus climate change level and the proposed arrangements for managing the flooding of Mill Lane in relation to the need for warning systems, signage and a management plan are being prepared by the developer for submission to the EA and is a condition of the Outline approval. The Outline approval had as part of its access arrangements plans to raise up Mill Lane; however the updated data in relation flood levels by the EA has shown that this would require raising of Mill Lane by about 1.8m in height. This is considered inappropriate given the length of road that would need to be raised and the impact on amenity and local character. Officers have on balance accepted this is not a suitable way to proceed with the access arrangements and have accepted that Mill Lane could flood and that the Pool Road eastern access would provide vehicular and pedestrian access at a time of flood. In addition and on balance a pedestrian route at the western end of the site which is above the 1:100 year plus climate change level has not been considered necessary. This is because of the length of bridge that would be required to provide a dry access route (99 metres in length to exit out of the flood zone or a bridge of 43 metres in length to exit into the 1 in 10 year flood level) and also due to the potential costs and the visual impacts of such a structure in addition to the few times it would be required in times of flood. Both bridges would require 3rd party land in order to be delivered. The applicants engineers have advised that the pedestrians links within the flood flow channel at the western end of the site should remain accessible and safe for up to the 1 in 10 years predicted flood event. The emergency warning signs and alarms in the area will alert members of the public for more extreme flood events, directing them to use the eastern access road for safe egress from the area. The emergency management procedures will form part of the S106 requirements and will involve the Environmental Agency in its formulation. The eastern access road out on to Pool Road enables this development to comply with PPS25.

- 10.10 The Outline planning permission first granted in 2007 did not have a Section 106 agreement attached, rather the use of planning conditions secured the delivery of the required policy contributions. The developer has submitted a draft S106 with the application and all the contributions outlined below have been agreed with the applicant. All contributions are to be indexed linked.
- 10.11 Affordable housing: 25% (50/50 split between submarket and social rented) of 236 dwellings. This equates to 59 units for affordable housing, of which 29 are for social rent and 30 for submarket. These affordable housing units will provide a range of the accommodation on offer in this development and will be pepper-pottered around the site.
- 10.12 A bus stop, £75,000.00 for bus diversion service per annum for 3 years, metrocard for each dwelling and metrocards for the employees of the commercial elements. Travel Plan monitoring fee and car club contribution are required along with additional travel planning measures.
- 10.13 Highway Section 106 and S278 requirements that require contributions.
- S278 Works:
- New access onto Pool Road likely re-location of bus stop. Reinstatement of Gallows Hill as a dropped vehicular crossing. Provision of pedestrian crossing islands and associated dropped crossings/tactile paving, Ghost island right turn lane facilities and centre hatching modifications, relocation of a street lighting column.
 - Mill Lane / Manor Street Works to restrict access.
 - Upgrade of existing zebra crossing on Cross Green to pelican crossing (including build-outs)
 - Upgrade to signals at Manor Square and Wesley Street to fit ADSL lines and Chameleon equipment
 - Deployable UTC Camera
 - £5,000 towards 20mph signage and legal fees.
- S38 - Internal Highway Works
- Additional signing requirements for bus gate and flooding to be provided - Will require commuted sums if within Highway along with contribution for the enforcement camera and maintenance.
- S106 Pedestrian / Cycle Links:
- Links to White Bridge (across 3rd party land)
 - Links to existing public footpath off Riverdale Road
 - Links to Cemetery Footpath
 - Cycle footpath links to town centre
 - Painting of the cemetery railings
- 10.14 The public car park shall be laid out and made available for the use at the developer's expense and maintained thereafter.
- 10.15 The Greenspace contribution is only required for policy N2.3 (district parks) and for equipped children's play equipment as the development is providing open space within its curtilage and Wharfe Meadow Park is on the other side of the River. The contribution is £185,951.21.
- 10.16 An Education contribution towards local school provision is required, Primary schools £386,401 and Secondary £232,894 overall the contribution is £619,295.

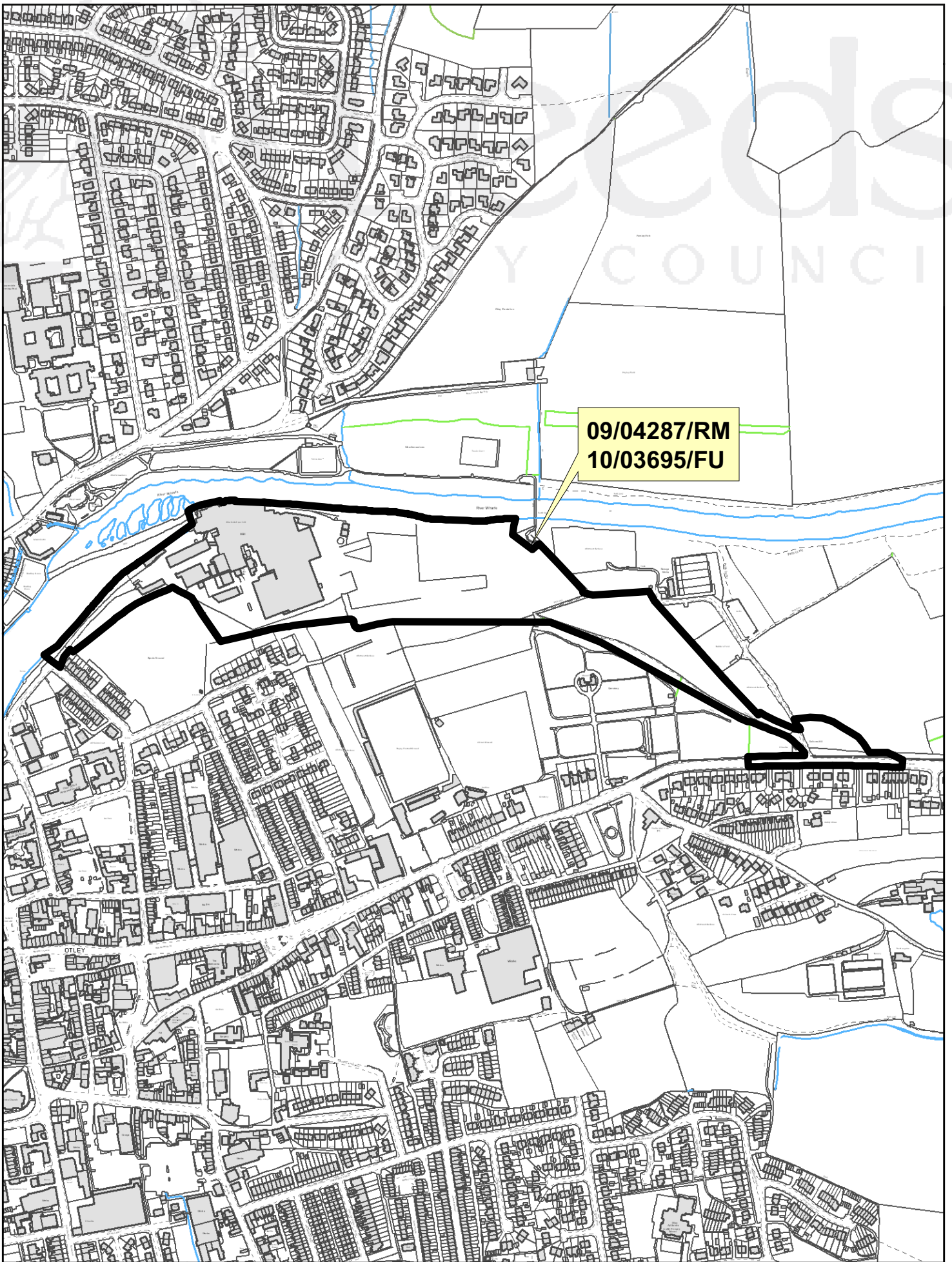
- 10.17 The contributions are required by UDP policies and the contributions are considered to be in accordance with the Community Infrastructure Levy (CIL) regulations introduced in April 2010.
- 10.17 The site contains the existing hydroelectric turbine, the developer has stated the continuing intention to bring this back into beneficial use. Due to the complexity of this and the need for a third party the developer has still to provide further details on the progress on this matter. This matter will be added into the S106 package and will be delivered. In addition although not a Section 106 requirement a condition on the Outline requires a fish pass to be built, again little detail has been provided but the developer remains committed to this condition precedent and recognises that both these elements are important in delivering a quality and exemplar development.

Summary

- 10.18 Overall it is considered that the progress made on the detailed matters of the Reserved Matters application has been positive and the scheme presented will deliver a good urban extension to Otley. The urban design and architectural elements are considered to have progressed well. It is considered that the layout of the site is acceptable. The developer has stated they intend to use artificial stone and slate for the majority of the new build elements, a sample panel has been erected on site which is considered to show a good quality palette of materials being promoted in this development. Whilst the buildings within and adjoining the Conservation Area will be constructed out of natural stone and slate it is considered that use of artificial materials outside the Conservation Area and away from key views and vistas is an appropriate selection and will not harm visual amenity or local character.
- 10.19 The proposed Eastern Access Road application has generated the majority of the objections received. It is considered that the applicants' very special circumstances have demonstrated that on balance this element of the application is acceptable and the harm to the Green Belt is outweighed by the benefits of the development.
- 10.20 The proposed redevelopment of Garnetts has been carefully assessed by the EA and by drainage engineers and the layout and accessibility of the proposed development complied with PPS25.
- 10.21 In conclusion the proposed redevelopment of the Garnetts Mill site and the associated Eastern Access Road applications accord with the relevant provisions of the Development Plan. The proposal is considered to preserve the character and appearance of this part of the Otley Conservation Area. The objectives and purposes of including land within the Green Belt along with the openness are on balanced not harmed by the proposed Eastern Access Road. The proposals are not envisaged to result in serious harm to the amenity of neighbouring residents or future occupiers of the development. There are no other material considerations that outweigh this finding. The Panel is therefore recommended to defer and delegate approval the application for residential and commercial development and the separate application for the new eastern access road.

Background Papers:

Application and history files.



09/04287/RM
10/03695/FU

WEST PLANS PANEL



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Originator: Tim Poupard

Tel: 0113 2475647

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21 July 2011

Subject: APPLICATION 11/01843/FU – ERECTION OF 74 DWELLING HOUSES WITH PUBLIC OPEN SPACE AT LAND OFF NETHERFIELD ROAD, GUISELEY, LEEDS, LS20 9NZ

APPLICANT

Bellway Homes

DATE VALID

06 May 2011

TARGET DATE

15 August 2011

Electoral Wards Affected:

Guiseley & Rawdon

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE approval subject to the signing of a 'recession proof' Section 106 agreement within three months from the date of the resolution to ensure contributions to Greenspace, of £44,400 for public transport improvements, of £2,500 for Travel Plan monitoring measures, of £35,918 for a residential Metrocard scheme, of £347,757 for education contribution; of 15 affordable housing units, and subject to the following conditions:

1. 2 year Time Limit;
2. In accordance with the approved plans;
3. Permitted Development rights removed for garages;
4. Details of proposed levels;
5. Submission of phasing plan including dwellings, roads, footpaths, parking, landscaping and drainage (if required);
6. Samples of walling and roofing materials to be submitted;
7. Samples of surfacing materials to be submitted;
8. Submission and implementation of landscape (hard and soft) details;
9. Landscape management plan;
10. Protection of existing trees/hedges/bushes;

11. Provision for replacement trees/hedges/shrubs;
12. Details of fencing and/or walls to be provided;
13. Details of proposed boundary treatments along the eastern boundary to the open countryside and details of wall to south boundary adjacent Greenshaw Terrace
14. Areas used by vehicles laid out, surfaced and drained;
15. Details of cycle parking;
16. Details of bin storage;
17. Submission of a travel plan implementation of travel plan measures;
18. Detail of footpath links
19. In accordance with the approved flood risk assessment
20. foul drainage scheme / implementation;
21. surface water scheme / implementation;
22. Specified Operating Hours:
23. No Sunday and bank holiday operations
24. Minimising of dust
25. Details of unexpected contamination

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

- UDPR Policies GP5, GP11, GP12, BD5, A4, H4, N2, N4, N12, N13, N23, N24, N25, N27, N38B, LD1, T2 and T24.

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

1.0 INTRODUCTION:

- 1.1 This application is brought to the Plans Panel because it relates to a substantial development proposal and is subject to a Planning Performance Agreement with the applicant, which agrees that the application will be presented to Plans Panel for determination.

2.0 PROPOSAL:

- 2.1 This application seeks detailed planning permission for the erection of 74 dwellings within the eastern portion of the *Edison Fields* residential redevelopment site at Netherfield Road, Guiseley.
- 2.2 The proposed development comprises five main areas; four relatively formal sections around an area of public open space and vehicular access, and a section in the south of the site that is more informal adjacent to dwellings along Greenshaw Terrace.
- 2.3 The proposed development has been designed to complement the adjacent residential phases of development to the north, west and south-west. The main vehicular entrance from Netherfield Road will lead to an area of public open space through the centre of the site, providing a vista to the Green Belt beyond and

achieving a separation between the proposed dwellings on either side. This also provides pedestrian access through the site to the public open space beyond.

- 2.4 The scheme provides a mix of family house types, with the majority of accommodation comprising three and four bedroomed detached and semi detached housing. Each dwelling has parking provision and a private garden.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site relates to approximately 2.5 hectares of land to the east of Netherfield Road, Guiseley, forming the eastern portion of a larger residential redevelopment site known as '*Edison Fields*.' Construction has commenced on the adjacent land and some of the units have now been completed.
- 3.2 The application site is within the defined development limits of Guiseley, as identified by the Leeds UDP proposals maps. The site constitutes previously developed land, having previously been in manufacturing use. The site has been cleared of all structures and ground works undertaken to remediate the site from contamination.
- 3.3 The Green Belt lies beyond the eastern boundary of the site, with residential development to the north and south. Across the road to the west are industrial and commercial uses and a car park.
- 3.4 The site is close to the town centre of Guiseley and its railway station. The character of the locality generally is a mixture of stone and brick-built properties, which all vary in age and design. The area is predominantly residential in nature although there are commercial units to the west of Netherfield Road.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The overall development site has a considerable planning history. The following applications are considered to be of relevance to this application:-
- 4.1.1 Outline planning permission was granted in October 2006 to redevelop the site for a mixture of residential and commercial uses, under reference 28/198/05/OT.
- 4.1.2 A subsequent reserved matters application was granted in October 2007 and implemented for laying out of access road and erection of 24 flats and 36 houses with landscaping, under reference 07/04780/RM.
- 4.1.3 Changes to the house types approved under the previous applications prompted the submission of a full planning application for the erection of 94 dwellings in the western portion of the site under planning permission 09/04684/FU. This consent was granted in January 2010 and construction has been ongoing with units now completed and occupied.
- 4.1.4 Outline planning permission was obtained in December 2007 in respect of the south-western portion of the site for the erection of 5 terrace houses and a detached block of 15 two-bedroom flats, with car parking spaces, under planning permission 07/06163/OT.
- 4.1.5 The subsequent application for reserved matters approval was approved in March 2011, under application reference 10/05731/RM.

4.2 There is also an extensive planning history relating to the site the majority of which is connected to the previous commercial use. These applications related to extensions and alterations to the former factory buildings.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Comprehensive pre-application discussions were undertaken with Bellway Homes prior to the submission and additional publicity with the local community was agreed. During the course of the determination of the application detail alterations have been achieved to the highway layout of the scheme and to the design of the house type to make them more contextual to the site.

6.0 PUBLIC/LOCAL RESPONSE:

Statement of community involvement:

6.1 Prior to the submission of the application, the developer discussed the scheme with Local Ward Members, completed a letter drop to local residents and made the plans available at the sales office on the site.

The application:

6.2 The application has been advertised on site by the means of six site notices on Netherfield Road (x4) and within the residential estate that is currently occupied (x2). They were posted 27 May 2011 and made reference to a major application affecting the a right of way. The application proposals were also made available for public inspection at Guiseley Library from the 27 May 2011. All notices gave a publicity period which expired on the 17 June 2011. Notice was also published in the local press, in the Wharfe Valley Times on the 9 June 2011.

Further consultation:

6.3 Following the end of the publicity period, the applicant have stated that they are intending to arrange for the revised plans to be made available at the sales office on the site for the local residents to view.

Councillors:

6.4 We have not received any formal comments from the Local Ward Members to this scheme.

6.5 Councillor Colin Campbell has objected to the scheme and has stated that he feels that the application should be refused until such time as the developer or the Council take steps to mitigate the effect of the extra traffic movements on the A65 corridor.

Local Amenity Groups:

6.6 We have not received any formal comments from Local Amenity Groups to this scheme.

Local Residents:

- 6.7 3 letters of objection have been received from local residents and their objections can be summarised as follows: -
- Guiseley can't sustain any more development on this scale. The Silver Cross, Highroyds, Greenwoods White Cross, and YEB Back Lane sites have created thousands of extra dwellings, the majority of which use cars. The A65 is grinding to a halt. Schools, doctors and dentists are over subscribed.
 - Confirmation that a new boundary will be provided between the proposed Bellway development and Greenshaw Terrace.
 - Impact of layout on residential amenity from plots 109 to 111 to the residents of Greenshaw Terrace.
- 6.8 A letter of objection relating to an adjacent housing site that recently gained outline permission at appeal has also been received.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory Consultees

YORKSHIRE WATER:

- 7.2 No objections, subject to the imposition of conditions relating to foul and surface water drainage.

ENVIRONMENT AGENCY:

- 7.3 No objections, subject to the imposition of conditions relating to surface water discharge rates.

7.4 Non Statutory Consultees

HIGHWAYS:

- 7.5 No objections, subject to conditions.

TRANSPORT POLICY (TRAVEL WISE):

- 7.6 No objections, subject to the provision of a travel plan and monitoring fee.

NGT/PUBLIC TRANSPORT:

- 7.7 No objections, subject to the requirements of a commuted sum in lieu of public transport improvements.

METRO:

- 7.8 No objections, subject to the provision of travel cards for new residents.

CONTAMINATED LAND TEAM:

- 7.9 Awaiting comments. A verbal update will be give to Members at Plans Panel.

NEIGHBOURHOODS AND HOUSING:

- 7.10 No objection, subject to the imposition of conditions to ensure the protection of residential amenity during construction.

CITY SERVICES STREETSCENE SERVICES:

- 7.11 No objections.

PUBLIC RIGHTS OF WAY:

- 7.12 No objections.

7.13 MAINS DRAINAGE:
No objections.

7.14 ACCESS OFFICER:
No objections.

7.15 WEST YORKSHIRE POLICE:
No objections.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application should comply with the Development Plan which consists of the adopted Regional Spatial Strategy for Yorkshire and the Humber of May 2008 and the Leeds Unitary Development Plan (Review 2006), unless material considerations indicate otherwise.

8.2 REGIONAL PLANNING POLICIES:
The Regional Spatial Strategy for Yorkshire and the Humber to 2026 (RSS) was adopted in May 2008 and sets out a strategic framework for development up to 2026.

8.3 The RSS for the Region was revoked by the Secretary of State on 6 July 2010. However, following a High Court Judgement on 10 November 2010, the RSS was re-established as part of the development plan until such time as the Localism Bill is enacted. At present, the government's intention to abolish the RSS can be a material consideration in the determination of planning applications.

8.4 However, it is not considered that this proposal raises any issues of regional significance.

8.5 LOCAL PLANNING POLICIES:
Locally Leeds City Council has begun work on our Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

8.6 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

8.7 Within the adopted UDP Review (Sept 2006) are strategic goals and aims which underpin the overall strategy. Of these attention is drawn to strategic goals (SG), aims (SA) and principles (SP) as follows;

- Policy SG4: To ensure that development is consistent with the principles of sustainable development;
- Policy SA1: Secure highest quality of the environment throughout the District; and
- Policy SP3: Seeks to ensure that new development will be concentrated within or adjoining main urban areas and settlements, with existing public transport provision or a good potential for new provision.

- 8.8 The application site is within the within the urban area of Guiseley and is unallocated with no specific land use allocation. The relevant Leeds Unitary Development Plan policies are considered to be: -
- Policy GP5: development control considerations;
 - Policy GP11: requires that, where applicable, “development must ensure that it meets sustainable design principles.”;
 - Policy GP12: goes on to suggest that a sustainability assessment should be included in all applications for major development;
 - Policy BD5: new buildings design consideration given to own amenity and surroundings;
 - Policy A4: development and refurbishment proposals designed to ensure safe and secure environment;
 - Policy H4: residential development on non-allocated sites;
 - Policy N2: support given to establishment of a hierarchy of greenspaces;
 - Policy N4: refers to provision of greenspace to ensure accessibility for residents of proposed development;
 - Policy N12: all development proposals should respect fundamental priorities for urban design;
 - Policy N13: design of new buildings should be of high quality and have regard to character and appearance of surroundings;
 - Policy N23: open space around new development should provide a visually attractive setting;
 - Policy N24: development abutting the Green Belt or other open land should achieve assimilation into the landscape;
 - Policy N25: site boundaries should be designed in a positive manner;
 - Policy N27: where a landscaping scheme will be required, an application should be accompanied by an illustrative scheme;
 - Policy N38B: applications must be accompanied by a Flood Risk Assessment.
 - Policy LD1: landscape schemes should meet specific criteria;
 - Policy T2: development must be capable of being served by highway network and not adding to or creating problems of safety;
 - Policy T24: refers to parking guidelines for new developments.

SUPPLEMENTARY PLANNING GUIDANCE:

- 8.9 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:
- SPG3: Affordable Housing (various);
 - SPG4: Greenspace Relating to New Housing Development (1998);
 - SPG10: Sustainable Development Design Guide (1998)
to be replaced by Sustainable Design and Construction SPD once adopted
 - SPG13: Neighbourhoods for Living (2003);
 - SPG22: Sustainable Urban Drainage (2004); and
 - SPG25: Greening the Built Edge (2004).
- 8.10 As well as the supplementary planning guidance documents that have been retained, new supplementary planning documents are relevant:
- Affordable Housing SPD (2009);
 - Interim Affordable Housing Policy (2011);
 - Designing for Community Safety - A Residential Guide SPD (2007);

- Public Transport Improvements and Developer Contributions SPD (July 2008);
- Sustainable design and construction Draft SPD (2008);
- Street Design Guide SPD (2009) ; and
- Travel Plans Draft SPD (2008).

NATIONAL PLANNING GUIDANCE:

- 8.11 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes: -
- PPS1: Delivering Sustainable Development (2005);
 - PPS3: Housing (2006); and
 - PPG13: Transport (2001).

9.0 MAIN ISSUES:

- 9.1 Having considered these applications and representations, it is considered that the main issues in this case are: -
- Principle of development;
 - Layout, design and scale matters;
 - Residential amenity and general living conditions;
 - Green Space and Landscaping and Green Belt Issues;
 - Highway issues;
 - Developer contributions; and
 - Other material planning considerations.

10.0 APPRAISAL:

Principle of development:

- 10.1 Although unallocated, the application site constitutes previously developed land and is situated within the urban area as denoted on the UDP proposals map. The site is sustainably located, with access to public transport immediately adjacent the site and being close to the centre of Guiseley and its railway station. In this respect the residential development of this site is in broad conformity with national, regional and local policy objectives to maximise the use of previously developed land in sustainable locations. UDP Policy H4 permits the residential development of suitable 'windfall' sites throughout the plan period, and in this respect the development will assist in meeting current housing targets.
- 10.2 More importantly, previous planning applications have established the principle of residential development on this site and the site forms part of a wider residential development granted outline planning permission and which is currently under construction (and with some plots completed) by Bellway Homes, known by them as 'Edison Fields'.
- 10.3 It is therefore considered, as a result of both the planning history and in the context of relevant policy, that the principle of residential development of this site is acceptable.

Layout and design and scale issues:

- 10.4 The design ethos is housing laid out around a central area of public open space which will form part of a pedestrian link from Netherfield Road to the green belt recreational space beyond. The positioning of the open space within the site allows

for a vista through the development from Netherfield Road to the green belt. This area of public open space was part of the indicative layout for the previously approved outline consent.

- 10.5 However, unlike the indicative outline layout, in the scheme currently under consideration the dwellings have been laid out so that their principal elevations overlook the open space. This forms the dual function of framing the open space with built form and providing natural surveillance of this public area from principal windows. The open space will be enclosed by low level railings to maintain the open aspects of the dwellings which overlook it.
- 10.6 The remaining dwellings are largely laid out so that they front the loop road system which provides both vehicular and pedestrian access. This provides a series of street scenes within the development and helps create a sense of place consistent with the wider scheme which is partially completed/under construction. Where the scheme varies from this formal layout, is in response to the existing built form, in particular that of Greenshaw Terrace.
- 10.7 The scheme provides for mixture of house types which create variation whilst maintaining consistency in design features. The houses are largely a mixture of detached and semi-detached dwellings which are two storeys in height (some utilising the roof space). The central roof is generally pitched, although the use of different house types provides variety in height. The overall massing of the roof design is further broken up through the use of projecting front gables set into the main roof pitch.
- 10.8 It is considered that the mix of house types on this scheme is sufficient to achieve both cohesion and visual interest which, taking into account the use of appropriate and suitable materials, will integrate into the adjacent new development.

Residential amenity and general living condition:

- 10.9 The layout of the dwellings is intended to provide a good standard of residential amenity for future occupiers. Each of the houses has a private garden which is particularly important for three and four bedroom dwellings which may be occupied by families with young children. The layout is such that adequate separation distances are achieved between dwellings, to avoid an unacceptable degree of overlooking from principal windows.
- 10.10 Consideration has also been given to the existing residential properties surrounding the site, both on the wider development and on Greenshaw Terrace to the south. In this respect, revised plans have been receive amending the plots adjacent Greenshaw Terrace to avoid direct overlooking of existing properties. All plots are now in excess of 21 metres from the existing dwellings. As the new dwellings are to the north of Greenshaw Terrace, there will be no loss of sunlight to the existing properties as a result of this development.
- 10.11 It is therefore considered that the layout as proposed offers a good standard of residential amenity for future occupiers and will not have a significantly detrimental impact on the amenity of existing occupiers adjacent to the site.

Green Space and landscaping and Green Belt issues:

- 10.12 The red-line boundary around the application site to the north east follows the Green belt boundary, and as such no area of Green Belt land is included within the

application. The area of Green Belt land which lies directly adjacent to this application site is within the ownership of the applicant and the long term management of this has been secured through the original application Section 106 agreement.

- 10.13 Policy N24 requires a buffer zone within new developments where it adjoins designated Green Belt land. The 'green' areas within the site are largely placed around the site boundaries, adjoining the adjacent Green Belt land, and as such it is considered that this buffer arrangement is acceptable and provides sufficient space to buffer the development from the green belt. It is considered that due to the extent of the buffer zone and the supplementary proposed and given that the land towards the open countryside is much more elevated, on balance this will not create any significant visual intrusion sufficient to warrant the refusal of this application. The proposal will not therefore conflict with policy N24 of the Revised UDP.
- 10.14 In respect of landscaping arrangements, the Council's landscape architect had requested amendments to address issues of concern relating to adding relief to areas of hard standing, changes to boundary treatment, design details for paths across POS, more robust and native planting required along the Green Belt boundary. The plans have been modified to reflect in most instances these changes and where this has not occurred these matters are covered by the imposition of suitable planning conditions.
- 10.15 The delivery of on site green space is to be delivered as part of a wider green space strategy and relates to the original outline consent. Against this background the Council's Landscape officer has raised no objections to the principle of development. The proposal will not conflict with policy LD1, N23 and N25 of the Revised UDP.

Highway issues:

- 10.16 The internal layout has been re-designed to meet the requirements of the Street Design Guide. Parking provision and size of garages and driveways are also in accordance with the Street Design Guide. Cycle parking has been provided for each dwelling. Details for the storage of wastes from the dwellings and access for their collection have also been submitted and would be controlled via condition.

OFF SITE HIGHWAY WORKS:

- 10.17 No additional off site highway works are required further to those already agreed as the scheme does not increase the amount of development already approved and the various works are being progressed via a Section 278 Agreement (Highways Act 1980) as part of the previous approvals.

TRAVEL PLAN:

- 10.18 A travel plan framework was submitted with the application proposals. It is considered that the Travel Plan itself is acceptable in principle and any revisions that are required could be secured through conditions.
- 10.19 In accordance with adopted supplementary planning policy, the Travel Plan and monitoring and evaluation fee, should be included and secured through a Section 106 Legal Agreement.

ENHANCEMENTS TO STRATEGIC PUBLIC TRANSPORT INFRASTRUCTURE:

- 10.20 Application proposals for this site would be expected to provide enhancements to strategic public transport infrastructure. To achieve these requirements, a S.106

legal agreement would be secured to provide a commuted sum of £44,400 for a range of public transport measures benefiting the site.

PUBLIC TRANSPORT SITE ACCESS PROVISION:

- 10.21 Application proposals for this site would also be expected to provide basic public transport site access provision and encourage and promote access by sustainable modes of travel. There are several bus services running next to the development on Netherfield Road serving various locations including Leeds, Yeadon and Otley. Physical bus stop improvements to adjacent stops have already been achieved through the original permission on this site and the adjacent outline residential consent recently granted on appeal. However, through discussions with Metro the applicant has agreed to the provision of Residential MetroCards for new residents in this scheme. This will be secured through S.106 legal agreement. Metro have confirm that, to date, 36 zone 1 to 3 MetroCards have already been issued to the existing new residents on the previous phases.

Developer contributions:

- 10.22 In accordance with planning policy requirements, application proposals such as this would be subject to the developer contributions to cover the following elements:-

AFFORDABLE HOUSING:

- 10.23 The site is within the Outer suburbs. Therefore the current Interim Affordable Housing Policy requires 15% of the development to be affordable housing with a 50% - 50% split between social rental and submarket/intermediate.
- 10.24 This would equate to 11 (*5 social rent and 6 submarket intermediate*) of the properties being affordable and the Council would normally require a pro rata mix of property sizes proposed and pepper potted within the development.
- 10.25 The applicant (Bellway Homes) have already provided affordable housing units on the previous phases. They have provided these with the help of Leeds and Yorkshire Housing Association. As these parties have a working relationship, there is an agreement in principle for this Registered Social Landlord (RSL) to take the affordable units on this last phase.
- 10.26 The applicant have stated that Leeds and Yorkshire Housing Association have identified (through the advertising of the affordable units in preceding phases) a high demand for two bedroom units in this location and that demand could not be met through the provision of such properties in the preceding phases.
- 10.27 For that reason, this Registered Social Landlord have expressed an interest in the 2 bed flats which form part of planning permissions 07/06163/OT and 10/05731/RM (erection of 5 terrace houses and a detached block of 15 two-bedroom flats) which were granted permission on the front of the site earlier this year, but have yet to be built. As the sites are part of the same development and within the same ownership this could be secured through a section 106 linking the two applications.
- 10.28 Although the number requirement under the new policy would only require 11 affordable units, due to the problems faced by the RSL in managing and maintaining only part of a block of flats (*including controlling service charges*) discussions between the RSL and the applicant have proceeded on the basis of the RSL acquiring the entire block of flats, i.e. 15 two bed units. This would amount to an affordable housing provision of 20% of the new dwellings proposed, rather than the 15% required by the new policy.

- 10.29 However, the applicant have stated that, in order to make this arrangement workable to both parties, the tenure model proposed for this level of provision is the new Affordable Rent product introduced in June 2011. This is a form of social housing available to registered providers where homes are made available to tenants at up to a maximum of 80% of the gross market rent and allocated in the same way as social housing.
- 10.30 The government introduced a technical change to annex B of PPS3 in June 2011 which included this model within the definition of affordable housing in national planning policy.
- 10.31 The applicant has also confirmed, that if this is acceptable to Members, in terms of the phasing, it is proposed that the flats can be delivered as 'phase 1' as subject to the timely discharge of conditions construction could commence on the completion of the s106 as proposed.
- 10.32 In summary, whilst the affordable housing offer is contrary to policy in terms of percentage provision and a mix of unit sizes and types, it is considered acceptable as there are overall benefits which include: -
- This offer of 15 units represents 20% of the number of units proposed more than the 15% required by current local policy;
 - The tenure proposed, 'affordable rent', is now included in Annex B of PPS3 and thus meets the definition of an affordable housing tenure;
 - These units will add to the existing affordable housing and mix of tenures on the site as a whole, which already has 27 pepper potted affordable dwellings (13 social rental and 14 submarket/intermediate);
 - The flats can be constructed upon completion of the contractual agreements (already agreed in principle) between LYHA and Bellway, thus completing the Netherfield Road frontage of this development;
 - Leeds and Yorkshire Housing Association are the affordable housing partner for the 'Edison Fields' development and already manage affordable units on the site;
 - Taking the entire block means the housing association can manage the maintenance and servicing of the whole building;
 - The RSL have identified, through the advertising of the affordable units in preceding phases, a high demand for two bedroom units in this location, This demand cannot be met through the provision of such properties in the preceding phases.

EDUCATION:

- 10.33 As the residential development exceeds 50 dwellings, in accordance with adopted policy, there would be a requirement for a contribution to secure the provision of education facilities which will be needed as a result of the family housing proposed.
- 10.34 The birth rate within the planning area has steadily increased year on year from a low in 2003 of 314 births to an excess of 410 for 2009. The nearest schools are projected to be full by 2010/11 and across the Guiseley Yeadon, Rawdon area there is little surplus capacity. With reception intakes being close to the combined admissions limit, any current capacity in higher year groups will soon be removed as the existing population progress through the year groups.
- 10.35 Therefore, under the current requirements, the education contribution based on 74 dwellings is £216,979 for primary and £130,778 for Secondary schools.

PUBLIC OPEN SPACE:

- 10.36 At the original outline (which covered the whole site except for the small area where the flats 20 units are) the s106 included the green belt land to the rear of the site plus an offsite contribution for play space and open space to be determined at reserved matters. The following reserved matters pursuant to this outline was implemented but not completed, and was followed by the submission of a full application for 94 units. A deed of variation to the original section 106 was completed for the full application and it included an off site greenspace contribution of £95,092.01, calculated in accordance with SPG4.
- 10.37 There is no reference in either s.106 to the on site open space which forms part of this scheme, therefore the area within the red line on this application has not previously been counted towards any open space calculation and therefore may count as provision for this calculation.
- 10.38 At the time of writing this report further investigations and discussions with the applicant were ongoing into what greenspace financial contributions may be required for this planning application. Members will be verbally update on this element of the scheme at Panel.
- 10.39 These Greenspace, Affordable Housing and Education enhancements would need to be secured through a Section 106 Legal Agreement.

Other material planning considerations:

CAPACITY OF A65:

- 10.40 In relation to comments from Councillor Colin Campbell and local residents regarding A65 traffic capacity principle matters. The cumulative impact of the development and other ongoing housing development at the High Royds Hospital site in Menston, developments on Netherfield Road and elsewhere in Guiseley was considered with the granting of outline consent for the site in 2006 and as recently as February 2010 by the Planning Inspector, when outline residential consent for circa 98 dwelling at the Abraham Moons site adjacent was granted on appeal.
- 10.41 Whilst we accept that the A65 carries high traffic flows at certain times in the day, particularly during the morning peak, the proposed and completed highway improvement works at the Netherfield Road/Oxford Road and Oxford Road/Otley Road junctions secured through the original outline consent for the site and through the former Abraham Moons site would ensure that these junctions were capable of satisfactorily accommodating the increase in traffic flows that would arise from the housing sites on Netherfield Road.
- 10.42 It is also accepted that the A65 is the only arterial road from the centre of Leeds with little or no dual carriageway or space for dualling, and limited carriageway width in places to accommodate bus lanes. This has an effect on some journeys to and from the City centre by road, lengthening peak hour travel. The A65 Quality Bus initiative will however be able to secure some improvement in bus journey times along the A65 inside the Leeds Ring Road, although the initiative does not extend into Guiseley.
- 10.43 It is therefore considered that an objection on capacity matters could not be sustained. The objective of reaching the right balance between employment and housing development in Guiseley and infrastructure capacity issues might need to be further considered as a strategic planning matter in the context of the Council's

emerging Core Strategy and any subsequent Allocations Development Plan Document (DPD) or other DPD.

FLOOD RISK ASSESSMENT:

- 10.44 The site is situated within Flood Zone 1 on the Environment Agency Flood Zone maps, which is the lowest risk of flooding from river and tidal sources. However, due to the size of the site a Flood Risk Assessment of the site is required. The Environment Agency have confirmed that the FRA submitted with this application does now comply with the requirements set out in Planning Policy Statement 25 (PPS 25).

LAND CONTAMINATION:

- 10.45 An assessment of ground conditions and associated remediation of contamination from former uses has already been undertaken at this site. A remediation completion statement was submitted as part of this application.

11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable. This scheme represents the final phase in a wider residential development currently under construction. The scheme will deliver a mix of family housing and public open space on previously developed land in a sustainable location.
- 11.2 The scheme has been redesigned to respond to the challenging issues facing the housing market and is family housing orientated. The scheme has been the subject of several design changes which have been required to ensure that the quality and layout of the development remains. This process of engagement and dialogue has involved Local Ward Members. The development will not adversely affect the amenity of existing residents of the area or prospective residents of the development. It is considered that the development is of a sufficient scale and quality to assist in positively improving the quality of the area.
- 11.3 The application is therefore considered to comply with the relevant policies of the Unitary Development Plan and National Planning Guidance and as such the recommendation is that the application be approved. There are no other material planning considerations that outweigh this finding.

Background Papers:

Application file.

Planning permission 28/198/05/OT

Planning permission 07/04780/RM

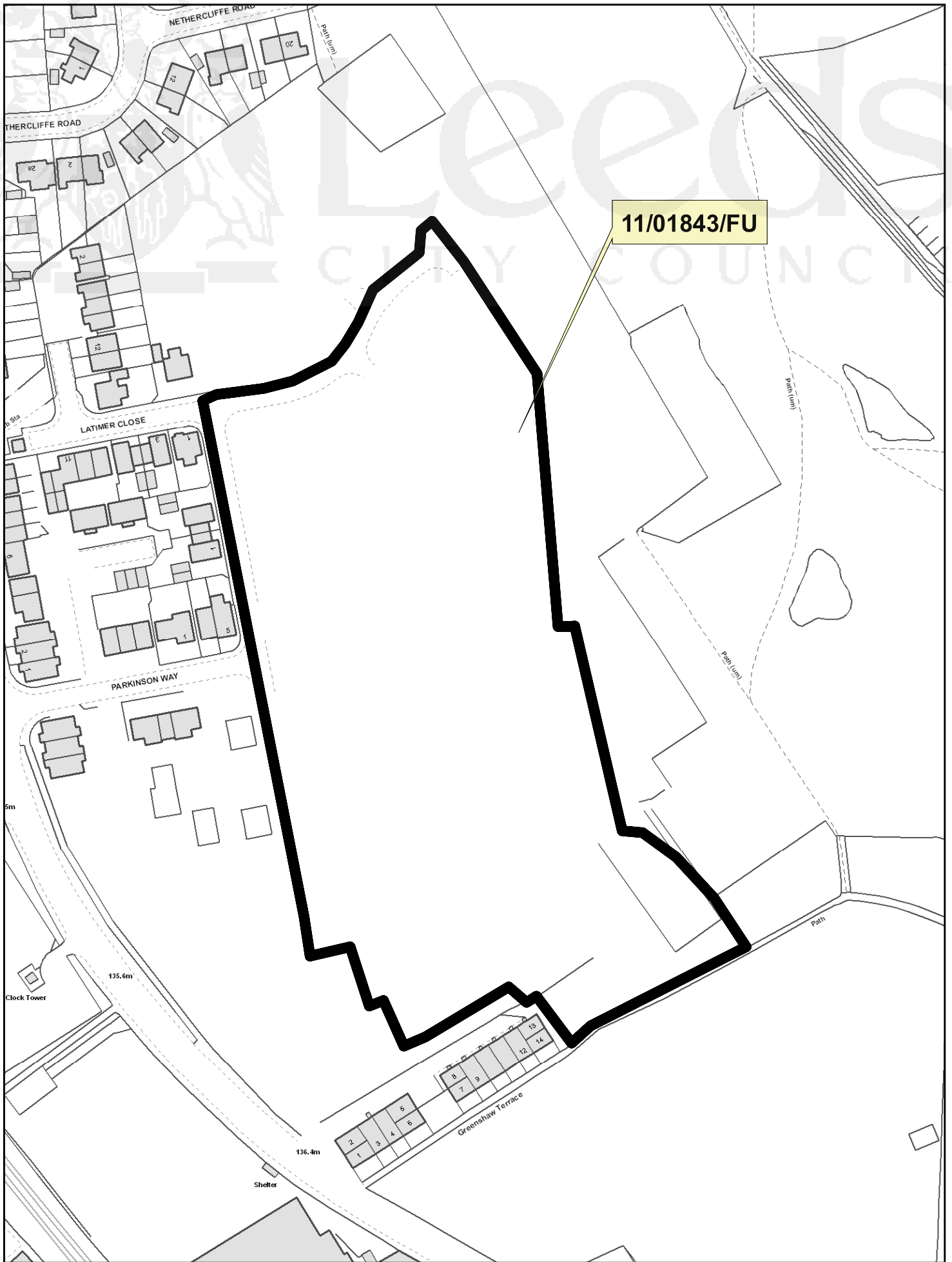
Planning permission 09/04684/FU

Planning permission 07/06163/OT

Planning permission 10/05731/RM

Interim Affordable Housing Policy

Certificate of Ownership



EAST PLANS PANEL



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Originator: Terry Moran
Tel: 0113 39 52110

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 23 July, 2011

Subject: APPLICATION NUMBER 10/03063FU – IMPROVEMENTS TO ACCESS AND EGRESS WITH NEW PARKING AREA TO SCHOOL AND PLAYING FIELDS AT RICHMOND HOUSE SCHOOL, 168 - 170 OTLEY ROAD, LEEDS. LS16 5LG

APPLICANT	DATE VALID	TARGET DATE
Richmond House School	12 July 2010	06 September 2010

<p>Electoral Wards Affected:</p> <p>Weetwood</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>

<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>

RECOMMENDATION: **Grant permission subject to the following conditions.**

1. Standard 3 year time limit.
2. Details of approved plans
3. Car park to be surfaced and sealed prior to commencement of use to prevent surface water discharge to the highway
4. 2 motorcycle parking spaces to be provided on site
5. Landscaping scheme to be approved
6. Standard surface water drainage condition
7. Existing culverted watercourse to be investigated and remediation works carried out as required.
8. Area of pitch identified to be upgraded within 12 months of the car park being brought into use, in accordance with a scheme to be submitted.
9. Submit and implement a Travel Plan
10. Scheme for parking restrictions on Glen Road to be agreed in writing prior to commencement of development
11. A scheme setting out details of a Community Use agreement shall be agreed in writing prior to commencement of development.

1.0 INTRODUCTION:

1.1 This application is brought before Members at the request of Ward Councillor Sue Bentley due to the high level of local interest which the proposal has generated.

2.0 PROPOSAL:

2.1 The proposal seeks to layout a new car park on an area of school playing fields, with access from Glen Road.

2.2 The proposed car park is for use by staff members with a drop-off and pickup area for parents. It incorporates a drop-off area and parking space for 41 cars and 2 motorcycles, with an additional 2 car parking spaces for disabled users adjacent the school building.

2.3 The scheme also involves a re-ordering of the existing sports pitches, involving the laying out of a new petanque court and other associated ground improvements. There have been significant amendments to the scheme since it was first submitted, which originally proposed a new road bisecting the site and additional car parking to the north of the site, but instead now proposes a car park and drop-off area to the southern edge of the school site.

3.0 SITE AND SURROUNDINGS:

3.1 The site comprises an independent school serving children from 3 to 11 years of age, which is located just off the Otley Road (A660), and a substantial area of playing fields, within a predominantly residential area. The northern boundary of the site is adjacent to low-density pre-war housing of good quality stock, whilst the eastern boundary adjoins larger, more mature dwellings of significant character. The site slopes gently up from South to North.

3.2 There are three access points to the site, which are Cross Glen Road, Glen Road and Weetwood Lane.

3.3 A large part of the site is segregated from the highway by fencing at approximately 1.8m high.

4.0 RELEVANT PLANNING HISTORY:

4.1 Following a review of the Council's records the following planning history on the site is considered relevant:-

- 09/02904/FU - Improvements to access, egress and internal link road to school and playing fields. Withdrawn, 26/08/2009.

5.0 HISTORY OF NEGOTIATIONS:

5.1 As part of the application process, the application has been amended significantly, having originally incorporated a new access road across the site with a turning area.

5.2 The scheme now makes no reference to a new access road, instead featuring a new parking area with drop-off points to the south-western side of the site.

5.3 Environmental improvements have also been incorporated which result in the bringing back into use of an area of land within the site to make it useable for sport

and recreation, following protracted discussions with Sport England, thus resulting in no overall loss of usable sports pitches, which will form the subject of a condition.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 This application was advertised via site notices and also with an advert in the Press. 56 letters of representation have been received from local residents and other interested parties, of which 3 are letters of support, 52 are objections and one is a letter of comment from Ward Councillor Sue Bentley. A large number of these representations relate to the original drawings and refer to the impact on residential amenity which would result were the car park to be laid out on the Northern edge of the site. The application was re-advertised in May of this year, with a total of 22 letters of objection in response to the revised scheme. Objections relate to highway safety and in particular additional traffic and parking on surrounding streets, particularly Glen Road, visual amenity, lack of consultation with the local community and loss of playing pitches.
- 6.2 Councillor Sue Bentley has also commented on this application, requesting that it be brought to Panel in light of the level of local interest.

7.0 CONSULTATION RESPONSES:

Statutory Consultees

SPORT ENGLAND.

- 7.1 Originally objected to the proposals but have now withdrawn their objection, stating that the proposal now meets the requirements of one of the exceptions of Policy E4, in that the playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development. This is based on a report prepared by a specialist sports turf consultant, commissioned by the developer, which shows that the area of sports pitch lost to car parking is unusable as a sports pitch without extensive engineering works. The area of sports pitch lost to car parking measures 1800m² whilst the compensation area gained will be between 1950m² and 2450m² depending on ground conditions and pitch specification for the area.

Non- Statutory Consultees

HIGHWAYS:

- 7.2 No objection to the current scheme, subject to contributions being provided for TRO's relating to the widening of the access to the car park and the submission of a Travel Plan.

LANDSCAPE:

- 7.3 No objection to current scheme.

DRAINAGE:

- 7.4 No objection subject to conditions relating to porous surfacing, monitoring of discharges and submission of a report into the status of the existing watercourse.

ACCESS:

- 7.5 No objection to the current scheme.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Leeds Unitary Development Plan (Review 2006) unless material considerations indicate otherwise.

Development Plan:

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below.

- Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.
- Policy N6 states that development of playing fields will not normally be permitted unless there are special circumstances including a demonstrable net gain and no shortage of pitches in the local area.
- Policy N25 seeks to ensure that site boundary treatments are designed in a positive manner which is appropriate to the setting and character of the area.
- Policy T2 seeks to avoid any harm or detriment to all users of the highway.
- Policy T6 states that adequate access provision must be made for the disabled.
- Policy T7a states that all development must provide adequate and secure means of cycle storage.
- Policy T24 sets out specific criteria for parking provision.

National Guidance/Statements:

8.3 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be relevant, including;

- PPS-1 – Delivering Sustainable Development This PPG sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- PPG-13 Transport: This PPG's objectives are to integrate planning and transport at the national, regional, strategic and local level, to promote more sustainable transport choices both for carrying people and for moving freight, to encourage the active management of the pattern of urban growth and improve accessibility on foot and cycle.
- PPG-17 - Sport and recreation. This sets out the policies needed to be taken into account by regional planning bodies in the preparation of Regional Planning Guidance (or any successor) and by local planning authorities in the preparation of development plans (or their successors).

9.0 MAIN ISSUES:

9.1 Having considered this application and representations, it is the considered view that the main issues in this case are:

- Highway Safety
- Community Involvement
- Visual amenity
- Loss of protected playing pitches and greenspaces
- Watercourses and culverts
- Summary and recommendation.

10.0 APPRAISAL:

Highway Safety:

- 10.1 The scheme raises a number of issues with regard to highway safety, as the school has a very wide catchment area covering Leeds, Bradford, Harrogate and other parts of North and West Yorkshire, which means that children are generally brought to the school by car.
- 10.2 The school has attended a number of meetings with Planning Officers and Highways Officers, and it is clear from those meetings that traditional methods of reducing car journeys, such as school buses or shared journeys, are less effective due to the wide range of journeys and destinations involved. The school has in fact explored a wide range of solutions aimed at reducing car travel direct to the school, with a "Park and Stride" scheme operating between the school and the nearby Village Hotel site whereby some parents are able to park at the hotel and walk down to the school with their children . Such schemes, however, have proven insufficient overall in providing safe and practical means for parents of very young children to safely drop off and/or collect them. The current scheme aims to significantly reduce the impact of car travel to and from the site by providing a designated drop-off area within the school grounds whilst at the same time creating a more formal parking area for staff members.
- 10.3 Highways Officers have reviewed the current proposals, and have agreed certain changes to the submitted drawings aimed at improving visibility and safety. In light of these recommended changes, it is therefore considered that the proposal will result in an overall improvement in terms of highway safety and also reduce in a net decrease in levels of congestion at peak times as parents will be able to drop off their children within the school grounds instead of potentially blocking traffic on Glen Road and other adjacent streets as currently happens.
- 10.4 The net effect of the scheme will therefore be to reduce numbers of cars parked on local streets by visitors to the school, which is considered both positive and beneficial with regard to highway safety. Officers therefore support the scheme on that basis.

Community involvement:

- 10.5 There have been a number of representations received which infer that the school has failed to interact with the local community, with proposals being presented as a fait-accompli. The school has in fact recently attended a meeting at which officers from Planning, Highways, the school governors and community representatives were in attendance. At this meeting, it was apparent that the school wishes to work with the local community to overcome issues relating to access and parking. Officers are therefore keen to work alongside the school in an effort to improve and enhance community relations when considering this proposal.

Visual amenity:

- 10.6 The proposed parking area is positioned to the Southern end of the site, adjacent to Glen Road. A number of planted areas are incorporated in the scheme on the outer edges of the parking areas, with other mature trees to be retained on the highway frontage, final details of which are to form part of a Landscaping condition. This is considered acceptable in terms of visual impact.

Protected greenspace and playing pitches:

- 10.7 The proposal is in on land allocated as Protected Playing Pitches in the Adopted Unitary Development Plan. An initial consultation with Sport England raised an objection to the proposal due to the loss of protected playing pitches contrary to guidance within PPG:17.
- 10.8 The current scheme has been carefully reworked to take those concerns into account, and now involves the upgrading of an unusable area of ground within the school for use as a sports pitch, meaning that there will be no net loss of usable sports pitches as the area to be laid out for parking will be smaller in area than the new upgraded area of land. On this basis, Sport England now considers that the proposal is acceptable subject also to a Community Use agreement to ensure that the pitches will be available for community use.

Watercourses and culverts:

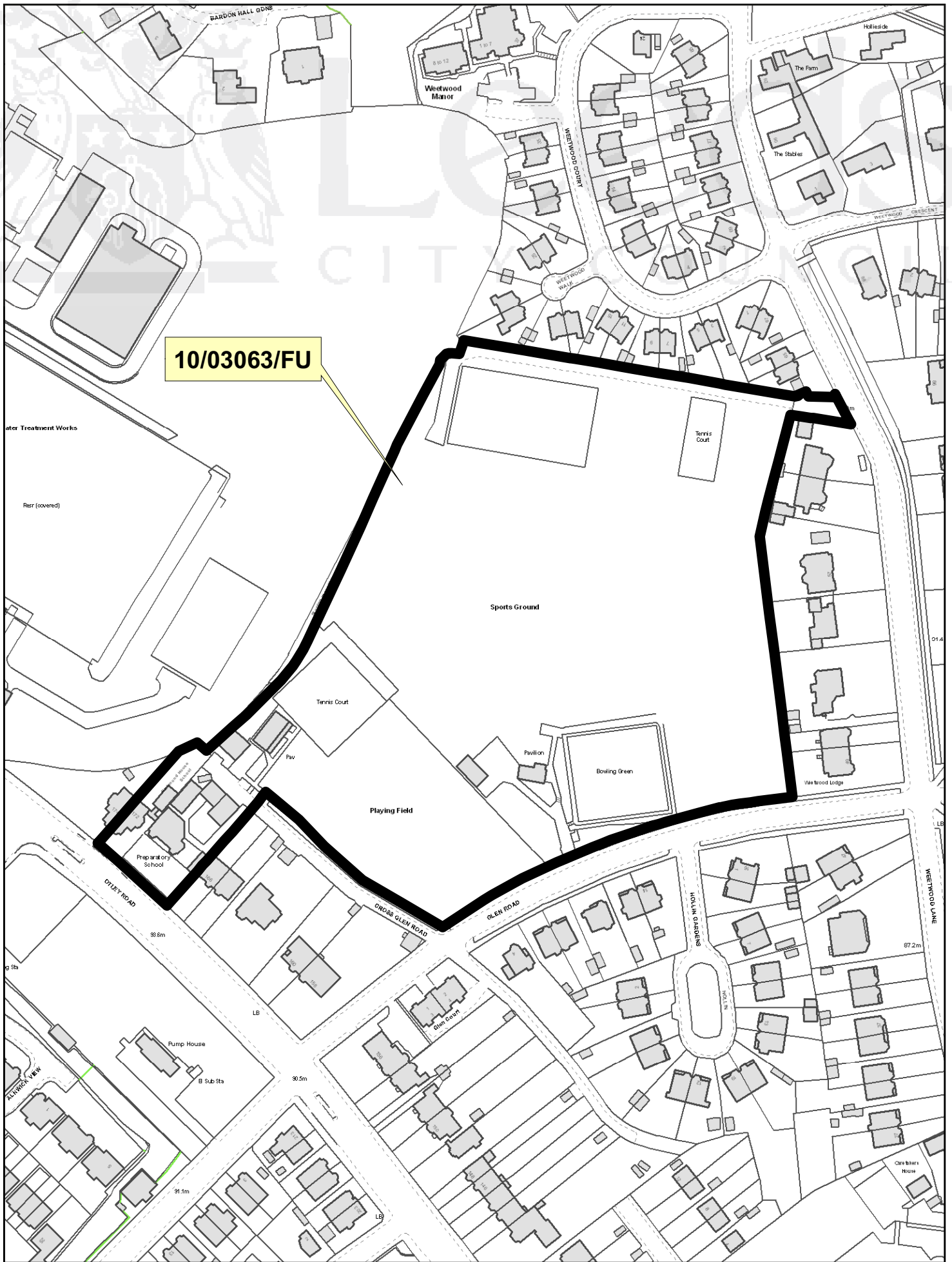
- 10.9 Concerns have been raised that the proposed parking area would be laid out in an area where a watercourse is believed to exist. Mains Drainage have indicated that this matter requires investigation by the developer and it will therefore be conditioned accordingly.

11.0 CONCLUSION:

- 11.1 Officers consider that the proposed car park and drop-off area will result in a marked improvement on the existing arrangements for parking at the school, and will provide a more ordered and controlled level of access and egress from the school grounds.
- 11.2 This is likely to improve existing traffic flows both to and adjacent the site, resulting in an overall improvement to existing arrangements. There is also likely to be no undue impact on existing levels of neighbouring residential amenity. Approval is therefore recommended subject to the conditions outlined at the head of this report.

Background Papers:

Application and history files.



10/03063/FU

EAST PLANS PANEL

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Originator: Patrick Bean

Tel: 0113 3952109

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21st July 2011

Subject: APPLICATION 11/01857/OT - OUTLINE APPLICATION INCLUDING LAYING OUT OF ACCESS ROAD, PUBLIC OPEN SPACE AND ERECTION OF 54 DWELLINGS WITH ASSOCIATED CAR PARKING, LANDSCAPING AND FULL APPLICATION FOR THE REFURBISHMENT OF INDUSTRIAL BUILDING AND THE REPLACEMENT OF 1 INDUSTRIAL BUILDING AT SPRINGHEAD MILLS, GUISELEY, LEEDS, LS20 9BL.

APPLICANT	DATE VALID	TARGET DATE
Evans Property Group	12 May 2011	11 August 2011

Electoral Wards Affected:

Guiseley and Rawdon

Yes Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER AND DELEGATE approval subject to the signing of Section 106 agreement to include contributions of £20,000 for off-site highway works, of £59,245 for public transport improvements, of £2,500 for Travel Plan measures, of £37,171.20 for a residential Metrocard scheme, of £257,245 for education contribution; of eight affordable housing units, and subject to the following conditions:

1. Outline condition, Reserved Matters approval will be required for appearance, landscaping and scale;
2. Time Limit on Outline Permission; 2 years for submission of details, 2 years to commence development;
3. Plans to be approved;
4. Materials details and samples of external walling, roofing and surfacing
5. Regularly coursed natural stone to be used for all external walling and a sample panel to be approved.
6. Photographic / measured survey of buildings and walls to be demolished required.
7. Hand demolition only of building to be substantially retained.

8. Details of boundary treatments to be approved and carried out.
9. Hard and soft landscape scheme to be approved in writing and implemented.
10. Replacement planting to be carried out.
11. Drainage scheme to be approved and implemented.
12. Area used by vehicles laid out, surfaced and drained;
13. Details of cycle parking;
14. Details of motorcycle parking;
15. Redundant access points closed and footway reinstated;
16. Implementation of travel plan measures;
17. Provision of pedestrian accessibility audit and implementation of necessary measures;
18. Construction access and parking plan;
19. Details of footway improvements;
20. Contamination and remediation to be carried out as required.
21. Biodiversity enhancement measures including bird and bat roosts;
22. Proposed levels details;
23. Specified operating hours (construction); no Sunday / Bank Holiday operations;
24. Submission of statement of construction practice;
25. Submission of sustainable construction statement;
26. Code for sustainable homes certification (level 3 minimum);
27. Sound insulation scheme for employment units;
28. Specified opening / delivery hours for employment units;
29. Submission of phasing plan including dwellings, roads, footpaths, parking, landscaping and drainage;
30. No demolition until scheme for rebuilding and phasing approved, which thereafter shall be implemented.
31. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

UDPR Policies SA1, SP3, SP4, GP5, GP7, GP9, E7, BD2, BD5, H1, H3, H4, H11, H12, H13, LD1, N2, N4, N12, N13, N18A, N18B, N19, N20, N22, N23, N25, N38B, N39A, T2, T2C, T2D, T15, T24.

Supplementary Planning Guidance: Affordable Housing (SPG3); Interim Affordable Housing Guidance – Issued 1st June 2011, Greenspace relating to new housing development (SPG4); Neighbourhoods for Living (SPG13); Sustainable urban drainage (SPG22).

Supplementary Planning Documents: Public Transport Improvements and Developer Contributions; and Travel Plans.

Regional Spatial Strategy adopted May 2008: H1: Provision and distribution of housing; H2: Managing and stepping up the supply and delivery of housing; and H5: Housing mix.

National Planning Policy Guidance: PPS1: Delivering Sustainable Development; PPS3: Housing; PPS5: Planning for the Historic Environment; PPG13: Transport; and PPS25: Development and Flood Risk.

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

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel due to the scale and amount of development on the site and due to the high level of local interest in the proposals.

2.0 PROPOSAL:

- 2.1 The proposal is to demolish the principal brick mill buildings, lay out an access road, create a public open space and to erect a residential development, comprising of 54 dwellings. The proposal also involves the refurbishment and replacement of two buildings in employment use. It is proposed to partially demolish the larger building, but to entirely demolish and rebuild the smaller building.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site lies within the urban area of Guiseley, close to Guiseley Town Centre which is to the south west of the site. To the immediate east of the application site are houses and to the south east, the Aireborough Leisure Centre. To the immediate west lies open land which forms public open space. To the north of the site is Springfield Road which runs into Well Lane. This section of highway is dog legged and primarily serves housing. The site is next to the Guiseley Town Gate Conservation Area which is located to the north, east and west of the site. The north east corner of the site is proposed to be included within the GTGCA in the Guiseley Conservation Area Appraisal and Management Plan, which is presently in consultation draft form.
- 3.2 The general character of the local area is dominated by a series of distinctive stone terraces of generally a 2 and 2 ½ storey scale albeit there are limited examples of 3 storey developments. The predominant materials are stone and slate. The style of architecture is compact and symmetrical. The area is of attractive character, and this is reflected in its status as a conservation area. This pattern of development provides a distinctive local character.
- 3.3 The site itself is of an irregular shape and comprises 1.9 hectares of land occupied by a number of buildings of different qualities. Some of these are currently used and others previously used for commercial purposes. The most interesting and architecturally pleasing buildings are located generally within the north eastern corner of the site and comprise traditional mill buildings which sit adjacent to Well Lane and contribute positively to the character of the area. These particular buildings are used as small workshop units for commercial and light industrial purposes. The other significant building largely occupies the remainder of the site and is a substantial utilitarian structure, being brick built unit with asbestos roofing.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is a lengthy planning history relating to this site much of which is not considered to be relevant to the current proposals.
- 4.2 However, in 2006 an application was submitted for the demolition of mill, laying out of access and erection of 80 dwellings with the refurbishment of retained buildings for employment use. This was withdrawn on the 20th November 2006.

- 4.3 An outline application was submitted in 2009 to demolish mill buildings, layout access road and erect residential development, comprising dwellings, sheltered accommodation (use Class C3) and care home (use class C2) and conversion of mill building to residential (indicative only), with car parking. This too was not considered acceptable and was withdrawn.
- 4.4 A second outline application was submitted in 2009 which was similar to the previous one, and sought consent for demolition of mill buildings, laying out of access road and erection of residential development, comprising of dwellings, sheltered housing accommodation (use class C3) and care home (use class C2) and conversion of mill building to residential (indicative only), with car parking.
- 4.5 This was refused consent by the Plans Panel West of 15th April 2010 for reasons relating to:
- Insufficient provision of affordable housing,
 - Insufficient provision of additional or improved Greenspace,
 - Insufficient enhancements to strategic public transport infrastructure, basic public transport site access provision and failure to encourage and promote access by sustainable modes of travel,
 - Inadequate information to enable an informed decision to be made regarding the impact of the proposal on the highway network,
 - The over intensive nature, height, scale, massing, layout and associated parking appearing over dominant and inappropriate in relation to the surrounding character of the area,
 - Failure to demonstrate that the development meets the needs of balanced provision of housing and mixed communities,
 - Insufficient detail in particular in respect of the proposed C2 'assisted living' block.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The preceding application (09/05311/OT) was not the subject of a formal pre-application submission, although there was some ongoing dialogue between officers and the applicants. The application was similar in content to the application submitted in January 2009 (09/00107/OT), the key difference being a revision to the design of the assisted living block.
- 5.2 A meeting was held on 2nd February 2010 between officers, the applicants and Ward Members Councillor Graham Latty and former Councillor Stuart Andrew to discuss issues raised by the application. A public consultation event involving the same Councillors and Council officers took place at Aireborough Leisure Centre on 10 February 2010, while other public consultation events were held by the applicants on 22nd and 23rd March 2010. Members will recall that a Position Statement was presented to the Plans Panel West meeting of 18th February 2010.
- 5.3 A further public consultation event was held by the applicants on 16 and 17th July 2010 where the residential scheme proposals were exhibited. Following this event formal pre-application discussions have been held between officers and the applicants. This includes a pre-application meeting held on 9th November, and a subsequent design workshop.
- 5.4 Guiseley and Rawdon Ward Members have been regularly briefed by officers on these proposals.

5.5 Members will recall that a Pre-application Report regarding the current proposals was presented to the Plans Panel West meeting of 3rd February 2011. Members noted the contents of the presentation and were generally very supportive of the revised development. Specific comments by Members related to improved design quality, conservation issues, impact of construction traffic, and the improved greenspace proposed.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by means of site notices dated the 20th May 2011, and a notice published in the Wharfe Valley Times dated 9th June 2011. Copies of all plans and supporting information have also been made available at Guiseley Library. To date twenty-five representations have been received. The main points of objection can be summarised as follows:

6.2 Letters of objection raise concerns that:

- The proposed development is out of character with the area and the character of the Conservation Area;
- The scale and proportions of the units are too excessive;
- Loss of privacy and overlooking issues;
- Increased noise and disturbance;
- The proposal will result in increased traffic congestion;
- There is an insufficient amount of on street car parking in the area and the development will exacerbate this problem;
- The demolition waste may contain hazardous substances;
- Loss of traditional buildings;
- Proposals will place extra pressure on already stretched health services and other related infrastructure such as schools;
- Access to and from the site by construction vehicles will have serious implications for road safety;
- Insufficient details have been provided to deal with waste disposal, foul sewage, flood risk and land contamination issues.

6.3 Leeds Civic Trust have submitted a letter in support of the proposals on the grounds that they would place a more fine-grained development within the urban area, and as such would be more appropriate than a major industrial complex.

7.0 CONSULTATIONS RESPONSES:

7.1 An outline of the main points raised are provided below:

7.2 Statutory:

ENVIRONMENT AGENCY:

7.3 No objections subject to conditions being appended to any subsequent planning consent relating to improvement of the existing surface water disposal system.

YORKSHIRE WATER:

7.4 The submitted site layout details and Flood Risk Assessment are not acceptable to Yorkshire Water as the proposed new buildings would be located over the line of existing sewers. However, the details submitted with the application indicate that the sewer is to be abandoned as the majority of the sewer serves the existing buildings that are to be demolished and will therefore become redundant. The existing sewer

does however serve the two employment buildings and these are shown as being reconnected to new sewers.

7.5 The local public sewer network does not have capacity to accept any additional discharge of surface water from the proposal site. Sustainable Systems (SUDS), for example the use of soakaways and/or permeable hard standing, may be a suitable solution for surface water disposal;

7.6 An off-site foul and an off-site surface water sewer may be required.

MAINS DRAINAGE:

7.7 The submitted FRA does not adequately address issues regarding the public sewer which crosses the site, surface water discharges, and the feasibility of infiltration drainage methods. A number of conditions are therefore suggested.

7.8 Local residents have raised concerns about the drainage of the site, in particular in respect of the presence of a high water table. However consultations with the statutory drainage body indicates that there would not be grounds to resist the proposals on drainage grounds.

HIGHWAYS:

7.9 The submitted TA represents a robust assessment of the traffic generated by the existing site.

7.10 While the assessment demonstrates that the network is busy, particularly at peak times, the impact of the additional trips that would be generated by the proposal would not be discernible on the highway network. A number of conditions are suggested.

Non-statutory:

METRO:

7.11 The developer will need to enter into an arrangement with Metro in relation to the Residential MetroCard Scheme; the total liability shall be £37,171.20.

NGT / PUBLIC TRANSPORT TEAM:

7.12 The proposed use will have a significant travel impact.

7.13 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 (detailed in the SPD) which are needed to accommodate additional trips on the network.

7.14 The formula within the adopted SPD gives a required public transport contribution of £59,245.

CONTAMINATED LAND:

7.15 No objection to planning permission being granted, as long as conditions and directions are applied.

7.16 Development shall not commence until a Phase II Site Investigation Report has been submitted and approved in writing.

TRANSPORT POLICY (TRAVEL WISE):

- 7.17 In accordance with the SPD on Travel Plans the Travel Plan should be included in a Section 106 Agreement.
- 7.18 The Travel Plan needs to include information on pedestrian, cyclist and wheelchair access to the site and nearby facilities. The Travel Plan should also show the safe routes to local schools. Footway improvements are also supported.
- 7.19 Travel Plan monitoring must be undertaken within three months of initial occupation and annually thereafter, for at least five years post full occupation.

ENVIRONMENTAL HEALTH:

- 7.20 During demolition and construction of this site residents will suffer a significant loss of amenity; conditions are recommended regarding minimizing of dust, operating hours, sound attenuation measures for the employment units and opening / delivery hours.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).
- 8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.
- 8.3 Regional Spatial Strategy adopted May 2008:
- H1: Provision and distribution of housing;
 - H2: Managing and stepping up the supply and delivery of housing; and
 - H5: Housing mix.
- 8.4 UDPR Policies:
- SA1 Securing the highest environmental quality;
 - SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport;
 - SP4: Public transport infrastructure;
 - GP5: General planning considerations;
 - GP7: Guides the use of planning obligations;
 - GP9: Promotes community involvement during the pre-application stages;
 - E7: Retention of Employment land;
 - BD2: Design of buildings should complement skylines and vistas;
 - BD5: Consideration to be given to amenity in design of new buildings;
 - H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy;
 - H3: Delivery of housing land release;
 - H4: Residential development on non-allocated sites;
 - H11, H12 and H13 Affordable Housing;
 - LD1: Criteria for landscape design;
 - N2 and N4: Provision of green space in relation to new residential developments;
 - N12: Development proposals to respect fundamental priorities for urban design;
 - N13: Building design to be of high quality and have regard to the character and appearance of their surroundings;

- N18A to N22: conservation areas;
- N23: Incidental open space around new built development;
- N25: Seek to ensure the design of boundary treatments is positive;
- N38B and N39A: set out the requirement for a Flood Risk Assessment;
- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network;
- T2C Green Travel Plans;
- T2D Developer Contributions;
- T15: Improving vehicle accessibility; and
- T24: Requires parking provision to reflect detailed guidelines.

8.5 Supplementary Planning Guidance:

- Affordable Housing (SPG3);
- Interim Affordable Housing Guidance – Issued 2008;
- Greenspace relating to new housing development (SPG4);
- Neighbourhoods for Living (SPG13); and
- Sustainable urban drainage (SPG22).

8.6 Supplementary Planning Documents

- Public Transport Improvements and Developer Contributions; and
- Travel Plans.

8.7 National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development;
- PPS3: Housing;
- PPS5: Planning for the Historic Environment;
- PPG13: Transport;
- PPS25: Development and Flood Risk.

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Principle of housing development;
- Loss of employment land;
- Treatment of existing buildings and walls;
- The design, appearance, siting, scale and massing of the new dwellings;
- Highway access and layout;
- Landscaping and public open space; and
- Affordable housing.

10.0 APPRAISAL:

Principle of housing development:

10.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004, indicates that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

10.2 The application site lies within the urban area of Guiseley and has no specific land use proposal in the UDP Review (2006). Residential proposals which affect such areas will be treated on merit and subject to the requirements of housing policies H3 and H4.

10.3 Ordinarily the proposal would be considered acceptable in sequential terms as the Policy H3 identifies unallocated brownfield windfall sites as being within Phase 1 of Housing allocations which runs from 2003-2008. The site lies within an existing residential settlement on the edge of the town centre which is already served by existing infrastructure, including bus and rail links, capable of serving a development of the scale proposed subject to the provisos set out below. The proposal could be considered to comply with Policy H4 and the general principles of PPS3 in respect of raising density and locating new housing within existing settlements.

Loss of employment land:

10.4 Policy E7 of the UDP (as modified) requires that development on land last in employment use should only be permitted where:

- The site is not reserved for specific types of employment use under policies E8 and E18;
- Sufficient alternative employment sites exist district wide and are readily available in terms of quantity and quality so as not to prejudice the achievement of employment land strategy through policies E1 and E2;
- Within the locality there are sufficient alternative employment sites available in the locality so as not to prejudice opportunities for local employment uses; and
- The proposal would not result in environmental, amenity or traffic problems.

10.5 To assist in any assessment, the applicants have produced a survey and employment land analysis. The report assesses the impact of the proposed residential development and the loss of employment land in the context of Policy E7.

10.6 In summary, it is concluded that the loss of this site for employment purposes would not prejudice the current supply of employment land and would not have any detrimental effect on the land supply for the area.

10.7 To accompany this submission the applicants have also produced details of a marketing report which indicates that over a period of 7 years the site has been marketed by a number of agents. It states the promotion of the site has been conducted in conventional form and included site boards and press coverage. In summary it concludes that while the smaller units have been let from time to time, the larger units have failed to attract any tenants. The reasons cited for the lack of market interest include the age and condition of buildings, accessibility issues and that the buildings do not meet modern business requirements.

10.8 The Council's policy data team has assessed the findings of the employment and marketing report and its contents are not disputed.

10.9 Against this background the principle of residential development is considered to be acceptable subject to compliance with all other development control issues.

Treatment of existing buildings and walls:

10.10 The proposed use of the site is now predominantly as family housing, with employment use retained in two buildings in the north east corner of the site.

10.11 The site lies adjacent to, but outside of, the Guiseley Town Gate Conservation Area, although the north eastern corner is proposed to be included within an enlarged Guiseley Conservation Area. However at the present time this proposed change has not been formally adopted.

- 10.12 It is proposed to retain two stone buildings in the north eastern corner of the site for employment use. These would retain their existing access separate from the proposed residential development. However, in order to improve highway visibility it is proposed to demolish part of the northern end of the larger building to create a set back of approximately 5.5m. It is also proposed to demolish the smaller building and to rebuild it.
- 10.13 The proposal seeks to replace the existing building with a new single storey building with a similar footprint. The proposal aims to replicate the existing form of the building and, as far as possible, re-use the existing materials.
- 10.14 Additionally, it is also proposed to demolish the existing two single storey buildings situated opposite the Wells and Butt Lane with a new single storey building of similar built form and footprint. The boundary wall which lines Well Lane is proposed to be relocated to the back edge of a newly created public footpath. Again, as far as possible, existing stone would be re-used and the old works entrance gateway feature would be preserved and reinstated in the rebuilt wall.
- 10.15 The setting back of the larger building presents an opportunity for the creation of a public space encompassing the Guiseley Wells area opposite the site. This would be a high quality addition to the street scene, utilising high quality materials, and creating features such as a robust bench set within a recess.
- 10.16 This collection of buildings, including the boundary wall, are of historical significance and make a positive contribution the character of the area. As such they have been identified as positive buildings on the consultation draft Guiseley Conservation Area Appraisal and Management Plan. However, the proposed works have come about as a result of the protracted discussions between officers and the applicants stretching back to the first application in 2006.
- 10.17 The proposal to partially demolish and alter the buildings and wall would significantly improve pedestrian connectivity and highway visibility to the benefit of the overall scheme. It is likely that a scheme without such works would not receive officer support due to the same issues.
- 10.18 The application proposes to replace the demolished structures as closely as possible in terms of design, siting and materials. Overall therefore it is considered that on balance the benefits that the proposed changes to these buildings bring in terms of enabling a viable scheme outweigh any harm to the character of this part of the site.

The design, appearance, siting, scale and massing of the new dwellings:

- 10.19 The application has been submitted in outline for the residential parts with means of access and layout as the only detailed considerations, the scheme has been accompanied by a Design and Access Statement and by indicative plans showing the design of the houses.
- 10.20 Within the design and access statement it is stated that the design is at an advanced stage and represents an efficient and effective use of the space to accommodate the uses proposed. The design submitted is therefore a material consideration.
- 10.21 The character of the area adjoining the site to the north is uniform, compact and linear. It is therefore considered that any scheme to redevelop this site must

positively respond to this distinctive local character and reflect its intrinsic qualities in terms of form, pattern, space and movement.

- 10.22 The existing development is served by 3 entrances. Of these only one access off Well Lane is to be retained. The layout of the site would therefore comprise four culs-de-sac off a single access road.
- 10.23 A mix of 1, 2, 2½ and 3 storey units are proposed throughout the development. The distribution of these is proposed to complement the proposed layout. For example the larger three storey properties are proposed to act as visual stops, such as those framing the proposed enlarged public open space facing Springfield Terrace. Other three storey properties are generally proposed to be sited within the central areas of the scheme, where the perception of their bulk would be less evident. The proposed entrance to the site would be framed by 2½ storey properties, while the remainder would be 2 storey.
- 10.24 Properties are proposed to be arranged in four broad character areas – the area around ‘court b’ which would appear as a relatively hard surfaced area near to the north east corner of the site; larger units set well back from the access road; a more informal cul-de-sac around ‘court c’; and those properties around the perimeter of the site lining Well Lane and the proposed public open space.
- 10.25 The applicant contends that the new development aims to respond to the wider urban context. The proposal therefore involves a mix of mainly two and three storey dwellings of stone elevation with slate roofs. Design features include gables, square bays, stone heads and cills over windows. Some of the three storey properties, such as type ‘E’ include full length windows at first floor level. These property types also include integral garages.
- 10.26 Properties are mainly in relatively short terraces and are predominantly aligned north-south. Terraces would include properties only of the same number of floors, avoiding multi-level roof planes. All have rear gardens. Most properties would have in-curtilage parking, either on a private drive or garage. Four properties include an integral garage. The layout has avoided the need for exposed rear gardens, thereby negating the need for unattractive boundary treatments to road frontages and enhancing the inherent security of the proposal.
- 10.27 Indicative landscaping is shown to sites adjoining the main access spine, as well as to the proposed public open space. The latter would enhance the existing open space provision both quantitatively and qualitatively by providing a wedge of land to the south west of the site. This would relieve a existing pinch point and improve the usability of the space. The adjoining proposed dwellings would face the public open space, and provide natural surveillance.
- 10.28 The site is surrounded by traditional stone buildings in the Conservation Area in the historic heart of Guiseley. For this reason it is considered that the scheme should be constructed throughout of regularly coursed natural stone and a condition to this effect is recommended.

Highways layout and access:

- 10.29 The main vehicular and pedestrian access into the site is proposed to be via a single access road off Springfield Road. This would terminate at three turning heads, identified as courts ‘a’, ‘b’ and ‘c’. The layout also includes a turning head

which leads to two private drives along the boundary adjoining the park. These would include some parking spaces which would be softened by screen planting.

- 10.30 Within the site a total of 118 (including 11 visitor spaces) vehicular parking spaces are provided. Some of the units are served by communal parking areas, although separate parking courts have been avoided.
- 10.31 The existing access to the employment units would remain.
- 10.32 A Traffic Impact Assessment and Travel Plan accompany the application which considers the traffic and travel planning implications of the proposed redevelopment of the site.
- 10.33 It is considered that the submitted details represent a robust assessment of the traffic generated by the existing site. The analysis of the additional trips that would be generated by the development indicates that there would be an increase of 37 trips in both the AM and PM peak periods when assessed against 18% occupancy of the existing buildings on the site. This equates to an increase of approximately one trip every two minutes in peak periods. The impact of these additional trips would not be discernible on the highway network.
- 10.34 Clearly the existing employment buildings could be much more intensively used, and as such the impact of the redevelopment would be much less. The applicant has indicated that the site is now 40% occupied; on this basis the impact could be as low as 17 additional AM and PM peak hour trips, i.e. one additional peak hour trip every four minutes.
- 10.35 In highway engineering terms the submitted layout is acceptable. The proposal includes widening the frontage footway and this would improve visibility and consequently highway safety. However, to satisfactorily access the site from Springfield Road it is essential that controls on on-street parking are funded by the developer. The applicant is proposing to contribute toward the cost of Traffic Management measures on Springfield Road / Well Lane and the adjacent residential streets. If these restrictions include residents only parking zones then they will also fund via a commuted sum the cost of managing the zones for a period of ten years after their initial introduction.
- 10.36 The proposal would also need to provide additional footway improvements such as provision of a pedestrian link to the footpath to the west of the development, and improvement to the footpath to Aireborough Leisure Centre.
- 10.37 The cost of providing a Residential Metrocard Scheme would be £37,171.20. This would be covered in a Section 106 agreement.
- 10.38 In accordance with the requirements of SPD Public Transport Improvements, a public transport contribution of £59,245 would be required. This would be covered in a Section 106 agreement.

Public open space and landscaping:

- 10.39 The site at present does not include any significant soft landscape, although trees and shrubs bound the site. The proposal includes a substantial area of public open space to the south western corner of the site. This location would have the effect of enlarging the neighbouring park, and would relieve an existing pinch point. The site also includes areas of landscape planting such as areas adjoining the main access

road. The north east corner of the site would be treated as a more urban space and as such would lack landscape planting.

- 10.40 Based on the number of units indicated there would be a shortfall of on-site Greenspace, although as the site abuts Springhead Park it is considered that this shortfall can be dealt with through a financial contribution to enhancing existing Greenspace provision. The scheme would therefore require a commuted sum payment to contribute towards enhancing off-site POS provision.
- 10.41 The required Greenspace contribution is calculated at £167,077.31. This would be secured via a Section 106 agreement. It is proposed that greenspace contributions be used to implement improvements to the existing greenspace adjacent to the site to ensure that the contribution directly benefits the new and existing residents of the local area.
- 10.42 The applicant has produced a tree report to accompany this application but no landscape scheme.

Affordable Housing:

- 10.43 Council policy requires that on sites where 15 or more units are proposed affordable housing will be required. In this location the Council's Interim Affordable Housing Planning Guidance indicates that 15% of the total number of units should be affordable. In this case, the applicant has submitted the proforma to indicate 15% of units are proposed to be affordable, split 50/50 between social rented and submarket units. This is acceptable, however once a full application is submitted the types and location of the affordable housing units would need to be agreed. The affordable housing properties should represent a pro-rata mix of the total units to be built on site, and should be 'pepper potted' across the scheme and sold to an Registered Social Landlord in line with the benchmark figures in the SPG.
- 10.44 In this context the development is compliant with UDP policies H11, H12, and H13 and the related SPD.
- 10.45 It should be noted that any Section 106 agreement would need to be recession proofed in respect of all contributions in order to ensure that the scheme would be delivered as agreed within the appropriate timescale.

Education contribution:

- 10.46 Assessing the need for additional school places a housing development would generate is usually done by use of formulas to calculate the likely numbers of pupils generated by the proposal over and above the existing local school place capacity.
- 10.47 In this case, an average pupil generation rates would suggest a likely total of 13 primary pupils and 6 secondary pupils.
- 10.48 The nearest schools to the site are Guiseley Infants, St Oswald's Junior and Guiseley School of Technology. Council data shows that there is no surplus accommodation within any of these schools. Therefore any additional requirement for school places generated by the proposal would require a contribution toward the cost of providing this accommodation.
- 10.49 The calculations indicate a requirement for contributions of £160,505 for primary schools, and £96,740 for secondary schools.

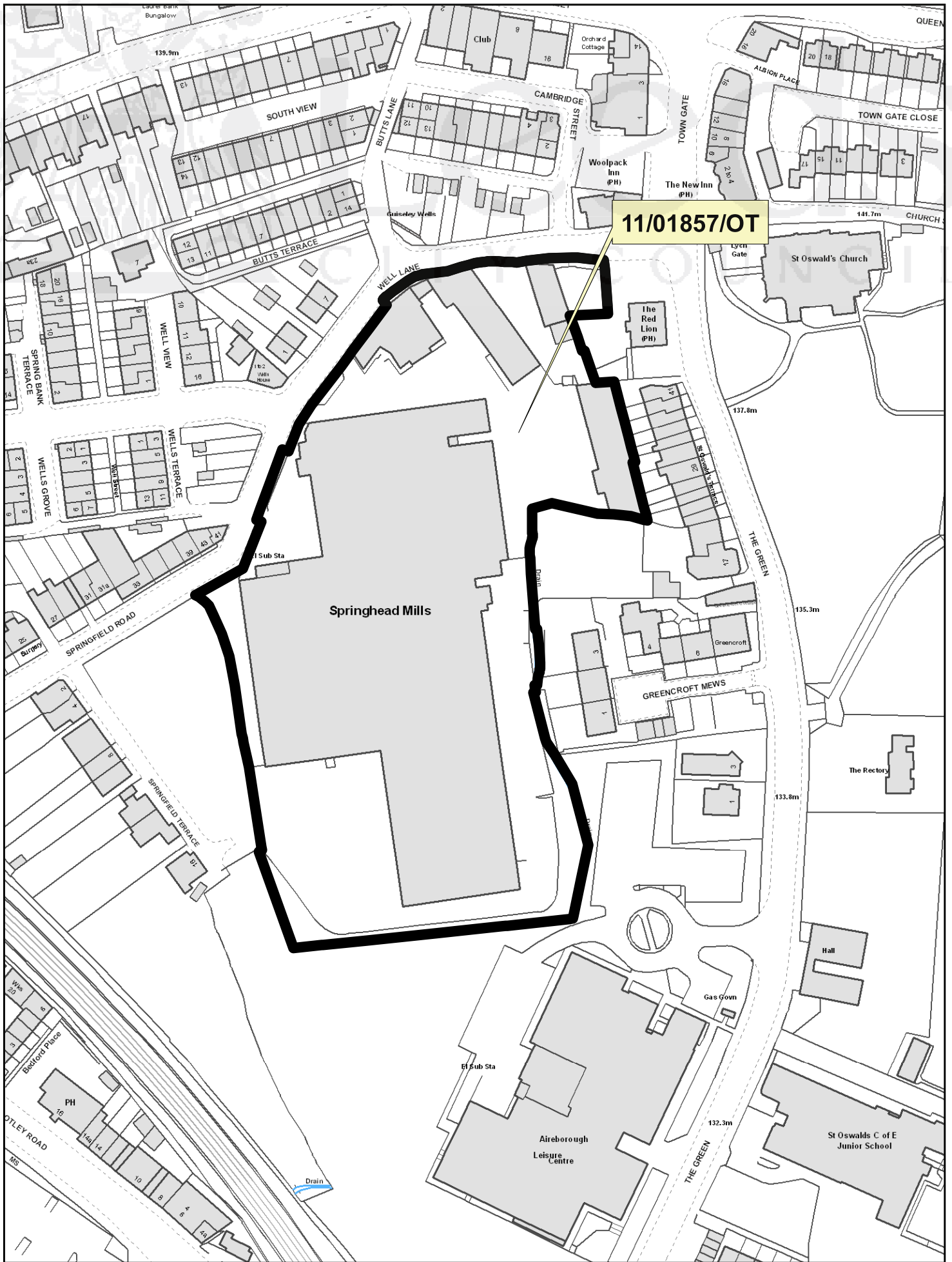
11.0 CONCLUSION:

- 11.1 After careful consideration of all relevant planning matters it is considered that the proposed development is acceptable and complies with the planning policies set out in the Leeds Unitary Development Plan Review (2006) and supplementary planning guidance planning related to affordable housing, greenspace, green travel and public transport infrastructure.
- 11.2 In terms of general design, it is considered that the indicative layout responds adequately to the character of the area and provides an opportunity to create a high quality housing scheme in a sustainable location. The proposal is therefore recommended for approval.

Background Papers:

Application file.

Certificate of Ownership



EAST PLANS PANEL

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Originator:	Richard Edwards
Tel:	0113 3952107

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21st July 2011

Subject: PLANNING APPLICATION 11/00903/FU – One detached house to replace existing bungalow at 16 Woodhall Croft, Stanningley LS28 7TU

APPLICANT	DATE VALID	TARGET DATE
Mr. A Gallagher	5 th April 2011	31 st May 2011

Electoral Wards Affected:

Calverley & Farsley

N

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

APPROVE planning permission, subject to the following conditions

- 1 3 year time limit
- 2 Development completed in accordance with approved plans
- 3 Samples of walling and roofing materials submitted / approved
- 4 Contaminated Land inspection and remediation condition.
- 5 Details of secure cycle storage facilities

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

GP5, N13, BD5, T2 and T24

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

1.0 INTRODUCTION

- 1.1 This application seeks full permission for a replacement house within an established residential area and is brought before the West Plans Panel at the request of Councillor Andrew Carter who maintains concerns about the impact of the revised proposal on the amenity of the resident of No. 18 Woodhall Croft. Following substantial revisions to address concerns of overdominance and design / appearance, the proposal is now considered appropriate in planning terms, and is therefore recommended for approval subject to conditions.

2.0 PROPOSAL

- 2.1 This application is for the demolition of the existing 1960s brick bungalow and replacement with a two-storey detached house of similar design to the 'chalet-style' properties adjacent and in the surrounding area.
- 2.2 Following discussions with the applicant, the design has been revised from the large detached property with high ridge and eaves originally proposed. The revised scheme incorporates a ground floor living room, dining kitchen and study linked by a hallway with stairway leading to four first-floor bedrooms (one with en-suite) and house bathroom. Under this arrangement the northern side wall of the existing property will be retained and incorporated into the design to avoid disturbance to the adjacent carport roof which it supports.
- 2.3 There is no garage proposed and for this reason details of separate cycle parking facilities are to be conditioned. Car parking will take the form of two tandem forecourt spaces for which there is a precedent in the area with many of the original integral garages to this housetype having been converted to accommodation and additional parking provided within the front gardens.
- 2.4 The proposed house will follow the outline of the existing to the northern, western and most of the eastern elevations, but project a further 1.0m to the south, bringing it to within 1.0m of the southern boundary with No. 14. It will be set back from the facades of the adjacent properties as at present and have a ground floor footprint of approximately 102m² (compared to the 81m² of the existing dwelling).
- 2.5 The front and rear gardens will be retained and set mainly to lawn, again as at present. The house will be finished in painted render over red brick with feature soldier courses and a tiled roof with matching dormer to resemble similar existing housing in the vicinity. The house is not a perfect replica of the 'chalet-style' dwellings represented by the adjacent property at No.14, since the frontage of the former is approximately 1.7m wider, the eaves line on the southern elevation 1.3m lower and an additional frontage window included at first floor level.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to an existing 1960s detached bungalow in light-coloured brick, interspersed with panels of render. The house has lawned gardens to front and rear, a pitched roof of modern concrete tiles and a flagged driveway leading to an attached flat-roofed garage. It has been vacant for some time.
- 3.2 The house is located on a residential cul-de-sac within a larger established area characterised by large detached and semi-detached houses and bungalows dating from the early-mid 20th century. It backs onto open playing fields (a cricket ground) to the east.
- 3.3 The streetscene comprises three distinct styles of house: a row of five pitched roofed bungalows (Nos. 16-24); a row of four, two-storey linked-detached houses in a darker brick (Nos. 15-21), and a number of 'chalet-style' houses in brick with render over and large roofs drawn down to first floor level. These houses were constructed with integral garages, most of which have now been converted to accommodation, and several (notably Nos. 23 and 11) have been significantly extended.
- 3.4 The property is set back approximately 1.0m from the front of the adjacent bungalow at No. 18, and lies level with the front of No. 14. This house has been extended to the rear with a single-storey flat-roofed addition which projects level with the rear of the attached garage at No. 16, which in turn projects 1.0m beyond the rear wall of the house.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There are no records of any previous planning applications on this site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The scheme as originally submitted proposed a double-fronted house with full two-storey walls to either end. Whilst the presence of several styles of property within the vicinity meant that the principle of the replacement of the bungalow with a house was accepted by Officers, the design was considered excessively large and incongruous within the streetscene. It was also considered to raise issues of overdominance and overshadowing of the adjacent bungalow at No. 18. As a result a revised scheme was negotiated which retains the single-storey wall on the northern boundary and bears a closer resemblance to the chalet-style housetype which forms the majority of the two-storey dwellings on Woodhall Croft, handed to place the two-storey side elevation adjacent to the blank side elevation of No. 14.

6.0 PUBLIC/ LOCAL RESPONSE:

- 6.1 A General site notice posted 15th April 2011 and Neighbour Notification letters sent 5th April 2011. Four letters of representation were received. A second round of publicity on the amended design was undertaken by the same methods (SN posted 10th June, NNLs sent 31st May) and this generated two additional responses from the residents of adjacent properties at Nos. 14 and 18 Woodhall Croft.

6.2 The main concerns raised in response to the two rounds of publicity can be summarised as follows:

Overdominance and overshadowing of No. 18
Overdominance of houses opposite
Demolition of boundary / side wall which supports carport roof to No.16
Dispute over position of northern boundary, height of existing premises and other draughting inaccuracies
Loss of a serviceable and increasingly scarce bungalow
Increased traffic and pressure for parking
Intended for occupation as a shared rented house resulting in nuisance and car parking
Form and design are inappropriate in streetscene context and will be incongruous.

7.0 CONSULTATION RESPONSES:

Highways: no objections subject to conditions to cover cycle storage, footpath, laying out of driveway, dropped curb.

Drainage: no objections (scale of proposal means this can be dealt with under Building Regulations)

Contaminated Land: No objections subject to site-specific monitoring and remediation condition.

8.0 PLANNING POLICIES:

Local Planning Policies:

8.2 Locally Leeds City Council has begun work on its Local Development Framework ("LDF") with the Local Development Scheme most recently approved in July 2007. This provides a timetable for the publication and adoption of the Local Development Documents.

8.3 In the interim period a number of the policies contained in the Leeds Unitary Development Plan ("UDP") have been 'saved'. The Leeds UDP Review was adopted in 2006. The most relevant Policies in the adopted Leeds Unitary Development Plan are listed below: -

- UDP policy GP5 seeks to ensure all detailed planning considerations are resolved as part of the application process including the protection of local residents amenities.
- UDP policy BD5 seeks to ensure that all new buildings are designed with consideration given to their own amenity as well as that of their surroundings.
- UDP policy N13 seeks to ensure that the design of all new buildings should be of a high quality and have regard to the character and appearance of their surroundings.
- UDP policy N25 seeks to ensure that boundaries of sites should be designed in a positive manner and be appropriate to the character of the area.

- UDP policy T2 seeks to ensure that new development should be served adequately by existing or programmed highways and by public transport, make adequate provision for cycle use and parking, and be within walking distance of local facilities.
- UDP Policy T24 seeks to ensure parking provision reflects the guidelines set out in UDP Appendix 9.

Relevant Supplementary Guidance:

8.4 Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes.

- SPG13 Neighbourhoods for Living.

Government Planning Policy Guidance/Statements:

8.5 In addition to the principal elements of planning policy other advice contained in Planning Policy Guidance Notes and replacement national Planning Policy Statements (PPS) may be of relevance to the submitted proposal. This includes:

PPS1 Delivering Sustainable Development.

9 MAIN ISSUES:

9.1 Having considered this application and representation, it is the considered view that the main issues for consideration are:

1. Principle of development
2. Design and appearance
3. Residential amenity
4. Parking / highways
5. Other issues
6. Representations

10.0 APPRAISAL

Principle of Development

10.1 This site is currently occupied by a single dwelling and domestic gardens and lies within an urban residential area. Since the residential use will not change under this proposal the principle of replacing the dwelling with another is acceptable subject to detailed considerations related to residential and visual amenity and highway safety.

Design/ Appearance

10.2 The context of the site is 1960s and 70s suburban residential development, with three predominant housetypes: detached bungalows identical to the existing, 'chalet-style' half-rendered houses with a low eaves line, and a row of two-storey dark-brick detached houses opposite. By contrast, the initial proposal sought permission for a

double-fronted, four-bedroom property on two storeys which did not resemble the other properties within the streetscene and presented a two-storey wall to the northern side boundary with No.18. It was excessive in height and massing and dominated the adjacent houses to either side.

- 10.3 Following discussions between the case officer and agent, a revised proposal was agreed. Whilst this is marginally wider and therefore not a perfect replica of the 'chalet-style' two-storey properties on Woodhall Croft, the amended design takes its design cues from the adjacent house at No. 14 incorporating a chalet roof drawn down to first floor height, a projecting side dormer and a render over brick external palette with feature brick soldier bands to the window heads. The ridge and eaves heights have been reduced and the property moved back by 1.5m (with the front elevation on the line of the existing) to reduce its impact and allow the retention of part of the existing northern wall which supports the car port roof of No. 18.
- 10.4 On balance it is considered that subject to the use of materials which respect those of surrounding dwellings, the proposal is appropriate to its context and will not result in an incongruous feature within the streetscene.

Amenity Considerations

- 10.5 Similarly, concerns relating to residential amenity have been addressed through the revisions to the original scheme. This proposed a full two-storey height wall on the boundary with No. 18, which would have significantly reduced the daylight levels to a glazed side door which serves as the main source of illumination of the hallway beyond. The use of a 'chalet' design allows the single-storey side wall to be located on this boundary and the overall impact would not be noticeably greater than that of the existing house. A dormer window is proposed to this plane of the roof but this will be small and obscured glazed, since it serves a bathroom. It therefore will not result in additional overlooking of the rear garden area of No. 18. It is therefore considered that the revised scheme overcomes Councillor Carter's concerns regarding the impact on this dwelling and its residents. The southern side wall faces the blank side elevation of No. 14 and although it will be both higher to the eaves and closer to the boundary, it does not project beyond the rear of either existing house and will not result in overdominance or overshadowing of the adjacent dwellings.

Parking / Highways

- 10.6 Whilst there is no replacement garage included within the proposal, there is adequate space on the proposed hard surfaced forecourt to park two vehicles. As such there are no fundamental highways objections to the scheme, although a number of conditions are recommended. Ample space to the rear for bin storage is considered to render a suggested condition for details of this unnecessary, however the lack of a garage necessitates the submission of details of secure cycle parking at conditions discharge stage. Further suggested conditions covering the extension of the existing dropped curb to cover the frontage of the driveway and the provision of a separate pedestrian access between the footway and entry door are more properly addressed as informatives, since their absence would not preclude the approval of the development.

Other Issues

- 10.7 The Contaminated Land Officer has assessed the information provided and accepted that because it was in agricultural use until its development in 1964, there is little risk of contamination. A site-specific condition to cover visual inspection and further investigation / remediation if contamination is discovered has therefore been recommended. Similarly the Mains Drainage Officer is satisfied that because the

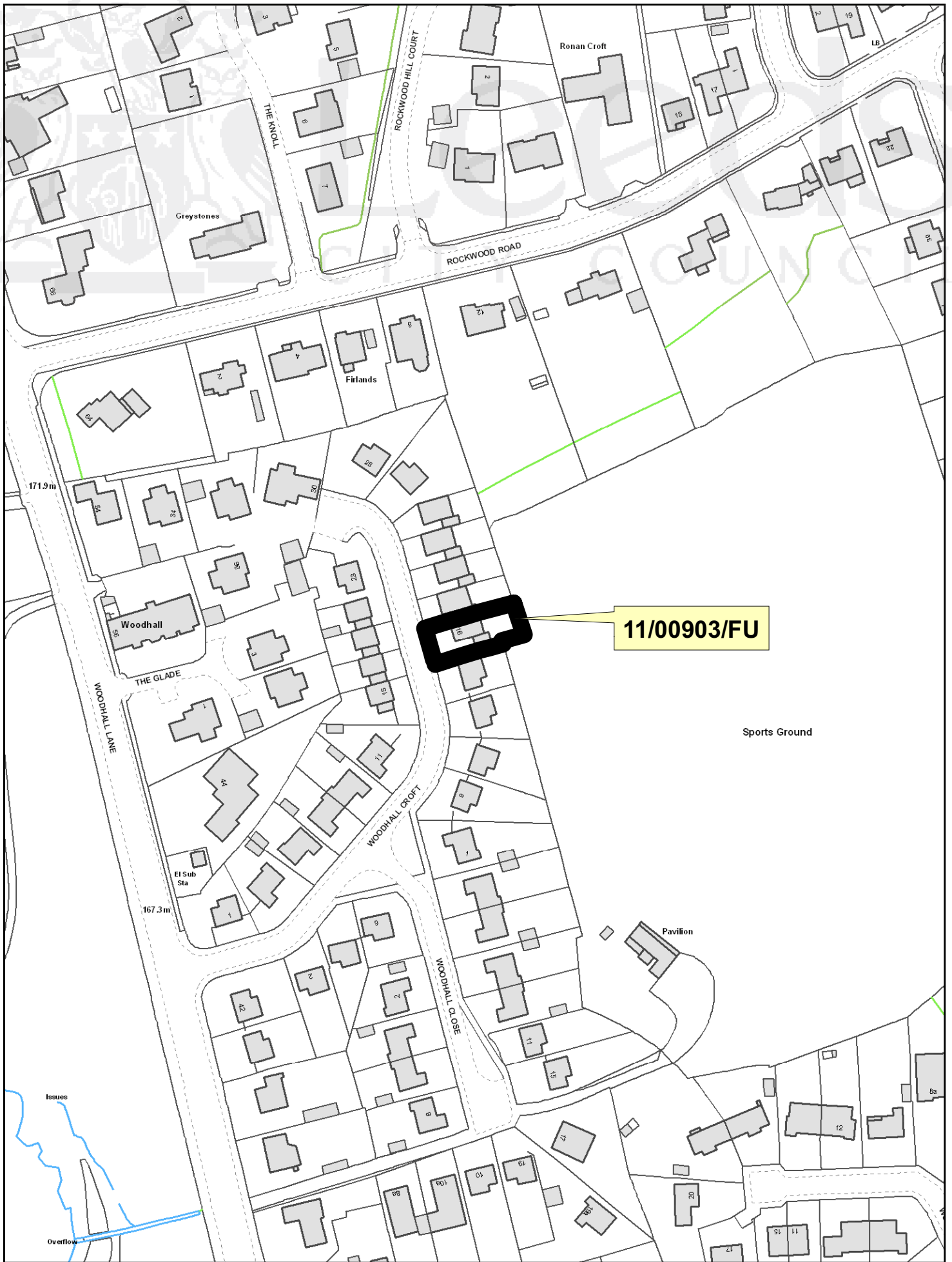
drainage arrangements involve re-use of the existing system, this can be covered by Building Regulations.

11.0 CONCLUSION

- 11.1 To conclude, an initially unacceptable proposal has through process of negotiated revision been amended to address concerns of residential and visual amenity. It is now considered acceptable in planning terms and is recommended for approval subject to conditions.

Background Papers

Application File 11/00903/FU



WEST PLANS PANEL



Originator: Carol
Cunningham
Tel: 0113 247 8017

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 21st July 2011

Subject: Application Number 11/01290/FU – Change of use and alterations including addition of two extractor fans to retail unit to form two restaurants/takeaways at 194B to 194C New Road Side, Horsforth, Leeds.

APPLICANT

Perion Estates Ltd – Ms
Patra Heaton

DATE VALID

28 March 2011

TARGET DATE

23rd May 2011

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION

APPROVE SUBJECT TO SPECIFIED CONDITIONS

1. Time limit on full permission
2. Development in line with the approved plans
3. The number of covers shall be limited to 60 for number 194b and 58 for 194c at any one time .
4. All of the areas to be used by vehicles must be hard surfaced and drained, such that surface water from within the site does not discharge onto the highway. The use of loose material is not acceptable.
5. The vehicle parking areas must be no more than 1:12.5 (8%) in gradient and must have cross-falls of no more than 1:40 (2.5%).
6. All of the parking spaces must be clearly marked out on site prior to the development first coming into use.
7. Car park signage advising that the car park is only for the use of staff and patrons of the units in the parade must be erected prior to the development first coming into use.
8. A car park lighting scheme must be submitted for approval by the LPA and must be implemented prior to the development first coming into use.
9. Details of extract ventilation system to be submitted and installed

10. Provision of facilities for storage and disposal of litter to be submitted and implemented

11. Provision of grease trap

12. Opening hours limited to midnight Friday, Saturday and 2300 hours rest of week

13. Hours of delivery restricted to Monday to Saturday 1000 to 1800 hours and no delivery on Sunday and bank holidays.

1.0 INTRODUCTION:

1.1 The Chief Planning Officer considers that this application should be referred to the Plans Panel after a request from Councillor Townsley and Councillor Cleasby due to the impact on parking and highway safety plus the proposal is within a Cumulative Impact Area.

2.0 PROPOSAL:

2.1 The application is for the change of use of one retail unit into two units for A3 and A5 uses. Each unit will comprise of a separate restaurant with a take away facility. The proposal will operate on two floors and one unit will have 58 covers and the other will have 60 covers. The kitchens will be on ground floor at the rear of the premises. There is a car park to the rear shared by the other units in the row. This currently can accommodate around 20 car parking spaces. As part of the application this car park will be laid out formally plus there are also some unused garages that will be demolished and will create around 7 additional car parking spaces.

2.2 There will be some external alterations to the rear. One window on each of the properties on the upper floor will be reduced in size. This allows for a proposed extractor flue for each of the property. This will be 0.4 metres in width and 4.6 metres in height and will extend 0.8 metres above the roof.

3.0 SITE AND SURROUNDINGS:

3.1 The site is one retail unit which had previously been two units in a row of commercial buildings. There are six units in total. Two are used for restaurants and the other two are retail units. The application site is vacant at the moment. The building is two storey with a flat roof. The upper floors are used as commercial space and there are no residential above any of the six units. The building is set back from the street with a wide pavement to the front. The two restaurants have decking with seating on the front elevation within this wide pavement. There is a bus stop with bus layby in front of these shops. The property is in the commercial area of Horsforth on the busy A65. There are a variety of uses within the vicinity including a pub, other retail units and residential. The row is outside of the S2 centre. The car park is to the rear and beyond this is a residential property and an allotment.

4.0 RELEVANT PLANNING HISTORY:

None of relevance

5.0 HISTORY OF NEGOTIATIONS:

5.1 The application was received in March 2011. Highway officers had some reservations about the application and requested a car park survey to be submitted. The submission of this led highway officers to undertake their own car park survey. The applicant was requested to amend the plans so that the garages to the rear

where removed to provide additional car parking and the existing car park to be white lined. Revised plans to cover this have been submitted.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Councillor Cleasby and Councillor Townsley have objected to the proposal for the following reasons:
- The two restaurants and takeaways are located in the Cumulative Impact Area and should be refused.
 - Between them there are 122 covers with only 20 car parking spaces plus another restaurant uses this car park. Where will they park as cannot on the road due to residents only parking.
 - In relation to takeaway service the only pull in area is a dedicated bus stop with no parking and stopping so where will people park who use the takeaway service

Horsforth Town Council object to the proposal as the cumulative effect of similar business to existing will be detrimental to parking in this area.

7.0 CONSULTATIONS RESPONSES:

Environmental Protection Team - there are residential properties within the vicinity so conditions required for extract ventilation system, storage and disposal of litter and grease trap.

Highways - The Highway Authority has carefully considered the highway implications of the proposals and comment as follows:

The site is situated in what is considered to be a sustainable location just outside of the Horsforth New Road Side S4 centre. In this location there are numerous shops and amenities which serve the needs of local residents. These facilities also attract passing trade.

New Road Side is a classified highway (A65) and is a major distributor road and bus route.

As part of the initial highway response to the application the Highway Authority requested that the applicant carry out surveys of the rear car park at evening peak times.

The existing car park is not marked out but can accommodate approximately 20 vehicles.

As part of the proposals the applicant's have indicated that the capacity of the existing car park would be increased from 20 to 27 parking spaces. This would be achieved by removing all but one of the 8 existing garages and by marking out of the resulting car parking spaces to achieve a more efficient layout. This represents an increase of approximately 35% on the existing parking provision.

The surveys carried out by the applicant showed that the majority of spaces were on a Friday evening (17 spaces) whilst on Saturday and Sunday evenings more spaces were observed to be available.

For robustness, a Highway Officer also visited the site on the evenings of Saturday 28th May, Sunday 29th May, Friday 1st July and Saturday 2nd July 2011. These visits also showed varying degrees of spare capacity in the car park e.g. on the evening of Friday 1st July only 4 vehicles were parked in the car park at 7:30 whereas on Saturday 2nd July there were 14 vehicles at 7:30.

The Highway Officer also observed the existing parking trends which take place on the adjacent highway network and particularly noted that there was spare capacity on New Road Side to the south east of the site where unrestricted kerbside parking areas are marked out on both sides of the highway. It was observed that space for

in excess of 25 vehicles was available at the kerbside on all of the above dates. It was also noted that the majority of vehicles associated with no's 124 to 192 New Road Side were observed to be parked on the un-named rear service road in preference to the A65.

It is acknowledged that the parking proposed is below the UDP maximum parking guidelines. However, given the findings of the surveys, the improvements to the car park capacity, it's marking out, signing, lighting and the demonstration of the availability of extensive kerbside parking spaces in the immediate vicinity of the site, the Highway Authority considers that on balance, the proposals are acceptable subject to the following conditions being attached to any subsequent planning approval:

1. The number of covers must be limited to that shown on the approved plans.
2. All of the areas to be used by vehicles must be hard surfaced and drained, such that surface water from within the site does not discharge onto the highway. The use of loose material is not acceptable.
3. The vehicle parking areas must be no more than 1:12.5 (8%) in gradient and must have cross-falls of no more than 1:40 (2.5%).
4. All of the parking spaces must be clearly marked out on site prior to the development first coming into use.
5. Car park signage advising that the car park is only for the use of staff and patrons of the units in the parade must be erected prior to the development first coming into use.
6. A car park lighting scheme must be submitted for approval by the LPA and must be implemented prior to the development first coming into use.

8.0 PLANNING POLICIES:

Relevant UDP policies;

BD5 – new buildings design consideration given to own amenity and surroundings.

T2 – development capable of being served by highway network.

T24 – car parking guidelines.

GP5 – detailed planning considerations should be resolved including design and loss of amenity.

SF15 – gives advice in relation to Hot Food Take Aways

9.0 MAIN ISSUES

1. Principle of development
2. Highways
3. External alteration
4. Impact on residential amenity
5. Cumulative Impact Assessment
5. Representations

10 APPRAISAL

Principle of development

- 10.1 The properties are not located within any 'S' centre so there is no restriction on the conversion of the retail units to non retail uses. There are also two restaurants in the block already and other commercial uses within the near vicinity. Policy SF15 gives advice in relation to Hot Food Take Aways (HFTA). This states that HFTAs will not normally be acceptable unless they meet a number of criteria. This relates to

residential amenity and highway matters which are addressed below. They should also not impact on a listed building and the conservation area. There are no listed buildings nearby and the site is not within the conservation area. They should also conform to the relevant policies for change of uses in shop frontages in a variety of situations. Policy SF11 use to relate to the change of use from retail to non relate in small shop frontages similar to the application site. This policy was not carried through and is no longer a policy in the Unitary Development Plan. For these reasons the principle of development is considered acceptable.

Highways

- 10.2 There is a car park to the rear of the building for the application site and the other units in the row. At the current time this car park is not marked out and parking on it can be in a haphazard manner not achieving the maximum number of cars that the car park could accommodate. There are also a series of lock up garages with one belonging to each of the units in question and these are not available for the public to use. A survey of the usage of this car park was carried out by the applicant for a week in May 2011 after a request from highway officers. This showed that during the day the car park had very few users and adequate space capacity. It was a used more on a Saturday and Sunday afternoons than during the week but there were still spaces available in the region of 7 to 8 spaces. The applicant intends to demolish the existing garages creating an additional 7 car parking spaces and formally laying out the rest of the car park. This should allow for there to be 27 car parking spaces in total. As the usage during the day is generally less than 10 with the maximum being 13 the number of car parking spaces rising to 27 is considered sufficient for the change of use from retail to restaurants/take away during daytime hours.
- 10.3 In the evening the survey undertaken by the applicant in May 2011 showed that on a weekday night (Monday to Thursday) the car park had no more than 12-14 cars parked on it. This leaves a surplus which when the additional spaces are created is considered sufficient for the proposed change of use from retail to restaurant/HTFAs. However, the car park survey on a Friday, Saturday and Sunday showed that upto 18 vehicles could be using the car park at any one time. As this was close to the capacity of the existing car park, highway officers undertook their own survey on a weekend evenings this being over the first weekend in July. This survey showed that there was spare capacity on the car park in the evenings. The survey also showed that there was spare capacity on the New Road Side to the east of the development. This capacity on the car park, along with the formally laying out of the car park, the additional spaces to be provided on the car park and the spare capacity on the highway, mean, that on balance there is sufficient parking required for the change of use from retail to a restaurant. With regards to users of the HFTA they could either use the car park or the space capacity on New Road Side.
- 10.4 Overall, on balance, it is considered that the proposed change of use will not have a detrimental impact on parking and highway safety.

External alterations

- 10.5 The proposal does involve some external alterations to the rear of the premises. This involves reducing the size of an upper floor window on both premises to allow for an extractor flue to be positioned to the rear of each premises. Whilst these extractor flues are not ideal in terms of design they are located on the rear so as not to be generally visible in the street scene. There is also an extractor flue on another premises within this row of units, flat roof extensions and an air conditioning unit. It

is considered that due to these factors the two new extractor flues are acceptable and it would be difficult to justify a refusal on design grounds.

Impact on residential amenity

- 10.6 There are no residential properties above this existing row of commercial properties. There are residential properties in the next building block along New Road Side and some residential properties opposite the site. The premises is located on a very busy road which will have a high level of background noise. The car park is to the rear so will not impact on the properties further along New Road Side and opposite as the comings and goings will be pedestrians only, which generally will not be heard over the existing traffic noise. It may be worth restricting opening hours especially during the week when traffic levels will reduce so any comings and goings could cause disturbance. It is suggested that the opening hours are restricted to 2300 hours during the week rising to midnight on a Friday and Saturday evenings. The car park is located to the rear and the side boundary of a residential house forms the back wall of the car park. The comings and goings from the car park could impact on the residential amenity of the occupiers of this property. The car park is existing so there is already an element of disturbance but the comings and goings will increase due to the proposed use. The restricted opening hours should ensure that this increase in comings and goings will not have a detrimental impact on residential amenity to the occupiers of this property.

Cumulative Impact Assessment

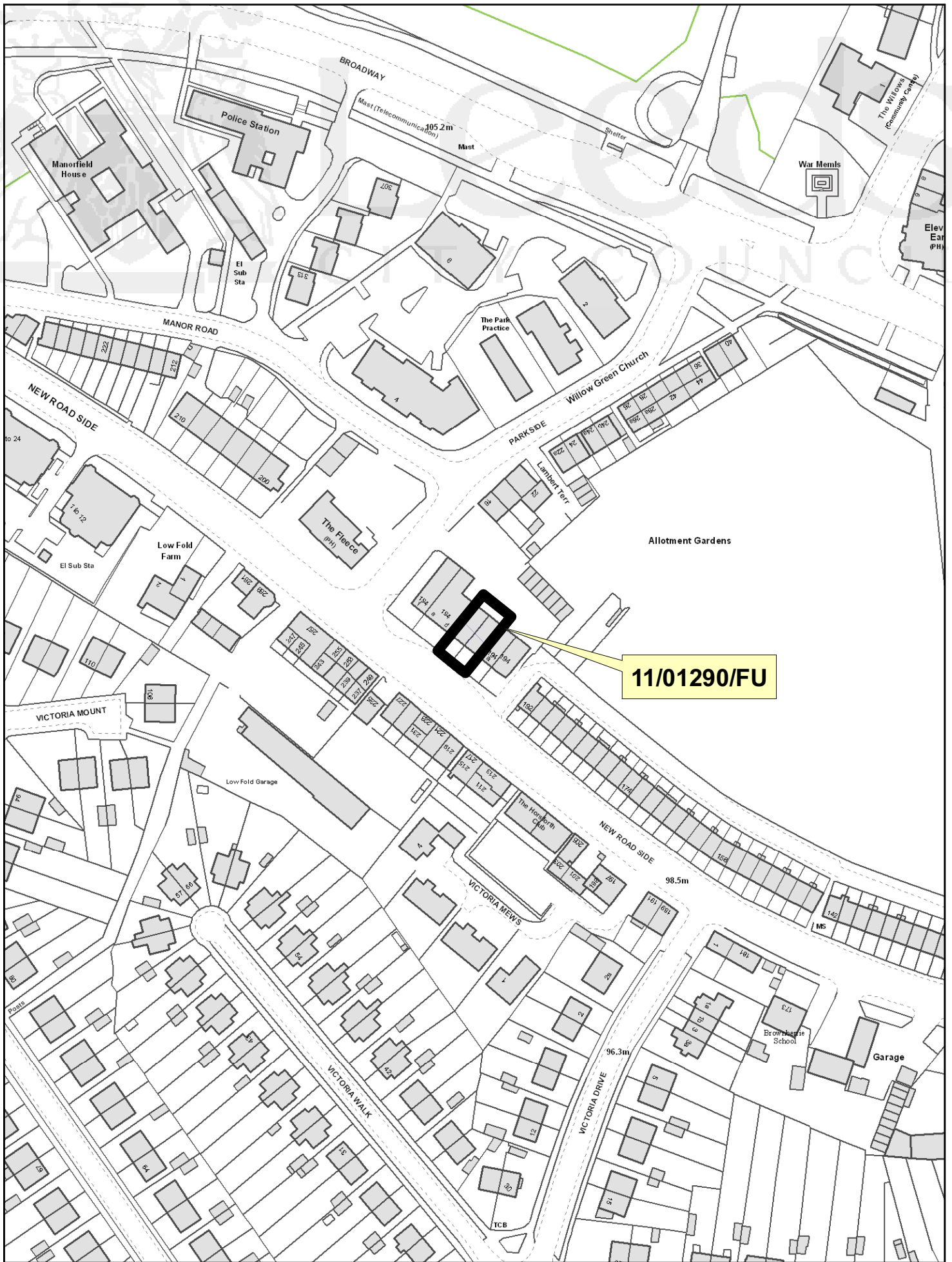
- 10.7 Councillor Townsley and Cleasby have objected to the proposal as the new restaurant and take aways are located within a 'Cumulative Impact Area'. This is not a planning material consideration and relates to licensing. Under the Licencing Act 2003 the cumulative impact policy seeks to limit the growth of licensing premises in areas where the licensing objectives are being undermined by a concentration of these premises. This application site is included with the cumulative impact area for Horsforth. Officers have been liaising with licensing officers in relation to this matter. It will be dealt with by the licensing department and not during the determination of this planning application.

11 CONCLUSION

The proposal is a change of use from one retail unit to two units that will be used for restaurant/Hot food take away. The proposal is considered acceptable in principle as the property is outside of Horsforth S2 centre. The proposal will create additional car parking spaces which offset the change of use from retail to restaurant/hot food take away. With conditions for opening hours and delivery hours the change of use should not have a detrimental impact on residential amenity. Overall the scheme is considered acceptable.

Background Papers:

Application file: 11/01290/FU



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