



SOUTH AND WEST PLANS PANEL

**Meeting to be held in Civic Hall, Leeds on
Thursday, 31st January, 2013
at 1.00 pm**

MEMBERSHIP

Councillors

J Akhtar	J Bentley	P Wadsworth	R Finnigan
M Coulson		R Wood	
C Gruen			
J Harper (Chair)			
C Towler			
P Truswell			
J Walker			

**Agenda compiled by:
Andrew Booth
Governance Services
Civic Hall
Tel: 0113 24 74325**

AGENDA

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 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>	

Item No	Ward	Item Not Open		Page No
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 the following 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, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 10 JANUARY 2013</p> <p>To confirm as a correct record, the minutes of the meeting held on 10 January 2013</p>	3 - 8
7	Hyde Park and Woodhouse		<p>APPLICATION 12/04984/FU - ASH GROVE SOCIAL CLUB, 16 ASH GROVE, HEADINGLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of a social club to form four flats; alterations including new windows, associated parking and landscaping</p>	9 - 20
8	Adel and Wharfedale; Weetwood		<p>APPLICATION 12/04051/OT - UNIVERSITY OF LEEDS, BODINGTON HALL, OTLEY ROAD, ADEL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an outline planning application for the demolition of existing buildings and erection of circa 29 dwellings.</p>	21 - 30

Item No	Ward	Item Not Open		Page No
9	Adel and Wharfedale		<p>APPLICATION 12/04556/FU - EASTMOOR SECURE CHILDRENS HOME, EAST MOOR LANE, ADEL</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the demolition of existing buildings and erection of 24 bed secure children's home with reception, admissions and administration area and associated secure perimeter wall/fence, landscaping, car parking and access.</p>	31 - 40
10	Armley		<p>APPLICATION 12/04775/FU - 70 ARMLEY LODGE ROAD, ARMLEY</p> <p>To receive and consider the attached application of the Chief Planning Officer regarding an application for the change of use and alterations of offices, retail unit and 1 flat to form 8 flats</p>	41 - 50
11	Morley North		<p>APPLICATION 12/04762/LA - MORLEY NEWLANDS PRIMARY SCHOOL, WIDE LANE, MORLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for a new primary school with multi use games area.</p>	51 - 68
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 28 February 2013 at 1.30 p.m.</p>	

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To:

Members of South and West Plans
Panel
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

**SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY, 31 JANUARY 2013 AT
1.30 pm**

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

- 1 Change of use and alterations of offices, retail unit and 1 flat to form 8 flats
– Armley Lodge Road, Armley – Leave 11.05 am (if travelling independently
meet at front of building off Armley Lodge Road
- 2 New primary school with multi use games area at Newlands Primary
School, Wide Lane, Morley – Leave 11.40 am (if travelling independently
meet at entrance to school off Albert Road)
Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 10.50 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 10.45 am

Yours sincerely

Andy Booth
Governance Officer

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SOUTH AND WEST PLANS PANEL

THURSDAY, 10TH JANUARY, 2013

PRESENT: Councillor J Harper in the Chair

Councillors J Akhtar, J Bentley, M Coulson,
R Finnigan, J Hardy, C Towler, P Truswell,
P Wadsworth, J Walker and R Wood

42 Declarations of Disclosable Pecuniary and other Interests

Councillor J Bentley declared a personal interest in Agenda Item 7, Headingley Carnegie Stadium as he was a Member of Yorkshire County Cricket Club.

43 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor C Gruen. Councillor J Hardy was present as a substitute member.

44 Minutes

RESOLVED – That the minutes of the meeting held on 6 December 2012 be confirmed as a correct record.

45 Application 12/04557/FU - Headingley Carnegie Stadium, St Michael's Lane, Headingley, Leeds

The report of the Chief Planning Officer introduced an application for the temporary change of use of the cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for a period of two years.

Members attended a site visit prior to the meeting and site photographs were displayed.

Further issues highlighted in relation to the application included the following:

- The concerts would typically be held between 7.00 p.m. and 10.00 p.m. and would have a maximum capacity of 15,000 visitors.
- There were a number of detailed conditions to the application which included the submission of an Event Management Plan.
- Objections had been received from Ward Members and included the following:
 - Noise disturbance and the volume of music from the concerts
 - Problems with parking in the area

Draft minutes to be approved at the meeting
to be held on Thursday, 28th February, 2013

- Access for residents
- Traffic congestion
- People remaining in Headingley after any events
- It was suggested that no more than 1 or 2 events be held and to be held over the same weekend.
- 36 letters of objection had been received from local residents.
- It was reported that the venue was already used by a large number of visitors for events that were held at different times of the day and that approval of the application would bring a new and important attraction for the city with associated economic benefits.
- In relation to condition 8 as detailed in the report, it was reported that any Events Management Plan would need to be submitted at least 4 months prior to any event and be approved 3 months before. This plan would also include litter collection.
- It was recommended to approve the application.

A local resident addressed the Panel with objections to the application. Issues raised included extreme noise nuisance, crowd control and movement and the risk of anti-social behaviour. He informed the Panel of noise from events currently held at the stadium and felt that the prolonged noise from amplified music would not be acceptable. In response to questions from Members he reported that there were problems with traffic and there was sporadic noise disturbance from events currently held at the stadium.

A member of the Turnway and Laurel Bank association also addressed the Panel with objections to the application. Reference was made to conditions agreed when the ground was extended in 2000 and it was felt that this application would breach those conditions and was made to help sort Yorkshire County Cricket Club's financial position. It was reported that noise levels had been breached at over half the observation points and if the application was approved it would be a noise nuisance to a considerable number of residents.

Representatives of Yorkshire County Cricket Club addressed the Panel. In response to Members comments and questions, the following issues were highlighted.

- It was not proposed to have any further events of this kind other than those outlined in the application.
- Public consultation was ongoing with the Stadium Liaison Group which last met in November/December 2012.
- Engagement would take place with local residents regarding the park and ride facility from Becketts Park.

- There were 300 parking spaces at the stadium and a further 500 hundred available at Becketts Park.
- The proposals were made by Yorkshire County Cricket Club to address financial issues. There was a potential loss of £3 million due to the loss of test matches and the ability to use the stadium for other events was key.
- The application would offer a different kind of event that to what could be held elsewhere in the city.
- Sporting fixtures would restrict the number of events that could be held and it was felt that two or three per year would be the maximum.
- Use of Becketts Park for car parking – this would have to be agreed in the Event Management Plan beforehand.
- The applicant would pay for traffic enforcement measures when any events were held.
- Concern regarding the use of Becketts Park for parking on an evening and potential disturbance to residents.
- Noise limits of 75 decibels were taken from the Noise Council's recommendations and guidelines.
- It was felt that facilities and public transport already available added to the sustainability of proposed events.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

46 Application 12/04984/FU - Ash Grove Social Club, 16 Ash Grove, Headingley, Leeds

The report of the Chief Planning Officer presented an application for the change of use of a ground and first floor social club to form four flats; alterations including new windows, associated parking and landscaping.

Members attended a site visit prior to the meeting and photographs of the site were displayed.

Further issues highlighted in relation to the application included the following:

- The application fell within the Headingley Conservation Area.
- The social club closed in October 2012.
- The upper floors of the building consisted of 3 flats.
- The proposals were for two four bedroom and 2 one bedroom flats.
- Additional objections had been received since the publication; these had included representations from local Ward Members and MP.
- Objections focussed on a demographic imbalance in the area, with a high number of students. This had caused additional problems with noise disturbance and litter. It was also suggested that should the

application be granted, it should be stipulated that the flats should be for family occupation.

- It was reported that the premises had recently been used as a social club with a license for up to 150 patrons and Members were asked to consider whether conversion to flats would create more of a noise nuisance. There had been complaints about noise from the premises.
- With regards to stipulating that the flats be used only for family accommodation; it was reported that the flats on the upper floor were currently occupied by students and that new flats may not be suitable for families.
- The application was recommended for approval.

Due to letters of objection that had been received after the publication of the agenda, Members were asked to consider the deferral of this item to allow for further discussion to be held between Ward Members and local residents.

RESOLVED – That the item be deferred to the next meeting of the South West Plans Panel to consider objections submitted over the Christmas period post drafting of the report.

47 Application 12/03346/OT - Bradford Road, Gildersome, Leeds

The report of the Chief Planning Officer introduced an outline application for a residential development with means of access at Bradford Road, Gildersome.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

Further issues highlighted in relation to the application included the following:

- The proposals were for 26 residential properties.
- The site had previously been subject of an application considered by Plans Panel (East) for a residential home. The application had been approved.
- The report recommended that improvements be made to bus stops adjacent to the site.
- There would be greenspace in the centre of the site.
- There would be 15% affordable housing.
- The properties would be 2 storey.
- The site was on the edge of an existing residential area.
- There were still some highways issues to be clarified.

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

- Highways Agency objections – Members were informed of holding objections by the Highways Agency in respect of the Gildersome Roundabout and other planning applications that had been made. It was reported that improvements to the roundabout would be required

and new developments would contribute to improvements through Section 106 monies.

- As there were only 26 residential properties proposed, this did not trigger the need for education contributions through the Section 106 agreement.
- The provision of affordable housing within 2 years was negotiable and a trigger could be set that was agreeable to all parties.
- Concern that there would be further development on a greenfield site along with other applications on greenfield sites in the area.
- There would still be opportunities for consultation with Ward Members.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

48 Date and Time of Next Meeting

Thursday, 31 January 2013 at 1.30 p.m.

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Originator: Tony Clegg

Tel: 0113 3952110

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 31st January 2012

Subject: APPLICATION 12/04984/FU – CHANGE OF USE OF SOCIAL CLUB TO FORM 4 FLATS WITH LANDSCAPING AND CAR PARKING AT ASH GROVE SOCIAL CLUB, 16 ASH GROVE, LEEDS. LS6 1AY

APPLICANT

Cotech Investments

DATE VALID

28 November 2012

TARGET DATE

23 January 2013

Electoral Wards Affected:

Hyde Park and Woodhouse

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. All existing metalwork and framework relating to the fire escape on the Ash Grove elevation and the wooden balcony and staircase to the south elevation shall be completely removed and the building made good in matching materials as necessary prior to first occupation of the flats hereby approved.
4. Details of windows to be provided
5. New brickwork to match existing brickwork
6. Details of bin and cycle storage to be approved and carried out on site.
7. Boundary treatment to be approved including existing steel palisade fencing.
8. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

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 National Planning Policy Framework, 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, T2, H15, N19
Neighbourhoods for Living

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 was deferred at the January 10th Panel meeting to enable Members to consider a revised report incorporating details of representations received after publication of the report to that Panel. Councillor Gerald Harper had also requested that the item be deferred to allow time to meet with his constituents.
- 1.2 Representations received express concern that the flats would be likely to be occupied by students and that this would exacerbate problems of social imbalance by increasing the student population relative to permanent residents. Associated issues are said by residents to be anti-social behaviour such as from noisy parties through the night, and on-street car parking

2.0 PROPOSAL:

- 2.1 The application is to change the use of a Social Club on the ground and first floors of the building to form four flats, with external alterations to form new windows and laying out of parking and landscaping.
- 2.2 A rear extension approved under an earlier permission is currently under construction and this will form a further 6 small flats. If the current application were approved the following mix of accommodation would result: -

Current application - 4 flats within the club area on ground and first floors –
2 x four bed – 8 beds
2 x one bed – 2 beds

Existing - 3 flats within building on 2nd floor and in roof space –
1 x five bed - 5 beds
2 x four bed – 8 beds

Approved extension – 6 flats
1 x 2 bed – 2 beds
5 x 1 bed – 5 beds

Total -13 flats with 30 bed spaces and 14 car parking spaces.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application property is the Ash Grove Social Club at 16 Ash Grove. The property is a large and impressive three to four storey red brick building at the end of

a row of terraced Victorian houses and is an attractive and positive building within the Headingley Conservation Area. It has functioned as a social club on ground and first floors with flats above. There is a hard standing area adjacent which has provided car parking for the club and the flats.

- 3.2 To the south is a two storey row of flats dating probably from the 1960's and to the rear is a site formerly used as sports facilities by the then Leeds Girls High school. Brick buildings on that site comprise a sports hall and swimming pool and a grass pitch.
- 3.3 Ash Grove otherwise comprises mainly terraced traditional Victorian terraced brick houses, many of which are in use as HMOs.

4.0 RELEVANT PLANNING HISTORY:

12/01131/FU – Extension to erect 6 flats to side of Club. Approved, 28/05/12. This scheme is currently under construction.

10/04134/FU – 3 storey extension to social club to erect 5 flats. Refused, 05/11/2010. Appeal dismissed on design grounds on 23/05/11.

10/01462/FU – 3 storey extension to erect 5 flats. Refused, 26/07/10. Appeal dismissed on design grounds on 23/05/11.

07/03877/FU – 4 storey block of 6 flats. Refused, 31/08/07

26/97/98/FU - 4 storey extension to erect 4 flats. Refused
Dismissed at Appeal, 29/09/99.

26/10/97/FU – Change of use and extensions of club to 9 flats. Approved, 11/11/97.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 There have been no pre-application discussions with regard to this site.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by press and site notices as development affecting the character of the Headingley Conservation Area.

Site notice posted 7/12/12

Press advert in YEP placed on 20/12/2012 expires 10/01/13

- 6.2 The following objections have been received:

Councillor Gerry Harper - Objects to the application on grounds of an already high proportion of HMOs and flats, noise and on-street car parking.

Councillor Neil Walshaw Objects as Chair of the Inner North West Planning Group and as a Headingley Ward Member. The Panel is asked to strongly consider the written representation made by South Headingley Community Association this particular street is the most severely stressed in terms of noise and anti-social behaviour within the Hyde Park and Headingley area.

Councillor Bernard Atha – Asks that resident's objections be carefully considered.

Hilary Benn MP – Considers that more family accommodation is required.

Objections have been received from 12 local residents and the South Headingley Community Association and the North Hyde Park Neighbourhood Association. In summary, these are: -

- The demographic imbalance of Ash Grove. Students already comprise 80% of the population of the street – more flats let to students will add to this imbalance.
- This gives rise to significant problems – most notably noise – street noise late at night and music from parties through the night.
- The change in balance of community has continued since consent was granted for flats in 1997 such that there is now a higher proportion of student residents than then.
- Increase in on-street car parking.
- Inadequate bin store provision.
- If permission is granted restrictions are requested which would restrict use to C3, not C4 small HMO use

7.0 CONSULTATIONS RESPONSES:

STATUTORY

7.1 None.

NON-STATUTORY

7.2 Highway Authority – No objections, as there will be no increase in demand for car parking relative to the existing club use.

Neighbourhoods and Housing – No objection.

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

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

Policy T2 – this aims to avoid any undue impact on highway safety.

Policy T24 – this sets out recommended car parking guidelines.

Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas

Policy H15 – this refers to the Area of Housing Mix and sets out a range of criteria aimed at promoting mixed communities

DRAFT CORE STRATEGY

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination

As the Council has resolved to move the Publication Draft Core Strategy to the next stage of independent examination, some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination. Draft Core Strategy Policy H6 (Incorporating pre-submission changes) states that:

POLICY H6: HOUSES IN MULTIPLE OCCUPATION (HMOs), STUDENT ACCOMMODATION, AND FLAT CONVERSIONS

A) within the area of Leeds covered by the article iv direction for houses in multiple occupation (HMOs), development proposals for new HMOs will be determined:

i) to ensure that a sufficient supply of HMOs is maintained in Leeds,

ii) to ensure that HMOs are distributed in areas well connected to employment and educational destinations associated with HMO occupants,

iii) to avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities.

iv) to ensure that proposals for new HMOs address relevant amenity and parking concerns.

v) to avoid the loss of existing housing suitable for family occupation in areas of existing high concentrations of HMOs.

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 – Sets out the Council's guidelines and aspirations for well-designed residential accommodation.

NATIONAL PLANNING POLICY:

The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

9.0 MAIN ISSUES:

9.1 It is considered that the main issues are:

- Impact of the proposal on residential amenity and demographic balance
- Provision of car parking
- Preservation or enhancement of the Headingley Conservation Area.

10.0 APPRAISAL:

Impact of the proposal on residential amenity

10.1 The existing Social Club has operated from the site for a number of years, and is clearly located in an area unsuitable for a use of this nature. It has an extensive history of complaints to the Council from local residents relating to noise and disturbance, from both loud music and noise from patrons in the street, the latter has been an issue in particular since the smoking ban came into effect. The residential use proposed is, however, considered compatible with this residential location. The existing flats within the building are understood to be let to students and whilst the student market is clearly likely for the flats currently proposed, it is pointed out that the application is not specifically for students flats and they would be available to other types of occupier. As student occupation is clearly a possibility however and as the site lies within the defined Area of Housing Mix, the application has been tested against UDPR policy H15.

10.2 Policy H15 deals with student housing proposals and states that:

Within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:

- i) the stock of housing accommodation, including that available for family occupation, would not be unacceptably reduced in terms of quantity and variety;*
- ii) there would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;*
- iii) the scale and character of the proposal would be compatible with the surrounding area;*
- iv) satisfactory provision would be made for car parking; and*
- v) the proposal would improve the quality or variety of the stock of student housing.*

Taking these policy points in turn:

- i.) The site has been used as a Social Club for a number of years. Consequently, the proposal will not result in the loss of any existing family accommodation.
- ii) It is considered that the levels of activity produced by up to 10 residents will be less than that previously generated by the use of the building as a Social Club, particularly given that the existing use as a Social Club has a long track record of creating noise disturbance.
- lii) Four additional flats within the existing building could not be argued to be incompatible in scale and character with the surrounding area.
- iv.) The site has 14 off-street parking spaces which is sufficient for the proposed use, particularly as the social club would go.
- v.) The proposed bedrooms are of a reasonable size with good natural light and would provide an acceptable standard of accommodation within a building already occupied by students.

10.3 It is noted that Draft Core Strategy policy H6 (to which some weight can now be attached) includes that within the Area of Housing Mix proposals should seek:

iii) to avoid detrimental impacts through high concentrations of HMOs, which would undermine the balance and health of communities.

10.4 In addressing the issue of residential amenity and whether this proposal would cause harm to neighbouring permanent residents, it must be considered whether the 10 additional occupiers would add to noise and disturbance to the extent that permission should be refused.

- 10.5 More significantly, the effect on existing residents of the proposed flats must be considered in the context that the lawful planning use of the premises is as a club, which has a track record of creating noise disturbance. Whilst noting that there is a possibility that some student residents may on occasion indulge in anti-social behaviour; this seems unlikely to be comparable in potential impact to the impacts of a social club licensed for 150 patrons.
- 10.6 Some objections refer to the social imbalance within the area resulting from the high proportion of transient student residents. This concern is noted but it is not considered that the current proposal will have an impact on this relative to the current use of the building as a social club. In an appeal decision relating to the property into the Council's refusal of an extension to form 5 two bed flats dated 23 May 2011, the Inspector said that 'as to the proportion of student accommodation in the locality, whilst it may be high, I have seen no clear evidence to show that the proposals would increase it to the extent that the housing mix or community cohesion would be materially harmed'
- 10.7 Some objectors have requested that if permission is granted for the flats then they should be restricted to occupation by families. This is not recommended for a number of reasons: -
1. There is no planning policy basis on which to do this. Policy H15 supports student accommodation subject to the criteria set out and discussed above, where there is no loss of accommodation suitable for occupation by families.
 2. It would result in a block of flats some of which could be occupied by students and some of which could not. It would not be possible to monitor and ensure compliance with such a condition.
 3. Accommodation a block partially occupied by students is unlikely to be attractive to family occupiers.
- 10.8 In coming to the view that there is no sound basis on which to refuse planning permission for the 4 flats proposed, officers have had very careful regard to the strong concerns of local residents. Clearly the lifestyle of student residents has a significant impact on the lives of local residents. These concerns relate to an existing situation however to which there is no simple solution and the current application must be considered on its own merits. Taking this approach, officers take the view that the 4 flats proposed represent a net benefit to the community as compared with the current social club use and that permission should not be withheld in the particular circumstances of this case.

Provision of car parking

- 10.9 The proposal indicates 14 car parking spaces within the site. This is an increase on the approved layout for the 6 flats extension currently being built for which 11 car parking spaces are provided. Objections have been received on grounds that the proposed flats will add to off-street car parking.
- 10.10 In the first instance given that there is an existing use as a club; parking provision for the proposed flats must be considered relative to the potential parking demands generated by the club.

UDPR Parking Guidelines:

Student Accommodation – 1 space per 4 bed spaces
10 bed spaces = 3 *car parking spaces*

Social Club – no specific guidelines

Class A3 food and drink Outside S2 Centres

1:2 - drinking area, for customers;

1:4 - dining area, for customers;

1.25 - per resident staff, for staff;

0.33 - per non-resident staff, for staff

As the club had a licence for 150 patrons this would equate to a parking requirement of over 70 spaces. A club of this nature is unlikely to require that level of car parking and although residents point out that past patrons have often been students arriving on foot, there can be no guarantee that the club would operate in this manner in the future.

Some objectors have asked that the flats, if granted permission, should be restricted to family occupants. In this instance, parking guidelines would require: -

1.5 spaces per dwelling

4 *car parking spaces*

- 10.11 The property in any event is considered to be in a sustainable location. A bus stop at Brudenell Road within 100m of the site provides services to Leeds City Centre with a more extensive range of services available within 400m from stops on the A660. The property is also within 20 minutes walk of the Universities area.
- 10.12 In dismissing the appeal to erect new flats on design grounds, (application references 10/01462/FU and 10/04134/FU); the Inspector concluded that the erection of additional flats would not result in any undue impact on highway safety. In addition, the proposed four flats would be expected to create less demand for car parking than the existing Club use and it is concluded that the 14 car parking spaces provided will meet the needs of the development in this instance.

Preservation or enhancement of the Headingley Conservation Area

- 10.13 As part of the proposals the unsightly metal fire escape at the front of the property would be removed (although this is also a condition of the permission for the 6 flats currently under construction) and also the timber staircase and balcony to the south elevation. Doorway openings to that elevation would be adapted to windows in a manner sympathetic to the existing original elevation. The car park would be laid out and surfaced and landscaped such that overall the development would serve to enhance the Headingley Conservation Area.

11.0 CONCLUSION:

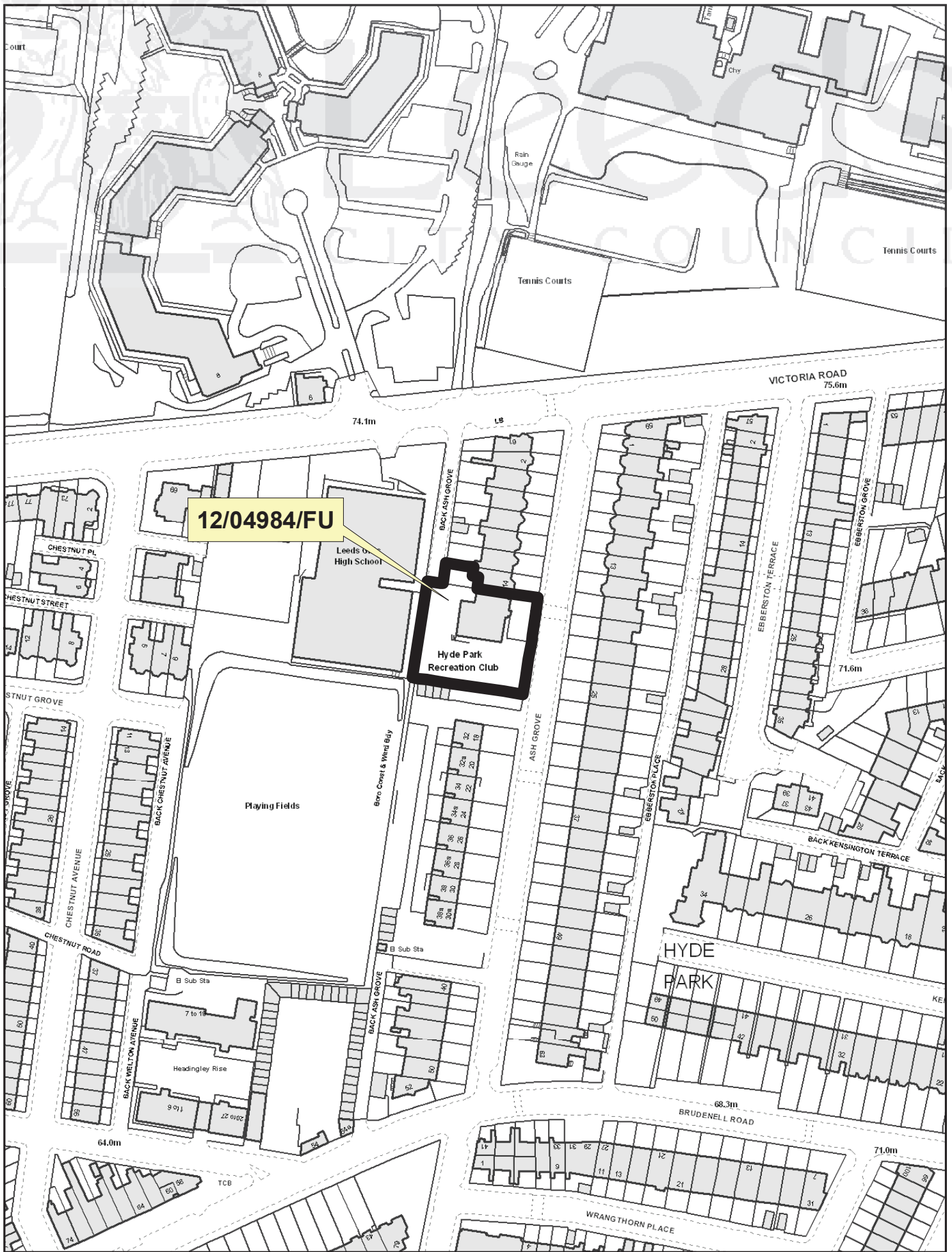
- 11.1 The proposal to create four flats is considered acceptable. The building is in a residential area and residential use is appropriate. The property is located in an area with a large number of HMOs and student residents, and it is accepted that this proposal would add to that although to a small degree in overall times. It is not accepted that an additional 10 residents whether students or of other demographics would have any demonstrable impact on the amenities of permanent residents and the proposal would moreover secure the loss of the social club which is

inappropriately located and has a history of noise complaints. The removal of the unsightly external staircases would improve the appearance of this attractive property and enhance the character of the Headingley Conservation Area. Approval is recommended.

Background Papers:

Application and history files.

Certificate of Ownership.



SOUTH AND WEST PLANS PANEL

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Report of the Chief Planning Officer

Plans Panel West

Date: 31st January 2013

Subject: APPLICATION NUMBER 12/04051/OT: Outline Planning Application for the demolition of existing buildings and erection of circa 29 dwellings, University of Leeds, Bodington Hall. Otley Road, Adel LS16 5PT

APPLICANT	DATE VALID	TARGET DATE
University Of Leeds	24.09.2012	PPA

<p>Electoral Wards Affected:</p> <p>Weetwood Adel and Wharfedale</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:
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 of the date of the Panel resolution to include:

- affordable housing at 15% of the total number of dwellings with a 50/50 split between sub market and social rented (if commenced in accordance with Interim policy. ie within 2 years of date of decision being issued otherwise affordable housing reverts to policy position at that time),
- on site provision of greenspace and off site contribution in accordance with the formula and worked out at Reserved Matters stage,
- £22,500 contribution towards A6210 crossing,
- education in accordance with the formula and worked out at Reserved Matters stage,
- travel planning measures including metro cards and monitoring fee and
- public transport infrastructure in accordance with the formula and worked out at Reserved Matters stage and the following conditions.

1. Standard 3 year outline permission
2. Submission of Reserved Matters for Layout, Appearance, Landscaping and Scale
3. Development to be carried out in accordance with approved plans
4. Walling and roofing, surfacing materials to be submitted and approved
5. Tree protection conditions
6. No works or development shall commence until a written arboricultural method statement for a tree care plan during construction is submitted and approved by the LPA

7. A landscape management plan for both the woodland and non woodland areas to be submitted and approved by LPA.
8. Updated tree survey to be submitted.
9. Levels conditions
10. Submission and implementation of a landscaping plan
11. Landscape maintenance schedule
12. Tree replacement condition
13. Submission and approval of surface water drainage details
14. Details of bin and cycle storage to be submitted and approved
15. Details of boundary treatments to be submitted and approved
16. Areas to be used by vehicles to be laid out, hard surfaced and drained
17. Parking spaces except for private driveways and garages shall be unallocated for the lifetime of the development
18. Phase 2 site investigation report
19. Amendment of remediation statement
20. Submission of verification statements
21. Construction management plan including programme for demolition, hours of working, deliveries etc
22. The hours of construction including deliveries shall be restricted to after 0800 hours and before 1800 Monday to Friday and after 0900 hours to before 1400hours on Saturday. There shall be no construction or deliveries on Sunday or Bank holidays
23. Development shall not commence until a scheme detailing surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.
24. Notwithstanding any details on the approved plans, drawings showing details of (i) amendments to the right turn lane into the site from Otley Road, (ii) an informal pedestrian crossing point on Otley Road including linking footways, dropped kerbs and tactile paving and (iii) a traffic calming scheme on Adel Lane between St Helens Lane and Long Causeway, shall be submitted by the developer to the Local Planning Authority and agreed in writing by the Local Planning Authority prior to commencement of development. The details as agreed shall then be implemented prior to first occupation.
25. Sustainable design and construction. New build houses to be constructed to Code Level 4 Sustainable Home

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

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 National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) 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) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

H4, H11, H12, H13, N2, N4, GP7, GP5, GP5, T2, T5, SG4, E4 & E17
Neighbourhoods for Living

On balance, the City Council considers that there are material considerations to justify a departure from the Development Plan.

1.0 INTRODUCTION:

- 1.1 This application is brought to South and West Plans Panel as the site is allocated within the RUDP for employment use under policy E4. The proposed residential development is therefore a departure from the Development Plan.
- 1.2 The site is located within the Weetwood Ward but is also adjacent to the Adel and Wharfedale ward. Accordingly, members of both wards have been consulted to keep them informed of the development proposals.
- 1.3 Members may recall that in June 2012 Plans Panel West deferred and delegated for approval an Outline planning application for the redevelopment of the wider Bodington Hall site for redevelopment for circa 160 dwellings. This current application relates to the parcel of land adjoining the approved Bodington Hall site.

2.0 PROPOSAL:

- 2.1 The proposal seeks Outline planning permission for residential development for around 29 dwellings. All matters are reserved except for Access which is applied for in detail. The vehicular access proposals would utilise the existing access off Otley Road. The indicative masterplan provided for this application shows this site as an extension to the phase 1 masterplan. Accordingly it would be possible for future residents to utilise the Adel Lane access also, but this is excluded from the red line boundary plan provided with this application. The Otley Road access and proposed internal loop road would be capable of serving a bus should an operator retain the existing bus service into the site. A new footway is proposed from Otley Road into the site.
- 2.2 An indicative masterplan has been submitted which shows a layout of mainly semi detached and detached dwellings located around two main loop roads with cul de sacs and parking courts located off the main loop roads. The dwellings would likely be mostly 2 and 2.5 storey in height. Members should note that the masterplan is indicative and would not form part of the approved set of drawings.

3.0 SITE AND SURROUNDINGS:

- 3.1 The wider site is currently in use as purpose built halls of residence for students. The application site itself is an area of open green space and woodland. There are several blocks on the wider site making up the Bodington Halls of residence. These are of various heights but generally the blocks are 4-5 storeys high. The site is bordered by N6 protected playing pitches to the south and government office buildings to the north. There are substantial TPO'd trees located to the west, north and east forming a buffer around the developable areas of the site. The area is predominantly two storey residential in character though there are some commercial and non residential premises in the locality.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/05065/OT- Outline Application for residential development including means of access and demolition of existing buildings. Refused March 2012; on grounds of lack of information being submitted to demonstrate that Adel Lane could be used safely for access, concerns over the indicative masterplan not responding to local character,

lack of information for sustainable design and construction and non-compliance with S106 requirements.

- 4.2 12/02071/OT- Outline Application for residential development including means of access and demolition of existing buildings. Approved June 2012.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions have taken place also since the phase 1 site was approved in June 2012.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 There have been 2 responses received to the publicity of this planning application. One objection relates to the use of Adel Lane. The objector refers to an accident that happened on Weetwood Lane. The second letter received is from Headingley Development Trust. They request that the affordable housing contribution should be in the form of a commuted sum that could be spent buying vacant properties in the Area of Housing Mix.

7.0 CONSULTATION RESPONSES:

- 7.1 Drainage - no objections in principle subject to conditions
- 7.2 Contaminated land – conditions recommended
- 7.3 Highways – no objection subject to conditions and contributions for the Ring Road crossing
- 7.4 Environment Agency: No objections

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 Statutory Development Plan for the area comprises the Regional Spatial Strategy (RSS) for Yorkshire and the Humber adopted May 2008 and the saved policies of the Leeds Unitary Development Plan (Review) 2006. The site is allocated within the UDP on the Proposals Maps as being allocated for Employment Use.

The most relevant policies of the RSS are listed below:

Policy YH1 – seeks to manage growth and change across Yorkshire and Humber
Policy YH4 - Refers to Regional Cities and Sub Regional Cities and Towns being the focus for housing, employment, shopping, leisure, education, health and cultural activities.

Policy LCR1 – refers to Leeds City Region should be developed for significant growth in jobs and housing.

Policy H1 – Sets of the approach for the provision and distribution of housing.

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

SG4- Sustainable development principles

GP7- Planning obligations

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

N2- Green space

N4- Greenspace

N12 – Urban design priorities

N13- Design quality for new housing

H4- Windfall housing sites

H11- Affordable housing

H12 – Affordable housing

H13- Affordable housing

T2 – highways issues

T24 – parking provision for new development

E4 – Allocated Employment sites. Bodington Hall, Adel – 6.5ha.

E17 – Allocated Employment sites

E18- Specific sites for B1 office –Bodington Hall, Adel 6.5ha.

Emerging Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its submission stages limited weight can be afforded to any relevant policies at this point in time.

Spatial Policy 6 refers to the housing land allocation and requirement.

Spatial Policy 8 refers to Economic development priorities

Policy EC2: Office development states:

Appropriate locations for allocations and windfall office development;

(i) The City Centre will be the focus for most of office development. Locations on the edge of the City Centre will also be appropriate for offices as part of mixed use development.

(ii) Town Centres and edge of town centres are promoted as locations for office development. A target of 23,000 sqm (equivalent to 2.3% of identified need over the plan period) of new office floorspace is set for locations in or on the edge of town centres to guide allocation documents.

Due to the availability of development opportunity in centre and edge of centre, out of centre proposals would normally be resisted however there are exceptions which are:

(iii) Existing commitments for office development will be carried forward to meet the identified floorspace requirement over the plan period, unless it would be more sustainable for the land to be re-allocated to meet identified needs for other uses.

(iv) To provide flexibility for businesses, smaller scale office development (up to 1,500 sqm) will be acceptable in out of centre locations in the following locations:

i. Regeneration areas identified under Spatial Policy 4

ii. Other accessible locations (defined in Policy T2) within the Main Urban Area, Major Settlements and Smaller Settlements.

(v) In existing major employment areas, which are already a focus for offices, some small scale office floorspace may be acceptable where this does not compromise the centres first approach.

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 SPD
Neighbourhoods for Living SPG
Adel Neighbourhood Design Statement
Public Transport Infrastructure SPD
Travel Plan SPD (Draft)
Education SPG
Affordable Housing SPG (Interim Policy)

National planning policy

National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development.

9.0 MAIN ISSUES:

9.1 The principle of the development

9.2 Highways issues

9.3 Amenity

9.4 Sustainability

9.5 Section 106 package

10.0 APPRAISAL:

The principle of the development

10.1 The site forms part of an employment allocation (reference E4.17 and E18.8 in the RUDP), proposed as a key business park for B1 offices. Given that the overall approach of the Core Strategy is to direct office uses to town centre locations, continuing to promote large scale office use at Bodington would be out of kilter with this strategy. However, as the Core Strategy is not yet in place the RUDP is the current development Plan. Members may recall discussing this site when they considered the previous application for the Bodington Hall site. It seems sensible to support the departure from the development plan in this instance because of its connection to the previous application and its suitability to the wider Adel/Weetwood area. The loss of the employment land is not considered harmful to the objectives of the development plan and is not envisaged to lead to a significant shortfall of

employment land elsewhere in the City. The principle of residential development is therefore considered acceptable and accords with sustainable development considerations of the National Planning Policy Framework.

Highways issues

- 10.2 Members may recall that highway access was a main issue in the determination of the previous Bodington Hall application. The use of Otley Road was however, considered acceptable and the debate around the previous application focused largely on the use of Adel Lane. Members should note that whilst this current application has its red line boundary plan drawn so that access is provided from Otley Road the indicative masterplan for this site shows a connected road network. That means future residents could utilise Adel Lane if they wished. Given the limited scale of the additional traffic onto Adel Lane, which this additional development would generate this is considered acceptable. Members may recall that they discussed the Transport Assessment submitted with the phase 1 application at Panel in June 2012. The phase 1 TA was prepared on the basis of 180 dwellings using Adel Lane. A planning condition which is attached to the previous permission has been re-used on this application to ensure the off site highway works to both Adel Lane and Otley Road are delivered. Subject to the traffic calming measures on Adel Lane and footpath improvements and crossing contribution for the Ring Road and the amendment to the existing right hand turn road markings being installed for Otley Road, access arrangements are considered acceptable.

Amenity

- 10.3 The proposed development is not considered likely to have a significant impact on the amenity of existing neighbouring residents. The site is fairly discreet and self contained given the extent of substantial TPO'd trees which are being retained. The Trees are located around the sites boundaries with the Government Offices and Adel Lane. Given the nature of the proposed end user it is not envisaged that the future occupiers will have significant effects on neighbouring dwellings through either noise and disturbance, comings and goings or through any over looking or loss of privacy. The indicative masterplan is broadly acceptable in terms of siting of dwellings and general layout considerations. Further design and highway layout works will be required but this will be dealt with at Reserved Matters stage when a house builder comes forward. The proposed off site highway works and section 106 package are considered reasonable and necessary to mitigate the effects of the future occupiers on the surrounding area. The proposed access arrangements are not envisaged to impact on the existing neighbouring dwellings to any significant extent. The comings and goings from the use of the existing Adel Lane access should not result in serious impacts on the neighbouring residents. Finally the proposed development should afford future occupiers with a good level amenity. There is a proposal for an area of public open space to be created. The road layout will be designed to ensure a bus service can still enter and exit the site and subject to further design negotiations with the house builder the scheme will aim to be built to high levels of sustainable design and construction.

Sustainability

- 10.6 Matters of principle such as sustainable construction must be addressed at Outline application stage and not as a Reserved Matters. Therefore to ensure sustainable construction outcomes are considered and appropriately delivered on site by the developer, a Planning Condition to this end is required on this Outline Planning Application.

Section 106

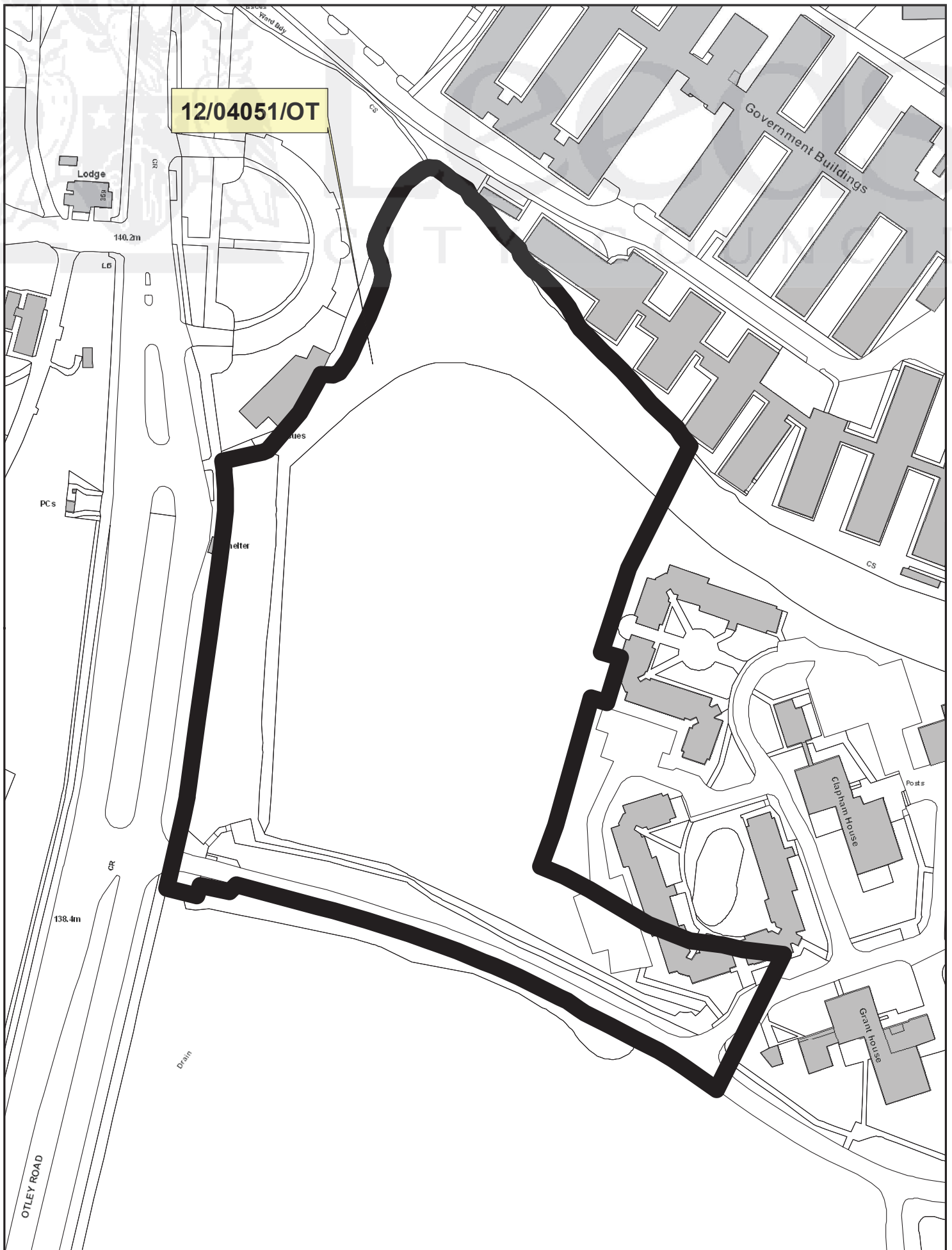
- 10.7 As this application is submitted in outline with all matters except access reserved the section 106 cannot specify specific amounts as numbers and types of units are not confirmed at this stage. Although this planning application indicates that less than 50 dwellings will be provided because of the nature of this site and its relationship with the wider phase 1 approval it is considered appropriate to apply contributions based on the total number of units coming forward at Reserved Matters stage. Effectively seeing this site as one masterplan rather than 2 distinct sites. The Section 106 will cover all the required policy areas where this development will need to make contributions towards including education, affordable housing (15% of total number of dwellings with a 50/50 split in tenure type), off site greenspace and laying out and maintenance of the on site public open space, public transport infrastructure and travel planning measures and the travel plan monitoring fee. The request by the Headingley Development Trust for an off site contribution is not considered justifiable because this site is located a substantial distance from the Area of Housing Mix which is the source of the concentration of houses in multiple occupation or vacant properties that the Headingley Development Trust would seek to purchase. Affordable housing is required in this location as such providing affordable housing on site is considered necessary. Members will also note that the phase 1 planning permission granted the affordable housing element on site.
- 10.8 The off site highway works required include; Crossing infrastructure (as yet to be determined) on the Ring Road West Park A6120 to allow safe access to the local facilities and in particular Lawnswood School. A contribution of £22,500 towards this crossing is required. Depending on the delivery of NGT it may be possible that NGT would fund this crossing. However, given the uncertainties around the timings of NGT and the potential that this housing scheme could be built out before NGT is delivered the crossing contribution is required from the developer at this stage.

10 CONCLUSION:

- 11.1 The proposal is considered an appropriate departure from the development plan which will contribute to delivering housing targets for Leeds. The creation of a residential development as an extension to the previous redevelopment of Bodington Hall could create a community of around 190 dwellings. The merits of the scheme include the, provision of family housing and on site affordable housing and a Section 106 package to mitigate the impacts of this development in relation to highway matters, public transport and education provision. The proposal would also create areas of public open space including informal paths through the woodland which is currently private. Overall therefore planning permission is recommended.

Background Papers:

Application and history files.



SOUTH AND WEST PLANS PANEL

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Originator: Mathias Franklin

Tel: 0113 2477019

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 31st January 2013

Subject: Planning application 12/04556/FU: Demolition of existing buildings and erection of 24 no. bed Secure Children's Home with reception, admissions and administration area and associated secure perimeter wall/fence, landscaping, car parking and access at East Moor Secure Childrens Home, East Moor Lane and land off Tile Lane, Adel

APPLICANT	DATE VALID	TARGET DATE
Public Private Partnership Unit - LCC	01.11.2012	31.01.2013

Electoral Wards Affected:

Adel & Wharfedale

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Grant planning permission subject to the conditions specified below.

1. Standard 3 year time limit to Full permission
2. Development to be carried out in accordance with approved plans
3. Walling and roofing, window and surfacing materials to be submitted and approved
4. Tree protection conditions prior to the demolition
5. No works or development shall commence until a written arboricultural method statement for a tree care plan during construction is submitted and approved by the LPA.
6. Notwithstanding the submitted tree survey T10 shall not be felled unless agreed in writing by the LPA. The preferred option is for these trees to be managed and retained.
7. Submission and implementation of a landscaping plan
8. Landscape maintenance schedule
9. Tree replacement condition
10. No development, demolition or site clearance shall take place until a copy of the Natural England licence issued in respect of Common Pipistrelle bats has been

submitted to the LPA. The Mitigation Plan will include all the recommendations in para. 30 "Mitigation and Compensation" of the Bat Survey Report Ref. R-1392-01 by Brooks Ecological dated September 2012.

11. Submission and approval of surface water drainage details prior to commencement of development
12. Details of bin and cycle storage to be submitted and approved
13. Details of boundary treatments to be submitted and approved
14. Areas to be used by vehicles to be laid out, hard surfaced and drained
15. Notwithstanding the approved plans details of the access to the access road and car park access road to be submitted and approved
16. Phase 2 site investigation report
17. Amendment of remediation statement
18. Submission of verification statements
19. The off site highway works to Tile Lane including the footpath diversion shall be completed prior to the commencement of development.
20. Construction management plan to be submitted prior to the commencement of development with further details in accordance with the principle outlined in the Eastmoor Secure Childrens Home Framework Construction Management Plan.
21. Off site highway works for waiting restrictions to the bus turnaround and the site access road to be implemented prior to first occupation.
22. The hours of construction including deliveries shall be restricted to after 0800 hours and before 1800 Monday to Friday and after 0900 hours to before 1400hours on Saturday. There shall be no construction or deliveries on Sunday or Bank holidays
23. Hours of deliveries to be restricted 1800-0930 hours no construction or delivery vehicles to use Tile Lane and 1445-1530hours no construction or delivery vehicles to use Tile Lane.
24. Prior to first occupation of the building a noise survey shall be submitted and approved to cover the use of air source heat pumps and other forms of mechanical ventilation and extraction. Any recommendations for acoustic attenuation to protect neighbouring residential properties from noise shall be implanted prior to first occupation and thereafter retained
25. The development shall achieve a minimum of 'Very Good' BREEAM Rating with aspirations to achieve 'Excellent'
26. Prior to the commencement of construction of the development an updated Sustainability Statement following the guidelines of the Supplementary Planning Document (SPD) 'Building for Tomorrow Today' shall be submitted which will include a detailed scheme comprising (i) a proposal to use the Waste and Resources Programme's (WRAP) Net Waste Tool kit and an appropriate Site Waste Management Plan (SWMP), (ii) a pre-assessment using the BREEAM assessment method to the agreed BRE standard(s) (iii) an energy plan showing the percentage of on-site energy that will be produced by Low and Zero Carbon (LZC) technologies is at least 10% of on-site demand and a carbon reduction target and plan for the development to meet the 20% carbon emissions reduction target and approved by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and
 - (a) Prior to the occupation of the development a post-construction review statement for that phase shall be submitted by the applicant including a BRE certified BREEAM final assessment and associated paper work and approved in writing by the Local Planning Authority
 - (b) The development and buildings comprised therein shall be maintained in accordance with the approved detailed scheme and post completion review statement or statements

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

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 National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) 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) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

BD5: H3: LD1: GP5: N8: N12: N13: N32: N50: N51: T2: T24:
Neighbourhoods for Living

Adel Neighbourhood Design Statement

On balance, the City Council considers that there are material considerations to justify a departure from the Development Plan.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel as the proposed development is on land allocated for housing in the RUDP. The proposals for the Secure unit represents a Departure from the Development Plan. The application is also brought o Panel due to the sensitive nature of the development.
- 1.2 By way of background Secure Children’s Homes form part of the secure estate developed and managed by the Youth Justice Board (YJB) to accommodate 10-17 year olds committed to custody by the courts. The YJB aims to ensure that all boys aged under 15 and girls under 17 are cared for either in secure training centres or secure children’s homes. The long term strategy for the YJB involves developing a secure estate which meets the aspirations of the Every Child Matters agenda, is child/young person centred and enables young people in secure accommodation to achieve their full potential through high quality care, educational opportunities and training leading to a reduction in re-offending.
- 1.3 Leeds City Council contracts with the YJB to provide secure accommodation for children through the existing Secure Children’s Home at East Moor. It is a registered children’s home, licensed by the DfE, regulated by OfSTED and managed by Leeds City Council through Children’s Services. The YJB monitors performance through commissioning arrangements.
- 1.4 A proposal has been submitted to the Department for Education (DfE) to allow the City Council to replace the current East Moor Secure Children’s Home. The key driver to replace East Moor is that the existing buildings do not meet the current standards set by OfSTED and the Youth Justice Board (YJB).

- 1.5 Leeds City Council have an opportunity to invest the capital grant from the DfE of £12.55m to rebuild a 24 bed Secure Children's Home within the defined timescales and funding profile.

2.0 PROPOSAL:

- 2.1 This proposal is for the replacement of the existing 36 bed Eastmoor Secure Children's Home on land to the immediate south of the existing centre with a 24 bed single storey unit. Although the majority of the building would be single storey the ground to roof level is 6 metres in height. The proposal does also include a two storey element, the administration block. The existing all weather playing pitch will remain as part of the new Secure Unit. The existing unit will then be demolished and the land grassed over as part of the final phase of development. Children's Services state they will then declare the land surplus to their requirements and the land can then be given over to Corporate Services who then can potentially use the land for housing. The former site will compensate for the land taken from the housing allocation to build the new unit.
- 2.2 Construction traffic for the secure unit will use Tile Lane. A plan has been prepared in consultation with local residents and officers to provide additional passing places, resurfacing, car parking and diverted footpaths along Tile Lane that will be maintained for the lifetime of the construction phase.
- 2.3 The applicants intend to retain the majority of the trees within the site except for those removed by the building footprint. Additional tree planting will be undertaken to screen the development. The perimeter fence round the building in the woodland areas will be low level fencing 1.8metres high. The main boundary treatment enclosing the outdoor play areas will be 5 metres in height and will be constructed of brick a 3metre base and 2 metres cladding above.

3.0 SITE AND SURROUNDINGS:

- 3.1 The proposed site is located in the settlement of Adel some 6km north of Leeds City Centre. The site forms part of an area which has previously been used as a school site and more recently as student accommodation by Leeds Met University. The site has been vacant for some time and is in need of redevelopment.
- 3.2 The site (including the whole former campus area) comprises of a number of buildings of differing uses and styles including houses, dormitories, school buildings and a church. The main school dormitory and the church have recently been listed as Grade II structures. The site is distinctive in nature, abutting attractive open countryside and containing mature woodland (some of which have tree protection orders), open areas and attractive landscape features.
- 3.3 To the north of the site lies the existing operational secure unit, to the east is woodland with residential properties fronting Spring Hill in the south east corner. To the south lies Tile Lane which is generally open and rural in nature although there is ribbon development along a small part of the road frontage. Beyond, and further south, lies East Moor School Farm with open countryside beyond. To the west also lies woodland cover which provides not only recreational space with paths and tracks but also acts as a buffer area between the site and residential development beyond.
- 3.4 The site slopes from the south west to the north east with a gradual variation in land levels of some 7m.

4.0 RELEVANT PLANNING HISTORY:

4.1 07/03001/FU - Laying out of access road, erection of 67 dwellings and landscaping. Approved 23.12.2008.

4.2 Pre-application presentation by the developer to Plans Panel West. September 2012.

5.0 HISTORY OF NEGOTIATIONS:

5.1 The applicant has been engaged in pre-application discussions with the Council since mid 2010. This extensive pre-application process has involved the developer working with the council, local residents and ward Councillors. The developer held 2 pre-application community consultation events prior to presenting the pre-application presentation to Plans Panel. Members may recall the September 2012 pre-application presentation by the applicant. Members commented on the principle of the development its overall design and appearance and broadly welcomed the development. The pre-application process has been positive and has been a good example of developers and local communities working well together.

6.0 PUBLICITY:

6.1 There have been 2 responses received to the publicity of this planning application. One letter is from the Residents of Spring Hill. The following issues have been raised:

- A footpath should be constructed adjacent to Tile Lane and should be retained as a permanent feature
- Winter parking spaces should be provided for the residents of Spring Hill as well as for those on Tile Lane
- Spring Hill should be resurfaced
- The building materials, particularly the roof material do not complement the local area
- The existing trees on site which have grown too tall should be cut down or lopped as they are causing nuisance to existing neighbours.
- More trees should also be planted to screen the development
- Spring Hill residents should be provided with fibre optic broadband
- Issues of light pollution should be addressed
- The proposed secure unit would due to its size, height and siting be over dominant to the properties on Spring Hill.
- Concerns regarding later stages of the consultation responses.
- Confirmation that the 6 foot wooden fence is to be retained.

7.0 CONSULTATION RESPONSES

7.1 **Highways:** No objection subject to planning conditions to control the construction phase use of Tile Lane.

7.2 **Environment Agency:** No objection subject to a planning condition to control surface water run off rates.

7.3 **Flood Risk Management:** No objections subject to a planning condition to control surface water run off rates.

7.4 **Land Contamination Unit:** No objection subject to conditions

8.0 PLANNING POLICIES:

- 8.1 The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The adopted Leeds UDPR (2006) Proposals Map identifies the site as a designated residential allocation H3 -1A.35. There are a number of relevant policies in the adopted Leeds UDP Review (2006) as follows:

BD5: New buildings should be designed with consideration of their own amenity and surroundings.

H3: Phase 1 (2003-2008) includes unallocated previously developed windfalls in the main urban areas.

LD1: Landscape schemes to provide visual interest.

GP5: Development proposals should resolve detailed planning considerations.

N8: Urban Green Corridor.

N12: Urban design: Spaces between buildings of importance, new buildings should be good neighbours and respect character and scale of surroundings.

N13: Building design should be high quality and have regard to character and appearance of surroundings.

N32: Green Belt.

N50: Sites of ecological and geological interest.

N51: Buffer areas.

T2: Development should not create problems of highway safety.

T24: Parking standards should be met.

8.2 Supplementary Planning Guidance / Documents:

SPG Neighbourhoods for Living.

Eastmoor Tile Lane Planning Brief.

Adel Neighbourhood Design Statement.

8.3 National Planning Guidance:

National Planning Policy Framework: Paragraph 56 refers to the impact of good design as being a key aspect of sustainable development. Paragraph 58 bullet point 3 refers to the desire to optimise the potential of the site to accommodate development.

8.4 Emerging Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

- 8.5 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by

outstanding representations which have been made which will be considered at the future examination.

7.0 MAIN ISSUES

1. Principle of development
2. Urban Design issues
3. Landscape / tree issues
4. Highway issues
5. Neighbouring residents amenity
6. Other matters

8.0 APPRAISAL

Principle

- 8.1 The site forms part of the Housing Allocation identified under policy H3 of the adopted RUDP. The new secure unit would result in the loss of land that is allocated for housing. However the old secure unit which is to be demolished and the land grassed over is of a similar size and could be brought forward to compensate for the loss of the housing allocation site. In addition the creation of new purpose built accommodation facilities which meet with current education policy designed to help every child and young person is welcome. Furthermore the new secure unit is considered an improvement over the design and appearance of the existing unit which is considered poorly sited and related to the listed building. The principle of creating the new secure unit is considered acceptable on this basis.

Urban Design and Impact on the setting of the neighbouring listed building

- 8.2 The site is adjacent to Grade II Listed Buildings. The design of the development has been carefully assessed to ensure the impact it will have upon the setting of these Listed Buildings has been managed sensitively to preserve the setting. Although the new secure unit will introduce a large form of development close to the listed building it is considered the design, size and siting of the new building is an improvement upon the relationship of the old secure unit. The new secure unit will be sited further away from the listed buildings than the current secure unit. The new secure unit has been designed so as to not result in an over bearing or dominant form of development that competes with the listed building. This is within the context of the design requirements placed upon the secure unit from the Department of Justice and Department of Education. The secure unit has been sited to allow the building itself to provide the barrier between the listed building rather than using a high perimeter boundary treatment. The boundary treatment facing the listed building will be a simple mesh fencing 1.8metres high. Overall the new secure unit is considered to have a neutral effect upon the setting of the listed building.

- 8.3 The design for the secure unit accords with the Development Framework Plan for the East Moor site which was produced by the Council. The Plan provided the developers with guidance on the types of design the Council would consider appropriate for this location and also gave guidance as to the stand off distances from the listed building which the new secure unit should respect. The choice of materials used for the development is particularly important both for preserving the setting of the listed building but also to ensure future occupiers have a sense of place and the unit can sit comfortably next to a future housing scheme. The main material to be used is brick for the walls of the residential units, education units and for the administration blocks. The building incorporate some high level windows into external elevations for the

secure areas. Timber cladding is used on the administration block in locations to add variety and interest to the elevations.

- 8.4 Although the majority of the new secure unit will be single storey to meet with education policies the walls will still be 4.2 metres in height. Externally this will appear two storeys when taking into account the roof. The building needs walls this high because 4.2 metres is an internal height which prevents children from gaining access to the roof should one child stand on another's shoulders.
- 8.5 The pitched roofs will be constructed from powder coated steel which will be coloured grey. Roof lights will be inserted into the roofs.
- 8.6 The administration block will be a two storey building. Only staff will have access to the first floor of this building. As this block is not connected to the residential blocks this building will have opening windows which should soften its appearance and also provide good amenities for the occupiers.
- 8.7 Trees and Landscaping and biodiversity
- 8.8 Trees and the wider landscape setting are a defining feature of this site. The new unit requires the removal of a number of trees to facilitate its development. Overall this is considered acceptable because the majority of the trees are not good specimens and the trees which provide screening and a buffer to the neighbouring houses and wider green belt are being retained. Tree T10 which is a category A tree and is shown to be removed as it will be located in the new car park is requested to be retained. It is considered there is the possibility to keep this tree and re-provide the lost car parking to the north of the proposed car park. A verbal update will be brought to panel on the outcome of this negotiation with the applicant.
- 8.9 New tree planting is proposed as part of the application. The trees proposed will be planted all around the perimeter of the new secure unit. 36 trees are proposed to be planted around the site's perimeter. This extra tree planting should further add to the screening provided by the retained trees from neighbouring residents and should also further soften the impact of the secure unit on the listed buildings.
- 8.10 Previous site surveys have confirmed the presence of bat roosts in a number of buildings on site. Demolition of these buildings would result in the obvious loss of such roosts and replacements are therefore required. Circular 6/2005 provides advice on statutory obligations in the planning system on biodiversity, a planning condition has been attached to ensure that suitable roosts are re-provided and that surveys are carried out to protect bats.
- 8.11 Highways
- 8.12 A central issue with the proposed development will be the construction phase of the new secure unit. A framework construction management plan has been prepared to take account of the sensitivities of using Tile Lane as the access for construction traffic and deliveries. It is proposed to create temporary passing places and car parking spaces for existing residents of Tile Lane to mitigate the effects of the development traffic. Once the development is completed these features will be removed to preserve Tile Lane's rural character unless local residents request they are retained. Tile Lane does not have a footpath and pedestrians and car users currently share the highway. The introduction of construction vehicles requires that a safe footpath be created. The applicants are proposing to create the footpath in the farm fields that run parallel to Tile Lane. This footpath will be in place prior to the

commencement of development and the applicant has indicated that should residents wish it to be retained once construction has finished they will not remove it. In addition conditions are attached to ensure construction deliveries do not take place around school drop off and pick up times.

8.13 In terms of car parking numbers, it is accepted that the operations of the secure unit constitute a special case. It is not located in a sustainable location and as a result the majority of those travelling to the site will drive. It is not envisaged there will be any significant overspill parking on the access road or surrounding residential streets. The proposed secure unit will have a new car parking area created for visitors and staff which is considered sufficient to meet the new facilities parking demands. Subject to further discussions on T10 tree this car parking area is considered sufficient to meet the demands of staff and visitors. Overall the access arrangements are considered acceptable.

8.15 Neighbouring residents amenity

8.16 The proposed development is considered to be well sited and designed in relation to its impacts on the neighboring residents. The new secure unit will be about 43 metres from the properties on Spring Hill. Although there is a change of levels between the proposal and the neighbours the distance combined with the retained trees and new tree planting should ensure that there is no unacceptable over looking or dominance.

8.17 Other Matters

8.18 The issue raised by the objectors not covered above include requests for tree works to existing trees that have grown too tall or are impacting on a boundary wall and requests for improved broadband services and also requests that Spring Hill should be upgraded and repaired. All of these points are considered outside of reasonable, relevant and necessary tests applied to planning conditions. The applicant has stated they will fill in any pot holes and undertake limited resurfacing repairs to Spring Hill but this is not a requirement of the planning process. The issue with the existing trees that residents wish to see resolved is a private land owner matter as these trees are not related to the development.

8.19 Conclusion

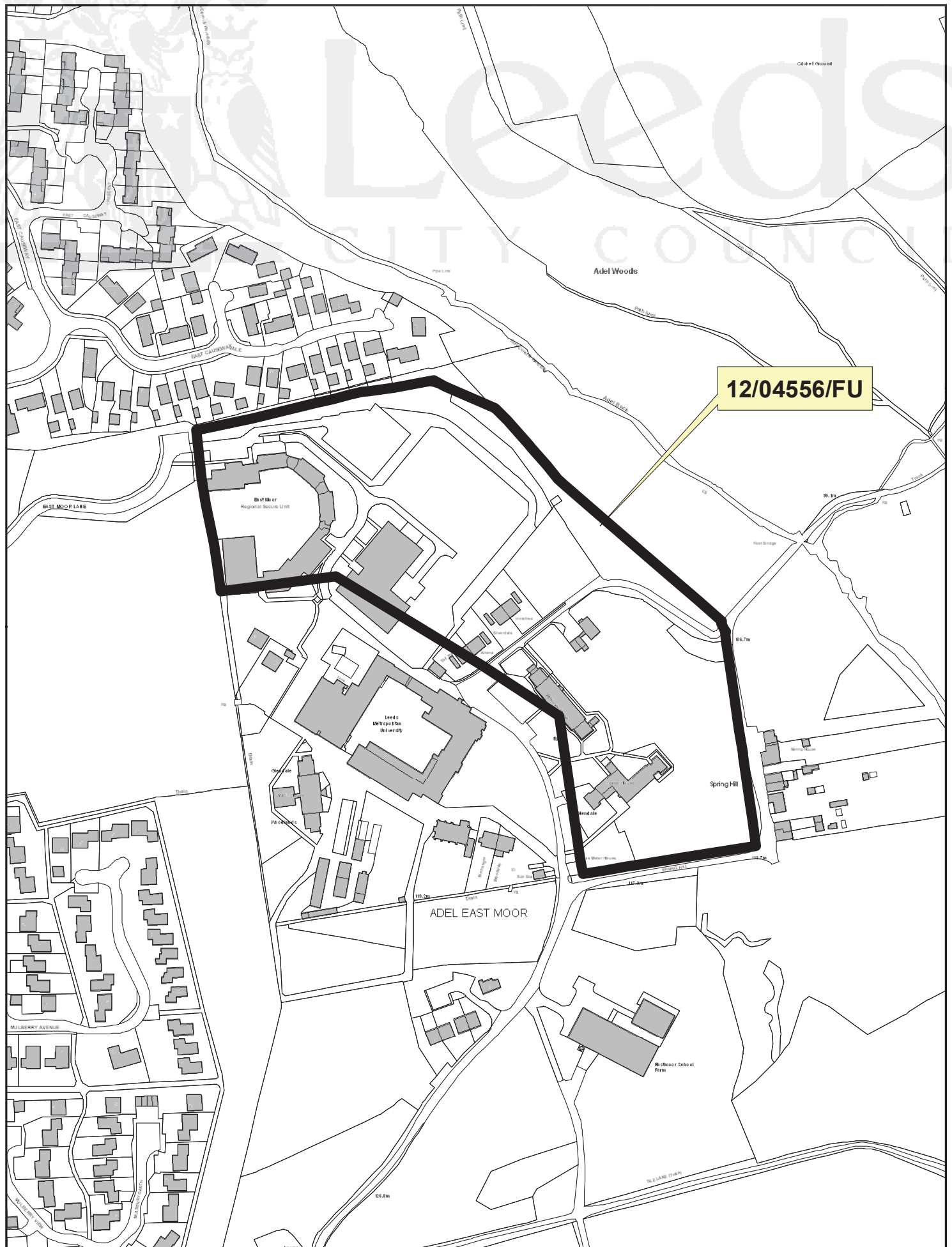
8.20 Overall the planning application is considered to present a positive form of development. The new secure unit will have a neutral effect upon the setting of the listed buildings. The temporary highway works to Tile Lane will mitigate the effects of the construction phase of the development and potentially leave a lasting benefit in the form of safe footpaths. The proposed planting around the building should improve the screening. The demolition of the old secure unit and the potential for the land to be given over to future housing development to compensate for the loss of the housing allocation by the new unit is also positive. The new facilities will provide future occupiers with accommodation and facilities that are up to date and in accordance with central government guidance which is also a positive development.

8.21 Overall the development is considered to comply with the aims and objectives of the Development Plan. There are no other material considerations that outweigh this finding. Approval is recommended.

Background Papers:

Application and history files.

Certificate of ownership



12/04556/FU

SOUTH AND WEST PLANS PANEL





Originator: Richard Edwards
Tel: 0113 39 52107

Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 31st January 2013

Subject: **PLANNING APPLICATION 12/04775/FU – Change of use and alterations of offices, retail unit and 1 flat to form 8 flats**

at: **70 Armley Lodge Rd, Armley, Leeds LS12 2AT**

APPLICANT	DATE VALID	TARGET DATE
Mr James Hitchcock	20 th November 2012	15 th January 2013

Electoral Wards Affected:

Armley

N

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT planning permission, subject to the following conditions

1. 3 year time limit
2. Development completed in accordance with approved plans
3. Submission of plans showing a 2.4m x 43m visibility splay
4. Boundary treatment limited to 1.0m in height
5. Details of one secure cycle parking space per unit
6. Samples of walling and surfacing materials to amenity space
7. DOTH Reason for Approval:

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

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 National Planning Policy Framework 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) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

GP5, BD6, T2, T24

SPG 'Neighbourhoods for Living'
SPG 'Development of Self-Contained Flats'

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 for the conversion of a former Co-operative building (now used as shops, offices and a flat) to eight self-contained flats is considered acceptable in terms of its principle and its impact on highway safety and residential and visual amenity. It is brought before the South and West Plans Panel at the request of Councillor Alison Lowe due to concerns regarding the lack of off-street parking.

2.0 PROPOSAL

- 2.1 Permission is sought for the conversion of the existing former Co-operative building to eight self-contained, one and two-bedroom flats, utilising all four levels of the structure.
- 2.2 At ground floor level, the existing accommodation (a large vacant shop unit, flanked by two offices) will be converted into three one-bedroom flats, each with a combined living and dining area with kitchenette, bedroom and shower room. A fourth flat will utilise the ground floor as a living and kitchen area with bedroom and shower room to the basement. The remainder of the basement will be retained as general storage space and accessed from the existing door to the rear.
- 2.3 At first and second floor level there will be four further 'duplex' flats, three of which will be accessed via a new corridor utilising the existing stairwell and access from the front of the building and a fourth which will be accessed from the rear of the building. The flats will again each comprise an open-plan living area to the lower level and a shower room accessed from this. A flight of stairs will lead up to bedrooms in the attic, which will be lit by Velux type roof lights.
- 2.4 Externally the building will be repaired and renovated. The hard surfaced forecourt area will be enclosed by a 1.0m brick wall topped by 0.8m metal railings between 1.0m piers to provide an enclosed amenity area to the front of each of the ground floor units. The enclosed rear yard area will be retained as a communal area. To the frontage, the shopfront to the left-hand side will be repaired and signage removed, the central section will be rebuilt in a more appropriate brick and using stone heads and

sills, and a partially bricked-up full-height window to the right-hand side will be reinstated.

- 2.5 At the rear, the pattern of fenestration to the central section will be amended with a window being bricked up and replaced with two, slightly lower windows with stone heads and sills. Security grilles to the ground floor windows will be removed, whilst a loading door with hoist arm to the first floor will be retained and fitted with a Juliet balcony for safety. The existing brick lean-to will also be retained, with the front part used for bin storage whilst the rear will remain as a garage.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application refers to a large red-brick Victorian building which it is understood was built by the local Co-operative Society in 1898. This use has long since ceased and until recently the building was subdivided into a number of small business uses including a workshop, retail unit, offices and a self-contained flat. These too have now either ceased or are winding down.
- 3.2 The building comprises a long, two-storey brick structure with basement and pitched roof. It has stone copings to each gable end and an ornate central section with stone / brick pediment comprising an inverted arch with ball finials. A date stone reads 1898. To the ground floor, the left-hand side shop unit retains and original ornate stone and timber frontage, whilst the central section has been infilled with brick and roller shutters and only the signboard survives.
- 3.3 By contrast the rear elevation is more utilitarian, with large areas of austere brick, an irregular pattern of fenestration and a first floor loading door with projecting hoist arm. Fenestration to both sides is a mixture of surviving original sash windows and some modern UPVC replacements. There is a tarmac forecourt to the front and a yard to the rear which is enclosed by brick walls.
- 3.4 Internally the ground floor is laid out as two shops and the ground floor of an existing residence. The first floor is partitioned into a number of rooms, accessed by a separate stairwell. Currently the basement is used for ancillary storage, whilst only the far right-hand side of the attic is incorporated into the self-contained apartment, with the remainder being void.
- 3.5 The building is located in a typical example of densely packed streets of red-brick Victorian terraced houses. Most of these are garden-fronted back-to-back properties but there are also some through terraced homes to the Nunningtons and Arley Grove to the north of the site. To the south the former St. Hugh's Church has been converted to 17 apartments.
- 3.6 Parking is almost exclusively on-street, with very few of the houses having access to in-curtilage parking.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There have been no applications relating to the former Co-operative building besides an unimplemented determination by British Telecom for two telephone kiosks outside it in 1993 (ref: 24/41/93/DT).

- 4.2 Permission was granted for the adjacent St. Hugh's Church to be converted first to a community centre in September 1974 (H24/54/74/) and then to flats, with a permission for 14 units (24/34/04/FU) being superseded by a second application for 17 units (24/532/04/FU) in September 2004. This scheme was ultimately implemented.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 It has not been necessary to enter into any negotiations with or to request revisions from the agent for this scheme.

6.0 PUBLIC/ LOCAL RESPONSE:

- 6.1 A General site notice was posted on 30th November 2012. No local representations were received, however an objection on the grounds of increased pressure for on-street parking was received from Councillor Alison Lowe. As a result of a request contained within the representation, the application has been brought before the South and West Plans Panel for determination.

7.0 CONSULTATION RESPONSES:

Highways: Request conditions relating to cycle storage, visibility splays, and hanging of gates. No objections to the change of use as there are at least two parking spaces available in the existing garage and enclosed land, and adequate on-street capacity. Given the number of existing uses, which include two shops, offices, a workshop and residence, the proposal does not represent a significant intensification.

Mains Drainage: The use of the building's existing surface and foul drainage systems are acceptable and any amendments covered by Building Regulations.

Neighbourhoods and Housing: have no concerns about the application in respect of residential amenity.

8.0 PLANNING POLICIES:

Local Planning Policies:

- 8.1 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.

As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

8.2 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 BD6 seeks to ensure that all extensions and alterations to existing buildings respect the materials and design of the existing building and its context.
- 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:

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

- Development of Self Contained Flats
- Neighbourhoods for Living

Government Planning Policy Guidance/Statements:

In addition to the Development Plan documents, the Coalition Government’s National Planning Policy Framework replaced more than 40 Planning Policy Statements and Guidance Notes in March 2012. Relevant sections include chapters 6 (housing) and 12 (historic environment).

9.0 MAIN ISSUES:

9.1 Having considered this application and representations, the main issues for consideration are thus:

1. Principle of change of use
2. Impact on visual amenity
3. Residential amenity
4. Highway Safety

5. Conclusion

10.0 APPRAISAL

Principle of Development

- 10.1 It is understood that the building was originally constructed in 1898 by the Leeds Industrial Co-Operative Society and used for storage and retail. Following the cessation of this use around the mid-20th Century it was then converted to a mixed use format comprising a residential unit, storage, office accommodation and a workshop for a manufacturer of metal items.
- 10.2 Most of these uses have now also ceased or will do so imminently and information has been supplied with the application indicating that the retail elements have been marketed for more than 12 months but have not attracted a tenant, most likely due to the backstreet location isolated from other commercial uses. It is therefore accepted that re-use for commercial purposes may not therefore be viable.
- 10.3 However the premises are located within a densely-populated area of traditional Victorian terraced redbrick properties, within 5-10 minutes walking distance of a number of high-frequency bus routes on Stanningley Road (including the 16, 72 and 4 routes, which run every 10 minutes), to employment uses on Armley Road and Canal Road, to leisure facilities at Cardigan Fields and to the Armley Town Street S2 Centre with its associated shops and facilities.
- 10.4 It is therefore considered to be a highly sustainable location, particularly suited to the car-free low-income households who are most likely to occupy the development. On balance therefore it is considered that the proposals for residential conversion are acceptable in principle.

Visual Amenity

- 10.5 The building is a prominent and attractive historic structure in a locality dominated by rather more austere mass housing. However it is not listed or located within a Conservation Area. Although it has suffered some less than sympathetic alterations including the replacement of the central shopfront with brick, addition of roller shutters and replacement of many original timber sashes with UPVC, the stone detailing, original timber shopfront and fascias and general proportions of the building survive. The applicant proposes to renovate the structure by retaining and repairing the surviving timber, rebuilding the central brick section with stone heads and sills and reinstating the full-height windows to the right-hand side of the façade.
- 10.6 The existing forecourt will be subdivided with attractive matching walling providing defensible space appropriate to the context of the area, which is dominated by small yard-fronted houses. It is considered that the proposals will not detract from the character of the premises and are appropriate to its surroundings, and as such are considered acceptable.

Amenity Considerations

- 10.7 Similarly there are no objections to the impact of the conversion on the basis of the amenity of existing or prospective residents. The sensitive elevations are the rear

(eastern) and side (northern) due to their proximity to terraced properties in Arley Grove and Aviary Road. There are to be no main windows to the rear and only one first floor living room window (using an existing opening) to the side. As such the risk of overlooking of surrounding houses is considered to be negligible. Similarly, as there are no extensions proposed there will be no overdominance associated with the development.

- 10.8 The building is typical of its period in terms of internal space and the conversion retains these generous proportions.
- 10.9 Four of the units will be provided with semi-defensible areas of hard surfaced amenity space to the front. This is in character with the local context, where yards and gardens, (if present and in common with much of Leeds) are generally located to the front of properties. However many surrounding houses lack amenity space altogether, opening straight onto the street or separated from it by a narrow strip suitable only for bin storage. Given this fact and the proximity of the site to extensive areas of public open space at Armley Park and adjacent to the Armley Mills Industrial Museum, it is not considered that it would be appropriate to insist upon private or communal amenity space for all the proposed flats.

Parking / Highways

- 10.10 The application has been objected to by local Ward Member Councillor Alison Lowe and brought to Panel at her request. The basis of the objection is that the proposal is a more intensive, high-density use of the building which will lead to on-street parking and associated congestion, obstruction and harm to highway safety due to the lack of provision within the curtilage. The effects of this will be exacerbated by high speeds and will be a particular problem within the vicinity of the shops where a bend reduces visibility.
- 10.11 Two comments have been received from the Highways officer, comprising a standard initial consultation followed by a more detailed response to concerns raised by Councillor Lowe and detailed above. The initial comment, dated December 10th, is supportive of the scheme subject to conditions to provide details of a) a visibility splay with boundary treatment no more than 1m in height at the junction of Aviary Road and Armley Lodge Road, and b) secure cycle parking within the curtilage to encourage the use of sustainable modes of transport. It is highlighted that the collection of uses which previously occupied the site would have generated some parking which could not be accommodated on site and that with adequate capacity available on-street, an objection would be difficult to justify.
- 10.12 The second comment elaborates on this by explaining that the existing office would require 5 spaces under current guidelines and the shop a further 3, and that the principle of on-street parking at this site was long-established. Furthermore, the last available data from 2001 showed that car ownership amongst occupiers of rented one and two-bedroom flats in Armley was extremely low (19% and 27% respectively). In addition to the two spaces provided within the curtilage, there are four on-street spaces along the Armley Lodge Rd frontage (previously adjacent to the forecourt) and four more on Arley Grove. Moreover, forward visibility around the bend mentioned in the objection is 54m which is suitable for this standard of road.
- 10.13 The Highways Officer recommends that the configuration of the flats be altered in order to allow surveillance of vehicles parked on Arley Grove from the rear of the building. However this would potentially introduce overlooking of adjacent houses to the detriment of residential amenity.

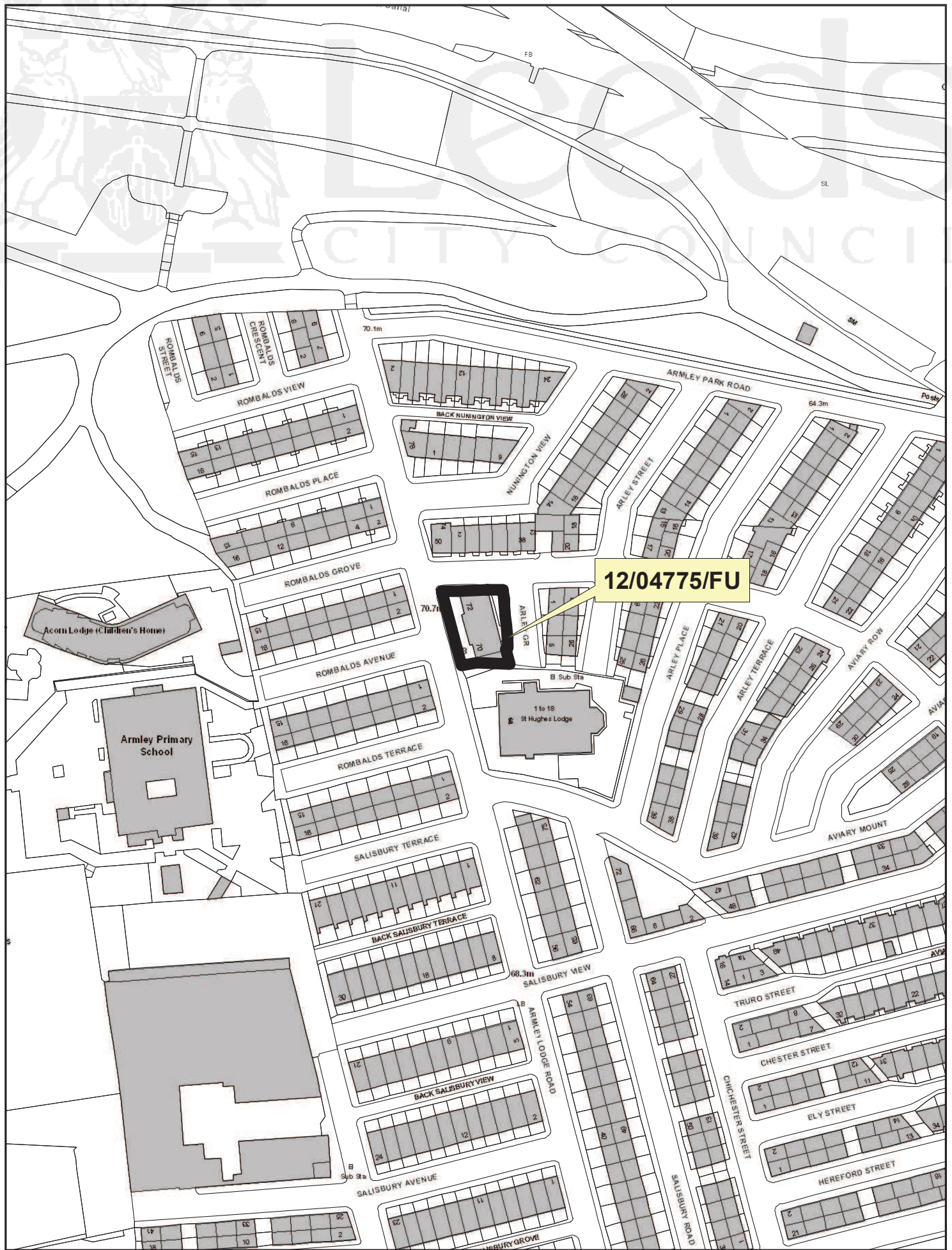
- 10.14 Similarly the relocation of the access to the upper flats to the rear elevation would prevent the re-use of the existing access door and stairwell. However there is space within the rear yard to accommodate secure cycle storage in the form of a shed or lockers, and a condition requiring details of this has been conditioned.
- 10.16 On balance, it is considered that due to a combination of its sustainable location, existing uses, low car ownership rates amongst the target demographic, availability of in curtilage and on-street car parking spaces, and promotion of alternative means of transport, the proposal will not introduce or exacerbate issues of highway safety or parking demand on the surrounding road network.

11.0 CONCLUSION

- 11.1 To conclude, it is considered that the proposals for the conversion and re-use of this building will safeguard its continued existence as an attractive landmark within the local area, whilst providing eight units of low-cost rented accommodation within an established residential area. Whilst the levels of off-street parking are below UDP guidelines it is considered that the intensity will not be significantly higher than the current mix of uses and that no harm to highway safety will arise as a result. The proposal is for these reasons recommended for approval, subject to conditions.

Background Papers

Application File 12/04775/FU



12/04775/FU

SOUTH AND WEST PLANS PANEL



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Originator: Nigel Wren
Tel: 0113 3951817

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 31st January 2013

Subject: APPLICATION 12/04762/LA – PROPOSED REPLACEMENT
PRIMARY SCHOOL WITH MULTI USE GAMES AREA, WIDE LANE, MORLEY.

APPLICANT

Leeds City Council

DATE VALID

15th November 2012

TARGET DATE

14th February 2013

Electoral Wards Affected: Morley North <input type="checkbox"/> Ward Members consulted (referred to in report)	Specific Implications For: Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/>
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RECOMMENDATION: GRANT PERMISSION subject to the following conditions

1. Time limit (3 years).
2. Development to accord with approved plans.
3. Details of levels to be submitted and approved.
4. Materials details and samples of external walling and roofing to be submitted and approved.
5. Surface materials to be submitted and approved.
6. Details of boundary treatments to be submitted and approved.
7. Trees to be retained and safeguarded.
8. Landscape scheme to be submitted and implemented.
9. Landscape management plan.

10. Aftercare scheme.
11. Arboricultural method statement.
12. Biodiversity protection and enhancement measures to be submitted and approved.
13. Area used by vehicles laid out, surfaced and drained.
14. Details of cycle parking and storage to be submitted and approved.
15. Submission of travel plan to be agreed.
16. Scheme to detail off site highway improvement and pedestrian safety measures.
17. Specified operating hours (construction); no Sunday / Bank Holiday operations.
18. Construction management plan to be submitted and approved.
19. Scheme to detail dust suppression.
20. Scheme to detail mud prevention
21. Screening arrangements for bins and sprinkler tank.
22. Separate systems of drainage for surface water and foul to be submitted and approved.
23. Details of works for dealing with surface water discharges to be submitted and approved.
24. No piped discharges of surface water until completion of drainage works.
25. Feasibility study into the use of infiltration drainage methods to be submitted and approved.
26. Scheme for surface water discharge from the development.
27. Sprinkler details and screening to be submitted and approved
28. Oil / grease Interceptor to be submitted and approved.
29. No development to take place with 3.5m of a sewer.
30. Details of external lighting to be submitted and approved.
31. Plans to require 1:20 typical detailing of door / window and eaves treatment to be submitted and approved.
32. Temporary sports pitches to be provided.
33. Details of playing pitch layout and specification to be submitted.
34. Community use agreement to be submitted and approved.
35. Amendment of remediation statement to be submitted and approved.
36. Submission of verification report to be submitted and approved.
37. Report on unexpected contamination
38. Litter control action plan to be submitted and approved.
39. Submission of sustainability scheme to minimise carbon output and deliver renewable energy.

Reasons for approval:

In reaching a decision the case officer dealing with the application has worked with the applicant in a positive way by assessing the proposed development in a prompt and reasonable manner to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and the content and policies within the Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR). In particular, the application is considered to comply with UDPR policies BD5, GP5, GP11, GP12, LD1, N6, N12, N13, R5,T2,T7A 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 Children's Services have concluded a statutory process which aims to deliver additional primary school provision on the site of the existing Morley Newlands Primary School. This proposal was approved by Executive Board at their meeting of 16th May 2012. The demand for additional primary school places is set out in a supporting statement prepared by Children's Services which indicates that within this catchment a three form entry to accommodate an additional 210 children is required plus a nursery provision of 39 places. The existing school roll is currently 420 the proposed new school will therefore increase the size to 630 plus 39 nursery school places.
- 1.2 The existing school is in a poor and dilapidated condition. This combined with a plethora of portable and dated buildings, which are spread across the site in an ad hoc manner, fail to create a stimulating and inspiring learning environment. The removal of these buildings and replacement with a modern and purpose built new school should be welcomed.
- 1.3 This application is presented to Members for determination following an earlier pre-application presentation to Plans Panel South and West on the 11th October 2012. At the time of the initial pre-app presentation Members were supportive of the proposal and the general design solution. Members did seek assurances however that the increase in school numbers would not have a harmful impact upon the highway network and sought details in terms of supporting mitigation measures. The proposal is now presented with a package of supporting highway proposals.

2.0 PROPOSAL:

- 2.1 The project is to build a new three form entry primary school to accommodate a further 210 pupils together with a 39 place nursery on the site of the existing Morley Newlands Primary School together with parking, a new safe route to school, new playing pitch, multi use games area and landscaping. The existing school will remain operational during the proposed construction period of May 2013 to July 2014.
- 2.2 This process will involve retaining the existing school until the new development is available for use, and due to the sites limitations, the scheme involves development on existing playing pitches to the south of existing school buildings. Once available the original buildings are to be demolished and replaced with a modern and suitably laid out playing pitch to compensate for the initial loss. In addition a MUGA is also proposed close to the eastern boundary of the site. During construction the school has access to the local park for informal sporting arrangements as agreed with Parks and Countryside as well as the local schools offering use of their sporting facilities for such as sports days or school football / rugby fixtures although it is worth noting that the school at present does not have formal team fixtures on its grounds. This will be continually reviewed through the project to make sure that the proposals allow the school to deliver its curriculum successfully.
- 2.3 The current access arrangements via Albert Road will remain, albeit improved with a new access / egress arrangement. Additional staff parking is provided as well as disabled pupil / parent parking. A new footpath link is also proposed from the south east of the site via Newlands Drive to encourage safer access to the school as well as encouraging sustainable methods of travel. To help alleviate the consequences of increasing school numbers by a third a detailed highway / traffic management scheme has been prepared and this is discussed in more detail under the highway section of this report.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is situated off Wide Lane to the south and fronted by Albert Road to the west. To the north and east lie residential units. The main school building is two-storey and part single storey in height. The main school building is constructed of brick, and part single and two storey in height. There are several existing prefabricated units located in the site with the remainder of the site used as a playing field and parking areas. Land levels across the site vary due to various undulations but generally the incline is towards the southern aspect of the site. The school site is bordered by palisade fencing. The surrounding area is largely residential in character.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 09/00042/FU – Detached block of 3 prefabricated classrooms – Approved 29/4/09
23/60/04/FU – Renewal of permission for temporary prefabricated classroom units – Approved 30/3/04
23/328/03/FU - Detached prefabricated classroom to school – Approved 29/7/03
23/261/00/FU - Detached prefabricated classroom to school – Approved 19/9/00
23/194/99/FU – Detached prefabricated classroom to school – Approved 10/8/99
23/379/96/FU - Detached prefabricated community centre to school – Approved 20/12/96
23/120/84/ - Detached prefabricated classroom to school - Withdrawn
23/163/83/ - Detached prefabricated classroom to school – Approved 4/7/83
23/618/78 - Detached prefabricated classroom to school – Approved 18/9/78
23/145/75/ - Detached prefabricated classroom to school – Approved 5/5/75

In addition there are various consents for extensions and alterations to the main school building.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers have been engaged in pre-application discussions with the applicant since mid 2011.
- 5.2 A public consultation event was held on the 19th September and attended by Ward Members, members of the local community, local community groups and parents. Governors, teachers, pupils and members of the design team. Positive feedback was received on the whole praising the form of the building, the design of the interior / exterior spaces and the improvements to vehicular / pedestrian access. An issue was raised about the new pedestrian entrance from Newlands Drive and the impact this will have on traffic and noise.
- 5.3 Children Services also met with Local Councillors on the 5th September to discuss the scope of the scheme. The feed back was generally positive.
- 5.4 Following receipt of the application a meeting was held with Members of Morley Town Council held on the 11th January 2013 in response to comments received through the public consultation process and which are documented in section 6.2 of this report. The applicant has responded to

this by issuing amended plans which respond to the points raised in terms of producing a daylight / sunlight study, confirmation of the quality of the materials to be used and to address discrepancies in the planning drawings. The amended layout also shows the repositioning of the MUGA, increasing the separation distance to the eastern boundary to **5 M as well as changes to the internal configuration of footpaths and the extent of hard surfacing in order to retain additional trees.**

6.0 PUBLIC / LOCAL RESPONSE

- 6.1 The application was advertised by means of site notice and newspaper advertisement.
- 6.2 Two letters of comment have been received from Morley Town Council who support the principle of developing a new school but have sought clarification in relation to the siting of the proposal and its orientation in terms of maximising daylight / sunlight provision. Further clarification has also been raised in respect of the proposed use of cedar cladding as a material and its appropriateness. Comments have also been made in relation to the proposed highway mitigation measures and it is suggested that the restrictions to introduce resident only parking should be considered to include Newlands Drive and surrounding narrow estate roads. A further point that was raised concerned discrepancies in the plans in relation to the siting of the amphitheatre as it is shown within the layout plan and landscaping drawing with a conflicting orientation.
- 6.3 One letter of support has been received from a local resident who welcomes the opportunity to introduce new investment into the area with modern state of art educational facilities. It is further considered that the design of the building is well considered and that the public consultation process has been of benefit. Further comments are made in relation to the need to manage car parking as well as effective traffic management as well as supporting highway mitigation proposals.

7.0 CONSULTATION RESPONSES

7.1 Statutory:

Sport England - No objection subject to conditions.

Highways - No objection in principle subject to conditions.

Environment Agency - No Objection subject to conditions.

7.2 Non – statutory :

Yorkshire Water – No objection subject to conditions.

Flood Risk Management - No objection in principle subject to conditions.

8.0 PLANNING POLICIES:

- 8.1 The Development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012.
- 8.2 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination.
- 8.3 As the Council have resolved to move the Publication Draft Core Strategy to the next stage of independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.
- 8.4 The existing school buildings and hard play areas are unallocated in the Adopted Leeds UDP (Review, 2006). The playing fields are allocated as a Protected Playing Pitches. The proposed plans shows the development to be constructed on allocated Protected Playing Pitches, Policy N6.
- 8.5 There are a number of relevant policies in the adopted Leeds UDP Review (2006) as follows:

BD5: New buildings should be designed with consideration of their own amenity and surroundings.

LD1: Landscape schemes to provide visual interest.

GP5: Development proposals should resolve detailed planning considerations.

GP11: Sustainability measures.

GP12: Carbon reduction measures.

N12: Urban design: Spaces between buildings of importance, new buildings should be good neighbours and respect character and scale of surroundings.

N13: Building design should be high quality and have regard to character and appearance of surroundings.

R5: Training and employment

T2: Development should not create problems of highway safety.

T24: Parking standards should be met.

8.6 Supplementary Planning Guidance / Documents:

SPG Neighbourhoods for Living.

8.7 National Planning Guidance:

National Planning Policy Framework

9.0 **MAIN ISSUES**

1. Principle of development
2. Suitability of the site and relationship to adjacent
3. Design and layout issues
4. Impact upon surrounding residential amenity and living conditions
5. Highway issues
6. Landscape / tree issues
7. Other issues
8. Conclusion

10.0 **APPRAISAL**

Principle of 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 development plan unless material considerations indicate otherwise.
- 10.2 The site is partially allocated as protected playing pitches N6 in the UDPR. As such the site forms part of, or constitutes a playing field as defined in Article 10(2) the Town and Country Planning (General Development Procedure) Order 1995 (as amended by SI 1996/1817 and SI 2009/453), in that it is on land that has been used as a playing field within the last five years, and the field encompasses at least one playing pitch of 0.2 ha or more, or that it is on land that allocated for the use as a playing field in a

development plan or in proposals for such a plan or its alteration or replacement. In this context it was necessary to consult Sport England as a statutory consultee.

- 10.3 The proposal involves the redevelopment of a primary school site, largely involving building new school buildings on the playing field and the relocation of the playing field onto the current school footprint. Sport England has had the benefit of pre application consultation on this proposal which has informed their response.
- 10.4 The basic plans have changed little from the pre application stage and figures have been submitted to quantify the 'before' and 'after' playing field areas; this shows that there would be a loss of -260 sq m of playing field. However we note the addition of a MUGA at 684.5 sq m; according to submitted plan 13-1083(90) D5b. In order to offset the loss of natural turf and meet Sport England's exception E4 policy, the proposal will need to comply fully with their design and technical specification for reinstatement of the playing field and design and layout of the MUGA, including carefully selecting the surfacing to support the range of sports to be played.
- 10.5 Sport England does not object to this proposal providing the following measures are secured by condition:-
- a) The playing field replaced to the north of the site would need to be like for like or better (in quantity and quality) and be able to fully support the range of pitch sports markings and training of the existing rugby league club as well as the school. This should include the MUGA to be Sport England compliant.
 - b) To resolve the temporary loss of playing field and community sport space while the new school would be under construction and the playing field will be out of use, which will require the applicant find nearby alternative pitch/es for rugby league community club access temporarily during construction. Sport England expect this to be secured by planning condition.
 - c) New sports facilities should be made available to the community and secured by a community use agreement or scheme.
- 10.6 Members should also be mindful of a new policy statement issued jointly by the Secretary of State for Education and the Secretary of State for Communities and Local Government on the 15th August 2011. This sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. It goes on to say that the Government believes that the planning system should operate in a positive manner when

dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

i) There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.

ii) Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

10.7 Against this background it is considered that the principle of development is acceptable.

Suitability of the site and relationship to adjacent area

10.8 The site is currently an operational school site, and as such, no objections are raised in principle to the proposed development in respect of its impact on the immediate environment and local highway network subject to appropriate mitigation measures.

Design and layout issues

10.9 The proposed new school involves a combination of single storey and two storey elements which are angled to reflect the geometry of the site. The positioning of the school at the junction of Wide Lane and Albert Road provides the opportunity to make an architectural statement to the road frontage. At this juncture the school is at a two storey scale and with steep mono pitched styled roof. The design uses the building to make a frontage to the roads and act as a buffer to the play spaces. Classrooms face as far as practicable away from the roads to allow a passive ventilation system to be used, with service spaces facing onto the road. The site's incline is dealt with at the 'knuckle' point to make a step up the site whilst keeping level changes to a single point within the building. At this point the scale and massing of the building is also reduced down to a single storey level.

10.10 Located behind the main frontage is both single and two storey elements which provide office space, circulation corridor and hall. Essentially these are flat roofed and designed to create a court yard enclosure to the rear of the site to provide informal play space.

10.11 The main school entrance is taken off Albert Road where a new square or Plaza offers a meeting point outside the school entrance away from the road for parents / carer's and their children. Community facilities are

located off the main entrance plaza and are sectioned off from the main school to allow for anytime use and the safe guarding of the pupils.

- 10.12 The proposed building style is of a simple form and of a traditional construction. The various single storey and two storey components of the proposal sit comfortably together and incorporate consistent and regular fenestration which is also articulated with a simple palette of materials. Additionally, and taking into account changes to the roof form, including monopitch, hipped and pitched and flat roof arrangements, it is considered that this helps create visual interest and variation.
- 10.13 The proposed scale and massing of the building is not out of keeping with the character of the immediate residential area. In this context, the proposed scale and massing of the development has been assessed in relation to its surroundings, topography, the general pattern of heights in the area as well as views, vistas and landmarks. It is considered that the proposal satisfies RUDP planning policies BD5 and N12 in this regard and represents an acceptable design solution.
- 10.14 The materials palette proposed includes brick / render/ timber and standing seam metal for the pitched roofs and single ply membrane for the flat roof areas. It is proposed that the large hall would have composite cladding and wall light panels to provide clerestory lighting. The appearance of the development adopts a simple but contemporary style. Clerestory windows below the hall roofline will give the impression of a floating roof at times when the hall is artificially lit.
- 10.15 Observations have however been raised in relation to the proposed use of timber cladding and its durability. In this regard the applicant has given an undertaking that only high quality treated red cedar cladding is to be used and that this will be guaranteed for 25 years. In essence this form of cladding is not a dominant feature within the proposals, and it is used in a limited way to break up the brick massing and to introduce some visual relief. Additionally it is suggested that this matter, in any event, is conditioned to ensure that such a quality is assured. Against this background it is considered that the proposal is of an acceptable design quality and satisfies Revised UDP policies N12 and N13.
- 10.16 The proposed layout also includes the re-provision of a new playing pitch, to the north of the site once existing buildings have been removed and also a new MUGA to the east of the site. Although acceptable in principle, amended plans have been received which repositions the MUGA further away from the eastern boundary in order to improve the outlook and living

conditions of surrounding residents. Elsewhere the scheme also proposes hard surfaced outdoor play areas as well as an amphitheatre.

- 10.17 In response to observations received, the applicant has produced a daylight / sunlight study which demonstrates that the play area and amphitheatre is suitably located.

Impact upon surrounding residential amenity and living conditions

- 10.18 The proposed development has to be considered in terms of its impact upon the residential amenity afforded to nearby residents. The development is located within an existing operational school boundary, the proposed development will be sited to the south of the site and closer to Wide Lane which is a busy radial road with housing beyond. To the west is Albert Road with housing located beyond this point. To the east, the proposed side elevation of the school, in which windows are shown, would be closer to the nearest housing than the existing arrangement, but at this point, the proposal would be at a single storey scale. It is therefore considered there is no direct overlooking and the separation distances from building to building would be in excess of 21metres.
- 10.19 To the north of the site although it is proposed that all existing buildings are to be removed the servicing arrangements will be contained in the north west corner the school, similar to the existing arrangement albeit the use will be intensified. To the immediate north a new playing pitch is proposed and to the north east a MUGA. The siting of the MUGA, as described above, has been repositioned further away from the eastern boundary to increase the separation distance to the nearest dwellings and although no flood lighting is proposed, this will enable meaningful planting and screening measures to be introduced by means of planning condition. It is considered that the living conditions of surrounding residents have been safeguarded in this regard and satisfies policy GP5 of the Revised UDP.
- 10.20 The proposed footpath link via Newlands Drive has also been considered in terms of its impact upon the surrounding residential amenity. The footpath itself already exists and is used to connect Newlands Drive to Wide Lane and visa versa.

10.21 The proposal involves, in part, widening this footway and creating a spur off it to provide access directly to school and thus avoiding parents / pupils the need to walk around to the main school entrance off Albert Road. In this such circumstances given the footway link is existing it is considered that the additional link will cause no demonstrable planning harm albeit the likely use of such will be intensified given the increase in school numbers. This conclusion has been reached on balance taking into account the existence of the path already and all other highway mitigation measures aimed at encouraging walking and to cycling school and reducing the attractiveness of private vehicle journeys. Against this background, it is therefore considered that the proposed development will not conflict with Revised UDP Policy GP5 in this regard.

Highway Issues

10.22 The Council's Highway Engineer has raised no objections to the principle of development.

10.23 A transport assessment has been submitted in support of the proposal that concludes that the scheme would not have an unacceptable impact on the operation of the local highway network. A package of highway improvement measures is also proposed to improve accessibility to the site and mitigate the effect of the additional vehicular traffic / parking that is likely to be generated by the enlarged school. These measures include: footway widening across the Albert Road frontage, extending school clear markings, relocating bus stops, tactile paving, guard railing, additional signage, new pedestrian crossing on Wide Lane and other supporting measures.

10.24 Consideration was also given to introducing a residents only parking scheme along and around Newlands Drive, however after consultation with highway colleagues it was agreed that this measure should not be pursued. Essentially this was due to the fact that resident only parking would not prevent dropping off and picking up, but which would introduce restrictions on the living conditions of existing residents in terms of visitors and deliveries etc.

10.25 The existing site layout is currently served by a narrow car park access off Albert Road and a secondary access that appears to have been historically used as a part-time service entrance. This is similarly narrow and incapable of allowing two vehicles to pass. The proposed vehicle access arrangements, which will comprise of separate entry / exit points with respective widths of approximately 5.5m and 6m, and this is regarded as an improvement over the existing situation.

10.26 The school currently has 53 members of staff and car parking provision for such is only 17 spaces. The proposed school would employ 75 members of staff and the proposed off-street car parking provision of 38 spaces is in accordance with the RUDP car parking guidelines. In terms of cycle parking, the required level of parking for this mode of travel will be determined by the expected demand predicted by the school travel plan. The applicant has provisionally indicated that 30 cycle spaces are to be provided. It is therefore considered that policies T2 and T24 of the Revised UDP are satisfied.

Landscape / tree issues

10.27 The Council's Landscape Architect has commented on the proposal and has made no objection to the principle of development subject to conditions to protect the trees during construction as well as their tree root zones. It is also considered that a landscaping condition should also be imposed to provide further enhancement.

10.28 The proposed layout aims in part to utilise, as far as possible, previously developed areas of the site in terms of the access, circulation road and car parking provision. Tree cover across the site is limited and mainly confined to the periphery of the site. As the proposal does involve widening the existing footway across the site frontage to 3m and given there are a significant number of trees in this area, it will lead to the loss of such, although every attempt will be made to safeguard as many as possible. To this end **amended drawings have been received which aim to reduce areas of hard standing and reconfigure footpaths to retain as many trees as possible.**

10.29 Against this background it is considered that the proposal complies with policy LD1 of the Revised UDP.

Other Issues

10.30 A flood risk assessment has been submitted to accompany this application. The site falls within zone 1 of the SFRA map produced by Leeds City Council. This zone comprises of land assessed as having less than a 0.1% chance of annual probability of flooding. Against this background the Environment Agency has raised no objections to the principle of development subject to conditions.

10.31 Amended plans have also been received in relation to discrepancies described earlier in this report relating to drawings the proposed layout, tree removal, landscaping and phasing details. A full and accurate set of

composite drawings have now been received for consideration and presentation to Members.

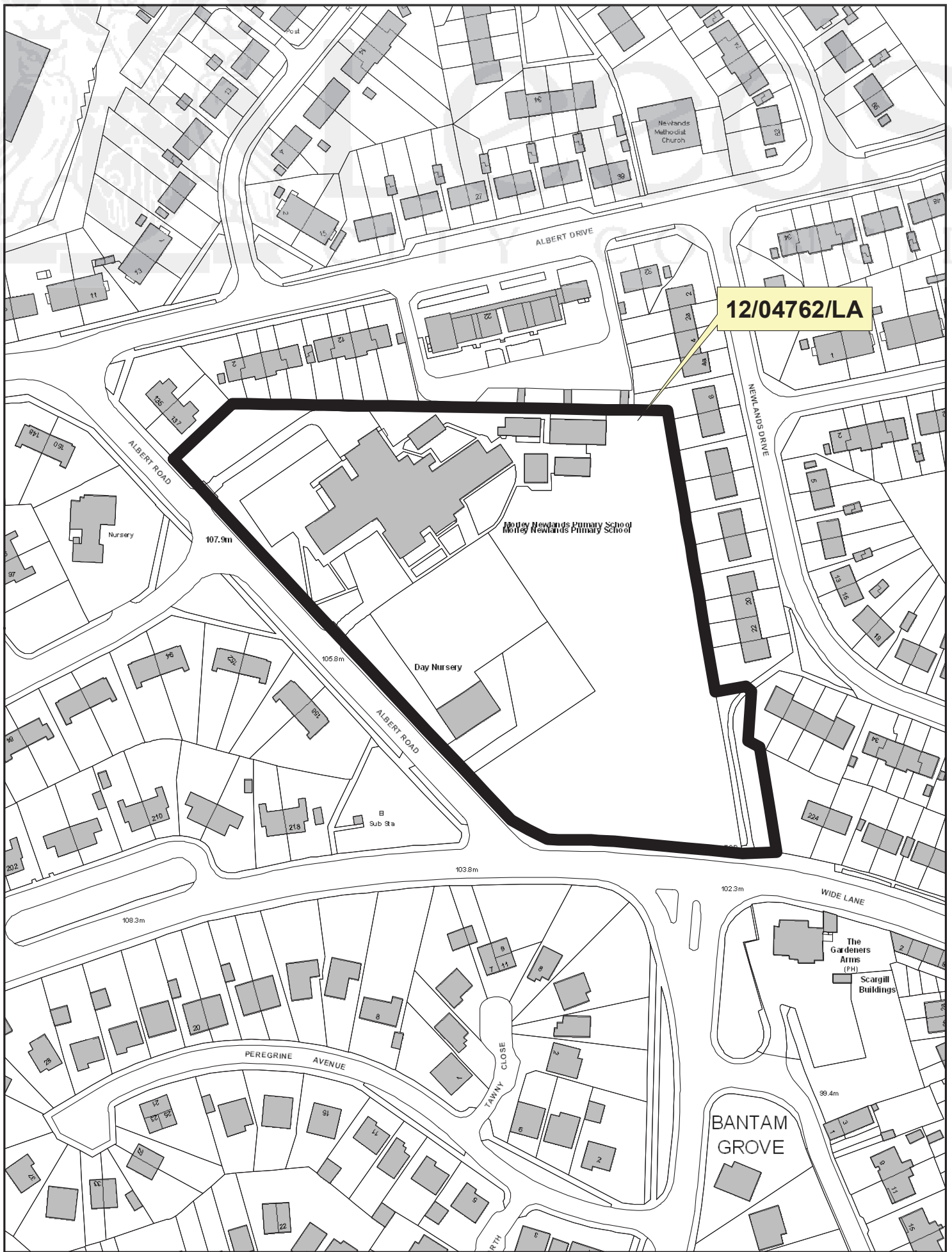
11.0 CONCLUSION

- 11.1 The proposed development is considered to be acceptable in planning terms and lies within an area of sufficient size to accommodate such a use without having a detrimental impact upon both the visual and residential amenity of the area as well as its general character.
- 11.2 Overall, it is considered that the proposed scheme is of an acceptable quality in design terms and delivers extended and essential new teaching accommodation, replacing a depilated and outdated school. The new primary school will predominately serve its local catchment and colleagues in Children's Services have identified an overriding need for such a provision in this area.
- 11.3 Given the predicated short travel journeys it is considered that the impact upon the existing transport infrastructure will be limited. The scheme has also been redesigned with extended staff parking and separate access and egress arrangements. Measures to improve both pedestrian safety and highway improvements as well as green travel arrangements will help mitigate against any potential traffic impacts should they arise. Significant weight should also be given to the fact that improved benefits to the local community will also arise from not only this new educational facility but also improved sports facilities as well as wider community use opportunities.

12.0 BACKGROUND PAPERS

- 12.1 09/00042/FU – Detached block of 3 prefabricated classrooms – Approved 29/4/09
23/60/04/FU – Renewal of permission for temporary prefabricated classroom units – Approved 30/3/04
23/328/03/FU - Detached prefabricated classroom to school – Approved 29/7/03
23/261/00/FU - Detached prefabricated classroom to school – Approved 19/9/00
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5/5/75



12/04762/LA

SOUTH AND WEST PLANS PANEL



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