



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 16th April, 2015
at 1.30 pm

MEMBERSHIP

Councillors

P Gruen
S Hamilton
E Nash
N Walshaw
M Ingham
J Lewis
J McKenna
(Chair)
C Gruen

C Campbell

R Procter
G Latty

T Leadley

D Blackburn

Agenda compiled by:
Angela Bloor
Governance Services
Civic Hall
Tel: 0113 24 74754

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p data-bbox="678 427 970 461">SITE VISIT LETTER</p> <p data-bbox="678 568 1401 640">APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p data-bbox="678 719 1382 860">To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p data-bbox="678 902 1385 1043">(*In accordance with Procedure Rule 15.2, 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 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>	
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>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY 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 13-16 of the Members’ Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			APOLOGIES FOR ABSENCE	
6			MINUTES To approve the minutes of the City Plans Panel meetings held on 10 th March and 26 th March 2015 (minutes attached)	5 - 12
7	City and Hunslet		REVOCAION OF HAZARDOUS SUBSTANCE CONSENTS - FORMER YORKSHIRE CHEMICALS SITE, OTTER ISLAND, WELLINGTON ROAD, LEEDS To receive and consider the attached report of the Chief Planning Officer regarding the revocation of hazardous substance consents (Pursuant to 13/05566/FU).	13 - 16
8	Pudsey	10.4(3)	APPLICATION 14/06808/FU - LAND NORTH OF TYERSAL LANE, TYERSAL To receive and consider the report of the Chief Planning Officer regarding an application for a residential development of 272 houses with associated roads and infrastructure	17 - 30
9	City and Hunslet		PREAPP 15/00032 - THE RUTH GORSE ACADEMY, BLACK BULL STREET, HUNSLET To receive and consider the attached report of the Chief Planning Officer regarding a pre-application for a proposed school. <i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i>	31 - 42

Item No	Ward	Item Not Open		Page No
10	City and Hunslet		<p>PREAPP 15/00157 - LAND AT DAVID STREET, HOLBECK</p> <p>To receive and consider the attached report of the Chief Planning Officer regard a pre-application presentation for a proposed residential development.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i></p>	43 - 52
11	Bramley and Stanningley; Horsforth; Kirkstall		<p>PRE-APPLICATION/POSITION STATEMENT - KIRKSTALL FORGE DEVELOPMENT</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a position statement/pre-application presentation on the progress of the Kirkstall Forge Development in accordance with outline planning permission 11/01400/EXT for a mixed use development comprising residential, offices, leisure, hotel, retail & bar/restaurants including access, site remediation, construction of bridges and river works, car parking and landscaping</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i></p>	53 - 58
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday 14th May 2015 at 1.30pm</p>	

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Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

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To all Members of City Plans Panel

Chief Executive's Department
Governance Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Angela M Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: site visits
Date 7 April 2015

Dear Councillor

SITE VISITS – CITY PLANS PANEL – THURSDAY 16 APRIL 2016

Prior to the meeting of City Plans Panel on Thursday 16 April 2015, the following site visits will take place:

10.00 a.m.		Application 14/06808/FU – Land north of Tyersal Lane
11.00 a.m.		Preapp/15/00157 – Land at David Street, Holbeck
11:45 a.m.		Preapp/15/00032 – The Ruth Gorse Academy, Black Bull Street, Hunslet

For those Members requiring transport, a minibus will leave the Civic Hall at **9.30 a.m.**. Please notify Daljit Singh (Tel: 247 8010) if you wish to take advantage of this and meet in the Ante Chamber at **9.25 a.m.**

Yours sincerely

Angela M Bloor
Governance Officer

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CITY PLANS PANEL

TUESDAY, 10TH MARCH, 2015

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, R Procter,
D Blackburn, S Hamilton, T Leadley,
E Nash, N Walshaw, M Ingham, J Lewis,
C Gruen and J Procter

144 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

145 Exempt Information - Possible Exclusion of Press and Public

RESOLVED - That the public be excluded from the meeting during consideration of the following part of the agenda designated exempt on the grounds that it is likely, in view of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as designated as follows:

The appendix to the main report referred to in minute 149 under Schedule 12A Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4 (3) and on the grounds it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

146 Late Items

There were no formal late items, however the Panel was in receipt of supplementary information in respect of Application 12/02571/OT land between Wetherby Road, Skeltons Land and York Road and Application 15/00651/FU – River Aire at Leeds Weir, which had been circulated to Members in advance of the meeting and had been published on the Council's website (minutes 149 and 150) refer

147 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest

148 Apologies for Absence

Draft minutes to be approved at the meeting
to be held on Thursday, 26th March, 2015

Apologies for absence had been received from Councillor G Latty, with Councillor J Procter substituting for him. Apologies had also been received from Councillor Campbell

149 Application 12/02571/OT - Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping - Land between Wetherby Road Skeltons Lane and York Road LS14

Further to minute 120 of the City Plans Panel meeting held on 29th January 2015, where Panel considered a position statement on an outline application for a major, residential-led development on the Northern Quadrant of the East Leeds Extension, Members considered a further report of the Chief Planning Officer setting out the formal application. Appended to the report were minutes of the City Plans Panel's previous discussions on the proposals, together with details of the S106 proposals and the delivery triggers for the payment of the planning contributions. An exempt appendix which contained financial information was also appended to the report

Plans, drawings, photographs and a schedule setting out the key milestones of the proposals were displayed at the meeting. It was noted that Members had last visited the site ahead of the meeting on 29th January 2015

Officers presented the report and outlined the main issues in respect of:

- East Leeds Orbital Route (ELOR) – that the Council had obtained funding for the whole of ELOR from the West Yorkshire Transport Fund; that it was anticipated that the road would be open by 2021 and that if the application was approved, only 250 dwellings could be constructed on the site by 2021
- affordable housing – that the policy requirement was for 15% affordable housing; that Members had required a higher level; that now 12% affordable housing had been guaranteed through a correction in the cost of ELOR; funding proposed for Metrocards being redirected, in line with Members' comments at the meeting in January 2015; funding from off-site public transport works and a further contribution from the developers of £557,371. In addition to this, there was provision for further excesses through the roof tax payments which could take the level of affordable housing to be achieved on the site to 14%
- highways – that a key concern raised in the consultation process had been the proposed closure of Red Hall Lane at the eastern end and that a sum of money had been put aside to address any unforeseen highway impacts arising from this closure, as well as unforeseen impacts elsewhere arising from the development
- the split between the amount of social rented dwellings and sub market dwellings in the affordable housing provision; in a 40/60 split; that the Core Strategy reversed these amounts however a more pragmatic approach was being proposed to this site and that 60% submarket and 40% social rent was being recommended to Panel

- that in the event Panel was minded to approve the scheme and that the S106 had not been signed before 6th April, when CIL came into effect, there were implications for the scheme under the CIL regulations

The Panel then heard from an objector who was representing local residents and who set out local concerns about the scheme which included:

- the sustainability of the development
- the design of ELOR
- the extent of the greenspace provision
- proposed road closures
- the impact of increased traffic in the area
- the location of the Country Park

The Panel then heard from representatives of the applicant who provided information which included:

- the quantum of open space being provided
- that the location of the Country Park was appropriate and accessible
- that ELOR would lead to environmental enhancements
- that sustainable transport measures were being provided

In response to questions from the Panel it was confirmed:

- that the segregated cycling facilities formed part of ELOR and would be delivered alongside the road
- that if approval was granted it was hoped that one of the house builders could start on site within a year
- that the first components to be provided would be the roundabouts which would be in place prior to house building commencing
- that the Country Park would form part of a wider Council strategy to create a green edge around the east of the City; that it would provide amenity for every resident on the site; was within walking distance and to re-site the Country Park to the west side of ELOR would reduce the number of dwellings delivered on site
- that, subject to outline approval of the whole site, a planning application for the Country Park was likely to be submitted in 2016
- that the local centre would be marketed prior to it being built; that it would not comprise solely of retail but could include accommodation for older people, as well as health and community facilities, however a critical mass of around 500 people was needed initially

At this point, having resolved to consider the financial viability information in private, the public withdrew from the meeting

A representative of Sanderson Weatherall, who had been engaged by the Council to independently assess the financial viability appraisal submitted

by the applicant was in attendance and in addition to presenting his appraisal responded along with Officers to comments and questions from the Panel

The main areas of discussion related to:

- land values
- profit levels
- the level of affordable housing being offered
- the cost of ELOR
- the level of the roof tax and how this figure had been arrived at
- the collection of the roof tax and implications for using those contributions which were collected late in the development
- building costs and that further information sought from one of the proposed house builders had not been provided
- the viability of the scheme if it complied with all policy requirements

At this point, the public were readmitted to the meeting

The Panel discussed the application, with the key issues being raised relating to:

- the housing mix as set out in the submitted report and whether this did comply with the Core Strategy. Members were informed that the housing mix would form part of the assessment of Reserved Matters, if the scheme was granted outline approval. The Executive Member for Neighbourhoods, Planning and Personnel, sought an amendment to details of the housing mix in the submitted report, for the avoidance of doubt
- education provision; concerns that insufficient details had been provided; the need to properly consider secondary education provision, particularly due to the high number of pupils living in the Inner East area who were transported daily to high schools in Wetherby and Boston Spa and the cost implications of this. Concerns were also raised about primary provision. It was reported that Ward Members were supportive of off-site provision at the start of the development but that this must be in the right location and subject to consultation with Ward Members
- highways issues and concerns about the traffic implications for areas around the site during the construction process and prior to the provision of ELOR
- greenspace provision; where the aspiration of a Country Park had emanated from; that due to its location it would only benefit people living on the eastern most part of the site and that further work was required in respect of the landscape buffer to be provided along the northern edge of the site. It was accepted at this late stage why further consideration of the siting of the Country Park would be problematic, however if outline approval was granted, safe and accessible routes to the Country Park must be an important factor when considering Reserved Matters applications

- viability issues and that the full policy requirements should be met, with 15% affordable housing being provided; that this should be achievable and that developers had already benefitted from a reduction in the affordable housing levels as part of this site had originally been in the 35% zone
- the high level of consultation by the developers on this scheme and the need for this to be formalised through the process
- the provision of ELOR; that whilst developers had indicated at appeal they could provide this, they had not done so and that the Council were now promoting this, with a letter of comfort being provided by the Council to give certainty
- that a mixed-use local centre was required which would include much needed health facilities
- the need to ensure the sum set aside for local traffic re-routing was sufficient
- the importance of the housing mix
- the need for timescales to be provided in respect of the roof tax payments and for Ward Members to be involved
- that at the more detailed stages of the planning process, information on local traffic movements; build out rates; construction methodology and the proportion of older people's accommodation would need to be provided
- provision of water butts, particularly in view of comments by Yorkshire Water about sewer capacity and that Cock Beck was known to flood. Officers advised that this would be picked up at Reserved Matters stage
- the need for all parties to work together to see if reductions could be made to the cost of ELOR which could lead to increased affordable housing

The Panel considered how to proceed

It was felt that the recommendation within the submitted report was at variance with Members' views

A suggestion was made for further information to be provided to Members of the mechanism for reaching a level of 15% affordable housing in due course and that if this could not be agreed, the matter should be referred back to Panel. The impending implementation of CIL was noted, as was Members' views that 15% affordable housing was required on this site and that an amendment to the recommendation to specify 15% affordable housing was proposed and supported

The Head of Planning Services and the Panel's legal adviser sought clarification of what was being proposed, for the avoidance of doubt

RESOLVED - To defer and delegate approval to the Chief Planning Officer on the grounds set out in the submitted report, subject to an amendment to the affordable housing provision which should be on-site at a guaranteed level of 15%, in a 60/40 split and in the event this could not be agreed upon, that a further report be submitted to Panel and to note this could be after 6th April when the CIL regulations would come into force

150 Application 15/00651/FU - Variation of condition 18 of previous approval 14/01511/FU for minor material amendment relating to use of external facing materials at River Aire at Leeds Weir (Crown Point)

Plans, photographs and graphics were displayed at the meeting

The Panel considered a report of the Chief Planning Officer on proposals for a variation of condition 18 of the previously approved application for flood defences and the replacement of the existing Leeds and Knostrop Weirs with moveable weirs, as part of the Leeds Flood Alleviation Scheme. A further update report on the application had been circulated prior to the meeting, with Members also having regard to this supplementary document

The application sought approval for the use of concrete for the external facing material for the piers at Leeds Weir, which although this material had been proposed to be used originally, in approving the scheme, Members had required stone be used to construct the piers, with this being controlled by condition

The Deputy Area Planning Manager presented the report and advised Members that the applicant had appointed a contractor however further consideration of the use of stone had taken place with the following issues being raised with Planning Officers:

- the increased construction requirements if stone was used
- there would be an increased maintenance liability
- significant health and safety risks with that maintenance
- significant increase to the cost of the project and a delay to the implementation of the scheme of over 2 months

It was reported that that use of concrete was considered to be the most appropriate engineering solution

In terms of the character of the area, this was varied, with different buildings constructed from a range of materials and from a planning perspective, the main consideration was the impact of the proposals on the character and appearance of the Conservation Area

Conservation colleagues had confirmed that the historic significance of the weir was based on its use and location rather than its detailed construction and that the Canals and Rivers Trust was satisfied with the proposals and that English Heritage and the Environment Agency did not object to the proposals

The Panel discussed the application and commented on the quality of the concrete to be used and the possibility of matching the colour of the concrete to the heritage weir. The Chair invited a representative of the applicants to respond to the issue of the colour of the concrete, with Members being informed it would be possible to colour match the concrete, although when wet, algal growth would occur and over time, the concrete would colour naturally

RESOLVED - To grant approval for variation of condition 18 to allow the use of high quality concrete (option 4) as an external facing material, with the colour of the concrete to match the heritage weir and subject to agreement of a sample panel

151 Date and Time of Next Meeting

Draft minutes to be approved at the meeting
to be held on Thursday, 26th March, 2015

Thursday 26th March 2015 at 1.30pm in the Civic Hall, Leeds

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Originator: Paul Kendall
Tel: 0113 2478196

Report of the Chief Planning Officer

PLANS PANEL: CITY PLANS PANEL

Date: 16th April 2015

Subject: Revocation of Hazardous Substance Consents at former Yorkshire Chemicals site, Kirkstall Rd

APPLICANT	DATE VALID	TARGET DATE
N/A	N/A	N/A

<p>Electoral Wards Affected:</p> <p>City & Hunslet</p> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block; vertical-align: middle;"></div> Ward Members consulted (referred to in report)	<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:

GRANT AUTHORITY TO PURSUE A REVOCATION ORDER UNDER SECTION 14(1) OF THE PLANNING (HAZARDOUS SUBSTANCES) ACT 1990 (AS AMENDED) FOR ALL EXTANT HAZARDOUS SUBSTANCE CONSENTS AT THE FORMER YORKSHIRE CHEMICALS SITE, KIRKSTALL RD, LEEDS

1.0 INTRODUCTION:

- 1.1 This report is presented to Plans Panel as the Council's scheme of delegation does not grant the Chief Planning Officer authority to revoke hazardous substance consents.
- 1.2 The current owners of the site are supporting the Council in the revocation of the consents because they have recently received planning permission for the erection of 113 no. residential units on the land app. ref. 13/05566/FU (Otter Island). The requirement to revoke was explained clearly in the panel report to Members on 8th May 2014 and an obligation to carry out such was included within the Section 106

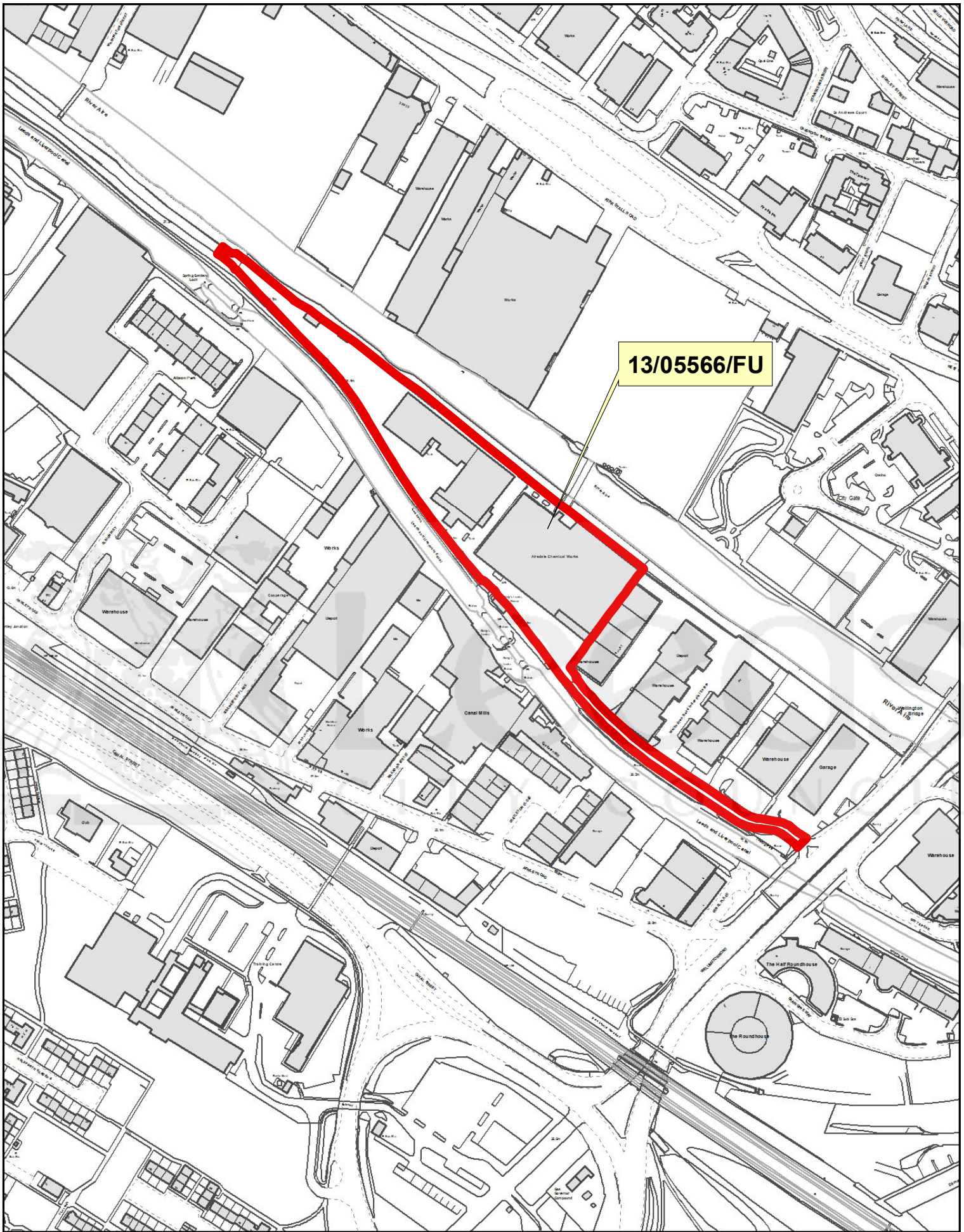
Agreement. This course of action was undertaken with the full knowledge and support of the HSE.

2.0 PROPOSAL:

- 2.1 The Council wishes to pursue a revocation of the extant hazardous substance consents associated with the former Yorkshire Chemicals site on Kirkstall Rd. The ownership of the site has changed since the consents were issued and the use for which the consents were issued has ceased and the buildings have been demolished. The site is being redeveloped following the grant of permission 13/05566/FU (dated 20th August 2014) for the construction of 113 dwellings.
- 2.2 If Members are minded to approve the issuing of the draft Revocation Order, this will then be sent to the Secretary of State for formal determination. Assuming no objections are received, the hazardous substance consents will then be formally revoked. The Council will then advise the HSE of the revocation and the HSE will remove their consultation zones associated with the site.
- 2.3 A copy of the draft Revocation Order is provided with this report at appendix 1.

3.0 LEGAL AND FINANCIAL IMPLICATIONS:

- 3.1 The Planning (Hazardous Substances) Act 1990 sets out the ways in which hazardous substances consents may be revoked. Section 14 provides a general power to revoke consents by way of order to be confirmed by the Secretary of State. Compensation is generally payable but in this case a Section 106 obligation has been signed which provides that no claim for compensation may be made.
- 3.2 The current owners have agreed to assist the council with the legal fees incurred with the revocation process.



13/05566/FU

CITY PLANS PANEL



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Report of the Chief Planning Officer

CITY CENTRE AND STRATEGIC PLANS PANEL

Date: 16th April 2014

Subject: APPLICATION NUMBER 14/06808/FU, Residential development of 272 houses with associated roads and infrastructure.

At: Land of Tyersal Lane, Tyersal, Leeds

APPLICANT

Gleasons Homes

DATE VALID

21.11.2014

TARGET DATE

20.4.15

Electoral Wards Affected:

Pudsey

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: For Members to note the content of the report and to provide feedback on the questions raised at section 9 of this report.

INTRODUCTION:

- 1.1 This report is brought to City Centre and Strategic Panel for information. Officers will present the current position reached in respect of this application to allow Members to consider the proposed planning gain contributions, which include no affordable housing, and a lack of on-site green space, the design of the development, and the proposed landscaping buffer to the adjacent green belt land.
- 1.2 The applicant has submitted a development appraisal which demonstrates that the scheme is not able to provide all of the normal sought planning gain contributions, based on the projected sale prices. Officers have instructed the District Valuer to independently assess the viability report, and they have agreed that the appraisal is reasonable. The findings are discussed at Confidential Appendix 1 of this report. This part of the report is classed as Exempt under Schedule 12A Local Government Act 1972 and Access to Information Procedure Rule 10.4 (3) which provides financial information concerning the business affairs of the applicant. It is considered that it is

not in the public interest to disclose this information as it would be likely to prejudice the applicant's commercial position.

2.0 PROPOSAL:

- 2.1 The proposal seeks full planning permission for 272 houses with associated roads and infrastructure.
- 2.2 It is proposed to access the site from Tyersal Lane with two separate accesses. The layout also includes two areas of on-site green space. The properties proposed are all 2 storeys in height, and consists of a combination of the following
 - 58, two bed semi-detached houses
 - 169, three bed houses
 - 45 four bed houses.
- 2.3 The proposal includes terraced, semi, and detached properties, some with integral and detached garages, 81 properties are detached.
- 2.4 The design of the properties has been categorised into two types 'urban' and 'rural'. The difference between these houses types is the fact the urban house type has a different coloured brick for the base, and quoins. The rural house type has a cross-bow window arrangement, and a string course in contrasting brick.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site consists of large Greenfield site, which is 9.1 hectares in size. The site lies on the very edge of the district of Leeds, adjacent to the Bradford district. The site has a frontage onto Tyersal Lane, which lies to the south, and is located within Bradford. Residential properties lie opposite to the site, across Tyersal Lane, these comprise of Local Authority constructed semi-detached houses and more modern in-fill developments of 1980's purpose built flats, accommodated within 4 storey blocks. This adjacent locality is known as the Holme Wood estate.
- 3.2 To the east, west and north lies open green land. The land to the north and east lies within the Green Belt. The open land to the west is a disused railway, which separates the site from the properties located on Sutton Crescent. This land is also designated along with this site for Employment purposes. The site has an irregular shape.
- 3.2 The main settlement of Tyersal lies to the north of the site but is separated by Green Belt fields. The south-eastern boundary of the site is bound by a dry stone wall. Adjacent to this is an unmade track which serves several remote properties located in Green Belt beyond this site. The site is relatively flat.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Planning Application 25/174/05/RE. Renewal of outline permission to erect industrial warehouse and business center. Approved 31.1.06. This consent has never been implemented.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A pre-application enquiry was submitted during the 2014 by Gleeson regarding the residential development of this site. The Local Planning Authority confirmed they would be supportive of the scheme in principle, subject to a detailed design and offer of normal planning gain contributions.

6 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was publicised by site notices which were posted adjacent to the site on 5th December 2014. To date six letters of objection have been received from local residents. The points raised in the objections received are highlighted below.

- The proposal will generate noise, in an area which is a quiet backwater
- The site suffers from flooding
- The site accommodates a lot a wildlife which will be lost.
- Local services such as school and GP surgeries are full to capacity
- More traffic on local roads, which already suffer from queuing etc.
- Gleeson's consultation as arranged at the last minute
- Proposal could take years to complete, causing serious disruption to nearby residents
- Other nearby brownfield sites should be developed instead of this green field
- Why is no affordable housing being proposed
- The strip of land between this site and Sutton Crescent will aid crime and be used by criminals
- Building on Green Belt land should not be allowed
- Loss of privacy on nearby occupants
- Question demand of housing in this locality
- Increased threat to highway safety
- Perceived increase in crime

Councillor Coulson and Lewis have objected to the application, but have not articulated any specific concerns, other than stating the scheme is poor and we should be seeking good design and normal planning gain contributions.

7.0 CONSULTATION RESPONSES:

7.1 Design

The development would be a standalone site in a locality of no character. The elevation treatments could be improved, and the layout could benefit from some amendments. However on balance the scheme is considered acceptable.

7.2 Transport Policy

Travel Plan Monitoring fee is required, along with Residential MetroCards (Bus only)

7.3 Contaminated Land

Require further information.

7.4 Local Policy

No objection to the principle of residential development. Require £535,630.72 in commuted sum towards green space, as on site provision (outside the Green Belt) is below adopted standards.

- 7.5 Mains Drainage
The layout should be amended to have the open space at the lowest point of the site, to allow for sustainable drainage measures
- 7.6 Education
Have requested commuted sum of £1,348,159. This sum is now covered by a CIL contribution.
- 7.7 Rights of Way
Surface improvements to Tyersal Lane are sought.
- 7.8 Yorkshire Water
Recommend conditions.
- 7.9 Bradford Council
- Confirmed they have no objection to the principle of residential development.
 - Are concerned that the proposal would leave a 40m wide area of vacant land to the south which would become ill-defined wasteland which could facilitate crime and anti-social and lead to a poorly functioning environment
 - Object on highway grounds to the signalling of the railway bridge on Tyersal Lane and consider this should be removed and the carriageway widen to allow 2 lanes of passing traffic.
 - Scheme should provide affordable housing, in-line with adopted Planning Policy
 - Contribution towards Education and Recreation should be made to Bradford Council, £682,936 to Education and £204,935 towards Recreation.

7 PLANNING POLICIES:

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.2 The Development Plan for the area consists of the adopted Unitary Development Plan Review (2006), the Natural Resources and Waste DPD (2012) along with relevant supplementary planning guidance and documents. The Local Plan (Core Strategy and Site Allocations Plan) was adopted in November 2014.
- 7.3 **Development Plan:**

Core Strategy

- SP1 Location of Development
- SP6 Housing requirement and allocation of housing land
- H1 Managed release of sites
- H2 New housing development on non-allocated sites
- H3 Density of residential development
- H4 Housing mix
- H5 Affordable housing
- G4 New greenspace provision
- EN5 Managing flood risk

- T1 Transport management
- T2 Accessibility requirements and new development
- P10 Design
- P12 Landscape
- ID2 Planning obligations and developer contributions
- N24 Transition between development and the Green Belt

Saved Policies of Leeds Unitary Development Plan Review (UDPR):

- GP1 Land use and the proposals map
- GP5 General planning considerations
- N25 Landscape design and boundary treatment
- T7A Cycle parking guidelines

7.4 Relevant Supplementary Planning Guidance:

Building for Tomorrow Today – Sustainable Design and Construction (2011):
 Sustainability criteria are set out including a requirement to meet BREEAM standards.
 Natural Resources and Waste Development Plan Document
 Neighbourhoods for Living – A Guide for Residential Design in Leeds
 Leeds Interim Affordable Housing Policy 2011
 Designing for Community Safety – A residential Design Guide
 Street Design Guide – Supplementary Planning Document
 Travel Plans – Supplementary Planning Document
 Public Transport – Developer Contributions

7.5 **National planning policy**

- Para 49 Presumption of sustainable development
- Para 56 Importance of Good Design
- Para 61 Importance of connections between people and places
- Para 63 Raising the standard of Design
- Para 72 Duty to ensure availability of school places
- Para 73 Access to high quality open spaces
- Para 80 Purposes of the Green Belt
- Para 87 Development of Green Belt, only in special circumstances
- Para 89 Appropriate types of development in the Green Belt

8 **MAIN ISSUES:**

- Principle of the development
- Layout / Design
- Affordable Housing/ CIL Contribution/ Viability Issues
- Green Space
- Landscaping
- Other Issues

9 **APPRAISAL:**

Principle of the development

- 9.1 The site is a vacant Greenfield site, which is allocated for employment purposes through the Leeds UDP, which is carried forward until the Site Allocation is adopted through the Core Strategy. The NPPF acknowledges that development proposals should accord with the development plan, but also has regard for flexibility to rapid change and demand.
- 9.2 The Employment Land Review concluded that this site be categorised as 'LDF to Determine' to assess whether the site had the potential to deliver employment within a new plan period as the site had been left undeveloped despite being allocated for employment purposes since 1996. This assessment undertaken as part of the 'Issues and Options' stage of the Site Allocations Plan proposes the site to be a 'red' employment site and a 'green' housing site. On this basis the site is not considered to be a deliverable employment site necessary to meet the employments needs throughout the plan period and is now included within the Councils five year housing supply.
- 9.3 The principle of developing this site (which is allocated for employment purposes) for residential purposes is therefore considered to be acceptable, subject to an assessment against all other normal development control considerations. **Would Members support the principle of Residential Development upon this site?**

Layout/ Design

- 9.4 The layout has been subject to much negotiation between Officers and the agent. The scheme has been amended to address Officers concerns which have resulted in the loss of 11 properties. The layout of the scheme is considered to be relatively generous in terms of the spacing between properties and rear gardens, and the density of the development. Properties face over two areas of open green space which is considered to be a positive element of the scheme. Most properties have side driveways, which provide a good degree of visual relief throughout the scheme and good sized rear gardens. However officers still have concerns regarding the relationship/ proximity of some side gable ends of plots to the adjacent highway, and the expanse of hard surfacing/ concentration of parking within some small cul-de-sacs and courtyards.
- 9.5 The scheme includes various house types, which are standard Gleeson House types. These types have been used on various sites, including the nearby site in Bierley in Bradford and Halton Moor in East Leeds. Officers have concerns over the design of the properties, due to the low ratio of glazing to solid mass on some house types, and the lack of any window reveals. The fenestration of some main elevations is considered to be poor with no alignment between ground and first floor windows. Some window openings are off-set and very small given they are the main window serving the property. The different house types lack consistency with differing eaves and ridges height and roof forms. The patterning of openings on properties is considered to ill-considered, particularly on the adjoining blocks of 3 terraced properties, which have varying projections and eaves lines. The design of these blocks is considered to lack consistency. Officers have concluded however that on balance, securing a significant number of residential properties outweighs these concerns. **Do Members agree with this assessment, and are satisfied with the layout and design of the scheme?**

Affordable Housing/ CIL Contribution/ Viability Issues

- 9.6 The application has been supported by a Viability Appraisal, which includes making a full CIL contribution of £1,024,701. The District Valuer has concluded that making this CIL contribution delivers a profit of 15.6 %, and there would be no scope to deliver Affordable Housing as this profit level is below the accepted industry norm.

The scheme however has no abnormal costs and is a previously undeveloped green field site. The applicant's state low profit margins is due to the demographics of the locality, and ultimately the location of the site, which means the sale prices of the completed dwellings would be low.

- 9.7 The projected sale prices for the units are considerably lower than asking prices on identical properties, in Halton Moor, LS9 which is currently under construction. For example a 2 bed semi on this development has an asking price of £106,995, where the same property on this development has a projected sale price of £94,000. Gleasons have recently developed a site, nearby site in Bierley, which lies approximately 1.5 miles to south-east of this site within Bradford. Currently a 2 bed semi-detached house on this development has an asking price of £115,995. However this site lies adjacent to an industrial estate which is clearly visible from the properties, and lies in an elevated position 'behind' the development with retaining structures. This development has been completed with a back-drop of palisade fencing, external storage and HGV's. It is considered highly likely that this site, which is within the Leeds district, flat, and would benefit from open views across green belt land would command higher sales prices for the properties when compared to the site in Bierley.
- 9.8 As Gleasons are prepared to accept a profit of 15.6% on this scheme, based on low sale prices, a S106 could be completed which included a clause which ensured that if the properties sold for higher prices than projected sale prices made by Gleasons, then a contribution would be made towards affordable housing. This would address Officers concerns that the projected sales prices are low. **Do Members accept the nil provision of affordable housing on this site? If not, do Members consider that a S106 should include Affordable Housing provision only if the properties sell for higher prices than those forecasted in the submitted Financial Appraisal?**

Greenspace

- 9.9 The proposed layout includes two areas of on-site Green Space which are 3,589 sq m and 4,316 sq m in size, resulting in a total of 7,905 sq m. Following the advice of Policy G4 of the adopted Core Strategy which states on-site provision should equate to 80 sq m per unit, the scheme should deliver 21,760 sq m of green space. The proposal equates to provision at 36% of the policy requirement. The applicants have stated delivering a larger area of on-site green space would render the scheme unviable, as a number of properties would need to be lost from the scheme. **Are Members prepared to accept this reduction in on-site green provision?**

Landscaping

- 9.10 The site lies adjacent to the Green Belt to the north-eastern and south-eastern boundary. These boundaries are approximately 230m and 260m in length. The submitted scheme did not include any landscaping to these boundaries, following the advice of Policy N24 to ensure the scheme has assimilation with the adjacent open land. The applicants have revised the scheme which includes 10m wide landscaping buffer to the north-eastern boundary on land which is within their ownership, but outside the boundary of this development and within the Green Belt.
- 9.11 A 10m wide landscaping buffer is also proposed on the south-eastern boundary however this land lies on the other side of Tyersal Lane and at present is not within the ownership of the applicant. The applicants state they would acquire this land from a third party land owner. This land too is located within the Green Belt. Officers are concerned that there is no mechanism to ensure the landscaping buffer is delivered on the south-eastern boundary, and until this land is within the

ownership of the applicants, consider the landscaping buffer should be provided on-site. **Do Members agree that 10m landscaping buffer is adequate and needs to be provided on land within ownership of the applicant?**

9.12 Other Issues

All other issues are considered resolvable, such as Travel Plan, Contamination and Drainage. Although Bradford Council is objecting on highway grounds, due to the lack of off-site highway works to mitigate the development, the application would not be refused on such grounds. On any approval a condition would be imposed which placed a duty for the applicants to enter into a S278 with Bradford Council. It would be up to these two parties to agree on a scheme of off-site highways works are the adjacent highway network serving this site lies within Bradford. If no resolution was reached, any planning permission could not be implemented.

CONCLUSION:

10.1 The benefits of the scheme of providing new low cost housing, construction jobs and investment are recognised. However the scheme does not deliver the normal planning gain contributions including the provision of on-site green space. Views from Members are sought on questions reiterated below

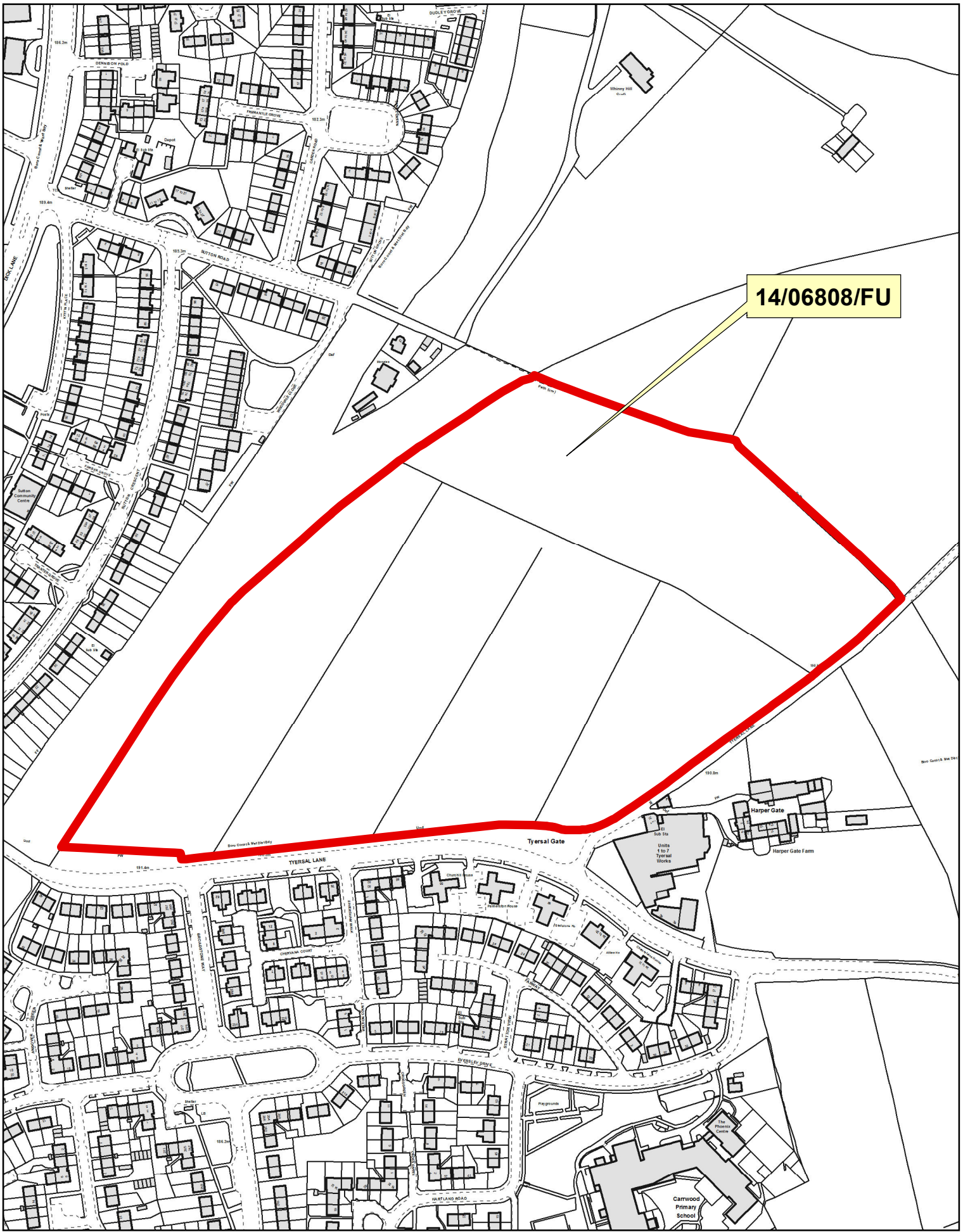
10.2 **Do Members support the principle of Residential Development upon this site?**

Do Members agree the benefits of the scheme outweigh concerns which relate to the layout and design of the scheme?

Do Members accept the nil provision of affordable housing on this site? If not, do Members consider that a S106 should include Affordable Housing provision only if the properties sell for higher prices than those forecasted in the submitted Financial Appraisal?

Are Members prepared to accept a reduction in on-site green provision?

Do Members agree that 10m landscaping buffer is adequate and needs to be provided on land within ownership of the applicant?



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CITY PLANS PANEL



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Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 16 APRIL 2015

Subject: PRE-APPLICATION Reference PREAPP/15/00032 – Proposal for new secondary school at land on the east side of Black Bull Street, Leeds 10 by the Ruth Gorse Academy.

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information. The developer's representatives will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 This pre-application presentation relates to the proposed major development at Black Bull Street in Leeds City Centre. The initial proposals will be presented to Panel by the Ruth Gorse Academy and their professional team to allow Members to comment on the evolving scheme and raise any issues, prior to the intended submission of a full planning application next month.

1.2 The Ruth Gorse Academy is a Free School sponsored by The GORSE Academies Trust, a not-for-profit charity creating exceptional schools in areas of deprivation within the Leeds city region. The development of the Academy at this site would add to the growing educational cluster in the South Bank with the nearby Leeds City College Printworks Campus and the Leeds College of Building. The Academy is keen to work with both colleges to deliver vocational training to prepare pupils for the workplace and further /higher education. Although the need for additional secondary places is not as imminent as primary need, there will be exponential growth in the secondary sector in Leeds over

the next seven years. Without this free school it is forecasted that there would be a shortfall of approximately 1,250 secondary places in September 2018/19.

2.0 SITE AND SURROUNDINGS:

- 2.1 The 1.8ha brownfield site is located to the east of Black Bull Street at the former Yorkshire Chemicals site. The site lies unallocated within the City Centre and within flood risk zone 3. The surrounding area is a mixture of uses including residential, offices, food and drink and retail, at Brewery Wharf, Leeds Dock, Leeds City Office Park and Crown Point Retail Park. The nearest residential to the site is along the eastern side of Chadwick Street at Leeds Dock. A car showroom and workshop lies to the south of the site. The site lies just outside the South Bank Planning Statement area, but could have an important strategic role in linking the city centre core, the railway station and the future City Centre Park to visitor attractions, convenience shops, food and drink, homes and workspace at Leeds Dock.
- 2.2 Nearby listed buildings are the Grade II* listed Chadwick Lodge, the Grade II listed former Alf Cooke Printworks (now Leeds City College Printworks Campus) and Crown Point Bridge. Unlisted heritage assets in the area include the The Malthouse on Chadwick Street.
- 2.3 The area would be served in the future by the NGT trolleybus system, with the nearest stop located on Chadwick Street directly adjacent to the site.
- 2.4 The conversion of the Grade II listed Alf Cooke Printworks to form a campus for Leeds City College on Hunslet Road has opened and phase two is currently underway. Works on the Leeds College of Building on Black Bull Street are very close to completion and the campus is due to open soon.
- 2.5 The site lies within the designated Aire Valley Leeds Urban Eco-Settlement. The scheme has potential to provide much needed educational facilities for the existing residential community in inner south Leeds and the City Centre, and for the planned new housing provision (over 6500 homes). The scheme also has strong potential to contribute to the place-making of the South Bank, by bringing a long vacant site into active use.

3.0 PROPOSAL

- 3.1 The Ruth Gorse Academy will focus on ensuring that young people currently living in the inner south area of Leeds can have access to a new inspirational secondary academy. It will be a large academy of 1580 students and will mirror in its aspirations, expectations and standards at The Farnley Academy and The Morley Academy. For the next two years The Ruth Gorse Academy will be based on The Morley Academy site (part of the GORSE Academies Trust), acting as a completely separate school with its own core staff, buildings and entrance to the school. These premises opened in September 2014 with an intake of 95 students in year 7, increasing to a total of 285 students in September 2015 for years 7 and 8. Subject to the planning process, from September 2016, the Academy would operate from a new complex on Black Bull Street, with student numbers building from 527 in September 2016 to full capacity in September 2018. When at full capacity, the Academy will include approximately 1580 students and 150 full time and part time staff.
- 3.2 The Academy will comprise a new U-shaped building with a gross area of 11,545 square metres, formed of three elements. These joined buildings would provide

teaching accommodation and support facilities arranged around a south facing courtyard. A three storey glazed and black metal clad building would front the car park, with a three storey red brick and glazed element fronting Black Bull Street. A four storey light grey render building would be set slightly back from the Chadwick Street frontage.

- 3.3 The scheme would provide two external dining areas, a growing area with fruit trees, an external urban games and performance area, a 100m running track, a formal hard surfaced playing pitch, and three Multi-Use Games Areas (MUGAs)
- 3.4 The scheme includes 30 car parking spaces for staff and visitors, 20 staff cycle spaces, 8 motorcycle spaces, and a mini-bus parking space. 33 cycle parking spaces are proposed for pupils.
- 3.5 The frontage to Black Bull Street would feature 9 new trees. The boundary treatment to the car park area to the north would be a 1.2m high paladin fence.
- 3.6 The normal school day is 08:25 – 14:45, with pre-school breakfast clubs and extracurricular activities commencing from 07:20. A number of after school enrichment activities means most students will remain on site until at least 16.30, with activities concluding at 21:00.
- 3.7 The pupil intake at The Ruth Gorse Academy will, in large part, come from areas of the southern part of Leeds such as:
- Beeston Hill
 - Beeston
 - Belle Isle
 - Cross Green
 - Holbeck
 - Hunslet
 - Middleton
 - Stourton

4.0 HISTORY OF NEGOTIATIONS AND PLANNING HISTORY

- 4.1 Officers have had two formal pre-application meetings with the Ruth Gorse Academy's professional team in early 2015.
- 4.2 City and Hunslet Ward Members were consulted by email on 24 March 2014 regarding this new pre-application. Any comments will be updated to Panel verbally.
- 4.3 Detailed discussions with the Council regarding this site have taken place since mid-2005 following the closure and subsequent demolition of Yorkshire Chemicals. This led to the submission of an outline planning application in 2006 (ref. 06/04601/OT), which was approved at Plans Panel (City Centre) in 2008, and subsequently granted permission in 2009 for a multi-level mixed use development comprising predominantly residential (678 flats and 43 townhouses), with office, hotel, leisure, retail, car showroom, community uses, public space and car parking. This permission expired in July 2012.

5.0 RELEVANT PLANNING POLICIES

5.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) came into force in March 2012 and represents the government's commitment to sustainable development, through its intention to make the planning system more streamlined, localised and less restrictive. It aims to do this by reducing regulatory burdens and by placing sustainability at the heart of development process. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so.

The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes...
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Encourage the reuse of existing resources, including conversion of existing buildings.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and achieves standards of amenity for all existing and future occupiers of land and buildings. One of the core principles is the reuse of land that has previously been developed.

On 6 March 2014 the Government launched the National Planning Practice Guidance, which brought together most national planning guidance and circulars under one web-based resource.

Paragraph 72 attaches great weight to the need to create, expand or alter schools and advises the following:

- The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - Give great weight to the need to create, expand or alter schools; and
 - Work with schools promoters to identify and resolve key planning issues before applications are submitted.

In assessing school developments the decision maker must also be mindful of a 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.

5.2 Development Plan

5.2.1 The Leeds Core Strategy was adopted by the Council on 12th November 2014. This now forms the development plan for Leeds together with the Natural Resources & Waste Plan and saved policies from the UDP. A number of former UDP saved policies have been superseded by Core Strategy policies and have been deleted as a result of its adoption. Appendix 1 of the Core Strategy provides a full list of 'deleted' UDPR policies and policies that continue to be 'saved' (including most land use allocations). Relevant Saved Policies would include

GP5 all relevant planning considerations

BD2 new buildings

T7A cycle parking

T7B motorcycle parking

T24 Car parking provision

LD1 landscaping

5.2.2 Relevant Core Strategy Policies include:

Spatial Policy 3 sets out the role of Leeds City Centre, including the comprehensive planning of redevelopment and re-use of vacant and under-used sites and buildings for mixed use development and new areas of public space. It also states that new development shall enhance streets and create a network of open and greenspaces to make the City Centre more attractive, family friendly and easier for people to use, and in consolidating and enhancing sense of place

Spatial Policy 4 identifies the Aire Valley Leeds as a Regeneration Priority Programme Area. Priority will be given to developments that include housing quality, affordability and choice, improve access to employment and skills development, enhance green infrastructure and greenspace, upgrade the local business environment and improve local facilities and services.

Spatial Policy 5 sets out the broad principles for development in the Aire Valley Regeneration Priority Programme Area including targets for housing (6,500 units) and employment land (250 ha) specific to the area.

Spatial Policy 8 states that training/skills and job creation initiatives would be supported by planning agreements linked to the implementation of appropriate developments given planning permission.

Spatial Policy 11 Transport Investment Priorities – includes a priority related to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the edges of the City Centre and the City Centre itself.

Policies CC2 and CC3: Improving connectivity between the north and south parts of the City Centre and neighbouring communities – provide and improve routes connecting the City Centre with adjoining neighbourhoods to improve access and make walking and cycling easier.

Policy G5 Within the City Centre sites over 0.5ha shall deliver 20% of site area as public open space.

Policy G9 Biodiversity improvements

Policies EN1 & EN2. Policy set targets for CO2 reduction and sustainable design & construction, including BREEAM Excellent and at least 10% low or zero carbon energy production on-site.

Policies EN4 District Heating. The design of the scheme presents an alternative low carbon energy source.

Policy EN5 – flood risk. A flood risk assessment and sequential test would be required as the site lies in Flood Zone 3.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policy P12 states that landscapes will be conserved and enhanced.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

5.3 **Natural Resources & Waste Plan**

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding flood risk, drainage, air quality, trees, and land contamination are relevant to this proposal. The site is within the Minerals Safeguarding Area for Coal (Minerals 3)

5.4 **Emerging Aire Valley Area Action Plan**

The site is located within the Aire Valley Leeds Regeneration Programme Area for which an Area Action Plan is being prepared. This will form part of the development plan when adopted and make allocations within the area (replacing or renewing existing UDP land use allocations). It has limited weight in decision making currently but signals the Council's aspirations and priorities for the future development of the area.

5.5 **Relevant Supplementary Planning Guidance includes:**

SPD Street Design Guide

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPG City Centre Urban Design Strategy

The site lies adjacent to the area covered by the South Bank Planning Statement (see attached Plan 1 South Bank Urban Design Principles). A key principle for the South Bank is that new enhanced landscaped connections would be formed across the wider South Bank area, eventually linking Holbeck Urban Village and the City Centre Core (including the railway station and central bus stops west of the bus station) to Leeds Dock via the City Centre Park. All new developments on sites adjacent to Crown Point Road, Black Bull Street and Hunslet Road/Lane would need to deliver the continuation of landscaped pedestrian and cycle routes across the wider area, and the necessary pedestrian connectivity improvements such as crossings to major roads like Crown Point Road and Black Bull Street, other upgraded crossing points, increased pavement widths and lane reductions, in order to make new development acceptable. This proposal has the potential to contribute towards a coordinated series of key pedestrian connectivity improvements as identified in the adopted South Bank Planning Statement. This would start from the City Centre core, via the Riverside and Bridge End, through the former Tetley Brewery site via a re-opened Hunslet Road (which has been secured via a Section 106 agreement attached to the Carlsberg temporary car park permission ref. 11/05031/FU – this route would also be retained as a link in the future City Centre Park in any permanent redevelopment), across Crown Point Road via the currently under construction pedestrian crossing, then across Black Bull Street, linking to retail, leisure, food and drink facilities at Leeds Dock.

6.0 KEY ISSUES

Members are asked to consider the following matters in particular:

6.1 Principle of a new school in this location

It is considered that the principle of the proposed use is appropriate to the vision for the regeneration of the South Bank and the Aire Valley, and would be acceptable in the context of the NPPF and the Core Strategy, subject to the consideration of detailed matters. It is considered that the provision of a secondary school at this site would act as a catalyst for the regeneration of the surrounding area, and encourage family housing provision in the City Centre and Aire Valley urban eco-settlement. The vision for this part of the City Centre is for a mixed use environment with no dominant single land use. This is to encourage a range of residential, business and community activities that create activity at different times of the day and all year round. Recent developments in the area include new further education facilities for Leeds City College and Leeds College of Building, but taking account of the wider mix of land uses and available development sites in the area it is considered that a further educational use on this site would not have an adverse impact on the emerging character of the area.

6.1.1 Do Members agree that the proposed use of the site would be appropriate in principle?

6.2 Building form and architectural treatment

The South Bank will form an extension of the City Centre core, with a broad mix of uses and facilities, making an attractive, well connected 'place' for 21st Century Leeds. The provision of a secondary school is an important facility which would assist in meeting these aims, however the integration of such a use in a City Centre environment needs careful consideration in place-making and shaping. The surrounding area features a range of modern commercial and residential buildings such as large scale 8 storey modern buildings at Leeds Dock and Brewery Wharf, and lower scale uses such as warehouse, car showrooms and light industry. It also features listed and unlisted industrial heritage assets such as Chadwick Lodge, the former Alf Cooke Printworks, and the Malthouse on Chadwick Street. In ranging

between three and four storeys, with a mixture of red-brick, glazing, and metal cladding, it is considered that overall the scheme features appropriate form, massing, architectural treatment and materials. However, Officers still have concern regarding the treatment of the block to Chadwick Street which is in render. The experience of previous developments in Leeds City Centre is that rendered finishes do not weather well without regular maintenance and repainting, and could potentially undermine the Council's aspiration for a high quality regeneration of the area.

6.2.1 Do Members agree that the form, massing, architectural treatment and materials would be appropriate to the regeneration aspirations for the area?

In considering how the Academy would integrate into a City Centre street context, the treatment of the site boundaries is particularly important. The building edge forming a boundary to Black Bull Street, including street tree planting is considered appropriate in an emerging City Centre context. However, the boundary treatment to the south of the site is proposed to be a 2.1m high paladin mesh fence, as is the boundary treatment to the proposed NGT land. Also the existing high brick wall to Chadwick Street is proposed to be retained. Notwithstanding the security and safeguarding concerns that the school may have, it is considered that the form and height of these boundary treatments need to be reconsidered so that they are more suitable for a City Centre environment.

6.2.2 What are Members views on the proposed boundary treatment?

6.3 Pedestrian connectivity

The Academy states that the site boundary must be secure for safeguarding reasons, and therefore given the level of accommodation provided, a public route through the site to link from the proposed new crossing on Black Bull Street to Leeds Dock cannot be achieved. The Academy has stated that they would offset this lack of pedestrian connection with community use of facilities, which would help integrate the school into the community. Whilst this is welcomed as a community facility, it would not meet the place-making and connectivity aspirations of the South Bank Planning Statement, and the requirements of Core Strategy Policies P10, SP3, CC2 and CC3. It is considered that the creation of a large impermeable development without taking the opportunity to provide and continue the emerging network of pedestrian connections east to west through the South Bank would potentially undermine the successful regeneration of this area.

6.3.1 Do Members agree that it is necessary to secure a pedestrian and cycle connection through the site in order to enhance pedestrian connectivity between the South Bank and the rest of the City Centre?

6.4 Highways and transportation

Highway issues remain to be resolved. Discussions with Highways Officers are on-going regarding the location of vehicular accesses, the amount and allocation of surface car parking, transport assessment, travel plan measures for staff and students, servicing and deliveries, bus pick-up and drop-off and the exact delivery of a new pedestrian crossing.

It is considered that developments need to deliver necessary infrastructure such as pedestrian crossing points, increased pavement widths and lane reductions, in order to make new development acceptable in relation to their impact. These matters remain to be resolved with the school.

6.4.1 Do Members have any comments on the highway and transportation issues?

6.5 Planning obligations

The proposal would not be subject to the Community Infrastructure Levy (CIL) because it is a publicly funded project. Adopted policies are likely to result in the following necessary Section 106 matters:

- Provision of new public route(s) through the site
- Specific travel plan measures contributions
- Travel plan monitoring fee
- Cooperation with local jobs and skills initiatives

6.5.1 Do Members have any comments to make about this range of likely Section 106 contributions?

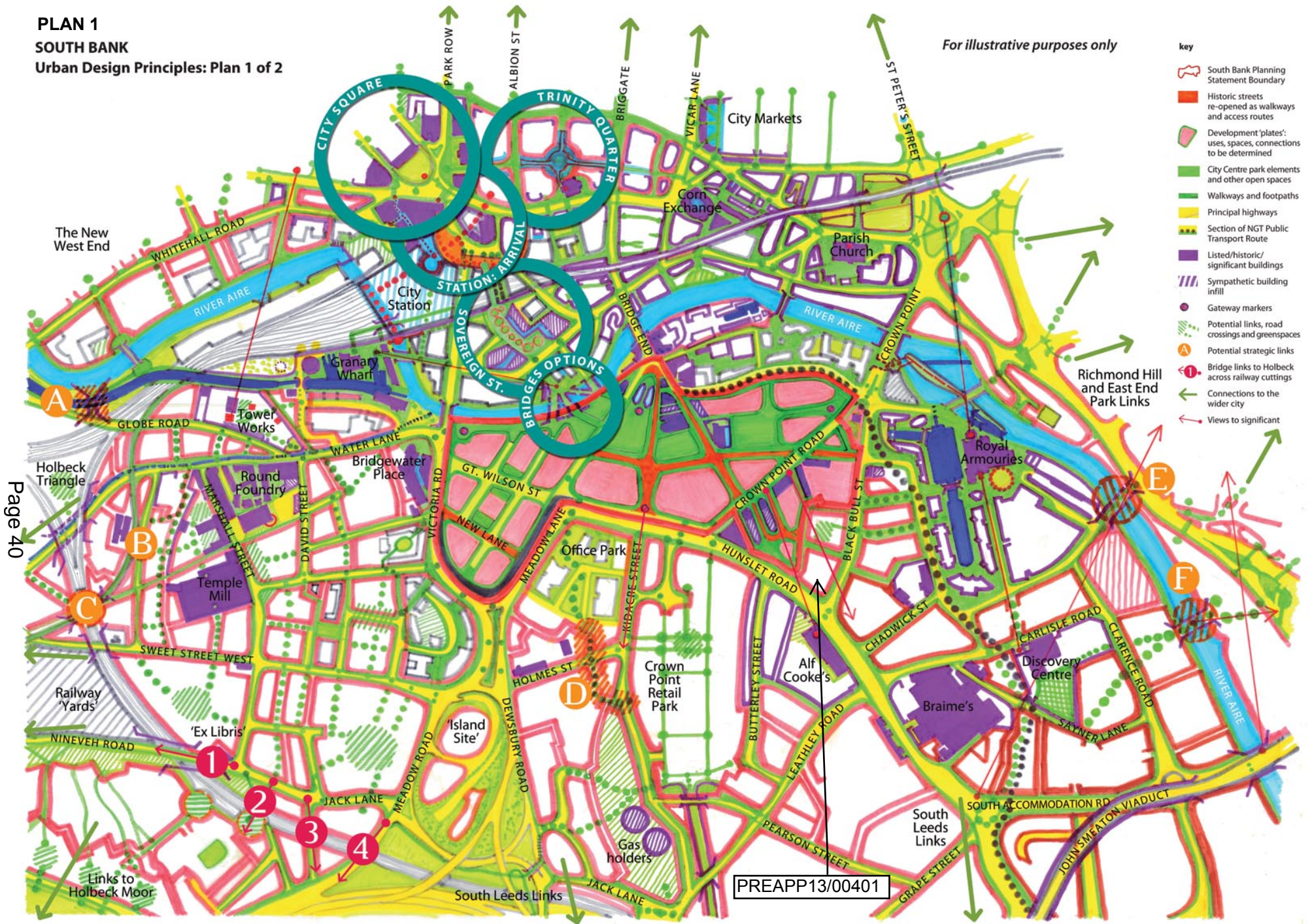
Background Papers:

South Bank Planning Statement

Appendix 1 – Plan 1 South Bank Urban Design Principles

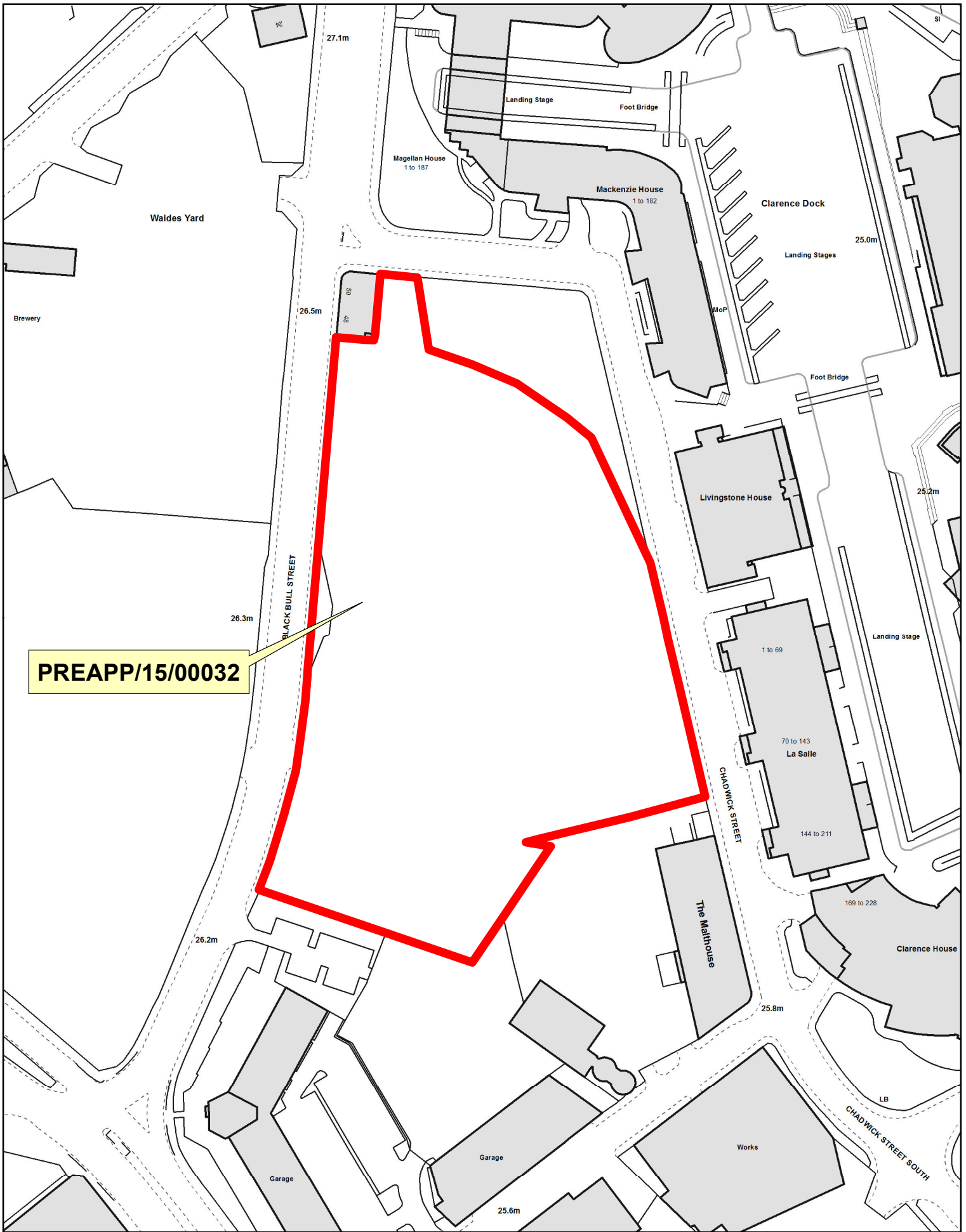
PLAN 1
SOUTH BANK
Urban Design Principles: Plan 1 of 2

For illustrative purposes only



- key**
- South Bank Planning Statement Boundary
 - Historic streets re-opened as walkways and access routes
 - Development 'plates': uses, spaces, connections to be determined
 - City Centre park elements and other open spaces
 - Walkways and footpaths
 - Principal highways
 - Section of NGT Public Transport Route
 - Listed/historic/significant buildings
 - Sympathetic building infill
 - Gateway markers
 - Potential links, road crossings and greenspaces
 - Potential strategic links
 - Bridge links to Holbeck across railway cuttings
 - Connections to the wider city
 - Views to significant

PREAPP13/00401



PREAPP/15/00032

CITY PLANS PANEL



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Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 16 April 2015

Subject: PREAPP/15/00157 Proposed residential development for 11 town houses, 60 apartments, ground floor concealed car and cycle parking and a small scale ground floor commercial unit on Land at David Street, Holbeck Urban Village, Leeds.

Electoral Wards Affected:

City & Hunslet

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.

1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for a residential scheme providing a mix of townhouses and apartments, plus a small commercial unit and ground floor car and cycle parking within the defined boundary of Holbeck Urban Village, to the south of the designated City Centre.

1.2 The proposal is brought to City Plans Panel as the development involves the re-use of land and major investment in a significant site in Holbeck Urban Village.

2.0 PROPOSAL:

2.1 The proposal is designed as two connected blocks on a base of internal car parking edged with active uses and seeks to provide the following scale and mix of accommodation;

- 60 apartments of which 24 would be one bedroom units, 32 would be two bedroom units and 4 would be three bedroom units

- 11 townhouses of which 1 house would have four double bedrooms, 6 houses would have three double bedrooms and one single bedroom, 3 houses would have two double bedrooms and two single bedrooms; and 1 house would have 2 double bedrooms
- A ground floor commercial / retail unit of 93m²

2.2 The scheme would also provide 44 car parking spaces within a covered internal courtyard parking area that would sit beneath a raised decked landscaped private amenity space. Of those 44 parking spaces 18 are required to be retained on contract for existing tenants of adjacent offices in Holbeck Urban Village (and in particular The Media Centre) . The remaining spaces will be apportioned with 11 spaces being dedicated for the occupants of the townhouses and 15 spaces being unallocated for individual units but for use by the occupants of the apartments. Access to the car park is proposed under the tallest block directly off David Street. A further vehicular access to the Round Foundry site is proposed off David Street, opposite its junction with Front Row.

2.3 The tallest block would comprise a maximum of 6 storeys fronting David Street and the other block would be set parallel to it on a north-south axis within the site and would have a maximum height of 4 storeys. The decked amenity space would measure 8 metres wide between facing residential windows.

3.0 SITE AND SURROUNDINGS:

3.1 The site is located in the heart of Holbeck Village, opposite the entrance to the Round Foundry Media Centre and comprises two distinct parcels of land; a surface car park and an enclosed former development site that is presently unused and overgrown, as well as part of a small green landscaped scheme (Wonderwood). The car park is presently used by occupants and visitors to the Round Foundry. The two sites are separated by an existing private access road which takes vehicular and pedestrian traffic into and out of The Round Foundry. The two combined sites and access road have a total area of 0.37ha (or 0.79 acres).

3.2 The site is surrounded by a number of historical former industrial foundry buildings set within Holbeck Conservation Area, and Holbeck Urban Village and many of the immediate area's public spaces have been upgraded. In addition, the nearby Green Sand Foundry (99 Water Lane) and 14 Foundry Street which are Grade II* Listed Buildings, and the Grade II 97 Water Lane, 101 Water Lane and 105 Water Lane have been renovated and reused as offices, a café and a pub.

3.3 Holbeck Urban Village is considered to be an area of local, national, and international importance in respect of the historical significance and architectural merits of its buildings, as well as for the potential archaeological discoveries that the area could elicit. The Village is considered to be the foundation of the Industrial Revolution in Leeds

4.0 RELEVANT PLANNING HISTORY:

4.1 Approval was granted for a four storey office block on part of the current proposal site, on 1 December 2006, planning reference 06/02694/FU.

4.2 The above application was amended and alterations to its proposed roof-mounted plantrooms were granted approval on 19 May 2008, under planning reference 08/00134/FU. These applications have now expired.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since 20 February 2015. These discussions have focused on scale massing and design, flood risk, car and cycle parking levels and access, connectivity and routes, heritage designation in Holbeck Urban Village, a landscape scheme, affordable housing, room size standards, land contamination and archaeological implications. The preapplication presentation is a response to these discussions.
- 5.2 Ward Members were consulted on 23 March 2015. No responses have been received to date.

6.0 RELEVANT PLANNING POLICIES:

6.1 National Planning Policy Framework (NPPF)

- 6.2 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.
- 6.3 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.
- 6.4 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.5 The 6th principle listed states that planning should support the transition to a low carbon future and encourage the use of renewable resources, including the development of renewable energy.
- 6.6 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 6.7 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 6.8 The Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
4. Any Neighbourhood Plan, once Adopted

6.9 Core Strategy

- 6.10 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.

- 6.11 Policy CC1: City Centre Development
The City Centre will be planned to accommodate at least the following:
(iii) 10,200 dwellings.
b) Encouraging residential development including new buildings and changes of use of existing providing that it does not prejudice the town centre
- 6.12 Policy EN2: Sustainable Design and Construction states that to require developments of 1,000 or more square metres or 10 or more dwellings (including conversion) where feasible) to meet at least the standard set by BREEAM or Code for Sustainable Homes as shown in the table below. A post construction review certificate will be required prior to occupation.
- 6.13 Policy EN5: Managing Flood Risk states that the Council will manage and mitigate flood risk
- 6.14 Policy H2 Policy to consider the merits of windfall housing development proposals on brownfield and greenfield sites.
- 6.15 Policy H4: Policy to achieve an appropriate Housing Mix on residential sites.
- 6.16 Policy H5 Policy which incorporates Targets and Thresholds for the 4 AH Housing Market zones.
- 6.17 Policy P10: Design states that:
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.
New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.
- 6.18 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.
- 6.19 Policy T1: Transport Management states that support will be given to the following management priorities:
c) To support wider transport strategy objectives for sustainable travel and to minimise congestion during peak periods.
- 6.20 **Leeds Unitary Development Plan Review Retained Policies**
- 6.21 Policy BD2 (Design and siting of new buildings)
Policy BD5 (All new buildings and amenity)
Policy GP5 (All planning considerations)
- 6.22 **Leeds Natural Resources and Waste DPD 2013**

6.23 The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.

6.24 **Supplementary Planning Guidance**

6.25 Holbeck Urban Village Revised Planning Framework adopted February 2006.

6.26 Sustainable Design and Construction Supplementary Planning Document (August 2011).

6.27 Adopted Supplementary Planning Document 'Travel Plans' (February 2015)

6.28 **Other Material Considerations**

6.29 The Leeds Design Standard considers space standards within accommodation and includes guidance set out in the Homes and Communities Agency's house space standards. These are a material consideration however limited weight can be applied to them due to the fact that they are not formally adopted planning policy.

7.0 **KEY ISSUES**

7.1 Principle of the Use

7.2 The proposal is for a predominantly residential scheme with a small scale commercial unit, set within the boundary of Holbeck Urban Village. The National Planning Policy Framework, Core Strategy, Leeds Unitary Development Plan Review retained policies, and the Holbeck Urban Village Revised Planning Framework all support the principle of residential and small scale commercial use development within this defined area. These policies encourage a mix of uses in Holbeck Urban Village to ensure a wide range of activities are present at all times of the day. The proposed mix of uses would contribute to the ongoing creation of a vibrant and lively community in Holbeck Urban Village.

7.3 The scheme would be subject to the requirements of the Community Infrastructure Levy and would also be required to provide 5% of the dwellings as affordable housing.

7.4 **Do Members consider the principle of the uses to be appropriate to Holbeck Urban Village?**

7.5 Design, Massing and Scale

7.6 The proposal is designed as two connected blocks on a base of internal car parking edged with active uses. Holbeck Urban Village is typified by long linear former industrial buildings separated by courtyards and walkways. Heights generally range from 2 to 4 storeys in the vicinity of the site including the nearby listed 97, 99, 101 and 105 Water Lane and 14 Foundry Street, with some taller 5 and 6 storey buildings to the outer edges of the Holbeck Urban Village area.

The proposed buildings have been placed north to south across the site, with heights spanning from 3 and 4 storeys to the townhouses to be set closer in to the existing complex of buildings, and 5 to 6 storey for the apartment block set on the frontage to David Street. Although there would be a gap of some 15 metres between the 6 storey block and the main elevation of the listed building immediately to the north and a similar gap to the buildings on the opposite side of David Street, it is considered that the proposed taller block would potentially have an adverse impact on the setting of nearby listed buildings and would unduly dominate views along David Street.

7.7 In respect of detailing and materials the proposed residential dwellings would be designed to reference the features of a forge (for the townhouses) and a mill (for the apartments) to allow the scheme to relate to the context of the former industrial heritage buildings in this area. The predominant material would be brick to reflect the strong presence of brickwork in the surrounding heritage buildings, with a secondary feature cladding of a material yet to be agreed. Window dimensions and details would pick up references from the scale and detailing of the neighbouring historic buildings. Officers consider this to be a positive approach towards preserving and referencing the historic character of the area.

7.8 What are Members views on the emerging design and scale of the proposals?

7.9 Residential Amenity

7.10 The proposal provides a good mix and size of units with 3 two and one bedroomed townhouses ranging from 135 to 140 metres sq, 1 two bedroomed townhouse of 107 metres sq, 6 three and one bedroomed townhouses ranging from 126 to 130 metres sq and 1 four bedroomed townhouse of 153 metres square.

7.11 The range of apartments would encompass 24 one bedroomed units ranging from 52 to 56 metres sq, 32 two bedroomed units ranging from 60 to 76 metres sq and 4 three bedroomed units of 90 metres sq.

7.12 Private amenity space is proposed in a central raised courtyard for the townhouses and first floor apartments, as well as balconies overlooking this area and David Street for the upper floor apartments.

7.13 Due to the position of the proposed inner car parking, the habitable rooms at ground floor level would be single aspect. A small number of apartments at the upper levels would also be single aspect due to the constraints of positioning internal stair cores. The remainder of the units and the upper floors of townhouses would be dual aspect accommodation. The windows in the units and townhouses would be at least 8 metres from existing buildings to the north, at least 13 metres from the adjacent site's buildings to the south, a minimum of some 11 metres from the existing commercial buildings to the east and some 17 metres from the buildings across David Street to the west.

Officers are still considering the likely acceptability of the internal amenity standards likely to be achieved in terms of the quality of daylight, outlook and privacy that will be achieved for the proposed units and this may require the provision of more detailed information as the proposals are finalised. There are particular concerns in relation to the proposed 8m gap between residential windows across the decked amenity space and the likely levels of daylight and outlook from the single aspect flats.

7.14 What are Members views on the emerging mix and standard of residential accommodation proposed?

7.15 Transport and Access

7.16 A total of 44 car parking spaces, including some existing contract parking spaces (18) and a percentage of the required cycling parking will be provided in a concealed ground floor car park. This would be behind the active frontages of residential and commercial.

Of those 44 parking spaces 18 are required to be retained on contract for existing tenants of adjacent offices on the Round Foundry site (and in particular The Media Centre) . The remaining spaces will be apportioned with 11 spaces being dedicated for the occupants of the townhouses and 15 spaces being unallocated for individual units but for use by the occupants of the proposed apartments.

Highways Officers are of the opinion that in order to reduce traffic domination within David Street that the undercroft car park should only be accessed from the south of the site off the proposed access to serve the wider Round Foundry site and that a second access and egress off David Street directly into the proposed car park is not necessary.

Each of the residences will also have room to accommodate individual cycles.

7.17 What are Members views on the proposed car and cycle parking provision and access arrangements?

7.18 Connectivity and Landscape Details

7.19 The scheme has been designed and positioned to reflect the meandering nature of the buildings and spaces across Holbeck Urban Village and to tie into existing and proposed key pedestrian routes. Whilst the area around the building will need to be accessible via vehicles, it will be pedestrian focused. However a green landscape privacy buffer would be positioned around all elevations of the building. Private garden areas would be positioned between the two terraces of townhouses and apartments on a deck above the concealed ground floor car parking.

7.20 The existing green landscaped feature Wonderwood would need to be removed for the proposals. Although this green space has no formal planning status it does have value. Therefore, Officers are in negotiations with the Developer regarding this matter.

7.21 Do Members consider the landscape proposals to be appropriate?

7.32 Sustainability

7.33 The design will adopt a 'fabric first' approach, optimising passive solar gain and selecting construction materials in consideration of the thermal performance, air tightness and energy efficiency.

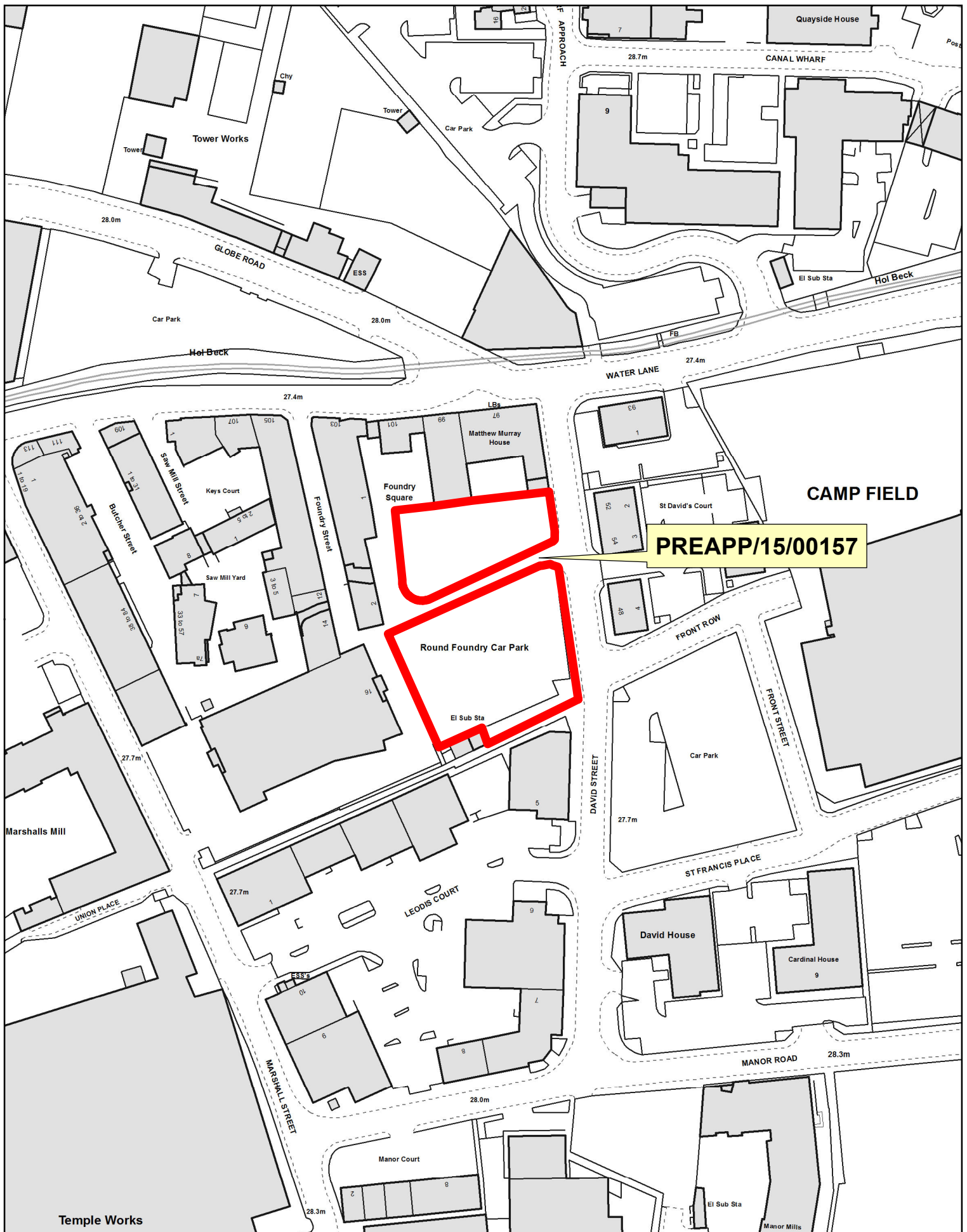
7.34 The ventilation strategy will be to maximise the use of natural ventilation where possible, reduce the potential for over-heating and control humidity and fresh air changes therefore maintaining comfortable and good indoor air quality. The development will also aim to recover waste heat where mechanical ventilation is required.

- 7.35 The orientation of the development is designed to enable passive solar gain with the roof form lending itself to the efficient use of roof mounted solar pv generating renewable energy.
- 7.36 Reduction in onsite potable water use will be addressed through a variety of initiatives; water efficient appliances will be specified as standard, with rainwater harvesting systems used where appropriate.
- 7.37 Do Members consider the approach to sustainability to be acceptable?**

8.0 Conclusion

- 8.1 The emerging proposals have been brought to Members at a very early stage. The proposals have potential to contribute towards the ongoing regeneration of this important historical area. Whilst the principle of the proposed uses are considered acceptable and the potential regeneration benefits are supported, at this stage, Officers do have detailed concerns about some aspects of the emerging design in terms of preserving the setting and character of nearby listed buildings, the quality of internal residential amenities to be achieved and the appropriateness and need for two vehicular accesses off David Street.

Background Papers:
PREAPP/15/00157



CITY PLANS PANEL



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Originator: Kate Mansell
Tel: 0113 247 8360

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 16th APRIL 2015

Subject: POSTION STATEMENT/PRE-APPLICATION PRESENTATION BY COMMERCIAL ESTATES GROUP (CEG) TO PRESENT AN UPDATE ON THE PROGRESS OF THE KIRKSTALL FORGE DEVELOPMENT IN ACCORDANCE WITH OUTLINE PLANNING PERMISSION 11/01400/EXT FOR A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL, OFFICES, LEISURE, HOTEL, RETAIL & BAR/RESTAURANTS INCLUDING ACCESS, SITE REMEDIATION, CONSTRUCTION OF BRIDGES AND RIVER WORKS, CAR PARKING AND LANDSCAPING.

Electoral Wards Affected:

Kirkstall, Horsforth and Bramley and Stanningley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information only. The site owner/applicant (CEG) and their representatives will present an update on their planned implementation of the above outline planning permission and to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 Members will no doubt be familiar with the Kirkstall Forge site as Commercial Estates Group, the owner and developer of this site, have engaged with this Panel on many previous occasions dating back to 2004 since their acquisition of the site in 2003. The purpose of this pre-application presentation is to provide Members with an update and overview of the progress of the site's redevelopment but also to review and comment upon more detailed proposes relating to Phase 1.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site comprises the former 23-hectare Kirkstall Forge site. It is adjoined to the north by the A65, Hawksworth Wood and post-war residential development whilst to the south it is adjoined by Bramley Fall Woods and the railway line/Leeds Liverpool canal to the south. To the west is open land in the Green belt along the valley bottom leading to the Newlay Conservation Area with further open land to the east leading towards the important heritage site of Kirkstall Abbey. The site is accessed from the A65 at a distance of circa 6km (3.7m) from the city centre.
- 2.2 The former commercial buildings have now been fully cleared with the exception of the listed buildings. Network Rail has also recently commenced work on the construction of the new Kirkstall Forge station in accordance with planning permission 10/01211/FU.

3.0 PROPOSAL

- 3.1 Outline planning permission for the re-development of Kirkstall Forge was originally granted on 20th July 2007 (application 24/96/05/OT) with details of access approved as part of this outline and matters of design, layout, appearance, landscaping reserved for future consideration. The indicative development at that time comprised the following elements:
- 1,355 dwellings (1,109 apartments and 246 townhouses/ maisonettes);
 - 146,000 square feet of offices;
 - Support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 104,000 square feet;
 - Preservation and change of use of existing Grade II Listed lower forge building to provide food and drink uses;
 - Change of use of the Grade II Listed stables to residential.
 - Areas of amenity green space;
 - Wildlife and ecological enhancements;
 - Park and ride for approximately 150 cars in association with a rail station;
 - Improvements to vehicular junctions, allowing access to the A65;
 - Internal access roads, catering for new bus services;
 - Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
 - New pedestrian and vehicular bridge across River Aire;
 - Site remediation works;
 - Riverside improvement works and creation of flood relief channel.
- 3.2 In recognition of the economic slowdown that followed the granting of the original outline planning permission, an extension of time of this permission was granted on 4th April 2014 in accordance with planning permission 11/01400/EXT. It was approved by Plans Panel West on 18th August 2011 with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement. This outline permission is identical in terms of the extent of development to the original outline with the exception of an amendment to the Section 106 agreement to provide additional funding for the new Kirkstall Forge train station. The train station, approved in accordance with 10/01211/FU has now commenced on site with the first trains due to stop at the station in October 2015.
- 3.3 The focus of this pre-application presentation is three-fold:

- (i) To present a general update on the delivery of the overall Masterplan for the Kirkstall Forge site;
- (ii) To provide Members with information in relation to the first element of the first phase of development comprising a circa 100,000 square foot (circa 10,000 square metres) Grade A Office development within Use Class B1. The office block, referred to within the Masterplan as J1, will be sited immediately to the north of the railway station. Cooper Cromar Architects have been instructed to progress with J1. This will take the form of a Reserved Matters application to consider matters of design (scale), layout, landscaping and appearance only.
- (iii) To provide Members with information in relation to the second element of the first phase of development comprising two x 100 unit Private Residential Sector (PRS) blocks and 1 x 50 apartment block with units for sale adjacent to the above office development. These two PRS blocks are identified in the Masterplan as Blocks J3/J4 and will deliver circa 300 homes for private rental. HTA Architects have been appointed to develop the scheme for J3/J4, which will also progress to the submission of a Reserved Matters application to consider matters of design (scale), layout, landscaping and appearance.

3.4 The above Reserved Matters applications to effectively seek to discharge Conditions 1, 2 and 3 of 11/01400/EXT in relation to Phase 1 and are due for submission in Spring/Summer 2015.

4.0 PLANNING HISTORY

4.1 Members were originally invited to view the Kirkstall Forge site in December 2004 with initial plans for its re-development reported on 17th February 2005. City Panel Members noted an update report on 6th October 2005 with a further full briefing provided on site on 19th January 2006. Plans Panel West then subsequently granted the original outline planning permission for Kirkstall Forge on 20th April 2006.

4.2 On 25th May 2011 Members of West Panel were provided with a progress report regarding Kirkstall Forge inviting Members views, where their general support was given. The extension of time was then subsequently granted by Plans Panel West on 18th August 2011.

4.3 Over the past six months Officers have undertaken some very initial meetings with CEG and their professional teams to explore the detailed design of the proposed Phase 1 office and residential blocks outlined above. These meetings have considered initial concepts only. CEG have also held a Liaison meeting with Kirkstall Ward Members and the local community, which took place on 11th November 2014 with a further meeting planned for 8th April 2015.

5.0 RELEVANT PLANNING POLICIES

5.1 In this case, the principle of the mixed use development of the Kirkstall Forge site has clearly been established by the outline planning approval. The Reserved Matters applications outlined above will relate only to matters of siting, design (scale), appearance and the landscaping of Phase 1.

5.2 **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) came into force in March 2012 and represents the government's commitment to sustainable development, through its intention to make the planning system more streamlined, localised and less restrictive. It aims to do this by reducing regulatory burdens and by placing sustainability at the heart of the development process. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so.

The NPPF identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes.
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Encourage the reuse of existing resources, including conversion of existing buildings.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

On 6 March 2014 the Government launched the National Planning Practice Guidance, which brought together most national planning guidance and circulars under one web-based resource.

5.3 **Development Plan**

- 5.3.1 The Leeds Core Strategy was adopted by the Council on 12th November 2014. This now forms the development plan for Leeds together with the Natural Resources & Waste Plan and saved policies from the UDP. A number of former UDP saved policies have been superseded by Core Strategy policies and have been deleted as a result of its adoption. Appendix 1 of the Core Strategy provides a full list of 'deleted' UDP policies and policies that continue to be 'saved' (including most land use allocations).

Relevant Saved UDP Policies would include

GP5: All relevant planning considerations

BD2: New buildings

LD1: Landscaping

- 5.3.2 Relevant Core Strategy Policies include:

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policy P12 states that landscapes will be conserved and enhanced.

Policies T1 and T2 identify transport management and accessibility requirements for new development.

5.4 **Relevant Supplementary Planning Guidance includes:**

5.5 **Other material considerations**

5.5.1 **Best Council Plan**

The Plan identifies 6 objectives in order to achieve the best council outcomes identified between 2014-2017. One of the three best Council outcomes (Best Council Plan 2013-17) is to “improve the quality of life for our residents”, and the priority “Maximising housing growth to meet the needs of the city in line with the Core strategy” within the Best Council objective “Promoting sustainable and inclusive economic growth” which gives a strong foundation to improving the quality of housing and ‘livability’ of places delivered under this ambitious programme for the city. Also, the objective “Promoting sustainable and inclusive economic growth” is of relevance to this proposal. This would be achieved by improving the economic wellbeing of local people and businesses, meeting the skills needs of business to support growth, boosting the local economy, creating ‘more jobs, better jobs’ by working with employers and businesses, and continuing to secure local training and recruitment schemes.

5.5.2 **Vision for Leeds 2011-2030**

One of the aims is that by 2030 Leeds’ economy will be more prosperous and sustainable. This includes having a skilled workforce to meet the needs of the local economy, and creating significant job opportunities. The vision also states that Leeds will be a great place to live, where local people benefit from regeneration investment, and there is sufficient housing, including affordable housing that meets the need of the community.

5.5.3 **City Priority Plan 2011-2015**

The Plan states that Leeds will be the best city to live in. The City Priority Plan includes an objective to maximise investment to increase housing choice and affordability. The sustainable growth of a prosperous Leeds’ economy is also a priority. The key headline indicators relevant to this proposal would be the creation of more jobs, more skills, and the growth of the local economy, and an increase in the number of hectares of vacant brownfield land under redevelopment.

5.5.4 **The Leeds Standard**

The Leeds Standard was adopted by the Council’s Executive Board on 17 September 2014. The introduction of a Leeds Standard to ensure excellent quality in the delivery of new council homes under three themes: Design Quality, Space Standards and Energy Efficiency Standards. It sets out how the Council can use the Leeds Standard in its role as Council landlord through its delivery and procurement approaches. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council’s Neighbourhoods for Living guidance. The Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the council.

6.0 **ISSUES**

6.1 Members are asked to consider the following matters in particular:

Do Members have any comments on the overall phasing of development at Kirkstall Forge?

What are Members' views on the design quality of the residential and office blocks proposed as part of Phase 1?

What are Members' views on the general siting of the buildings and the spaces between them, including the distances between facing windows for privacy and overlooking?

Background Papers:

None