



## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 11th June, 2015  
at 1.30 pm

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### MEMBERSHIP

#### Councillors

P Gruen  
S Hamilton  
N Walshaw  
M Ingham  
J McKenna  
(Chair)  
A Khan  
K Ritchie  
E Taylor

C Campbell

R Procter  
G Latty

T Leadley

D Blackburn

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**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><b>SITE VISIT LETTER</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>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>(*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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of 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><b>LATE ITEMS</b></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><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></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>	

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5			<b>APOLOGIES FOR ABSENCE</b>	
6			<b>MINUTES</b>  To approve the minutes of the City Plans Panel meeting held on 14 <sup>th</sup> May 2015  (minutes approved)	3 - 14
7	City and Hunslet		<b>APPLICATION 15/00415/FU - LOW FOLD SOUTH ACCOMMODATION ROAD HUNSLET LS10</b>  Further to minute 185 of the City Plans Panel meeting held on 14 <sup>th</sup> May 2015, where Panel considered a position statement on proposals for 312 dwellings including new open space and associated works, to consider a further report of the Chief Planning Officer setting out the formal application  (report attached)	15 - 48
8	Kippax and Methley		<b>APPLICATION 13/02771/OT - LAND OFF GREAT NORTH ROAD MICKLEFIELD LS25</b>  To consider a report of the Chief Planning Officer on an application for the erection of residential development, landscaping, open space and incorporating associated new access (layout, appearance, landscaping and scale reserved). The proposals were previously considered by City Plans Panel as a position statement at its meeting held on 21 <sup>st</sup> November 2013 (minute 110 refers)  (report attached)	49 - 64

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9	Garforth and Swillington		<p><b>APPLICATION 15/02023//RM - THORPE PARK BUSINESS PARK BARROWBY LANE/MANSTON LANE LEEDS 15</b></p> <p>To consider a report of the Chief Planning Officer on a Reserved Matters application for plot A2 of the wider Thorpe Park masterplan</p> <p>(report attached)</p>	65 - 72
10	Garforth and Swillington		<p><b>APPLICATION 15/01615/FU - 3175 CENTURY WAY THORPE PARK LS15</b></p> <p>To consider a report of the Chief Planning Officer on an application for a four storey office building with parking</p> <p>(report attached)</p>	73 - 80
11	City and Hunslet		<p><b>PREAPP/15/00275 - TOWER WORKS 2 - 10 GLOBE ROAD HOLBECK LS11 - PRE-APPLICATION PRESENTATION</b></p> <p>To consider a report of the Chief Planning Officer setting out pre-application proposals for a mixed use development comprising offices, residential, supporting A1, A3, A4 and D1 uses and public open space and to receive a presentation on behalf of the developer</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> <p>(report attached)</p>	81 - 98

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12	City and Hunslet		<p><b>PREAPP/15/00332 - VICTORIA GATE DEVELOPMENT LAND GEORGE STREET - PRE-APPLICATION PRESENTATION</b></p> <p>To consider a report of the Chief Planning Officer on proposals for a new structure at roof level and to receive a presentation on behalf of the developer</p> <p>(report attached)</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>	99 - 106
13			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday 2<sup>nd</sup> July 2015 at 1.30pm</p>	

**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.

**Chief Executive's Department**  
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To all Members of City Plans Panel

Contact: Angela M Bloor  
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Your reference:  
Our reference: site visits  
Date 2<sup>nd</sup> June 2015

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 11<sup>TH</sup> JUNE 2015**

Prior to the meeting of City Plans Panel on Thursday 11<sup>th</sup> June 2015, the following site visits will take place:

9.30am		Depart Civic Hall
10.00am	Kippax and Methley	Land off Great North Road Micklefield LS25 – outline application for erection of residential development – 13/02771/OT – depart site at 10.30am
10.45am	Garforth and Swillington	Thorpe Park Leeds LS15 – Reserved Matters application for plot A2 of the wider Thorp Park masterplan and 4 storey office building with parking at 3175 Century Way Thorpe Park – 15/02023/RM and 15/01615/FU – depart site 11.15am
11.30am	City and Hunslet	Tower Works 2 – 10 Globe Road Holbeck – proposals for mixed use development comprising offices, residential, supporting A1, A3, A4 and D1 uses and public open space - Preapp/15/00275
12.00 noon approximately		Return to Civic Hall

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

Yours sincerely

Angela M Bloor  
Governance Officer





## CITY PLANS PANEL

THURSDAY, 14TH MAY, 2015

**PRESENT:** Councillor J McKenna in the Chair

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

### 177 Chair's opening remarks

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

### 178 Late Items

There were no formal late items, however the Panel was in receipt of supplementary information in respect of the following applications:

14/07273/FU and 14/07274/LI – Burley House 12 Clarendon Road  
(minute 184 refers)

15/00415/FU – Low Fold South Accommodation Road LS10 (minute 185 refers)

The information had been circulated in advance of the meeting and had been published on the Council's website

### 179 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest

### 180 Apologies for Absence

Apologies for absence had been received from Councillor R Procter, with Councillor Flynn substituting for her

### 181 Minutes

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 16<sup>th</sup> April 2015 be approved, subject to an amendment to minute 173 – Pre-application/Position Statement – Kirkstall Forge Development to include the following:

Draft minutes to be approved at the meeting  
to be held on Thursday, 11th June, 2015

- the new station at Kirkstall Forge with concerns being raised this would only serve passengers travelling between Leeds and Bradford and therefore would not serve the wider community

## **182 Comments by the Head of Planning Services**

With reference to the pre-application proposals at Kirkstall Forge considered by Panel on 16<sup>th</sup> April 2015, the Head of Planning Services informed Members that at the national Place-making Awards, Kirkstall Forge won the award for mixed-use redevelopment and was also highly commended in the Northern England Regional Place-making category

Members were also informed about the latest position in respect of appeals on PAS applications. It was reported that the Inspector's decision to dismiss the appeal on the Kirklees Knowl site was now the subject of a high court challenge, with a date being awaited for the hearing and that the decision on the Grove Road site at Boston Spa would be delayed, with a date on or before 10<sup>th</sup> September 2015 being given by the Secretary of State's Office for the issuing of this decision

In respect of the applications at Leeds Road Collingham; Breary Lane, Bramhope; East Scholes and Bradford Road East Ardsley, a suggestion had been made by the Council for these to be co-joined, however the applicants had objected to this. The Planning Inspectorate have decided to co-join the appeals in two separate Inquiries and the intention was to appoint the same Inspector for the both hearings and deal with them consecutively

In relation to another site – Haigh Road West Ardsley - agreement had been reached to deal with this appeal by written representations, however in this case, the main focus of the appeal was around character, rather than the Council's 5 year land supply

Members discussed the proposed approach in relation to the time these would take, with the Head of Planning Services stating that overall, the process should be shorter than dealing with the four appeals separately as the issue of the 5 year land supply would be dealt with once for the two Inquiries

## **183 Application 13/03846/FU - Residential development of 156 dwellings and associated works - Land to the rear of Sandgate Drive Kippax**

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented a report of the Chief Planning Officer on an application for a residential development, comprising 156 dwellings and associated works on a PAS site to the rear of Sandgate Drive Kippax

Members were informed that the site was well vegetated; there were existing residential dwellings, mainly bungalows to the south; more sparse vegetation to the east and to the north of the site lay the Green Belt and open agricultural land

The proposals had been revised since they were first submitted, which initially was for 166 dwellings. Improved relationships between the existing

residential development had reduced the number of dwellings across the site to 156

Half of the site would be retained as green, open areas and whilst there would be tree loss, mitigation planting was proposed

Details were provided of the walking distances from the site to the nearest schools together with the proposed housing mix and form of the two storey houses

Reference was made to the Executive Board's decision in February 2015 to withdraw the Council's Interim PAS Policy, and allow work to commence on the Site Allocations Plan (SAP), with Members being informed that the SAP did not propose to allocate this site for housing but to retain it as PAS

In respect of highways issues, the applicant had sought to put forward a scheme but Officers in Highways were not satisfied with the proposals

A further representation was reported which expressed concern about the timing of the Plans Panel meeting, i.e. through the day and that insufficient time had been available to consider the revised plan

As the applicant's agent had decided not to speak at Panel, the Chair advised there would be no public speaking on this application

Members discussed the proposals, with the main issues relating to:

- the impact of the proposals
- the inadequacy of the access arrangements
- the SAP process; the work of Development Plan Panel on this and the need to consider sites in the correct context
- the need for significant investment in infrastructure for Kippax
- the work being undertaken on a Neighbourhood Plan for Kippax to shape future development
- whether, in view of the withdrawal of the Council's Interim PAS Policy, any applications on PAS sites should be approved

The Panel considered how to proceed

**RESOLVED** - That the application be refused for the following reasons:

1 The Local Planning Authority considers that the release of the site for housing development would undermine the plan led system, being contrary to policy N34 of the adopted UDP Review (2006) and contrary to Paragraph 85, bullet point 4 of the NPPF, at a time when the Secretary of State has concluded on the basis of examined evidence that Leeds has an identified 5 year housing supply in an up to date Core Strategy. The suitability of the site for housing purposes as part of the future expansion of Kippax needs to be comprehensively reviewed as part of the preparation of the ongoing Site Allocations Plan and Neighbourhood Plan. There are no tangible reasons to justify early release ahead of the comprehensive assessment of safeguarded land being undertaken in the Site Allocations Plan. The Site Allocations Plan will identify which sites will be brought forward for development in the life of the Plan together with the infrastructure which will be needed to support sustainable growth, including additional schools provision and where that would best be located. It is considered that releasing this site in advance of that work would not be justified and would prejudice the comprehensive planning of future growth and infrastructure of the settlement in a plan-led way

2 The proposal is contrary to the Adopted Core Strategy which seeks to concentrate the majority of new development within and adjacent to the main urban area and major settlements. The Site Allocations Plan is the right vehicle to consider the scale and location of new development and supporting infrastructure which should take place in Kippax which is consistent with the size, function and sustainability credentials of a smaller settlement. Furthermore, the Core Strategy states that the priority for identifying land for development will be previously developed land, other infill and key locations identified as sustainable extensions which have not yet been established through the Site Allocations Plan, and the Core Strategy recognises the key role of new and existing infrastructure in delivering future development which has not yet been established through the Site Allocations Plan, e.g. educational and health infrastructure, roads and public transport improvements. As such, the proposal is contrary to Policy SP1 of the Core Strategy and guidance on the core planning principles underpinning the planning system as set out in the NPPF

3 The Local Planning Authority considers that the applicant has so far failed to demonstrate that the local highway infrastructure, including the wider network which will be affected by additional traffic as a result of this development, is capable of safely accommodating the proposed development and absorbing the additional pressures placed on it by the increase in traffic, cycle and pedestrian movements which will be brought about by the proposed development. The proposal is therefore considered to be contrary to Policy T2 of the Core Strategy, Policy GP5 of the adopted UDP Review and the sustainable transport guidance contained in the NPPF which combined requires development not to create or materially add to problems of safety on the highway network

4 In the absence of a signed Section 106 agreement, the proposed development so far fails to provide necessary contributions for the provision of affordable housing, greenspace, travel planning and off site highway, drainage and flood alleviation works contrary to the requirements of Policy GP5 of the adopted UDP Review and related Supplementary Planning Documents and contrary to Policies H5, H8, P9, T2, G4 and ID2 of the Leeds Core Strategy and guidance in the NPPF. The Council anticipates that a Section 106 agreement covering these matters could be provided in the event of an appeal but at present reserves the right to contest these matters should the Section 106 agreement not be completed or cover all the requirements satisfactorily

**184 Applications 14/07273/FU and 14/07274/li - Change of use of offices to 16 self-contained students flats and extension of existing annex to form nine self-contained students flats and Listed Building consent application for internal and external alterations - Burley House 12 Clarendon Road Woodhouse LS2**

Plans, photographs, including historic images and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day. A supplementary report which set out proposed conditions accompanied the main report

Officers presented the report which related to a conversion of a Grade II Listed Building previously used for offices, to form 16 self-contained student flats and the extension of an existing annex to form a further 9 self-contained student flats at Burley House, Clarendon Road which was sited in a Conservation Area

On the conversion of the Listed Building, Members were informed that work had been undertaken to try, through the conversion, to reinstate the existing room forms and characteristics of the original building. The applicant had agreed to retain the timber panelled lobby area and board room, with the existing skirting boards; doors and cornicing being repaired and retained. The windows would also be repaired and restored to a timber finish

Details of the accommodation being proposed were outlined, with Members being informed that two of the units in the main building were smaller than would usually be supported at 22 – 23sqm. However, as the scheme would retain the original form of the Listed Building and when considering the floor to ceiling heights of the rooms, the number and size of windows and the internal arrangements for normal residential functions, it was the view of Officers that on balance the level of amenity afforded to future residents of these two units would be acceptable

In terms of the new build element, the applicant's architect had updated the drawings to re-order the living arrangements, with the bedroom space now at the back of the units and living space at the front

The design of this element was a deliberately discrete, low scale, flat roofed, modern building which would be of red brick with vertical detailing to compliment the styles of the neighbouring properties

If minded to approve the application, an additional condition was proposed to control the height of the wall and secure an appropriate visibility splay adjacent to the proposed vehicle access

The Design Team Manager informed Members that the inclusion of a flat roof on the new build extension was considered to be appropriate in this case in order to retain the view of the historic host building. Members were also informed that the proposal would retain the Listed Building in viable use

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

- the ownership of the disused shelter close to the site and whether the annex could be constructed if the shelter was retained
- the window treatment to the main building and the possibility of providing double glazed units to windows which required replacing rather than repairing
- the size of the smallest two flats; whether a mezzanine floor could be considered for the sleeping area; whether the windows could be realigned to the small flat on the top floor to create additional light or for a duplex arrangement to be considered
- the extent of the retention of original features and whether this would include the front entrance and the fireplace

- uncertainty about the form of the flat roof to the modern building; concern that the new extension looked large and was sited closer to the main building than the current extension, so masking much of the wall
- that further design details - possibly vertical elements - should be introduced to the new extension to lessen its impact. The possibility of the brickwork of the host building being cleaned was raised and the need to select carefully the shade of brickwork for the new extension, to ensure it complemented the Listed Building
- that realigning the first floor windows on the new annex so that they were aligned with those on the ground floor would be one way of introducing verticality into the external appearance and should be considered
- the need to ensure the space between the ground floor flat facing the annex is used to create a pleasant outlook for the occupier of that unit

The Chair invited a representative of the applicant to address points raised by Members, with the following information being provided:

- that the shelter, a former garage on the site in the 1930s, was not in the applicant's ownership but was possibly in the ownership of the NHS; that this structure would be retained and would not be affected by the proposed new annex. Members remained to be convinced on this matter and stated this would need further consideration
- the smaller studio flats; that the escape stair would be removed to the second floor flat which would provide additional light. In response to the suggestion that a duplex arrangement could be considered, although being willing to explore this, it was felt little space would be gained by doing this due to the need to take a staircase up through two units

In response to the other points raised by Members, Officers provided the following information:

- regarding window repairs on the host building, that for windows which needed replacing, that discussions could take place with the Council's Conservation Officer and that replacement window units could be double glazed in the interests of sustainability
- on the possibility of providing a mezzanine floor to help address the issues of the living space in the two smallest units, the Deputy Area Planning Manager advised this might not be possible due to the height restrictions
- that along with the features previously mentioned, the front entrance would be retained as would the fireplace

In summing up the comments of the Panel, the Chair stated that the proposals had been well received but that issues remained regarding double glazing to replacement windows in the Listed Building; the size of the two smallest flats and how these could be dealt with; the brick work on the new build element to match that of the Listed Building

The Head of Planning Services advised that these issues could be

dealt with under delegated powers and recommended condition 22 of application 14/07273/FU be reworded, following discussions with the applicant to link it to the work on the Listed Building

**RESOLVED** - To defer and delegate to the Chief Planning Officer for approval of planning permission and listed building consent in principle, subject to the appropriate resolution of the internal layout of the 1<sup>st</sup> floor flats in the new build annex; issues relating to double glazing of replacement windows; resolving the size/layout of the two smallest flats; further details of the method of construction of the annex to ensure retention of the adjacent shelter and subject to the conditions included in the supplementary report; additional conditions in respect of the brickwork of the new build annex to match the Listed Building; an additional condition to control the height of the wall and secure an appropriate visibility splay adjacent to the proposed vehicle access; the rewording of condition 22 of application 14/07273/FU, as set out above (and any other conditions which he might consider appropriate)

**185 Application 15/00415/FU - 312 dwellings including new open space and associated works - Low Fold South Accommodation Road Hunslet LS10 - Position Statement**

Further to minute 100 of the City Plans Panel meeting held on 11<sup>th</sup> December 2014, where Panel considered pre-application proposals for a residential development at Low Fold, the Panel considered a further report of the Chief Planning Officer setting out the current position on the formal planning application for these proposals. A supplementary report providing an update on highways issues, flood risk and noise, air quality and industrial odour implications was considered alongside the main report

Plans, graphics, precedent images and sample materials were displayed at the meeting

Officers presented the report and outlined the context of the application in relation to other developments and proposals in the surrounding area

Members were informed that although a new bridge link did not form part of the application, the developer was keen to provide this as it would provide good links to New Dock and had the potential to unlock other development sites in the vicinity. In order to provide this, a lower level of affordable housing was proposed than the 5% which would be expected on this site. The view of Officers was that a lower level of affordable housing could be justified on this site in view of the development benefits which would flow from the provision of the bridge link

The scheme proposed 312 dwellings - 160 of them being flats – in a series of 20 individual blocks in a mixed palette of materials. Detailed landscaping proposals had been provided which were key to place making

Detailed design issues were highlighted and included:

- access routes
- landscaping, including a ‘fold’ feature which would be in some parts a decorative function and in others, a practical one, i.e. forming a seating area
- connectivity
- car parking

- sustainability features
- the provision of a new type of back to back dwelling which included a lightwell in each house, running through the building to provide good levels of natural light
- materials, which would include fibre cement panels; metal cladding; mesh cladding; blackened timber cladding and natural coloured timber cladding

In terms of the information provided in the supplementary report, it was confirmed that, in principle and subject to a phased approach to the development, the Environment Agency would be willing to withdraw their objection to the scheme, subject to appropriate conditions

In relation to air quality, noise and industrial odour, the Council's Environment Protection Team was satisfied with the modelling assessment submitted by the applicant in relation to stack emissions from the nearby Allied Glass works and subject to conditions to address issues of potential noise nuisance and air pollution, Officers were of the view that the amenities of the future residents would be adequately protected

On the issue of highways, a range of measures had been set out which would be required if the bridge was not provided. In terms of deliveries and how these would be managed, Members were informed that a layby at the bottom of the service road would be used for on-line retailers/supermarket drop offs and would not impact on the highway network

No visitor car parking would be provided on the site; there would be a need to carry out a survey in respect of off-site car parking and then re-survey as part of a Section 106 Agreement, with additional Traffic Regulation Orders to be funded by the applicant if these were required to address issues of inappropriate parking. In terms of residents parking, basement car parks would be sited under each block, with residents purchasing their parking space at the time they purchased their home, with it being envisaged people would purchase the parking space which was nearest to their home. On the issue of the basement car parking, an error in the submitted supplementary report was corrected, with Members being informed that 45m was the worse case scenario for travel distances between a basement car parking space and the car park exits

In terms of disabled access, steps had been removed from several locations to provide level access/circulation within the site. However steps did not feature on the north western pedestrian route due to the challenge of dealing with the steep site gradients. The applicant had been requested to explore alternative solutions to providing acceptable level access, including a possible connection through the adjacent Rose Wharf site

In view of the range of materials proposed and the non-standard construction process, the Chair allowed the applicant and the scheme architect to address the Panel

Members were provided with information of the following matters:

- the construction process using the Passivhaus principles whereby the units were constructed off site
- the technological process involved in assembling the materials which meant that the amount of material waste on site was reduced



- the timber panelling; that a company in Scandinavia would produce the larch panelling and it would have a 60 year guarantee
- the lightwells which would be 2-3m deep and 4-5m long
- the importance of the connection of this development with Leeds Dock and that the bridge was key in achieving this

Members discussed the proposals and commented on the following matters:

- the lightwells; how these would work; the amount of light they would let in and possibility of producing a model to better understand this element
- whether the basement space would incorporate laundry and/or gym facilities. The applicant stated this space would be required for car parking
- the possibility of introducing retail or leisure uses into the development. The applicant stated that the amenity space would include a 400m running track and informal gym space but that in this location there would be little through traffic and any retail facility would only serve the people on the site and was therefore unlikely to be viable
- concerns about the cladding proposed and the need to know the guarantees the applicant would agree to in respect of the materials
- the security of what was a large, open site; the need to consider personal safety and whether CCTV would be installed. Members were informed that natural surveillance would be the main deterrent; there were no open spaces which were not overlooked and there would be a caretaker on site. The need to see how the management agreement was drawn up was raised. Members were informed that a Community Interest Company would be established to enable residents to take responsibility for their community
- the reduced level of affordable housing being proposed and that in a development of this size, 8 units was not sufficient and concerns that Members were continually being asked to agree to reduced levels of affordable housing
- the lack of visitor parking and the need for a sum of money to be set aside and used if TROs were required. The Transport Development Services Manager stated there were concerns that some visitors would park on East Street or Richmond Hill and that a pot of money may need to provide physical measures and not solely TROs to resolve any adverse highway impact
- the possibility of incorporating some visitor parking at the southern end of the development
- the need to use the black cladding carefully and possibly as a defining instrument to avoid areas of the site looking bleak
- the distance of schools and health facilities from the site, with the Deputy Area Planning Manager stating that the nearest primary and high schools were a ten minute walk, albeit across

East Street, with shops, a medical practice and a pharmacy also within a ten minute walk

- the treatment to the banking alongside the river and the need to ensure the area was stable and that works carried out were in accordance with the Leeds FAS
- the need for more work to be carried out on some of the blocks of flats and that better drawings were required, in particular to the East Street elevation
- the lateness of the supplementary report and the important information it contained in respect of the issue of the bridge link and the importance of the bridge, especially for residents in the nearby Burmantofts and Richmond Hill Ward as this would provide an improved pedestrian connection into the City Centre

The Deputy Area Planning Manager apologised for the lateness of the supplementary report but stated that discussions on the scheme had been ongoing up until the day before the meeting. In terms of the bridge, the applicant's position had not changed since they first presented the scheme to Members in December 2014. Officers had now concluded that the bridge was not essential in planning terms as there were options to improve connectivity without it. However, it was a material planning consideration that the bridge was being offered but with a reduced level of affordable housing and it would be for Panel to reach a decision on this matter

The Transport Development Services Manager stated that the bridge had a strategic purpose in respect of other development sites and had significant benefits for the site in terms of off road cycling and pedestrian routes to the City Centre as well as to other sites, however this was a plan-led requirement rather than a strategic transport-led requirement

The Chief Planning Officer outlined the issue regarding the bridge and noted that many Members had expressed strong views about the level of affordable housing being proposed. The developer was clear what his preferred position was but that would result in a trade off in respect of the affordable housing units. Officers had concluded that with some improvements for crossing East Street the bridge was not essential for the site. However, it would provide the opportunity to plan a larger part of Leeds, i.e. to re-model the South Bank and then create further development and so the bridge was a defining feature which could provide confidence to developers

In response to the specific issues raised in the report, Members provided the following comments:

- that a residential scheme was appropriate for this edge of City Centre brownfield site
- that the proposed mix of house and flat units was appropriate for this edge of City Centre location
- that in general the proposed layout, heights, design and architectural treatment were acceptable however it was noted there were some concerns about the materials proposed
- that the proposal would provide appropriate high quality landscaped public realm, a good standard of private amenity space, biodiversity opportunities and appropriate landscaped riverside setting

- that on balance in the context of a densely built edge of City Centre location, the proposal would give appropriate space between buildings and that the new dwellings would feature an appropriate level of amenities in terms of daylight; sunlight; outlook and privacy
- that the proposal represented a highly sustainable development in terms of its wider environmental benefits, in particular its energy efficient construction and ability to generate on-site renewable energy
- that the provision of a river bridge in lieu of a 2.5% reduction in the normal affordable housing requirement in this case was not agreed to by the majority of the Panel. The possibility of reserving some land for a bridge to be provided in the future which could be funded from a range of developments was suggested

The Chair invited representatives of the applicant to comment on this issue. Members were informed that the offer of 5% affordable housing and the off-site highway works remained; that the site was a challenging one; that what was being proposed was a product which had not been delivered before and that the scheme would set many precedents around how to develop a brownfield site. The importance of creating a development where people wanted to live was stressed and that the South Bank regeneration would add to the attraction of this City Centre development. In terms of affordable housing, the numbers suggested were based on 3 bed houses but that more affordable housing could be delivered on the site albeit in smaller units

In view of these comments, the Chief Planning Officer asked if Members wished Officers to discuss affordable housing numbers in a different mix, with the Chair noting there was opportunity for further negotiation on the affordable housing. The high quality of the proposals was also noted

**RESOLVED** - To note the report, the presentations and the comments now made

During consideration of this matter, Councillor J Lewis, Councillor C Campbell; Councillor C Gruen; Councillor P Gruen, Councillor Flynn and Councillor Latty left the meeting

## **186 Date and Time of Next Meeting**

Thursday 11<sup>th</sup> June 2015 at 1.30pm in the Civic Hall, Leeds

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Originator: C. Briggs

Tel: 0113 2224409

## Report of the Chief Planning Officer

### *CITY PLANS PANEL*

Date: 11 JUNE 2015

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

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Citu (Low Fold) LLP	02.02.2015	26.06.15 (extended)

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

**City and Hunslet  
Burmantofts and Richmond Hill**

Yes Ward Members consulted  
(referred to in report)

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

Equality and Diversity   
Community Cohesion   
Narrowing the Gap

#### **RECOMMENDATION:**

**Defer and delegate to the Chief Planning Officer for approval in principle, subject to the specified conditions (and any others which he might consider appropriate), and following the completion of a Section 106 Agreement to cover the following matters:**

- Affordable Housing – the provision of 5% of the total units as affordable housing on-site (16 units) plus the delivery of a publicly accessible pedestrian bridge across the River Aire
- Travel plan monitoring fee £3560
- Provision of 2 car club bays and £25, 000 car club trial provision
- Public access throughout the site
- Cooperation with local jobs and skills initiatives
- Management fee £750

**In the circumstances where the Section 106 Agreement has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.**

#### **1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel because it is a large-scale major planning application, which if approved would deliver new family housing and flats, and promote the regeneration of a large brownfield site on the edge of the City Centre, in the Aire Valley regeneration area.
- 1.2 Members received a Position Statement presentation at Plans Panel 14<sup>th</sup> May 2015, and resolved on the following issues:
- that a residential scheme is appropriate for this edge of City Centre brownfield site
  - that the proposed mix of house and flat units is appropriate for this edge of City Centre location
  - that the proposed layout, heights, design and architectural treatment and materials are acceptable, but that further clarification was needed regarding the East Street/South Accommodation Road frontage building, and that more information was required regarding the guarantees on the timber cladding material
  - that the proposal would provide appropriate high quality landscaped public realm, a good standard of private amenity space, biodiversity opportunities and appropriate landscaped riverside setting
  - that in the context of a densely built edge of City Centre location, the proposal would give appropriate space between buildings, and that the new dwellings would feature an appropriate level of amenities in terms of daylight and sunlight, outlook and privacy
  - that the proposal represents a highly sustainable development in terms of its wider environmental benefits, in particular its energy efficient construction and ability to generate on-site renewable energy

Members sought further clarification on the following issues which are addressed in this report or by presentation at Panel:

- Pedestrian/cycle bridge provision and level of affordable housing required **(Section 10.8 of this report and Appendix 2)**.
- Building cladding materials, namely the longevity of the timber products, and the appearance of the East Street elevation of Blocks T, Q and R **(by presentation at Panel and paras 10.2.4 and 10.2.5)**
- the impact of not having visitor parking on-site and the provision for any necessary mitigation measures in the S106 agreement **(section 10.7)**

The following issues were outstanding matters from the supplementary report to 14<sup>th</sup> May Plans Panel:

- explore improvements to accessibility around the site **(section 10.7)**
- Site management responsibilities for deliveries and drop-off **(section 10.7)**
- Formal agreement to the revised flood risk assessment by the Environment Agency prior to determination **(para 10.6.2)**

## 2.0 PROPOSAL:

- 2.1 The application proposal is for 312 dwellings set within new landscaped open space and associated works. The dwelling mix consists of 150 houses (102x 3 bed, 48x 4 bed) and 162 apartments (47x 1 bed, 115x 2 bed).
- 2.2 The townhouses would be in 16 groups of terraces at 3 or 4 storeys. There are three apartment blocks being 7, 8 and 9 storeys, with one block a mixture of 'stacked townhouses' and flats, giving 20 groups of dwellings in total. These aim to provide a buffer from the road network to the north, and frame gateway views into the City

Centre from the east. 95% of the dwellings would be generally south facing. All the townhouses would feature rooftop gardens, and some would also feature covered glazed lightwells from the roof to the ground floor. The flats also feature a communal rooftop amenity space. The proposals for private amenity space can be summarised as follows:

Communal Roof Terrace (Level 1 – houses and flats)

- Elongated natural stone paving planks and/or bamboo decking creating a landscaped corridor with access to apartments.
- Low timber planters would provide areas for informal seating and would include vibrant colourful planting beds of herbaceous and ornamental shrubs to provide structure and year round winter interest.
- Planters to include areas for 'Grow Your Own' to encourage community participation.
- The deck area to Block Q and R would include a place to play and gather for families, the space would include tree trunk climbing posts and an undulating rubber play surface
- Trees in this area would be small species and suitable for containerised planting. Trees would be planted in brightly coloured oversized plant pots.

Communal Roof Garden (Floors 9+8 flats )

- Larger planters would act as a visual barrier to the road and make the space feel more private
- 'Grow your own' planters for the use of residents. There would be strips of planting at the entrances made up of low maintenance plants.

Private Roof Garden floor 3 (houses), 4 (houses) and 7 (flats)

- Domestic scale spaces with opportunities for residents to create their own gardens
- Trees would be limited in size due to loading and planting opportunities.

2.3 The houses and flats have been designed along Passivhaus principles, and the form and detailing of the buildings would express the sustainability features. There are a variety of modern material cladding proposals which would create variety to the riverside, road frontage and throughout the scheme. The dwelling designs would be as follows (see Appendix 1 proposed site layout plan):

Block A 4 Townhouses

2x3-bed houses 145 sqm

3 bed house 105 sqm

4 bed house 132 sqm

Material: Dark red metal mesh cladding

Block B 10 Townhouses (9x3bed, 1x4Bed)

2 x3 bed 104 sqm

4x 3-bed 108 sqm

3 bed 120 sqm

3 Bed – 115 sqm

3 Bed - 125 sqm

4 Bed – 132 sqm

Material: Black and natural coloured timber cladding

Block C - 6 Townhouses (4x3Bed, 2x4Bed)

4x 3 Bed – 146 sqm

2x 4 Bed – 131 sqm

Material: Black metal mesh cladding

Block D - 14No. Townhouses (12x3Bed 2x4Bed)  
6x 3 Bed – 146 sqm  
2x 3 Bed – 104 sqm  
2x 3 Bed – 130 sqm  
3 Bed – 104 sqm  
3 Bed – 120 sqm  
Material: Black and natural coloured timber cladding

Block E – 4 Townhouses (2x3Bed 2x4Bed)  
4 Bed – 145 sqm  
4 Bed – 161 sqm  
3Bed – 124 sqm  
3 Bed – 145 sqm  
Material: Dark red metal mesh cladding.

Block F – 8 Townhouses (7x3Bed 1x4Bed)  
4x 3 Bed – 146 sqm  
3x 3 Bed – 104 sqm  
4 Bed – 132 sqm  
Material: Eternit Equitone and natural timber cladding.

Block G - 4 Townhouses (3x3Bed, 1x4Bed)  
3x 3Bed – 110 sqm  
4Bed – 146 sqm  
Material: Black metal mesh cladding

Block H - 10 Townhouses (5x3 Bed, 5x4Bed)  
4x 3 Bed – 146 sqm  
2x 4 Bed – 135 sqm  
3 Bed – 118 sqm  
4 Bed – 125 sqm  
2x 4 Bed – 132 sqm  
Material: Natural timber cladding

Block I - 4 Townhouses (4x 3Bed)  
3Bed – 165 sqm  
3Bed – 158 sqm  
3Bed – 149 sqm  
3 Bed – 140 sqm  
Material: Black metal cladding

Block J - 12 Townhouses (10x 3Bed, 2x4Bed)  
4 Bed – 123 sqm  
3 Bed – 134 sqm  
4Bed – 165 sqm  
5x 3 Bed – 146 sqm  
3 Bed – 141 sqm  
2x 3 Bed – 104 sqm  
3Bed – 119 sqm  
Material: Natural timber cladding

Block K - 14 Townhouses (11x3Bed, 3x4Bed)  
7x 3Bed – 146 sqm  
2x 4Bed – 131 sqm  
4x 3Bed – 104 sqm



1x 4Bed – 131 sqm

Material: Black and natural coloured timber cladding

Block L - 6 Townhouses (3x3Bed, 3x4Bed)

4 Bed – 123 sqm

4 Bed – 123 sqm

3 Bed – 113 sqm

3 Bed – 122 sqm

3Bed – 133 sqm

4Bed – 128 sqm

Material: Natural timber cladding

Block M - 8 Townhouses (7x3Bed, 1x4Bed)

4x 3 Bed – 146 sqm

4 Bed – 143 sqm

3x 3 Bed – 104 sqm

Material: Red coloured metal mesh cladding

Block N - 4 Townhouses (4x4Beds)

2x 4 Bed – 128 sqm

2x 4 Bed – 135 sqm

Material: Equitone and natural timber cladding

Block O – 9 Townhouses (7x3Bed, 2x4Bed)

2x 3 Bed – 145 sqm

2x 3 Bed – 134 sqm

2x 3 Bed – 104 sqm

4 Bed – 146 sqm

3 Bed – 125 sqm

4 Bed – 163 sqm

Material: Black metal cladding

Block P- 6 Stacked townhouses (2 x 3Beds, 4x4Beds)

2x 4 Bed – 161 sqm

3 Bed – 126 sqm

2x 4 Bed – 181 sqm

3 Bed – 147 sqm

Material: Black and natural colour timber cladding

Block Q - 54 Flats (11x1Beds, 43x2Beds)

11x 1Beds – 50 sqm

43 x 2Beds – 60-75 sqm

Material: Grey and black Eternit Equitone cladding

Block R - 64 Flats (18x1Beds, 46x2Beds)

11x 1Beds – Circa 45-60 sqm

43 x 2Beds – Circa 45-70 sqm

Material: Grey and black Eternit Equitone cladding

Block S - 64 Flats (18x1Beds, 24x2Beds)

11x 1Beds – 45-60 sqm

43 x 2Beds – 45-70 sqm

Material: Grey and black Eternit Equitone cladding

Block T - 29 Stacked townhouses (2x2Beds, 15x3Beds, 12x4Beds)

2 Bed – 43 sqm  
2 Bed – 66 sqm  
15x 3 Beds –100-120 sqm  
12x 4Beds –130-135 sqm  
Material: Grey and black Eternit Equitone cladding

- 2.6 The applicant's proposal would aim to create sustainable family living in a City Centre environment. The dwellings would be available for purchase on long leases, with the energy and utilities systems and public realm managed by a community interest company owned by the residents themselves. An on-site caretaker would manage the day-to-day running of the site, such as landscape and communal area maintenance, and arrangement of the communal refuse and recycling bins for collection. Refuse and recycling stores are located off the main service road, with the site manager moving them to the service point on collection day.
- 2.7 The proposed dwellings would be constructed to a zero-carbon standard which means that they would not require conventional heating. The ambient heat given off in the house would be retained through a highly insulated air tight structure. The electricity would be generated on-site through solar PV panels which would feed power into a private grid around the development. This would all be controlled through an energy monitoring app via resident's smart phones. Residents would also benefit from free solar energy to heat their hot water or charge their electric cars. The homes would be cost effective to live in, and would be a demonstrator project for sustainable low carbon living for Leeds.
- 2.8 Low Fold has an existing site access directly off the signalised A61/ A63 junction. This would provide the single vehicle access to the site. Car parking would be hidden under the housing and the scheme design would provide clutter free landscaped public realm, with a sustainable drainage system. There would be provision for 247 parking spaces (including electric charging provision) across the development. This is based on one parking space per house and 60% provision for the flats. There would be 372 secure cycle parking spaces and 10 motorcycle parking spaces at basement level. The residents would access site-specific real-time public transport information and local car share opportunities via smartphone apps, a sustainable travel initiative which has been successful at Citu's other developments such as Greenhouse and is due to be rolled out at Little Kelham in Sheffield.
- 2.9 The space between the apartment blocks and the townhouses would be some 10-28m wide, and would be designed to prioritise pedestrian use with only limited access for service vehicles and removal vans by pre-arrangement only. There would be an approximately 16m wide by 300m long public riverside space. This river frontage would incorporate public access and inaccessible areas for biodiversity reasons, including the safeguarding of wildlife corridors for protected species such as otters. Although not part of the formal planning application the applicant is willing to commit to the provision of a new pedestrian/cycle bridge link over the River Aire, which would improve connectivity to the existing and proposed facilities on the South Bank.
- 2.10 The public realm landscaping scheme can be summarised as follows by character area:  
South Accommodation Road Verge  
- Undulating planting beds would provide a green buffer of shrubs and herbaceous perennials and grasses between the road and the grey and black Equitone clad façade of Blocks T, S , R and Q

- Semi mature Turkish Hazel (approx. 6m tall) trees
- Trailing plants such as Boston ivy provide seasonal interest and colour along the north facing wall
- Sections of low brick wall to path edge with tree planting and the lift/stair cores would create a rhythm to the road corridor

#### Low Fold Access Road

- Curving swept path road with pinch points and a buff, light grey and white mix of concrete aggregate setts built to adoptable standards including 2m wide footpaths and planting beds
- Planting beds and lawn areas with a mix of extra heavy standard and semi mature trees would line the road
- Swathes of grasses and perennials would line the footpaths

#### Low Fold Place and Bridge Landing

- The central space would feature a raised lawn seating island, with a group of 8 trees set into the hard landscaping with timber benches
- A high quality paving area and a new lawn (sprint lawn) where there would be an opportunity for community events
- Curved bands of paving and planting would tie in with the contouring of the site and the "Fold" landscape and seating feature would run throughout the site
- Groups of trees would flank the bridge approach

#### Main Path

- A mix of herbaceous plants and ornamental shrubs planted in large swathes along the path length
- 400m running route and trim trail equipment
- Informal play area on a mounded landscape including climbing posts and boulders
- Trees include extra heavy standard Black Cherry Plums, Honey Locust, Ornamental Pear and Birch

#### Riverside

- Native seasonal bulbs within a buffer zone of grass/wildflowers, adjacent to areas of native prairie style planting and riparian planting.
- Trim trail equipment, seating and a circular level access route to the southern end of the site.
- The river bank slope would be terraced using willow hurdles and coir rolls, lower terraces to be reinforced using slope stabilisation netting and seeded to stabilise the soil.
- Riparian planting to include areas of wildflower plug planting, marginals, shrubs and feathered trees in accordance with Yorkshire Wildlife Trust species list to provide a naturalised river bank (River Aire Valley Project).
- An area would be blocked off from public access using timber and wire stock proof fence to develop a natural habitat area for flora and fauna, including bird boxes and the potential for an otter holt location.

2.11 A number of documents were submitted in support of the application:

- Scaled Plans
- Planning Statement (incorporating Employment Needs Assessment)
- Housing Needs Assessment
- Affordable Housing Statement
- CIL / Section 106 Heads of Terms
- Completed CIL Additional Questions Form and Form 2 (social housing

relief)

- Affordable Housing Pro Forma (plus plan showing location)
- Statement of Community Involvement
- Design & Access Statement
- Sustainability Statement
- Desk Top Archaeological Report
- Noise Assessment
- Air quality and odour assessment
- Transport Assessment
- Travel Plan
- Ecological Appraisal
- Otter Survey
- Tree Survey
- Flood Risk and Drainage Assessment
- Flood Risk Sequential Assessment
- Desk Top Ground Report
- Coal Mining Risk Assessment

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

- 3.1 The approximately 6-acre/2.4 hectare brownfield vacant site sits on the eastern fringe of Leeds City Centre, within the Aire Valley regeneration area. The site is bounded by the River Aire to the south and the Inner Ring Road to the north. Beyond the road network lies traditional housing at Richmond Hill. To the south and east lie the predominantly commercial warehousing and industrial uses of the Aire Valley, such as Vickers Oils and Allied Glass. The majority of the site lies in flood risk zone 1, but parts of the site lie in flood risk zones 2 and 3. To the north lies the recent Echo residential development (14 storeys). Local heritage assets include the Grade I listed St. Saviours Church, Grade II listed Boyds Mill, and the Grade II listed St. Hilda's Church. To the north west lies the Rose Wharf (Grade II listed) offices and its car park. To the south east lies a cleared site at the junction with South Accommodation Road and the A63 Pontefract Lane, currently in use as unauthorised external storage (the occupier is due to vacate the site next month).
- 3.2 The site lies within the designated Aire Valley Leeds Urban Eco-Settlement. The scheme has potential to contribute to the planned new housing provision (over 6500 homes) and place-making opportunities for this area. The site also has potential to connect to the South Bank by linking over the River Aire to the Trans Pennine Trail.

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

- 4.1 Over the last ten years, new residential apartments and listed building conversions have been built along East Street, such as Robert's Wharf, East Street Mills and Echo. Offices at Rose Wharf also add to the mix of uses and activity along East Street. To the north, residential refurbishment projects at Saxton by Urban Splash have taken place. The site also faces the now cleared former Hydro Aluminium site, which was the subject of planning permission reference 06/02364/FU for a mixed use flats and offices scheme, which has now expired. The neighbouring site to Low Fold to the south east previously benefited from planning permission for a 13 storey residential development for 229 flats (ref. 20/526/05/FU), now expired.
- 4.2 Low Fold 20/132/05/OT Outline application to layout access and erect 842 flats, offices and A1/A2/A3/A4 uses with 1067 car parking spaces. The application was approved in principle at Plans Panel (City Centre) 26 April 2007 subject to the

completion of the Section 106 agreement. The agreement was not signed by the applicant, and therefore the application was finally disposed of on 29 June 2009

- 4.3 Low Fold 20/133/05/OT Outline application to layout access and erect 747 flats offices and A1/A3 retail space with 781 car parking spaces. The application was finally disposed of on 03 June 2008.

## **5.0 HISTORY OF NEGOTIATIONS**

- 5.1 Pre-application meetings were held with the developer and their professional team in late 2014.
- 5.2 City and Hunslet Ward and Burmantofts and Richmond Hill Ward Members were consulted by email on 20 November 2014 regarding the initial pre-application scheme. Councillor Maureen Ingham (Burmantofts and Richmond Hill) welcomed more details regarding the proposed bridge link over the River Aire.
- 5.3 Citu presented their initial proposal to Councillors at City Plans Panel on 14 December 2014. Members were generally supportive of the proposal but raised the following matters:
- the energy efficient aspects of the proposal
  - the inclusion of “back to backs” within the scheme
  - the proposed materials and the need for further information on this
  - the need to ensure the proposals did not add to existing road congestion and the need to consider the use of river taxis
  - the importance of the delivery of the bridge link

In relation to the specific issues raised in the officer report, the following responses were provided by Members:

- that Members agreed that the proposed use of the site for a residential scheme and the mix of dwellings proposed would be appropriate
- that on the quality of the homes proposed, these were considered to be very good in respect of space standards, energy efficiency and sustainable construction, however further consideration was required of the proposed finishing materials
- that the balance of private amenity space, communal residents’ amenity space and public realm provision was appropriate for the mix of dwellings proposed however in respect of affordable housing provision, the 3% proposed was considered to be an initial offer and needs to be justified against the Councils normal affordable housing policy
- on privacy and overlooking, there was a need to explore the balance between the gaps created through the design of the scheme
- that given the wide road infrastructure between the site and the scale of the nearby 14 storey Echo flats, that the scale of the proposed development was considered to be appropriate at this gateway location
- to note Members’ views on the necessity of the bridge to connect the development to surrounding communities and facilities
- that subject to the agreement of Transport Development Services (to ensure there would be no adverse impact on highways safety or amenities) that the proposed level of car parking was considered to be acceptable
- the need for affordable housing provision at an acceptable level

5.4 Following the Position Statement to Plans Panel on 14 May 2015, Members visited the applicant's scheme at Little Kelham, Sheffield on 27 May 2015 to see completed and work-in-progress houses with a similar sustainable design and construction technique to that proposed at Low Fold.

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

6.1 Planning application publicity consisted of:

6.1.1 Site Notice posted 13.02.2015

6.1.2 Press Notice published 05.03.2015

6.1.3 City and Hunslet and Burdantofts and Richmond Hill Ward Councillors consulted by email 9.03.2015

6.2 Leeds Civic Trust support the application proposal for the following reasons:

- the scheme includes high quality family housing
- the layout of the blocks and the open space provision are excellent
- the use of taller buildings to shield the site from the noise of the nearby road is a sensible response to the location.
- The Trust believes that the proposed footbridge over the river, which would connect the scheme with Leeds Dock, is an integral part of the scheme. We hope that Citu will do everything in its power to ensure that the bridge is constructed at the same time as this scheme - the applicant deserves the support of the City Council and other agencies in ensuring this happens. Although the city centre lies within walking distance, there are few shops or community amenities in the immediate area, this makes provision of a bridge link to Leeds Dock more essential. The provision of shops and other community amenities will ensure this area is attractive to families and other long stay residents.
- Leeds Civic Trust congratulate the applicant on a brave proposal for a difficult site

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory:**

7.1.1 LCC Transport Development Services

The proposals are acceptable in principle. The site will need to be integrated with the existing pedestrian and cycle network and the pedestrian/ cycle bridge over the Aire is considered highly desirable.

Buses - there is a bus stop outside the site frontage that is served by the 61 and 86A bus routes. The 61 is an hourly daytime service that travels towards Burdantofts and Harehills whilst the 86A is an hourly evening service from Bramley and Armley to St. James's hospital. There are stops on Easy Road for services in the opposite direction. Although within a 5 minute walking distance, these routes involves using several controlled Toucan crossings of the busy and wide A61/ A63 junction. Stops for the 62/62A services are also on Easy Road. These provide a bus service to the city centre via Cross Green at a 30 minute frequency during the weekday daytime. The Transport Assessment also identifies bus stops for the 28 service on Clarence Road which are beyond a 5 minute walk distance without the bridge. There are 3 services per hour during weekday daytime periods. Leeds Dock is also served by a CityBus (South) service which will provide a link with Leeds rail station.

### Walking and Cycling

There are existing Toucan crossings to the east of the access junction that will assist cyclists crossing the A61/ A63 junction and connecting with the cycle route along the A63 Pontefract Lane. It will also provide access to the emerging employment opportunities in the Aire Valley. The applicant has examined the walking and cycling routes to local facilities (such as shops, schools and medical facilities) in the Transport Assessment. The pedestrian route to Richmond Hill Primary School requires the use of controlled crossings of the A63. There are dropped kerbs on this route so no additional improvements are required. The most direct pedestrian route to Mount St. Mary's High School would use Ellerby Road. This has narrow and incomplete footways. The shortest pedestrian route to the doctor's surgery and pharmacy on Upper Accommodation Road would be via Ellerby Lane. There is an improvement scheme for Ellerby Road/ Ellerby Lane which includes the provision of continuous 2m footways on both sides of Ellerby Road.

There is a proposal for a 5.5m access road with 2m wide pedestrian routes delineated with a 30mm upstand kerb. The revised layout is appropriate for a low speed environment which is expected to be used by pedestrians and cyclists. The Street Design Guide gives advice on features that would restrain speeds such as localised widening with a cycle by-pass. A ramped entry treatment would also be required to inform drivers that they are entering a reduced speed environment.

### Traffic Impact

A Traffic Regulation Order will be required along Low Fold. The access road will need to have waiting restrictions otherwise it will be used for on-street parking to the detriment of pedestrians and cyclists.

The full length of the access road would be constructed to adoptable standards and offered for adoption under Section 38 of the Highways Act. The layout has been forwarded to the adoption team for comment.

The speed limit for the access road should be no higher than 20mph in accordance with the Street Design Guide. For the avoidance of doubt the cost of road markings, signage and appropriate speed limit Orders will be fully funded by the developer (inclusive of staff fees and legal costs).

The layout can accommodate the turning manoeuvres of a large refuse vehicle. The requested swept paths of the refuse vehicle on the access road and the internal car parks have been provided and are acceptable.

Given the site layout, parking area access points and the number of properties, there is likely to be demand for vehicle access onto the pedestrian routes that run alongside the properties. The means by which this will be managed needs to be set out. A permanent management presence is the only way that it can be ensured that the bollards to these areas are lowered only when required. This would need to be set out in an agreed Management Statement which would be conditioned.

In terms of traffic impact the apartment and town house trip rates are similar to those agreed in the assessment of the approved Otter Island scheme (13/05566/FU). The traffic distribution and assignment based on census data is also considered reasonable.

It was agreed that capacity assessments would only be required at the signalised A61 South Accommodation Road/ A63 Knowsthorpe Crescent junction. As requested, the

applicant has used the Leeds Transport Model data to identify traffic growth from the 2014 survey year to the 2021 assessment year. This includes major developments in the City Centre and the Aire Valley as well as the Aire Valley Park and Ride site.

There were concerns raised about the increase in traffic queues predicted on the signalised South Accommodation Road junctions as a result of the introduction of an additional signalised access. Urban Traffic Control (UTC) have advised that the signal timings can be adjusted to largely mitigate the impact of the access and no off-site improvements are required beyond the immediate access.

Car Parking - The townhouses will have either 3 or 4 bedrooms. The provision of 1 space per house is therefore below the benchmark set out in the Street Design Guide. It is recognised that part of the site is within the city centre boundary and is likely to attract a lower proportion of 2 car households. The applicant has provided census data of car ownership in the area/ in similar locations and a scale drawing showing the on-street parking, including, TRO restrictions, within 800m of the site. However, Highways officers remain concerned that visitor parking may lead to on-street parking issues. There is no visitor parking proposed. Given the inclusion of 3 and 4 bed family housing, there will be visitor demand particularly at weekends. There would be 97 spaces for the 162 apartments – a 60% level of provision. This reflects the historic apartment provision in the East Street corridor, and is considered the minimum level given the location on the fringe of the City Centre.

Each car parking space will have an electricity supply so that an electric vehicle charging point can be readily installed.

Two Car Club spaces should be provided on the access road and a trial membership package secured via the Section 106 agreement as a specific travel plan measure.

Cycles - The cycle parking provision of one space per dwelling is appropriate.

#### 7.1.2 Canals and Rivers Trust

No objection subject to conditions regarding prevention of contamination, landscaping and details of foundations. The Canals and River Trust would need to be involved as a key consultee on pre-application discussions regarding any future bridge.

#### 7.1.3 Environment Agency

A holding objection was originally issued on the grounds that the scheme would unacceptably increase flood risk. The latest modelling carried out for the Leeds Flood Alleviation Scheme shows that the site would be located in Flood Zone 1. However, the EA have not yet agreed this latest modelling, so that it can be adopted and become the definitive EA Flood Map. The Environment Agency have confirmed that in principle that a phased approach to the development would remove their concerns regarding flood risk. The applicant has submitted an addendum to the Flood Risk Assessment (FRA) and the Environment Agency have confirmed that this approach is likely to be acceptable.

#### 7.1.4 Coal Authority

No objection subject to condition regarding intrusive site investigation works to be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

### 7.2 Non-statutory:

#### 7.2.1 LCC Flood Risk Management



No objection subject to condition regarding details of surface water drainage

7.2.2 LCC Public Rights of Way

There is an historic riverside footpath running alongside the frontage of this development. Public access to this route is currently severely restricted but we would like to see it incorporated into the broad public green promenade. Further details and designs for paths through this landscaped area would be appreciated, however in the meantime we would request that the path should link southwards to the existing path beneath Richmond Bridge and north east back to East Street. The potential bridge across the River Aire is of great interest as it would improve the accessibility of this development for walking and cycling, because it would provide a direct link to the Trans Pennine Trail/National Cycle Network Route on the opposite bank. This would then offer a mostly traffic free route into Leeds City Centre.

7.2.3 LCC Environmental Protection & Air Quality Management Team

Environmental Health and Environmental Studies officers have assessed the submitted reports regarding noise, air quality and industrial odour issues and have confirmed that their findings are acceptable. The applicant’s noise consultants have provided technical guidance and advice on the development and made recommendations. Noise mitigation to meet the design criteria in BS 8233 would be reliant on implementing the design advice provided in the noise report and on the standard of workmanship and attention to detail during construction. Environmental Protection would in the circumstances advise that a post-completion sound test is carried out to ensure that the BS 8233 and WHO design criteria/guideline values mentioned in the original noise assessment are met. Following the BS 8233 and WHO guidance, Environmental Protection would require that the maximum noise levels are:

Location	Daytime & Evening (07:00 - 23:00)	Night-time (23:00 – 07:00)
Internal - Living rooms	35dB L <sub>Aeq, 16hrs</sub>	-
Internal - Dining rooms/areas	40db L <sub>Aeq, 16hrs</sub>	-
Internal - Bedrooms	35dB L <sub>Aeq, 16hrs</sub>	30dB L <sub>Aeq, 8hours</sub> 45dB L <sub>Amax</sub>
Outdoor living areas (e.g. balconies, gardens etc.)	50dB L <sub>Aeq, 16hrs</sub> (55dB as an upper guideline value)	-

7.2.4 LCC Nature Conservation Officer

The inclusion of an ecology area at the eastern end of the site is positive. This area would be designed through appropriate fencing (livestock post-and-wire) and dense planting to exclude the public. This would also allow a suitable location for an artificial otter holt. The soft landscaping to the river frontage is also supported but more details of how this would be achieved in relation to the riverside terracing/riparian planting would be required – the main objective for this should be providing biodiversity features (to off-set loss of riverside trees) and would need specialist long-term management. A Construction Environmental Management Plan (Biodiversity),

Biodiversity Enhancement and Management Plan (to include an artificial otter holt, and monitoring and management of biodiversity features by a specialist ecological company), and the eradication of non-native species would be required by condition.

#### 7.2.5 Yorkshire Water

No objections to the proposal subject to standard drainage and sewer easement conditions.

#### 7.2.6 LCC Waste Management

No objection, however good management of waste facilities will be required as the size of the facilities fall below the Council's usual standards.

#### 7.2.7 LCC Forward Planning and Implementation

No objection

#### 7.2.8 LCC Access Officer

There are concerns regarding provision of equitable access to all parts of the site. The future bridge must be accessible for all.

#### 7.2.9 West Yorkshire Combined Authority

The scheme is welcomed, and the approaches proposed to reduce reliance on the private car, use public transport, electric vehicle charging points, the publication of walking and cycling routes in accordance with the submitted travel plan, and the provision of the new bridge, are all supported.

### **8.0 PLANNING POLICIES:**

#### **8.1 Development Plan**

##### **8.1.1 Leeds Core Strategy 2014**

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 Policies would include:

GP5 all relevant planning considerations

BD2 new buildings

T7A cycle parking

T7B motorcycle parking

T24 Car parking provision

LD1 landscaping

The Low Fold site is currently allocated for employment uses under Saved UDPR Policy EC3:C.

Relevant Core Strategy Policies include:

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. Emerging work on the draft Aire Valley Area Action Plan has proposed the site as a housing allocation which would make a significant contribution towards meeting the area's requirement to provide

6,500 dwellings. This allocation was approved at Executive Board in February 2015 as the basis for consultation on the publication draft version of the plan. Issues relating to the loss of employment land (based on the existing allocation) are discussed in the appraisal section of this report.

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 7 – Sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Area. The Low Fold site is in the Inner Area with a requirement to provide 10,000 units (2012-28)

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.

Policy CC3: Improving connectivity between 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.

Spatial Policy 13 – Strategic Green Infrastructure – The River Aire corridor is part of the GI network described in the policy. The applicant will also need to address Policy G1 (green infrastructure) and G9 (biodiversity).

Policy H2 – New housing development on non-allocated sites & Policy T2 accessibility requirements – refers the capacity of infrastructure and accessibility standards in Appendix 3. Links to local shops, primary schools, secondary schools, parks and employment locations are important.

Policy H3 – Density of development. A minimum density target of 65 dwellings per hectare is set for edge of centre locations.

Policy H4 says that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location.

Policy H5 – Affordable Housing. The site lies within Affordable Housing Zone 3 on Map 12 of the Core Strategy. According to the policy, the affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings

Policy EC3 Safeguarding existing employment land and industrial areas.

Policy G4 – Open space requirements. Outside the City Centre the normal requirement is 80 sqm per dwelling.

Policy G9 Biodiversity improvements

Policies EN1 & EN2 Policy set targets for CO2 reduction and sustainable design & construction, including Code for Sustainable Homes Level 4 and at least 10% low or zero carbon energy production on-site.

Policies EN4 District Heating. This site is not within the areas identified as having most potential in the Aire Valley & City Centre Energy Masterplan.

Policy EN5 – flood risk. A flood risk assessment and sequential test would be required as some of site lies in Flood Zones 2 and 3. Housing is proposed in Zone 3 and therefore the exceptions test would also be required. The applicant would need to consider the layout of site and potential for locating green space in the in higher flood risk zones in accordance with NPPG advice.

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.

#### 8.1.3 **Leeds Natural Resources and Waste DPD 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 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) and partly within Minerals Safeguarding Area for Sand & Gravel (Minerals 2).

#### 8.2 **Relevant Supplementary Planning Guidance includes:**

SPD Street Design Guide

SPD Public Transport Improvements and Developer Contributions

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Biodiversity and Waterfront Development

SPG Neighbourhoods for Living

SPG Leeds Waterfront Strategy

#### 5.6 **Other material considerations**

##### 5.6.1 **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” gives a strong foundation to improving the quality of housing and ‘liveability’ of places delivered under this ambitious programme for the city.

##### 5.6.2 **Vision for Leeds 2011-2030**

The vision 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.

### 5.6.3 **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.

### 5.6.4 **The Leeds Standard**

The Leeds Standard was adopted by the Council's Executive Board on 17 September 2014. The aim of the Leeds Standard is 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.

## 8.3 **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.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23). Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49).

The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places

better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

## **9.0 MAIN ISSUES**

- 9.1 Principle of use
- 9.2 Design
- 9.3 Landscaping, public realm/open space and biodiversity
- 9.4 Amenity of future residents
- 9.5 Sustainability
- 9.6 Flood risk
- 9.7 Highways and transportation
- 9.8 Planning obligations

## **10.0 APPRAISAL**

### **10.1 Principle of use**

10.1.1 The National Planning Policy Framework, the Leeds Core Strategy, and the emerging Aire Valley Area Action Plan would support a residential development in this edge of City Centre location, as a major contribution to housing in the Aire Valley.

10.1.2 Policy EC3 safeguards existing employment land and industrial areas unless specific criteria are met. As the site is allocated for employment, the criteria set out in Part A of the policy would need to be addressed. This is not a site where office development would be specifically encouraged as it is not in a designated centre. This would leave industrial/warehousing development as the only potential alternative use for the site. Given the number of planning permissions / allocations for employment in the wider Aire Valley Urban Eco-Settlement area on large sites, this site is not considered necessary to meeting the overall employment targets, but can make a valuable contribution to meeting housing targets in the Aire Valley. The site is not in an area of employment shortfall so part B of the policy does not apply. The overall benefits of a sustainable housing development at this site are considered to outweigh employment land policy provisions in this case.

10.1.3 Core Strategy Policy H4 requires residential development to provide a mix of unit types including one, two and three-bed accommodation to meet housing needs over the long term. The application proposes 52% flats and 48% houses which falls slightly below the minimum of 50% houses set out in Table H4. However, taking into account the site location on the edge of the city centre and the fact that 10% of the site area lies within the city centre boundary (where a mix of house/flats types is not required), it is considered that the proposed mix of houses and flats is appropriate. In terms of dwelling size the proposed mix is as follows: 1 bed (15%); 2 bed (37%); 3 bed (33%); 4+ bed (15%). These proportions all fall within the minimum and maximum proportions of each dwelling size specified in Table H4.

### **10.2 Design**

10.2.1 The topography of the site and the varied storey heights would also allow daylight and sunlight into the courtyards in varying degrees throughout the year, to a level that is considered appropriate to this urban City Centre context, taking account of the heights of nearby buildings and spaces between them and the proposal. The townhouses would be three storeys along the riverside, rising to four storeys within the site. The tallest elements of the proposal would be the apartment blocks along East Street at 7, 8 and 9 storeys respectively. Given the wide road infrastructure between the site and the scale of the nearby 14 storey Echo flats, the scale and distribution of heights around the proposed development is considered appropriate at this road gateway and riverside location.

10.2.2 The spaces between the buildings and the scale of the inner courtyard terraces are comparable to the spatial qualities of typical City Centre streets:

- Park Row is 15m wide with building to space width ratio of 1:1.06-2.4 (4-9 storeys)
- St Pauls Street is 10m wide with a building to space width ratio of 1:1.2-2.8 (3-7 storeys)
- York Place is 10m wide with a building space to width ratio of 1:1.2-1.6 (3-4 storeys)
- King Edward Street is 10m wide with a building space to width ratio of 1:1.6-1.2 (3-4 Storeys)
- Commercial Street is 10m wide with building to space width ratio of 1:0.8-1.2 (2-4 storeys)
- Kirkgate is 14m wide with building to space width ratio of 1:0.86-1.14 (3-5 storeys)
- Brewery Walk is 9m wide with building to space width ratio of 5-9 storeys 1:1.88-4.22

The 10m wide Low Fold courtyards at 3-4 storeys with a building height to street width ratio of 1:1-1.2 would be in keeping with typical City Centre urban grain. Given the pedestrianised qualities of the spaces and overall high landscape quality this is considered appropriate for a housing scheme in this location.

10.2.3 Passivhaus principles including maximising solar gain and natural light lead to the modern form and appearance of the proposed buildings. The buildings would feature a simple and ordered architecture, with crisp detailing, such as large historic mill-scale windows with deep reveals, and shutters which provide shade and add visual interest. The proposed buildings feature a range of materials with a variety of different textures from solid and perforated black or red metal cladding systems, grey Eternit cement cladding, and black or natural timber products.

10.2.4 The roadside elevation of the flats blocks would feature a framework which would support appropriate climbing plants. This would provide a distinctive softening and contrasting feature to the grey/black cladding. The scale of the roadside elevation would also be broken up by open slots through the building. These features would also add visual interest to the façade.

10.2.5 Further to Members' comments at 14<sup>th</sup> May 2015 City Plans Panel, the applicant has provided details of the following façade cladding guarantees:

- Equitone : 10 Year warranty.
- Accoya Timber (black timber) : 50 Year warranty on structure of the wood against fungal decay or rot.
- Sikkens Stain (black timber) : 4 Year warranty against water damage, peeling, blistering and colour change.
- NORClad (Timber): 15 Year warranty on structure of the wood against fungal decay or rot.

- Sioo treatment (Timber) : 8 Year warranty against water damage, rot and fungal damage.
- Black metal cladding : 25 Year warranty (on protective finish)
- Mesh cladding : 30 Year warranty (on protective finish)

10.2.6 It is considered that the proposed building design and materials would complement the changing industrial character of the area, with the timber elements providing a contrast to the grey, black and dark red of the anodised metal and Eternit cladding. Overall, it is considered that the proposed buildings would create a unique sense of place and identity for the site, and offers a distinctive new character to the area.

### 10.3 Landscaping, open space and biodiversity

10.3.1 The name “Low Fold” derives from the shape of land, a *fold* being a significant geological feature at this site. At its steepest, the level change from the east of the site along South Accommodation Road to the west (River Aire) is 12m in total, made up of a steep slope, shallower sloping plateau and then a further 2-3m drop at the river’s edge. The proposal would respond to the existing land form of the area to create a hierarchy of amenity spaces:

- Public accessibility to the greened public realm around the site including the riverside at ground level
- Communal courtyard spaces between the groups of terrace houses, creating attractive and social spaces for residents
- The houses would benefit from private roof gardens and the flats would benefit from communal roof gardens.

10.3.2 The proposed tree planting would comprise a mixture of native and ornamental tree species throughout the site, such as a landscaped buffer including tree planting to South Accommodation Road along the full length of the site frontage. The landscaping proposal would combine swathes of ornamental herbaceous perennial planting, native and prairie grasses, and shrub planting with bands of pathway and street furniture which would give interest to the different character areas of the scheme. The riverside would retain a naturalised and varied river edge providing a meandering and sloped set of terraces.

10.3.3 The sculptural ‘Fold’ feature, a high quality cast concrete undulation would weave its way through planting and paving. The feature would be a seat and a visual connector linking different character spaces throughout the landscaped public realm. The ‘Fold’ would vary in height from 750mm to ground level and its line would be continued by planting and matching gravel bands. A lighting scheme to highlight features, routes and tree canopies would give an attractive and safe environment at night. Exact details of the lighting scheme would be controlled by condition.

10.3.4 In terms of movement and accessibility, the site features a steep level change, and all public realm areas would be compliant with British Standard 8300:2009 +A1:2010. Ramps and steps would be provided in accordance with the British Standard and level access routes would be provided to all buildings and to the riverside. There would be circular level walking routes where possible given the topography of the site, 2 informal play areas, a 400m running/circuit training route, sprint lawn and trim trail equipment. Low maintenance vandal resistant seating is proposed, which would combine linear hardwood beam benches on steel supports (including backrest and arms where required) with the concrete ‘Fold’ Feature for informal seating.

10.3.5 An integral part of the proposed landscape strategy would be the promotion of biodiversity and mitigation of any adverse effects from the development. The scheme



proposal would enhance biodiversity opportunities for the River Aire Corridor by providing a habitat for riparian flora and fauna including retained existing trees, local native wildflowers and herbaceous planting. An area to the south of the riverside would be fenced with timber and stock proof wire to prevent public access and allow the habitat to continue to develop naturally. This area would have potential for an artificial otter holt if appropriate in the future. It is considered that the scheme would make appropriate provision for biodiversity enhancement in a riverside corridor location.

- 10.3.6 Through the provision of a broad landscaped riverside walkway for the full length of this site, there would be potential for onward connection subject to the future redevelopment of the adjoining sites and respective landowners' agreement. The scheme would therefore meet Core Strategy Spatial Policy 13 – Strategic Green Infrastructure – The River Aire corridor is part of the Green Infrastructure network described in the policy. The proposals therefore address the requirements set out in Policy G1 (green infrastructure) and G9 (biodiversity).
- 10.3.7 Core Strategy Policy G4 requires on site provision of green space of 80 square metres per residential unit for development sites of 10 or more dwellings that are outside the City Centre. The site is located within 720 metres of a community park (Bow Street Recreation Ground) but there are deficiencies in provision of all green space types (except children's equipped play) in City and Hunslet Ward, and therefore on-site provision is required. Policy G5 applies within the City Centre with a requirement for open space provision equivalent to 0.41 hectares per 1,000 population. . Approximately 10% of the red line boundary of this site is located within the City Centre boundary. If the Policy G4 requirements are applied to the site the on-site green space requirement would be 2.5 hectares. If the Policy G5 requirements are applied it would be 0.22 hectares. Applying the requirements pro-rata based on 90% of the site area lying outside the City Centre and 10% within, the green space on-site requirement is calculated to be 2.27 hectares. Proposed provision would be in excess of the requirement based solely on Policy G5 but well below the requirement based on Policy G4 or the pro-rata figure based on the area of site within and outside the City Centre. However, even the pro-rata requirement amounts to about 80% of the red line site area which is undeliverable on this site based on a development of the type of density proposed. The overall nature, density and housing type of the scheme is considered appropriate given the site characteristics and location on the edge of the City Centre. In this case the public space provided would exceed the requirement that would be asked for if the proposals were assessed under Policy G5, and the amount of open space provided is considered acceptable on the basis that it would be impractical to use Policy G4 for this particular scheme.
- 10.3.9 The overall approach to landscaping, amenity space and public realm would offer a good standard of landscape amenity for residents, make use of sustainable drainage techniques, enhance the biodiversity value of the River Aire corridor, provide an appropriate level of landscaped publicly accessible open space, and contribute positively to the overall distinctive sense of place at the site.

#### **10.4 Amenity of future residents**

- 10.4.1 In the context of the recent Executive Board adoption of the "Leeds Standard" for the Council's own housing schemes, it is strongly encouraged that private developers also meet our aspirations for high quality, liveable homes in the City, particularly in relation to design quality, space standards and energy efficiency standards. This includes meeting the minimum Government and Homes and Community Agency (HCA) internal space standards. Although the applicant does not intend to seek

accreditation under Code for Sustainable Homes this scheme would exceed the minimum space and energy efficiency requirements encouraged by the Council under the Leeds Standard.

- 10.4.2 The townhouses would be built above a concealed undercroft parking deck built into the change in levels across the site. Habitable accommodation would be at street level to give outlook, activity and surveillance to pedestrian routes. The townhouses would be single aspect, with private 5-8m long glazed covered courtyards to the rear, and a rooftop terrace. The covered glazed roofs to the rear of the properties would allow light into the rear of the dwellings and provide private all-weather amenity space, in addition to private outdoor space on the roof of each house. Although the townhouses are single aspect, they would each have access to a covered glazed atrium and a private external rooftop garden. It is considered that this arrangement along with the mix of 10m gaps to the main street aspect or open views across the river, combined with the proposed good internal space standards, would provide acceptable amenities for future occupiers. There are 8 instances where there is a gap of 4m between buildings. In these cases, the windows would be arranged so that overlooking would be minimised. For example, where Block A faces Block B at such a distance, the facing wall of Block B features no windows. Where Block D faces Block E, the windows in the facing elevation of Block D would be to the staircase only, with the open aspects to the side along the courtyard. This arrangement also increases natural surveillance obliquely along the courtyards. The open layouts of the houses mean that light would not be blocked (unless the resident wishes). The narrowing points have been designed to create a series of intimate courtyards rather than one long street. It is considered that this feature contributes positively to the character of the spaces, and on balance, given the edge of City Centre context, and the unique type of high density family housing being provided, it is considered that the accommodation would have appropriate size, outlook, level of privacy and natural light.
- 10.4.3 With regard to the distances between the site and its neighbours, at the eastern flank of Block T the boundary would be some 20m away from primary aspect windows. There are no aspects towards the boundaries on Blocks B and O to avoid any prejudice to future neighbouring development. At the site's south-eastern edge, Block P would feature living room and bedroom windows looking south and east across the site boundary onto the road over the redundant highway land to the south east. It is considered that in the more densely built character of an edge of City Centre location, the proposal would give appropriate space between buildings, and not have significantly adverse effects on the amenities of neighbouring properties.
- 10.4.5 The site lies close to the inner ring road and heavy industry at Allied Glass, which have the potential to cause noise, odour and air quality issues for any nearby residential uses. The Council's Environmental Protection and Air Quality Management teams have confirmed that the submitted modelling assessment confirms that levels of stack emissions from Allied Glass are highly unlikely to breach the health standards within the development site. They have also confirmed that dwellings at this site would meet acceptable odour guidance criteria.
- 10.4.6 In terms of the traffic-related pollution, the properties located close to the back of the footpath along South Accommodation Road could potentially breach the annual standard, as many existing residential properties do in the city. However, the proposed ventilation system, ducted from the roof, would provide the best possible mitigation against reduced air quality within the properties themselves.

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

## **10.5 Sustainability**

- 10.5.1 The proposed buildings would be constructed to the highest building sustainability levels in and around Leeds City Centre. The scheme would not achieve all elements of the formally accredited standard set out in the adopted policy by meeting Code for Sustainable Homes Level 4 (CSH4), but in many areas the proposal would exceed the CSH4 and the Council's objectives for minimising energy use, and on-site renewable energy generation through photovoltaic cells.
- 10.5.2 The scheme has been designed along Passivhaus principles. The buildings have been designed to optimise solar gain and natural light into the dwellings, for example the triple height lightwell angled southwards from the rooftop of each house. A 'Passivhaus' is a building where the right temperature can be achieved solely by post-heating or post-cooling incoming fresh air, in order to achieve appropriate indoor air quality conditions without the need for additional recirculation of air. Passivhaus is a specific energy performance standard that delivers very high levels of energy efficiency, whilst the CSH and BREEAM are overarching sustainability assessment ratings which address a large number of environmental issues. These standards are not mutually exclusive - sub sections within these sustainability standards account for Energy and Carbon Dioxide emissions, which are the most heavily weighted and most difficult to achieve. By adopting the Passivhaus 'fabric first' approach the scheme would be able to reduce the level of renewable energy needed to deliver the higher level targets.
- 10.5.3 Policy EN1 requires new homes to be built to energy performance set out in CSH level 4. CSH level 4 requires improvement of 25% above building regulations requirements. The Fabric Energy Efficiency (FEE) requirement under CSH level 4 for a terrace house (that closest reflects the majority of dwellings at Low Fold) is <55kwh/m2/yr. The FEE requirement of levels 5 and 6 of CSH is <38kwh/m2/yr. The FEE at Low Fold houses is 20.8kwh/m2/yr for type A, 27.3 kwh/m2/yr for type B and 29.9kwh/m2/yr for type C. This represents a 62%, 50% and 46% improvement on CSH level 4 (the Council's minimum policy requirement).

- 10.5.4 The construction methodology as currently modelled would minimise the space heating load for the dwelling. The district heat network heat load for the development would be met by a combination of solar photovoltaic cell and passive heat sources. This construction model would take into consideration the merits of air tightness and thermal insulation to achieve the appropriate u-values for floors, walls and roofs. Junction details have been fully modelled by the applicant to prevent heat loss and leakage. The result would be extremely thermally efficient buildings, which would have an inherent lower energy demand. The applicant has experience of delivering thermally efficient, air tight buildings through delivery of the Greenhouse scheme in Leeds and the Little Kelham development in Sheffield. The applicant would use thermal imaging testing and air tightness testing throughout the construction stages to ensure that design details are achieved during construction. This approach would exceed current and 2016 proposed minimum building regulations, and reflect the requirements of Policy EN1 and 2 to reduce carbon emissions and achieve sustainable design at the proposed new development.
- 10.5.5 Reduction in onsite potable water use would be addressed through a variety of measures. Water efficient appliances would be specified as standard, with rainwater harvesting systems used where the relative water savings would be weighted against the energy load for pumping.
- 10.5.6 The proposal would incorporate sustainable urban drainage (SUDS) techniques. Surface profiles, porous paving, planting channels and the areas of biodiverse (intensive) green roofs would slow down the rate of surface water run-off from parts of the site. An investigation into the filtration rate of the site is underway and may present further opportunities. Exact details of the SUDS would be sought by planning condition.
- 10.5.7 The applicant is not seeking formal Code for Sustainable Homes or Passivhaus accreditation for Low Fold, however, an appropriately worded condition would control key headline indicators to ensure that the sustainability benefits are delivered. In addition, the overall development would also enable the delivery of new dwellings on a longstanding brownfield cleared site, representing efficient use of urban land in a sustainable location, make use of grey-water recycling and sustainable urban drainage systems (SUDS), and employ measures to reduce reliance on the private car.

## **10.6 Flood risk**

- 10.6.1 The application site lies in Flood Risk Zones 1, 2 and 3. The proposed residential use is classed as 'more vulnerable' according to the flood risk vulnerability classification table set out in the NPPF technical guidance on flood risk. Therefore in accordance with the requirements set out in the NPPF (para 100) a flood risk sequential tests has been submitted on behalf of the applicant and is considered acceptable. This demonstrates that no sequentially preferable sites within a lower flood risk are available to deliver this project on a site that is within the Aire Valley area as defined by the Core Strategy. Given housing development is proposed in Flood Zone 3, the exception test should also be applied in accordance with Table 3: Flood risk vulnerability and flood zone 'compatibility' of the NPPG. Part A of the exception test requires demonstration that the development provides wider sustainability benefits to the community that outweigh flood risk. The site is considered sustainable given its location on a brownfield site, within an identified regeneration area, built to high sustainability standards, accessible to pedestrians and cyclists and close to public transport links, the site is previously developed land, and subject to the agreement of an acceptable flood risk assessment by the Environment Agency, the proposal would

adequately safeguard against potential flooding impact. These wider sustainability benefits are therefore considered to outweigh potential flood risk matters in this case.

10.6.2 The Environment Agency have confirmed that in principle that a phased approach to the development would remove their concerns regarding flood risk. The applicant has submitted an addendum to the Flood Risk Assessment (FRA) and the following approach would be acceptable to the Environment Agency. The development will be split into two phases. Phase 1 would include the access road and all development to the north of this. Phase two would include development south of the access road.

10.6.3 The proposed schedule of works (subject to determination of this planning application) would be as follows:

- 6 month remediation works on-site start Summer 2015
- Early 2016 start building phase 1 (will take approximately 1 year)
- Early 2017 start phase 2

10.6.4 The proposed phase 1 is partially situated in the 1 in 100 year zone, and compensatory storage for up to the 1 in 100 year event would be provided. Given that the works to the Leeds Flood Alleviation Scheme (FAS) have already started, and once completed would result in phase 1 not being in the 1 in 100 year outline, it is not considered appropriate to provide additional compensatory storage for the climate change allowance for that part of the site. The timing of phase 2 of the Low Fold development, and the timing of the completion of the FAS would determine the volume of on-site compensatory storage required. By the time phase 2 is ready to start, it is expected the FAS model would be approved by the Environment Agency. It is therefore considered that the current objection from the Environment Agency can be overcome, subject to an addendum to the FRA and an appropriately worded phasing condition to include the following:

- Phase 1 - provide compensatory storage for the 1 in 100 year outline based on existing model results.
- Phase 2 – condition commencement of phase 2 development until a scheme for compensatory storage has been approved, based on the new model.

## **10.7 Highways and transportation**

10.7.1 The scheme proposes one car parking space per house and 60% parking provision for the flat units. The developer also proposes travel plan measures in order to encourage future residents to rely less on private car use, such as providing real-time public transport information and car sharing apps for each household to access. Secure cycle storage would be provided for each dwelling in a secure room in the basement. The applicant would also provide two car club bays at the site, and free trail membership for residents as part of their travel plan measures.

10.7.2 The nearest primary school is Richmond Hill (10 minute walk) and the closest secondary school is Mount St. Mary's (10 minute walk). The proposed Ruth Gorse Academy would be an 18 minute walk without a bridge, but around 10 minutes if accessibility were improved by a new pedestrian bridge over the River Aire to the South Bank. Local shops and services including sandwich shops, pharmacy and medical centre (Richmond Hill Medical Centre) are located at the junction of Ellerby Lane/Dial Street around 10 minutes walk to the northeast. Local play and park facilities are located off Bow Street at a 10 minute walk. Leeds Dock including a Tesco Express Store, restaurants, café, and a gym is situated south of the River Aire and can be accessed via an existing footbridge at Neptune Street via a 20 minute walk or an approximate 13 minute walk via South Accommodation Road and Clarence Road. Leeds city bus station and city centre retail and leisure facilities are

approximately 1 mile (20 minutes walk) from the lower part of the access road. There are also frequent bus services along Hunslet Road within a 10 minute walk. Local bus facilities exist on Easy Road (10 mins walk) and South Accommodation Road (close to the site frontage) to the City Centre and beyond, but at lower frequency times than the Core Strategy recommends. Links to local shops, primary schools, secondary schools, parks and employment locations are important, and a river bridge would provide a much quicker link to the South Bank including the local shopping facilities at Leeds Dock, the proposed secondary school at Black Bull Street and the future City Centre Park.

10.7.3 There is availability of local services and facilities across East Street and frequent bus services along Hunslet Road. Although the nature of the pedestrian journey to these facilities needs to be taken into account (across major highway infrastructure), it is considered that their availability questions the position that the river bridge is essential to make the development acceptable in accessibility terms. Further discussions have taken place with Highway Services and it has been concluded that although the river bridge link is considered highly desirable to enhance the pedestrian and cycle connectivity of the site to existing and planned facilities to the south of the site it is not essential to meet the needs of the development proposal subject to providing an acceptable standard of pedestrian and cycle connections to existing facilities in the city centre and to the north of the site. Whilst the provision of the river bridge is not considered to be a strict requirement to make the scheme acceptable in planning terms (subject to achieving suitable pedestrian and cycle accessibility to the north of the site), it is strongly desirable in wider place-making and connectivity terms. It is considered that the provision of a new bridge over the River Aire would help the regeneration of this part of the Aire Valley and the South Bank. A new bridge linking Low Fold and the Trans Pennine trail would significantly improve accessibility to/from the site to local facilities at Leeds Dock, and improve accessibility from East Street, Richmond Hill and Cross Green to the South Bank and the future City Centre Park.

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

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

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

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

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

10.7.6 The adequacy of arrangements for managing visitor, service and delivery parking have been discussed. The applicant has indicated their agreement to locating the

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

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

10.7.8 With regard to internal site accessibility the applicant has confirmed that residents would be no further than 40m from a staircore exit to their residence when accessing the site from the undercroft car park. In terms of accessibility around the site in general, they have confirmed that all ramps and steps will meet the relevant British Standard, and they have improved the scheme to provide full level access around the dwellings to the south of the access road (phase 2). Steps have been removed from several locations to provide level access from the east of blocks A-I and J-O. Blocks R+Q have a new level access path and circulation has been improved around blocks J-O by removing steps to the south of block O. To the north of the access road, due to the challenging topography of the site, steps do feature on the north western pedestrian route between blocks A, B and T, and the route from the central landscaped space up to South Accommodation Road between blocks S and R. The applicant has stated that it would not be practical to provide ramps to these routes due to the land take needed to make this route accessible. Residents and visitors who are unable to use steps would in this case need to travel past Blocks Q and R and use the site access road, an extra distance of 200m. The applicant has stated that ramps would need to start outside of the site and would require significant engineering works such as battered slopes and retaining structures, which would result in reduced tree planting and soft landscaping, and reduced circulation and usable green space. Ramps would need to be some 60-138m in length to concertina down the slope in order to deal with level changes of 4.4-6.6m. Another alternative would be to use an external platform lift to help negotiate the steps, which would have maintenance and management issues, and therefore may not be suitable in this case. On that basis it is not possible to provide step-free access directly onto East Street from the northern end of the site without significant layout changes which would result in a reduction in landscaped public realm and a reduction in the number of houses. Accessible routes are available to reach all parts of the site, and taking account of the wider benefits of the proposed scheme, it considered to be acceptable on balance.

10.7.9 Urban Traffic Control have advised that signals timings can be adjusted to offset the increase in queuing at the South Accommodation Road junction so there are no outstanding concerns regarding traffic impact.

10.7.10 The applicant has also agreed to fund two car club parking spaces and a £25,000 contribution to fund membership for all residents for a 2 year period. The TravelWise team have agreed the Travel Plan.

- 10.7.11 The number and location of cycle and motorcycle parking spaces has been agreed. Details of individual secure cycle storage areas would need to be provided which can be dealt with by a standard condition.
- 10.7.12 At present the developer's proposal to provide a new river bridge link from the site to the South Bank is not part of the formal planning application. Therefore they would need a separate planning application for the works which includes land outside the current application site boundary.

## **10.8 Planning obligations**

- 10.8.1 The developer is willing to provide a river bridge but has estimated that the cost of the bridge cannot be met by the proposals without amending the Council's normal affordable housing requirement. The pedestrian bridge over the River Aire does not form part of the formal planning application. However, its delivery would enhance the connection of the site to facilities on the south side of the river so that it would achieve the minimum accessibility standards set out by policy T2 of the Core Strategy. It would also have a wider connectivity and regeneration benefit in linking across the southern and eastern edge of the City Centre from Richmond Hill and Cross Green to the South Bank and Hunslet. These are material planning considerations. Spatial Policy 11 – Transport Investment Priorities includes a priority relating to improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the City Centre and its fringes. Policy CC3: Improving connectivity between the city centre and neighbouring communities requires development to provide and improve routes connecting the city centre with adjoining neighbourhoods to improve access and make walking and cycling easier. A new river bridge connection (and its related significant costs) would give improved access to other facilities at Leeds Dock, proposed secondary school and college educational establishments and the proposed NGT trolleybus. It is therefore considered to be strongly desirable, and it may also act as a catalyst for the regeneration of this part of the South Bank and Hunslet Riverside in the future.
- 10.8.2 The applicant has submitted a feasibility study regarding the provision of a bridge which assesses the costs of providing 5% of the total units as affordable housing (16 units based on a mix of 1 and 2 bed flats) and the cost of providing a river bridge (Appendix 2). Officers have taken advice from the Council's Bridges team and they have stated that the cost estimate for the bridge may be on the low side because there are unknown costs associated with the need for third party landowner agreement, other consents and site investigations. Officers instructed the Council's Asset Management service to independently assess the figures for the residential units, and they have confirmed that the applicant's projected valuations are reasonable.
- 10.8.3 With regard to Policy H5, the site lies within Affordable Housing Zone 4 on Map 12 of the Core Strategy. According to the policy, the affordable housing requirement is 5% of the total units on a pro-rata basis, 40% of these for households on lower quartile earnings and 60% for households on lower decile earnings. This would equate to 16 affordable housing units in total on this site in a mix of houses and flats. On the basis of providing the river bridge, the applicant proposes to build 16 affordable housing units of a 1 and 2 bedroom flat mix plus the delivery of a pedestrian/cycle bridge only. The applicant is therefore prepared to fund the full delivery of the river bridge subject to a slight variation in the normal affordable housing requirement, 16 units of a specific mix rather than a full pro-rata mix. Based on the planning benefits for achieving wider connectivity, this is considered acceptable.



10.8.4 Subject to the above considerations, the proposal would be subject to the Community Infrastructure Levy (CIL), estimated at £152, 500 and the Council's adopted policies would result in the following necessary Section 106 matters:

- Affordable housing – the provision of 5% affordable housing on-site (16 units - mix of 1 and 2 bed units) and the provision of a publicly accessible pedestrian bridge across the River Aire – or full compliance with the current affordable housing requirements in the event that a bridge is not provided
- Travel plan monitoring fee £3560
- Provision of 2 car club bays and £25, 000 car club trial provision
- Public access throughout the site
- Cooperation with local jobs and skills initiatives

## **11.0 CONCLUSION**

11.1 The above matters are considered to be the main planning issues. All other matters raised by consultees have been assessed and are not considered to outweigh the conclusion that on balance, the proposals are considered to comply with the Council's substantive adopted policies, and would constitute acceptable sustainable development. This proposal would lead to the delivery of much needed new homes within the proposed Aire Valley housing allocation, and deliver the regeneration of a longstanding cleared brownfield site on the edge of the City Centre in a sustainable location. The scheme would also contribute towards on-site affordable housing provision, support sustainable travel patterns, provide new public realm and improved pedestrian connectivity, and further the regeneration of the Aire Valley and the South Bank.

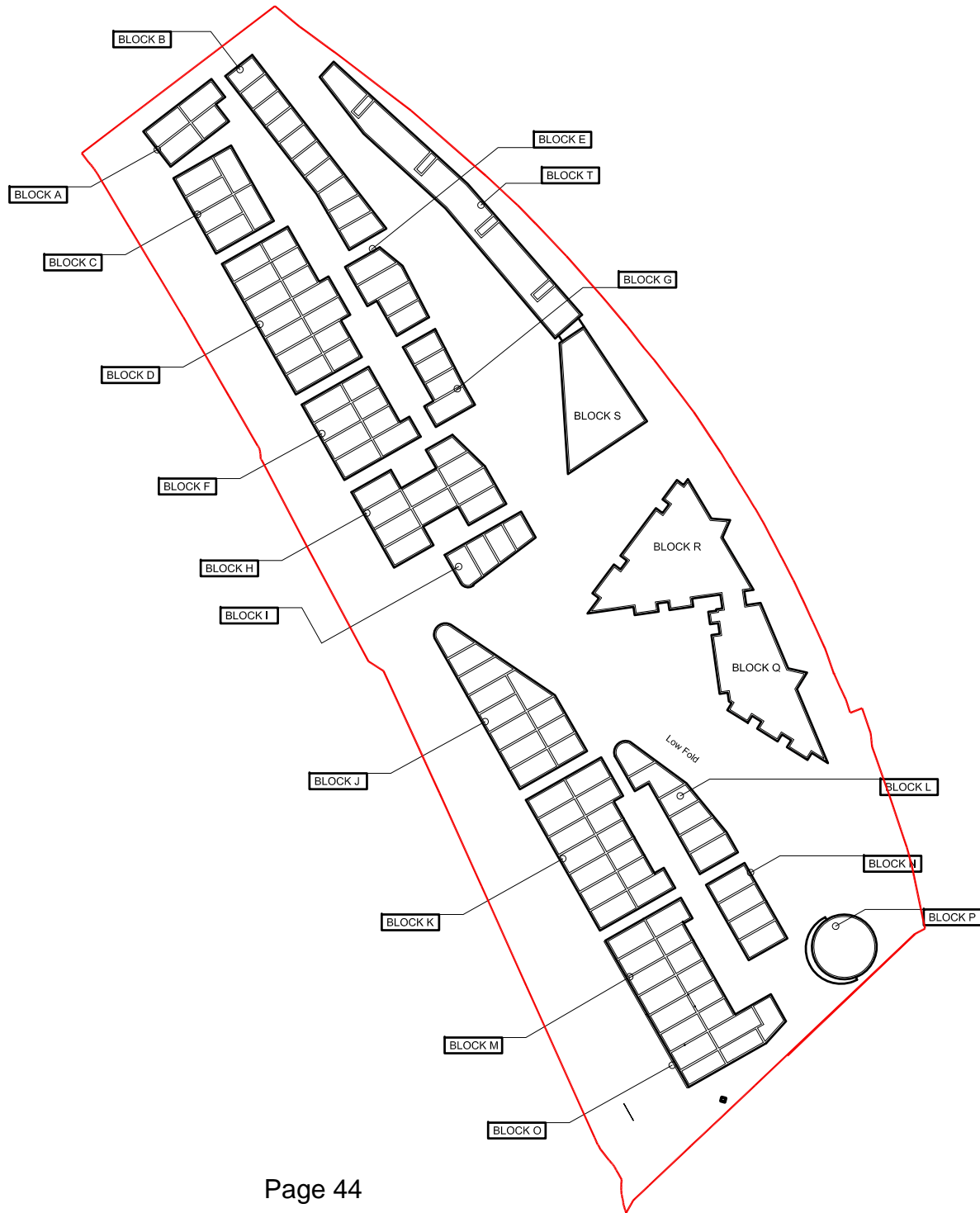
### **Background Papers:**

Application file 15/00415/FU

**Appendix 1 Proposed site layout**

**Appendix 2 Affordable housing calculations**

**Appendix 3 Draft conditions – *To follow as a supplementary report***



**LOW FOLD - BRIDGE COSTS****Mast Option A Truss Option B****Professional Fees**

SE FEES (FEASIBILITY & PLANNING)	9,500.00	9,500.00
SE FEES (DETAILED DESIGN)	10,000.00	10,000.00
ARCHITECT FEES	12,500.00	12,500.00
ALLOWANCE FOR PUBLIC CONSULTATION	2,500.00	2,500.00
PLANNING COSTS (APP)	500.00	500.00
LEGAL COSTS (LAND)	10,000.00	10,000.00
CONTAMINATED LAND REPORT	1,500.00	1,500.00
INSURANCES	8,000.00	8,000.00
LANDSCAPE DESIGN	2,500.00	2,500.00
M&E DESIGN	4,000.00	4,000.00
MAINTENANCE PLAN	4,000.00	4,000.00
MAINTENANCE INSPECTIONS	30,000.00	30,000.00 £1500 per \
PROJECT MANAGEMENT	26,537.50	22,096.25
CONSENTS DURING CONSTRUCTION	3,000.00	3,000.00

**Total****124,537.50****120,096.25****Construction Costs**

Prelims (12 weeks @ 4k per week)	48,000.00	48,000.00
Substructure	150,000.00	150,000.00
Piling	65,000.00	84,000.00
Bridge Costs -	563,000.00	382,500.00
Railings	24,000.00	24,000.00
Decking & Supports	45,000.00	45,000.00
Abutments	25,000.00	25,000.00
Landscaping	10,000.00	10,000.00
Footpath Works	10,000.00	10,000.00
Lighting	25,000.00	25,000.00
Contingency @ 10%	96,500.00	80,350.00

**Sub- Total****1,061,500.00****883,850.00****TOTAL inc Fees****1,186,037.50****1,003,946.25****NB No allowances for EA / CRT / LCC fees**

**Low Fold****Affordable Housing Contribution Calculation**

60%

40%

Plot number	Block	Nr beds	House/Apartment	NIFA (m2)	Social rented	Intermed'te	Market value (m2)	Market value	Social rented value	Social intermediary	Cost of AH
74	J	3	house	104	£ 520		£ 2,206.00	£ 229,424.00	£ 54,080.00	£ -	£ 175,344
86	K	3	house	104	£ 520		£ 2,206.00	£ 229,424.00	£ 54,080.00	£ -	£ 175,344
103	M/O	3	house	104	£ 520		£ 2,206.00	£ 229,424.00	£ 54,080.00	£ -	£ 175,344
125	T	3	house	119	£ 520		£ 2,206.00	£ 262,514.00	£ 61,880.00	£ -	£ 200,634
127	T	3	house	121		£ 984	£ 2,206.00	£ 266,926.00	£ -	£ 119,064.00	£ 147,862
151	T	4	house	132	£ 520		£ 2,206.00	£ 291,192.00	£ 68,640.00	£ -	£ 222,552
152	T	4	house	132		£ 984	£ 2,206.00	£ 291,192.00	£ -	£ 129,888.00	£ 161,304
85	K	4	house	131		£ 984	£ 2,206.00	£ 288,986.00	£ -	£ 128,904.00	£ 160,082
8	Q	2	apartment	71.81		£ 1,230	£ 2,421.90	£ 173,916.64	£ -	£ 88,326.30	£ 85,590
8	Q	2	apartment	71.81		£ 1,230	£ 2,421.90	£ 173,916.64	£ -	£ 88,326.30	£ 85,590
56	R	2	apartment	70		£ 1,230	£ 2,421.90	£ 169,533.00	£ -	£ 86,100.00	£ 83,433
64	R	2	apartment	70	£ 520		£ 2,421.90	£ 169,533.00	£ 36,400.00	£ -	£ 133,133
128	T	2	apartment	66	£ 520		£ 2,421.90	£ 159,845.40	£ 34,320.00	£ -	£ 125,525
3	Q	2	apartment	62.68	£ 520		£ 2,421.90	£ 151,804.69	£ 32,593.60	£ -	£ 119,211
120	S	1	apartment	46.53	£ 520		£ 2,421.90	£ 112,691.01	£ 24,195.60	£ -	£ 88,495
126	S	1	apartment	46.53	£ 520		£ 2,421.90	£ 112,691.01	£ 24,195.60	£ -	£ 88,495

16

5% AH COST =

£ 2,227,940

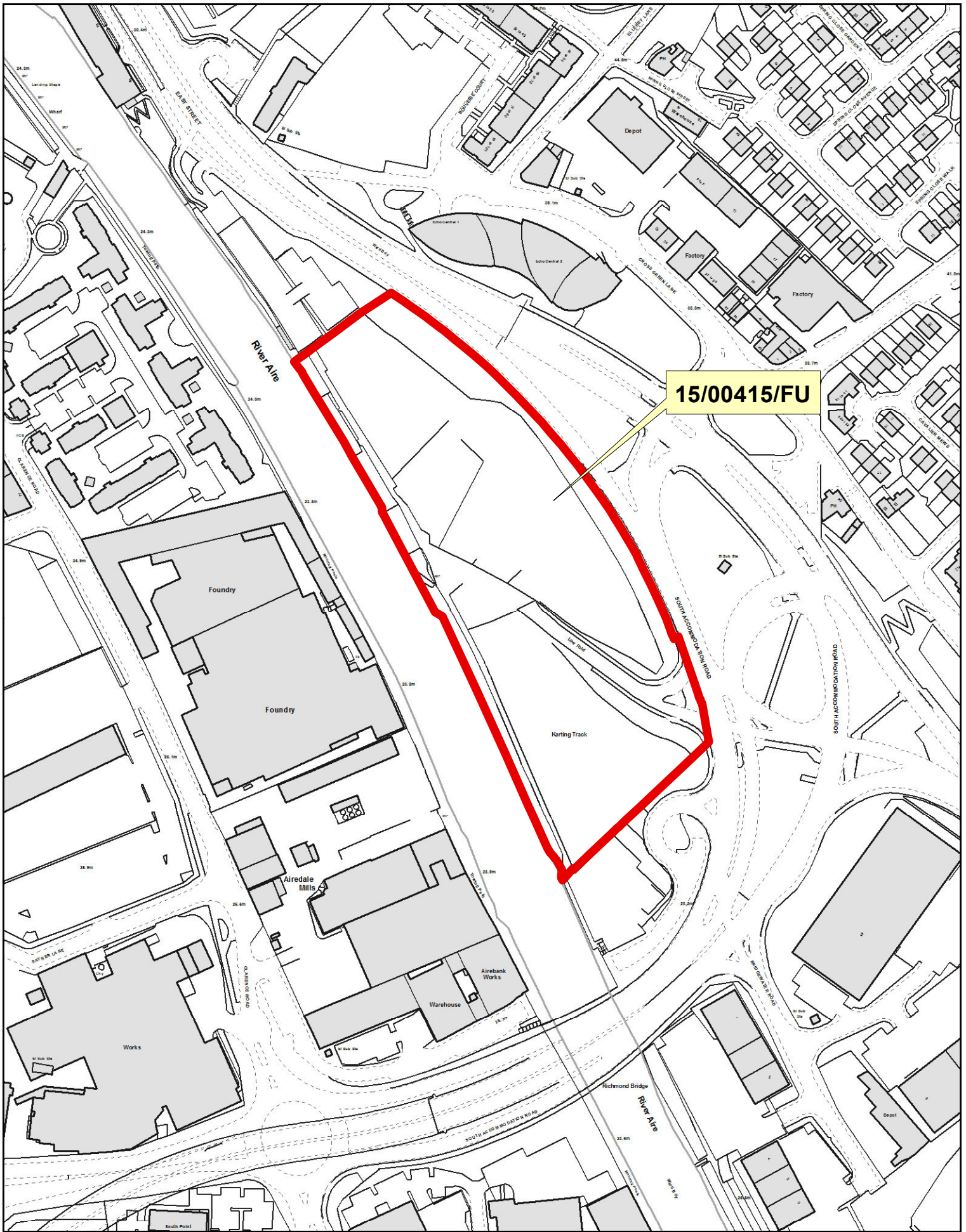
**Low Fold****Affordable Housing Contribution Calculation**

60%                      40%

Plot number	Block	Nr beds	House/Apartment	NIFA (m2)	Social rented	Intermed'te	Market value (m2)	Market value	Social rented value	Social intermediary	Cost of AH
1	Q	1	apartment	50.52		£ 1,230	£ 2,206.00	£ 111,447.12	£ -	£ 62,139.60	£ 49,308
7	Q	1	apartment	50.52		£ 1,230	£ 2,206.00	£ 111,447.12	£ -	£ 62,139.60	£ 49,308
13	Q	1	apartment	50.52		£ 1,230	£ 2,206.00	£ 111,447.12	£ -	£ 62,139.60	£ 49,308
19	Q	1	apartment	50.52		£ 1,230	£ 2,206.00	£ 111,447.12	£ -	£ 62,139.60	£ 49,308
25	Q	1	apartment	50.52		£ 1,230	£ 2,206.00	£ 111,447.12	£ -	£ 62,139.60	£ 49,308
31	Q	1	apartment	50.52	£ 520		£ 2,206.00	£ 111,447.12	£ 26,270.40	£ -	£ 85,177
37	Q	1	apartment	50.52	£ 520		£ 2,206.00	£ 111,447.12	£ 26,270.40	£ -	£ 85,177
56	R	2	apartment	70	£ 520		£ 2,206.00	£ 154,420.00	£ 36,400.00	£ -	£ 118,020
57	R	1	apartment	50	£ 520		£ 2,206.00	£ 110,300.00	£ 26,000.00	£ -	£ 84,300
64	R	2	apartment	70	£ 520		£ 2,206.00	£ 154,420.00	£ 36,400.00	£ -	£ 118,020
72	R	2	apartment	70	£ 520		£ 2,206.00	£ 154,420.00	£ 36,400.00	£ -	£ 118,020
80	R	2	apartment	70		£ 1,230	£ 2,206.00	£ 154,420.00	£ -	£ 86,100.00	£ 68,320
88	R	2	apartment	70		£ 1,230	£ 2,206.00	£ 154,420.00	£ -	£ 86,100.00	£ 68,320
96	R	1	apartment	50	£ 520		£ 2,206.00	£ 110,300.00	£ 26,000.00	£ -	£ 84,300
104	R	1	apartment	50	£ 520		£ 2,206.00	£ 110,300.00	£ 26,000.00	£ -	£ 84,300
120	S	1	apartment	47	£ 520		£ 2,206.00	£ 103,682.00	£ 24,440.00	£ -	£ 79,242

16

5% AH COST = £ 1,239,733



15/00415/FU

# CITY PLANS PANEL







Originator: Andrew Crates

Tel: 0113 222 4409

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 11<sup>th</sup> June 2015

**Subject: Planning Application 13/02771/OT – Outline planning application for the erection of residential development, landscaping, open space and incorporating associated new access (layout, appearance, landscaping and scale reserved) on land off Great North Road, Micklefield, Leeds**

#### APPLICANT

Wheatley Construction

#### DATE VALID

31<sup>st</sup> July 2013

#### TARGET DATE

30<sup>th</sup> October 2013

#### Electoral Wards Affected:

**Kippax and Methley**

Yes Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to an acceptable solution for moving the mile stone on Barnsdale Road and conditions to cover those matters outlined below (and any others which he might consider appropriate) and the completion of a S106 agreement to cover the following:**

- Affordable Housing – 15% (with a 60% social rent and 40% submarket split)
- Public open space on site of the size and locations set out on the masterplan.
- Improvements to bus stop 24237 at a cost of £10,000.
- Travel Plan including a monitoring fee of £2,500 and £1,000 contribution for cycle/scooter storage at the primary school).
- Residential Metrocards (Bus and Rail) at a cost of £605.00 per dwelling.
- Employment and training initiatives (applies to the construction of the development).

**In the circumstances where the S106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.**

#### Conditions:

1. Two year time limit for commencement and reserved matters submission deadlines.
2. Outline relates to Access only. All other matters Reserved.
3. Plans to be approved.
4. Samples of walling, roofing and surfacing material to be approved.
5. Details of means of enclosure.
6. Details of bin stores.
7. Landscape scheme.
8. Implementation of landscape scheme
9. Tree protection conditions.
10. Tree replacement conditions.
11. Biodiversity enhancement conditions.
12. No vegetation clearance 1<sup>st</sup> March – 31<sup>st</sup> August inclusive
13. Tree planting mitigation scheme in relation to highway scheme
14. Archaeological evaluation
15. Access roads and car parking to be complete prior to first use.
16. Surface water run-off restricted to greenfield rates.
17. Surface water drainage details.
18. Cycle provision.
19. Statement of construction practice, including interim drainage measures, means to prevent mud on road and dust suppression and routing close to bridges.
20. Detailed works for properties affected by road noise.
21. Contamination reports and remedial works.
22. Unexpected contamination.
23. Verification reports.
24. Condition relating to specified off-site highway works.
25. Improvements to the surfacing of existing rights of way, including A frames where necessary.
26. Electric vehicle charging points.
27. 20mph speed limit throughout the site.

## **1.0 INTRODUCTION:**

- 1.1 This outline planning application is presented to Plans Panel due to the size and sensitivity of the proposals when considered in conjunction with the other components of the housing allocation, including the recently submitted full planning application for a housing development of a further 292 houses further south (15/01973/FU), given their overall significance to Micklefield. The application was previously presented to City Plans Panel on 21<sup>st</sup> November 2013 with a position statement report.
- 1.2 The application site is identified within the UDP Review as a Phase 3 allocated housing site under Policy H3-3A.32.

## **2.0 PROPOSAL:**

- 2.1 This outline planning application proposes the erection of a residential development of approximately 70 dwellings, including landscaping, open space and incorporating the associated new access, with all matters reserved except for access.
- 2.2 The application is accompanied by an illustrative masterplan which shows a principal access being taken from Great North Road. This principal access has already been granted approval by virtue of planning permission 12/00845/OT and reserved matters consent 12/05140/RM, for 10 dwellings and landscaping (now completed).



- 2.3 The principal access would then lead to a spine road running through the site, parallel to Great North Road. The illustrative masterplan submitted with the application shows how the spine road could connect to the remaining parts of the allocation, to the north and south of the site, which in turn could link back into Great North Road. The recently submitted planning application, 15/01973/FU, also contains an illustrative masterplan showing the link road connection in the same position.
- 2.4 A number of planning obligations are required and so the development will be subject to a S106 agreement which is expected to provide for the following:
1. Affordable Housing – 15% (with a 60% social rent and 40% submarket split)
  2. Public open space on site of the size and locations set out on the masterplan.
  3. Improvements to bus stop 24237 at a cost of £10,000.
  4. Travel Plan including a monitoring fee of £2,500 and £1,000 contribution for cycle/scooter storage at the primary school).
  5. Residential Metrocards (Bus and Rail) at a cost of £605.00 per dwelling.
  6. Employment and training initiatives (applies to the construction of the development).

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

- 3.1 The site is a greenfield site, allocated in the UDP Review for housing, under Policy H3-3A.32. The main settlement of Micklefield is located to the west of the site and the A1(M) is located further away to the east, beyond which is open countryside within the Green Belt. The site is divided into two parcels by a farm access road that enters the site from Great North Road, providing access to the recently constructed 10 dwellings. The access then follows the north-eastern boundary of the fields adjacent to the A1(M) before joining a further farm access some way beyond the southern boundary of the site. The access routes are definitive public rights of way and link into an informal pedestrian path that runs along a landscaped bund adjacent to the A1(M).
- 3.2 The site is essentially grazing land and contains a small number of mature trees and some vegetation around the boundaries of the site, mainly located adjacent to the watercourse crossing the site, Sheep Dike. The site falls in a north-easterly direction towards Sheep Dike, as well as in a south-easterly direction, hence the flow of the watercourse. Beyond the site boundary, to the north-east of Sheep Dike, is a further narrow area of grassland, before reaching the landscaped bund and tree belt adjacent to the A1(M).

### **4.0 UPDATE SINCE CITY PLANS PANEL MEETING OF 21<sup>ST</sup> NOVEMBER 2013:**

- 4.1 At the City Plans Panel meeting of 13<sup>th</sup> November 2013, the Chief Planning Officer informed Members that the parcels of land to the north and south of the site were in the ownership of two other land owning interests and that there could be some benefit to meeting with all the three parties to discuss issues which would be common to all three sites, particularly highways issues. Members resolved to note the report and the comments made and to welcome the suggestion of further discussions with neighbouring landowners about issues common to all three sites.
- 4.2 In the time since the Plans Panel, officers have convened joint meetings with all of the parties with an interest in the housing allocation (noting that one party is an objector to the current application). Two of the parties (the applicant for this proposal and also the

applicants for planning application 15/01973) have endeavoured to work together to promote a highway solution for improvements to the junction of Church Lane and Barnsdale Road (A646). This detailed work has been shared with all parties, though it is noted that the party that has objected continues to express concern about the proposed solution and has issued a further objection. Highway officers have considered the proposed solution and, subject to addressing some technical matters, are satisfied that this allows the quantum of development proposed in this application to come forward.

## **5.0 RELEVANT PLANNING HISTORY:**

- 5.1 15/01973/FU - Development of 292 Residential Dwellings with open space and associated infrastructure on land to the south of the application site – pending consideration.
- 5.2 PREAPP/13/00924 – Residential development of 270 dwellings on land to the south of the application site.
- 5.3 12/05140/RM - 10 houses with landscaping on land to the west of the site – Approved.
- 5.4 12/00845/OT - Outline application for residential development on land to the west of the site – Approved.

## **6.0 HISTORY OF NEGOTIATIONS:**

- 6.1 The applicant undertook pre-application discussion with officers prior to submission of the application. The applicant also contacted approximately 125 properties within the vicinity of the site to provide information on the proposals and inviting feedback. Since submission of the application, Officers have also had briefing sessions with Ward Members, which have highlighted the importance of considering how the applications fit in with the whole of the allocation, ensuring an equitable approach to planning obligations and any infrastructure requirements.

## **7.0 PUBLIC/LOCAL RESPONSE:**

- 7.1 4 site notices have been displayed, posted 2<sup>nd</sup> August 2013. The application has also been advertised in a local newspaper, published 29<sup>th</sup> August 2013.
- 7.2 One letter of representation has been received from Micklefied Parish Council, stating objection to the application on the following grounds:
  - The application forms part of the larger 'Manor Farm' housing allocation and this site should not be considered in isolation.
  - Development of the allocation should be subject to an agreed planning framework and no such framework exists and it is not considered appropriate for a developer to prepare such a document.
  - The development of the wider allocation is also subject to the expansion of school facilities. The application is premature in that of itself, the quantum of development may not require any significant investment. However, it is unknown what the requirement would be for the overall allocation.
  - The proposed dwellings would be served by one point of access from Great North Road, in advance of the wider allocation making other accesses available, to the

north and south. In the absence of the other parts of the allocation being brought forward, all vehicular trips would be concentrated through this one junction.

- Notwithstanding the development currently under construction, this proposal extends the built form of the village into the surrounding countryside. It is considered that the development is more akin to the housing to the south and north of The Crescent in New Micklefield. It is therefore considered that the new development should be constructed in natural stone with slate or clay pantile roofs.
- It is considered that there is already a more than typical percentage of Affordable Housing in Micklefield and rather than further housing association housing, it is felt that more homes at an affordable purchase price would be more beneficial.
- Concern is expressed that the proposed housing and the housing allocations may be some distance away from the rail station if it is moved to create a new East Leeds Parkway Station 1.25 miles away.
- It is noted that bus services through Micklefield are limited, running once an hour to Leeds, Garforth, Cross Gates and Selby and then only up to 1930 hours, with an additional two hourly service to Garforth, Wakefield and Castleford up to 1830 hours (Mon to Sat) and a much more basic hourly shuttle service to and from Garforth and Cross Gates during the day on Sunday.
- It is noted that the north-western portion of the site contains some earthworks, including some fish ponds (partially filled in), which belonged to the original mediaeval hall, as well as other possible remains. It is considered that a full archaeological evaluation is required. Whilst an investigation might take place after the grant of outline permission, it must be done before any reserved matters are submitted as it could affect the layout.
- The surgery described as being in Micklefield is actually a satellite, open on weekday mornings and two weekday evenings, with the main surgery being located in South Milford, North Yorkshire. There is already difficulty in residents accessing the full range of NHS facilities.
- There are significant issues regarding the existing foul and surface water drainage systems and adequate provision must be made for the new dwellings.
- The air quality assessment will need to be considered by the Council's officers to determine what measures may be needed.
- S106 or CIL contributions need to be carefully considered, though it is noted that these could be hindered by the prematurity of the application.

The Parish Council also note the following positive aspects:

- The housing density of just over 28 dwellings per hectare is in accordance with the general housing density in the vicinity and will maintain the character of the locality.
- The desire to retain all the existing trees on site is welcomed.
- The retention of the green link along the public right of way and the retention of adjacent hedgerows is positive.

The Parish Council have also subsequently submitted a further comment, noting the potential impact of the highway works on Barnsdale Road and, in particular, the Grade II Listed mile stone within the verge.

- 7.3 1 letter of objection has been received from a local resident stating concern that:
- The UDP Review housing policies make provision for the phased release of housing sites and as a greenfield site at the edge of the village must be very low down in the sequence.

- 7.4 2 letters of objection has been received on behalf of Great North Developments, who have land interests forming part of the larger allocation (H3-3A.32), as well as an

interest in the housing allocation to the west of Micklefield (H3-3A.31 – land south of Micklefield). They also have land interests around Church Lane and the A656. Great North Developments made the following comments in their initial letter:

- They are supportive of the principle of bringing land forward for housing, but object to the piecemeal approach. A comprehensive approach is required in the interests of the proper and robust planning of the area. It is suggested that the application should be withdrawn with a view to an application for the whole of the allocation being prepared.
- Objection is raised on highway grounds as the existing junction of Church Lane / A656 is considered to be deficient, raising road safety concerns as a result of sub-standard visibility, lack of junction capacity, poor alignment and the high volume and speed of traffic on the A656.
- Highway improvements should allow for the comprehensive development of the area, to ensure that future development is not compromised and that the most appropriate and optimum road layout is provided.
- A scheme for a new roundabout is suggested some 60m north of the existing junction, in order to resolve the above issues. The land necessary is either adopted highway or within the control of Great North Developments, who are a willing party with a common interest in bringing forward the allocation in a comprehensive manner.

Great Northern Developments then made the following comments in their second letter (following the submission of further highway information):

- They reiterate their support for the principle of bringing land forward for housing, but object to the proposed off-site highway works.
- Concern is expressed that the visibility splays at the junction are insufficient and unsafe given the nature and speed of the road.
- Driver frustration, due to queuing and delay and a sub-standard junction layout is a further road safety concern.
- Concern is also expressed that the horizontal alignment of Church Lane, on its approach to the A656, is currently substandard and that the current proposals do not include any mitigation to improve the alignment in this location.
- Given the identified road safety issues, it is felt that an independent Road safety Audit should be undertaken before any decision is made.
- It is considered that the highway improvements should be adequate to allow for the comprehensive development of the wider Micklefield area and there are willing land owners who are able to facilitate a layout which addresses the points above.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

Highways: - Additional information was initially requested in order to fully assess the proposals. Traffic count data was missing from the Transport Assessment, but has since been supplied. It has long been noted that off-site highway works are required to improve the Church Lane / A656 junction and a further technical note has been submitted to demonstrate that an 'in highway' solution is feasible. Highway officers agree with this solution, but at the time of writing, have asked for some points of detail to be clarified and addressed.

Environment Agency: - No objections, subject to a condition that the development is carried out in accordance with the measures contained in the Flood Risk Assessment.

## 8.2 **Non-statutory:**

TravelWise Team: - Advice is provided on improving the Travel Plan. A monitoring fee of £2,500 is required and it is recommended that £1,000 is sought to provide for cycle / scooter storage at the local primary school.

Transport Development Services: - A Public Transport Improvement contribution was requested totalling £85,835. However, this matter would now be covered by CIL and can no longer be paid for through a S106.

West Yorkshire Combined Authority (WYCA): - Residential MetroCards (bus and train) should be provided to future residents at a cost of £605.00 per dwelling.

Public Rights of Way: - A definitive public right of way (No. 11) runs through the site.

Children's Services: - Consideration has been given to the feasibility of extending Micklefield Primary School. However, this matter would now be covered by CIL as off-site education contributions can no longer be paid for through a S106.

Affordable Housing: - The site falls within Affordable Housing Market Zone 2 where there is a requirement for 15% Affordable Housing, split 60% social rent and 40% submarket.

West Yorkshire Archaeology Service (WYAS): - It is recommended that a decision is deferred until an archaeological evaluation is carried out. A condition is otherwise recommended to secure this work if the Council is minded to approve the application.

Yorkshire Water: - No objections, subject to conditions not to build over existing sewers and to control foul and surface water drainage.

Flood Risk Management Team: - The proposals are acceptable in principle and conditions are recommended to secure the surface water drainage scheme and the implementation of flood mitigation measures.

Environmental Protection Team: - No objections, conditions are recommended to deal with construction hours and a Statement of Construction Practice.

Air Quality Management Team: - No objections – the proposals are not likely to have a significant air quality impact. However, it is recommended that electric vehicle charging points are included in the development.

Contaminated Land: - No objections, conditions recommended to ensure the site is suitable for use.

## 9.0 **PLANNING POLICIES:**

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013). The Site Allocations Plan is emerging and is due to be deposited for Publication at the end of the Summer 2015.

### Adopted Core Strategy:

9.2 The Core Strategy is the development plan for the whole of the Leeds district. The Core Strategy (CS) was Adopted in November 2014. The following CS policies are relevant:

Spatial policy 1	Location of development
Spatial policy 6	Housing requirement and allocation of housing land
Spatial policy 7	Distribution of housing land and allocations
Spatial policy 10	Green Belt
Spatial policy 11	Transport infrastructure investment priorities
Policy H1	Managed release of sites
Policy H3	Density of residential development
Policy H4	Housing mix
Policy H5	Affordable housing
Policy H8	Housing for independent living
Policy P9	Community facilities and other services
Policy P10	Design
Policy P12	Landscape
Policy T1	Transport Management
Policy T2	Accessibility requirements and new development
Policy G4	New Greenspace provision
Policy G8	Protection of species and habitats
Policy G9	Biodiversity improvements
Policy EN2	Sustainable design and construction
Policy EN5	Managing flood risk
Policy ID2	Planning obligations and developer contributions

### Leeds Unitary Development Plan (UDP) Review:

9.3 The application site is identified within the UDP as a phase 3 housing site.

Under Policy H3-3A.32, 15.54 ha. of land is allocated for housing and local facilities between Old Micklefield/New Micklefield and the realigned A1, subject to:

- (i) Provision of extensive off-site foul drainage works and improvements to Sherburn-in-Elmet sewage treatment works, following the realignment of the A1 east of Micklefield;
- (ii) Provision of satisfactory access;
- (iii) An agreed planning framework which will determine the location of housing, greenspace, landscaping, local facilities and access points;
- (iv) Provision of an extension to the adjacent primary school, in accordance with policy A2(5) and a contribution towards the provision of additional secondary school facilities;
- (v) Provision of a green wedge between Old Micklefield and New Micklefield;
- (vi) The completion of the A1 realignment;
- (vii) Noise attenuation measures necessary to achieve satisfactory standards of residential amenity.

- (viii) Submission of a satisfactory flood risk assessment incorporating an appropriate drainage strategy.

The supporting text in the UDP Review goes on to say that ‘the development of this and the site South of Old Micklefield will result in the need for additional facilities at Micklefield Primary School [Policy A2(5) – *since deleted*] and for extensions at the existing secondary school. Developers of these sites will be expected to contribute towards these at a level proportionally related to the development opportunities available at each site.’

The text goes on to say that ‘Old and New Micklefield are separated by open countryside which provides a valuable visual feature and permits long distance views over the countryside. This open aspect should be retained in the form of a green wedge between Old and New Micklefield.’ This aspect is of particular importance to the recently submitted planning application, 15/01973/FU.

Other policies of relevance are:

Policy GP5	General planning considerations
Policy N5	Improving acquisition of greenspace
Policies N23/N25	Landscape design and boundary treatment
Policy N24	Development proposals abutting the Green Belt
Policy N29	Archaeology
Policy BD5	Design considerations for new build
Policy T7A	Cycle parking guidelines
Policy T24	Parking guidelines
Policy H3	Delivery of housing on allocated sites
Policy R2	Area based initiatives

#### Supplementary Planning Guidance / Documents:

- 9.4 SPG10 Sustainable Development Design Guide (adopted).  
SPG13 Neighbourhoods for Living (adopted).  
SPG22 Sustainable Urban Drainage (adopted).  
SPD Street Design Guide (adopted).  
SPD Designing for Community Safety (adopted).  
SPD Travel Plans (draft).  
SPD Sustainable Design and Construction (adopted).

#### National Planning Guidance:

- 9.5 National Planning Policy Framework: Paragraph 49 requires that housing applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

## **10.0 MAIN ISSUES**

1. Principle of development
2. Highway and access issues
3. Urban design and sustainability
4. Affordable Housing
5. Landscape design and visual impact

6. Drainage and flood risk
7. Impact on residential amenity
8. Planning obligations

## 11.0 APPRAISAL

- 11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Other material considerations include the National Planning Policy Framework, the requirement for a five year supply of housing and matters relating to sustainability, highways, urban design, visual impact, housing issues, flood risk, residential amenity and Section 106 matters.

### Principle of development

- 11.2 The site is a Phase 3 housing allocation in the UDPR and so the principle of bringing the site forward for residential development at this point in time is acceptable. UDPR Policy H3-3A.32 does not preclude applications for separate parcels of the allocation being submitted, approved and implemented in their own right. However, this is subject to any proposals having due regard to the deliverability of the remainder of the allocation. It is important that proposals demonstrate not merely that development does not prejudice delivery, but that it positively contributes to the ultimate solution.
- 11.3 In light of the above, it is considered that the principle of development in this instance is acceptable.

### Highway and access issues

#### *Off-site highway issues*

- 11.4 The site is proposed to take a principal access from Great North Road, which has already been constructed as part of the scheme to build 10 houses. Highways officers consider that the nature and design of that junction is sufficient to provide for the additional development proposed in this application. However, traffic exiting Micklefield is likely to do so from a limited number of junctions, particularly the junction of Church Lane and the A656 Barnsdale Road. Given the proportion of traffic assigned to the Church Lane/A656 junction and the sensitivity of the network in this location i.e. a high speed road with known recorded fatalities, highway officers considered that this junction should be upgraded to provide a ghost island right turn facility on the A656 and associated carriageway widening and to secure the appropriate visibility splays for the speed of traffic on Church Lane.
- 11.5 As discussed above, the applicant, together with the applicants for planning application 15/01973/FU have endeavoured to work together to promote a highway solution for improvements to the junction of Church Lane and Barnsdale Road (A646). Given the nature of the existing adopted highway boundaries, this has resulted in the need for a very detailed scheme to be drawn up which has taken some time.
- 11.6 Highway officers have noted the importance of a comprehensive approach being required to deal with the traffic impacts of the whole of the Phase 3 housing allocations in Micklefield (H3-3A-31 and H3-3A-32). The initial transport assessment, which although submitted in support of the current proposal for 70 dwellings, takes into account predicted traffic flows associated with future additional dwellings that could be provided on the remainder of the allocation (H3-3A-32), total estimated yield circa 400 dwellings. The assessment raised concerns that in the future assessment year of 2018, based on 400 dwellings, the Church Lane/A656 junction would be



operating above the recommended threshold of 0.85 RFC. This excludes traffic generated by allocation H3-3A-31, which it is estimated could yield a further 150 dwellings. Given the proportion of traffic assigned to the Church Lane/A656 junction it was requested that the junction should be upgraded to provide a right turn lane, associated carriageway widening and improved junction visibility.

- 11.7 The revised assessment, which includes provision of a right turn lane at the Church Lane/A656 junction, is based on 550 dwellings (allocations H3-3A-31 and H3-3A-32), and indicates that in the future assessment year of 2020 the junction operates within recommended parameters with no significant queuing. The proposed improvements have been subject to design review and offer meaningful safety improvements over the existing junction arrangement. The Highway Authority is satisfied that the proposed improvement works can be accommodated within the highway boundary and that there is sufficient scope to address any minor issues identified through the detailed design process. Whilst acceptable, a small number of anomalies have been identified which, at the time of writing, are yet to be addressed.
- 11.8 Assuming these issues are satisfactorily resolved, the proposed junction improvements are considered sufficient at this point in time to accommodate predicted traffic flows at the Church Lane/A656 junction. However, with regard to bringing forward the South of Old Micklefield site (H3-3A-31), the UDPR site proposals identify the need for improvements to Church Lane, which remains an area for concern. Whilst the proposed junction improvements are sufficient to accommodate predicted traffic flows from both sites (H3-3A-31 and H3-3A-32), highway officers reserve the right to require the need for alignment improvements to Church Lane immediately east of the A656 should an application for H3-3A-31 be submitted. Whilst, the junction improvements are considered acceptable in highway terms, it is noted that the works have a significant impact on trees, discussed later in the report.
- 11.9 It is noted that a Grade II Listed mile stone is located in the verge of Barnsale Road, some way to the south of the junction with Barnsdale Road. The precise location and how this relates to the proposed highway works is currently being investigated by the applicant. Following discussion with the Conservation Officer, moving the milestone back from the highway edge, if necessary, is likely to be an acceptable solution, though it would require a separate Listed Building Consent.
- 11.10 In summary, the proposed works are considered sufficient to enable development of allocation H3-3A-32. This includes the other live application relating to this allocation, application 15/01973/FU. The need for further enhancements associated with allocation H3-3A-31 will be reviewed at the relevant time.

#### *On site highway issues*

- 11.11 The application seeks outline permission, with access the only matter for consideration at this stage. The internal layout, servicing and waste collection arrangements will be addressed in detail at a future reserved matters stage. Notwithstanding this, the internal layout will be required to meet Street Design Guide parameters and shall be designed to an appropriate standard for the overall level of development proposed, taking into account future additional development of the remainder of the allocation (H3-3A.32). The internal access roads will need to extend to the site boundaries, enabling continuation of the access in to the adjoining sites to the north and south. The development shall be built with a 20mph speed limit, with the cost of road markings, signage and appropriate Speed Limit Orders being fully funded by the developer.

### *Accessibility*

- 11.12 From an accessibility perspective, the site does not fully meet the Core Strategy Accessibility Standards. However, the land is allocated for housing under UDP Policy H3-3A.32 and Micklefield Train Station may provide alternatives to commuters other than the use of the private car. Bus stops in either direction are located within 100m of the site access (also within 400m of the centre of the site) but the services at these stops are infrequent – one an hour with an increase to two an hour in the AM and PM peaks. However, the site is also located within a short walk, approximately 950m, from Micklefield Train Station which provides three services per hour to Leeds City Centre with a journey time of approximately 20 minutes.
- 11.13 The site is located within the recommended distance to local primary school provision but exceeds the distance for secondary school provision. There are limited local services available within Micklefield - the site would be located within approximately 600m of the nearest convenience store and GP surgery. The convenience store also provides a small range of other local services such as a cash machine, post box and dry cleaning service.
- 11.14 Officers have historically been in discussions with Metro (now the WYCA) regarding public transport enhancements as part of both this smaller application and the wider housing allocation. Arriva currently provide some low frequency services, the main service being the 402 providing an hourly service to Leeds via Garforth. However, in this instance, it is considered that such enhancements could be provided for via CIL.

### Urban design and sustainability

- 11.15 Whilst an outline planning application with all matters reserved except for access, the application is accompanied by an illustrative masterplan. The masterplan indicates the principal access from Great North Road and a spine road running north to south through the site, providing access to the other parts of the allocation. Three short cul-de-sacs are indicated on the northern side of the spine road. The layout indicates that all of the proposed dwellings would front onto the proposed streets, which is considered positive.
- 11.16 The submitted Design and Access Statement notes that the outline proposal is for approximately 70 dwellings, equating to 35 dwellings per hectare (based on developable area only). The proposed houses are to be 2-3 storeys in height and will include a mixture of terraced, semi-detached and detached dwellings, comprising 2-5 bedroom properties. In design terms, the form of development is considered to be generally acceptable, although two-storeys is considered to be most appropriate, particularly along the rural edge of the development.
- 11.17 This application is supported by a Sustainability Statement and as it is an outline application without detailed house type and layout information it is difficult to quantify sustainability in relation to the use of natural resources. However, through the design process of creating a layout, consideration has been given to providing a significant number of houses with a south-westerly orientation in order to make the most of solar gain and good daylighting. These measures have the potential to minimise housing energy use and carbon dioxide emissions, regardless of specific house type design.
- 11.18 The Sustainability Statement notes that the broader economic, social and environmental measures of sustainability were considered at site appraisal stage. The proposed development has the potential to support growth within the area by providing high quality housing with accessible local services. The site is ideally located for access to a full range of sustainable transport options, from local services within easy walking and cycling distance to 'bike and rail' options for employment,

leisure and retail opportunities beyond the immediate local area. A Travel Plan has been submitted in order to highlight and promote sustainable travel choices to future residents and reduce reliance on the car.

- 11.19 Overall, the proposals are considered to be acceptable in urban design and sustainability terms.

#### Housing issues

- 11.20 The Core Strategy includes a number of policies which seek to ensure the efficient use of land for housing purposes, that the mix is appropriate to housing need and that provision is made for affordable housing.

- 11.21 Core Strategy policy H3 refers to the density of development. For a smaller settlement, such as Micklefield, the stated minimum density is 30 dwellings per hectare, subject to matters relating to townscape, character, design and highway capacity. In this instance, the application site is located in a housing allocation, sandwiched between the edge of the settlement and the A1(M). Given the character of the village and nature of the site, a density of 35 dwellings per hectare (based on developable area only) is considered to accord with policy.

- 11.22 Core Strategy policy H4 refers to housing mix and sets targets for particular dwelling sizes. Given the outline nature of the application, the housing mix is not precisely known at this stage, but can be addressed at reserved matters stage.

- 11.23 The affordable housing requirement in this part of the city is 15%, as set out in the Core Strategy. The proposed development is in accordance with policy and the delivery of affordable housing would be secured through the S106 agreement.

#### Landscape design and visual impact

- 11.24 The application site relates to an area of land which currently has a rural appearance, but is sandwiched between the existing settlement of Micklefield and the A1(M). Whilst the site is largely grazing land, it does also include a small number of mature trees and some vegetation and hedgerows, particularly along the site access and Sheep Dike. The retention of these features, as demonstrated on the illustrative masterplan is welcomed.

- 11.25 The proposal provides for a permanent buffer with a minimum width of 10m between the proposed dwellings and Sheep Dike. The buffer has a dual function of providing visual screening and biodiversity enhancement. This area could be used to provide open water as part of a Sustainable Urban Drainage System (SUDS) scheme, in addition to Sheep Dike, which could provide a biodiversity enhancement, particularly for Great Crested Newts. The land beyond Sheep Dike, between the site and the A1(M) is designated as Green Belt and would remain as open land. In addition to the existing public right of way running through the site and out into the Green Belt, the applicant also proposes a footpath link to the north-east side of Sheep Dike, which would link to the northernmost cul-de-sac on the proposed layout. This approach is considered to enhance the leisure opportunities around the development and would be beneficial as a connection.

- 11.26 As discussed above, the proposed 'in highway' solution to the junction arrangement at Church Lane / Barnsdale Road results in a significant amount of tree loss (approximately 130 roadside trees). However, a highway solution to enable appropriate access will be required in any event in order to enable this allocated housing site to be developed. Officers have considered the impact of the proposed junction improvements, as well as that of the roundabout solution put forward in the

objection letter by one of the interested parties in the allocation. The effect of a roundabout and the necessary earthworks would have an equally significant, if not worse impact, than the proposed 'in highway' solution. Given that the proposed highway works are necessary to enable the allocation to be developed, it is considered that the degree of tree loss must be accepted. However, a condition is suggested to require a mitigation scheme which would involve new tree planting – either in highway verges (where acceptable) or within open areas in the control of the applicant.

11.27 In terms of greenspace requirements, if the whole allocation was developed as expected, with approximately 400 dwellings, it would create a requirement for 3.2 hectares of greenspace overall. It is also considered that the lack of children's play facilities in Micklefield may justify some provision in an appropriate location. Of itself, a development of 70 dwellings would create a requirement of 0.56ha of greenspace on site. The submitted scheme now falls short of what is required by Core Strategy policy. However, at the time of writing, the applicant is agreeable to extending the red line boundary to include land within their ownership along the north-eastern side of the site. The land falls within the Green Belt, but open space would not be an inappropriate use and would significantly enhance the amount of greenspace provided, likely to be well in excess of what is required by policy. This matter can be addressed through a revised plan and a formal re-consultation process.

11.28 It is noted that a significant greenspace wedge is proposed as part of application 15/01973/FU and this is considered the better focus for an area of significant greenspace and a children's play area.

#### Drainage and flood risk

11.29 The application site largely falls within Flood Zone 1 (at lowest risk of flooding), although the area immediately adjacent to Sheep Dike does fall with Flood Zone 3. Accordingly, the illustrative masterplan has been drawn up such that all of the housing development only takes place within the Zone 1 land. The Environment Agency has no objection to the proposals provided that the development is carried out in accordance with the Flood Risk Assessment and its recommended mitigation measures. These include limiting the surface water rate of runoff generated by the site to 7.8litres/sec so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. It is also stated that there must be no built development or ground raising within the Flood Zone 3 area of the site and that the finished floor levels of the dwellings must be no lower than 600mm above the adjacent bank level of Sheep Dike.

#### Impact on residential amenity

11.30 The proposed layout follows a logical form and generally ensures that back gardens back onto other back gardens. The illustrative masterplan indicates that the proposed dwellings will be located some 25m – 40m away from the rear elevations of existing properties on Great North Road. This is in accordance with and in many cases exceeds the 21m distance set out in Neighbourhoods for Living. It is therefore considered that there will be no detrimental impact in terms of overlooking, overshadowing or over-dominance. The relationships within the development site are also in accordance with Neighbourhoods for Living. It is noted that a number of the properties have gable ends facing Sheep Dike, in order to lessen the impact of noise from the A1(M). At detailed design stage, the applicant will need to consider how these gable ends might be treated in order to ensure that there is no detrimental noise impact, but that there is also a reasonable interface with the greenspace and that passive overlooking of this space can occur.

### Planning obligations

11.31 The requirements of the S106 are detailed below and the various clauses will become operational if a subsequent reserved matters application is approved and implemented:

1. Affordable Housing – 15% (with a 60% social rent and 40% submarket split)
2. Public open space on site of the size and locations set out on the masterplan.
3. Improvements to bus stop 24237 at a cost of £10,000.
4. Travel Plan including a monitoring fee of £2,500 and £1,000 contribution for cycle/scooter storage at the primary school).
5. Residential Metrocards (Bus and Rail) at a cost of £605.00 per dwelling.
6. Employment and training initiatives (applies to the construction of the development).

11.32 From 6<sup>th</sup> April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

**Necessary to make the development acceptable in planning terms** - Planning obligations should be used to make acceptable, development which otherwise would be unacceptable in planning terms.

**Directly related to the development** - Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement. **And:**

**Fairly and reasonably related in scale and kind to the development** - Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

11.33 All contributions have been calculated in accordance with relevant guidance, or are otherwise considered to be reasonably related to the scale and type of development being proposed.

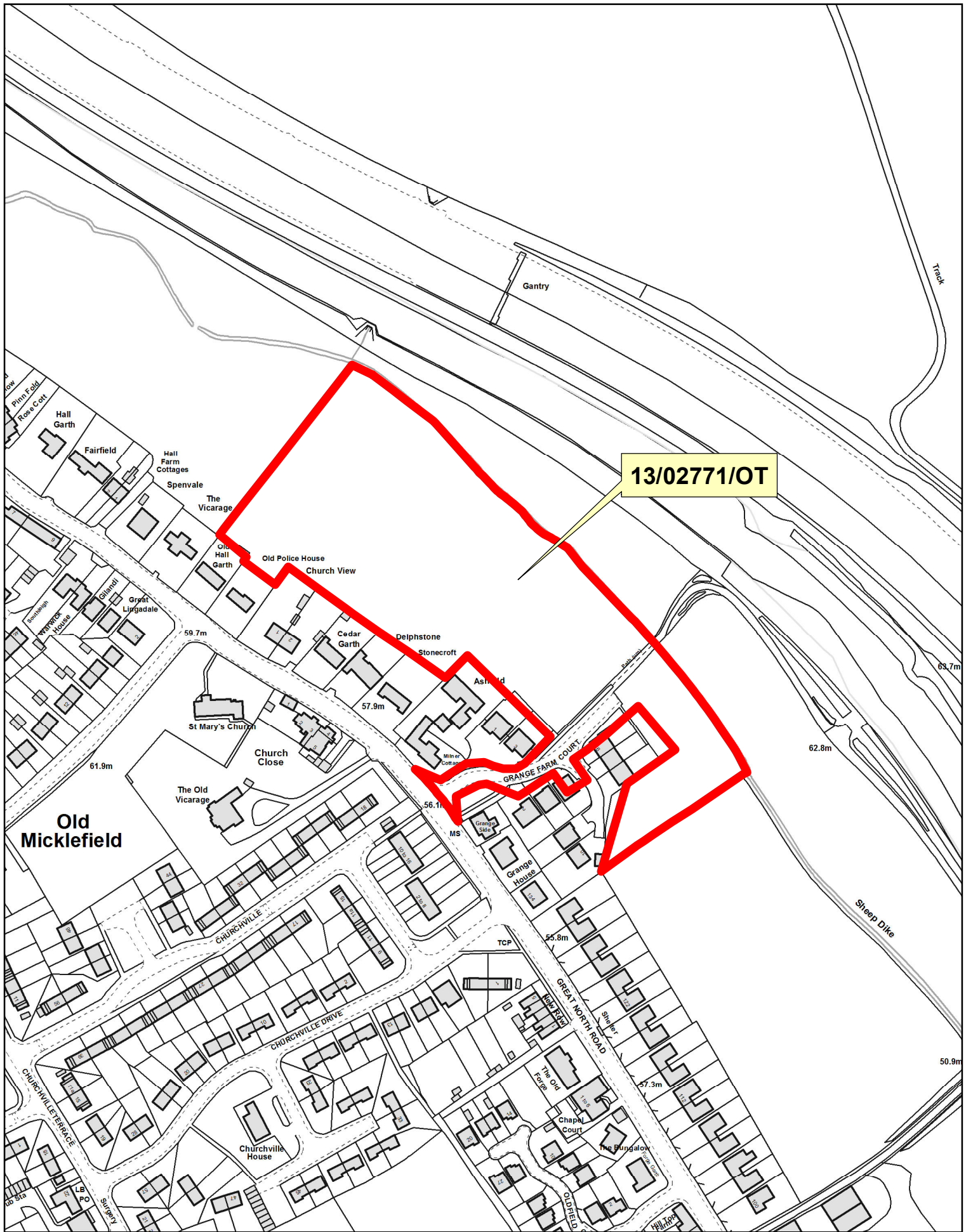
## 12.0 CONCLUSION

12.1 The proposals are considered to be acceptable in principle and can be developed with an appropriate highway solution. Additionally, the scheme is considered to be acceptable in terms of urban design, sustainability, landscaping, greenspace and the approach to drainage. Whilst the degree of tree loss along Barnsdale Road is unfortunate, it is necessary to enable the development of the allocation and opportunities exist to secure some mitigation. It is therefore recommended the Members defer and delegate approval of the application to the Chief Planning Officer in order to finalise the wording of the S106 agreement and conditions.

### **Background Papers:**

Application and history files.

Certificate of Ownership – Signed as applicant



# CITY PLANS PANEL





**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 11<sup>th</sup> June 2015**

**Subject: PLANNING APPLICATION REFERENCE 15/02023/RM RESERVED MATTERS APPLICATION AT PLOT A2 OF THE WIDER THORPE PARK MASTERPLAN, AUSTHORPE, LEEDS**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Thorpe Park Developments Ltd	22.04.15	22.07.15

<p><b>Electoral Wards Affected:</b></p> <p>Garforth and Swillington</p> <p><input type="checkbox"/> Yes Ward Members consulted (Referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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**RECOMMENDATION:**  
**Defer and delegate to the Chief Planning Officer for approval, subject to addressing outstanding issues and the imposition of the specified conditions (and any others which he might consider appropriate).**

**Conditions:**

1. Plans to be approved.
2. Detailed schedule of external materials.

**1.0 INTRODUCTION**

1.1 This report is presented to City Centre and Strategic Panel due to the fact that the proposal is for the development of a plot on which earlier proposals were considered by Panel. The approved building for Surgical Innovations has not progressed due to problems the company has experienced in entering the US market. The current application represents the new design approach being taken under the emerging revised masterplan and a separate full planning application for gateway Plot 3175 is considered elsewhere on this agenda.



## **2.0 PROPOSAL:**

- 2.1 The application seeks reserved matters approval (means of access, appearance, landscaping, layout and scale) for the construction of a three storey office building with roof mounted plant housing and associated parking on Plot A2. Plot A2 is accessed from the roundabout off Park Approach. 130 vehicle parking spaces with 13 disabled person's bays are proposed.
- 2.2 The building is designed to maximise natural light whilst seeking to remain within the maximum height restrictions of the approved parameters plans for the wider development. The building seeks to be sympathetic with existing office buildings whilst raising the bar for the standards of construction. The aim is to create a focal point to the key vistas and approaches to the wider development. Materials proposed include a simple palette of masonry and glazing, with solar shading provided with louvers.
- 2.3 The design of the building follows the following low carbon approaches:
- Energy efficiency plant and heat recovery of ventilation and cooling systems;
  - Automatic zone controlled heating, ventilation, cooling and lighting;
  - LED high efficiency lighting;
  - Low and zero carbon technologies such as air/water source heat pumps and/or photovoltaic systems;
  - Fabric first approach to performance enhancement above minimum standards; and
  - Sustainable Urban Drainage Systems and water conservation measures.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The proposal under consideration relates to the northern half of the employment allocation that totalled 63 hectares. Members will recall earlier this year proposals for the introduction of up to 300 dwellings on the northern end of the site were approved by Panel. The site is located to the south of the Leeds-York railway line and Manston Lane, west of the M1 (junction 46), north of A63 Selby Road and existing Thorpe Park buildings. Austhorpe Lane is to the west. The proposed building is adjacent to the tree belt that separates Thorpe Park from Green Park.
- 3.2 In terms of the wider area, Cross Gates centre is located to the west, Garforth to the east and Colton Retail Park is located across the A63 to the south. A number of residential properties are nevertheless located between the northern side of the A63 and the built component of Thorpe Park (namely Barrowby Lane, Road, Drive, Avenue etc and Austhorpe Lane, Avenue, Drive etc). In addition to existing development, the East Leeds Extension housing allocation (UDPR policy H3-3A.33) is located across the railway line to the north.
- 3.3 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. It forms a key part of the Council's employment land supply and provides an attractive regionally significant business park. The land to the west is allocated as Proposed Open Space. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park.



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

- 4.1 14/05483/FU – Variation of condition 4 of 12/03886/OT to vary the total quantum of uses [consequent reduction in other uses due to the introduction of up to 300 dwellings approved under 14/05481/OT on 02/04/15] – Granted 02/04/15.
- 4.2 14/02488/FU – B1 Office Building (Surgical Innovations) – Granted 04/07/14.
- 4.3 12/03886/OT – Outline application for major mixed use development – Granted 20/3/14.
- 4.4 32/140/96/FU – Variation to outline condition to extend the total permitted floorspace within the development - Granted 31/03/04
- 4.5 32/356/01/RM – Laying out of new access and roundabout diverting footpaths and bridleway and construction of cycleway/footpath (option 2) – Granted 22/01/02
- 4.6 32/185/00/FU – Re-profiling to proposed business park – Granted 27/04/01
- 4.7 32/199/94/OT – Outline permission Thorpe Park – Granted 04/10/95

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

- 5.1 The applicant engaged in pre-application discussions with officers on the proposed design of building and design principles to be adopted in early 2015. The proposals submitted on 22<sup>nd</sup> April 2015 are generally reflective of these pre-application discussions.

#### **6 PUBLIC/LOCAL RESPONSE:**

- 6.1 Public consultation on the application has taken the form of formal statutory consultations. A site notice was displayed on 08<sup>th</sup> May 2015 and the application was advertised in the press on 07<sup>th</sup> May 2015. The expiry date for these consultations was 28<sup>th</sup> May 2015 and in response no public comment has been received. No Ward Councillor comments have been received in respect of the application.

#### **7.0 CONSULTATION RESPONSES:**

##### **7.1 Statutory:**

Environment Agency: We have no objection to the approval of this reserved matters application.

Coal Authority: No objection subject to informative advice - the planning application is for an application type (Reserved Matters) which is listed as exempt under Section 3.3 of The Coal Authority's Guidance for English Local Planning Authorities, Version 3, 2014. Accordingly there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment.

Natural England: Natural England currently has no comment to make on the reserved matters relating to access, appearance, landscaping, layout and scale.

LCC Transport Development Services: No objections in principle. Comment that the design of the nearby roundabout should be modified to introduce an exit kerb radius on the northern arm, that clarification is required about the access road serving Plot

A2 (and whether or not it is to form the sole main spine road for the wider development to ensure the roundabout is capable of accommodating traffic flows). Clarification is also required to demonstrate that refuse vehicles can access and leave service areas in a forward gear.

## 7.2 **Non-statutory:**

LCC Landscape and Design: No objections in principle, subject to agreement of materials and improved landscape buffers/amended landscaping details.

LCC Flood Risk Management: This site falls within the wider Thorpe Park Development, planning approval ref. 12/03886/OT, which includes a Drainage Strategy for the entire site. As such, FRM does not have any objections to this phase of the development but will require drainage details and supporting calculations to be provided prior to the commencement of development. The Drainage Strategy should also be updated to reflect this latest phase - the revision should demonstrate compliance with the drainage principles which have previously been agreed. The outline application includes a drainage condition.

LCC Contaminated Land: The conditions pertaining to land contamination attached to permission 12/03886/OT are applicable to this application. As such we have no further comments to make at this stage.

LCC Travelwise: The proposed layout should be improved. The layout plan does not show any electrical vehicle charging points or Car Share bays. Long stay cycle parking is too far from the main entrance and a plan of the cycle shed should be available.

West Yorkshire Archaeological Advisory Service: Awaiting.

Open Spaces Society: Awaiting.

## 8 **PLANNING POLICIES:**

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

### Local Planning Policy

- 8.2 The Core Strategy is the development plan for the whole of the Leeds District. Some saved policies of the UDP Review also apply. The following policies within them are relevant:

Spatial Policy 1	Location of Development
Spatial Policy 2	Hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
Spatial Policy 8	Economic development priorities
Spatial Policy 9	Provision for offices, industry and warehouse employment land and premises

Policy EC1	General employment land
Policy EC2	Office development
Policy EN2	Sustainable design and construction
Policy EN1	Climate change
Policy EN4	District heating
Policy EN5	Managing flood risk
Policy G8	Protection of important species and habitats
Policy G9	Biodiversity improvements
Policy T1	Transport management
Policy T2	Accessibility requirements and new development
Policy P8	Sequential and impact assessments for town centre uses
Policy P10	Design
Policy P12	Landscape
Policy ID2	Planning obligations and developer contributions

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

GP1	Land use and the proposals map
GP5	General planning considerations
BD5	Design considerations for new build
E4(6)	Austhorpe business park allocation
N23/N25	Landscape design and boundary treatment
T7A	Cycle parking guidelines
T24	Parking guidelines
LD1	Landscape schemes

### 8.4 Relevant Supplementary Planning Guidance:

SPG10 Sustainable Development Design Guide (adopted)  
 SPG22 Sustainable Urban Drainage (adopted)  
 SPD Street Design Guide (adopted)  
 SPD Travel Plans (draft)  
 SPD Public Transport Improvements and Developer Contributions (adopted).  
 SPD Designing for Community Safety (adopted)

Natural Resources and Waste Local Plan (adopted).

### 8.5 **National planning policy guidance:**

The National Planning Policy Framework was published on 27<sup>th</sup> March 2012 and sets out the Government's planning policies for England and how these are expected to be applied, alongside other national planning policies. In this case the following sections are relevant:

Achieving sustainable development  
 Section 1 Building a strong, competitive economy  
 Section 2 Ensuring the vitality of town centres  
 Section 4 Promoting sustainable transport  
 Section 7 Requiring good design  
 Section 8 Promoting healthy communities  
 Section 10 Meeting the challenge of climate change, flooding and coastal change  
 Section 11 Conserving and enhancing the natural environment

## 9.0 MAIN ISSUES:

- Principle of the development
- Layout and design
- Highways and accessibility considerations
- Flood risk management
- Landscaping
- Other Issues

## 10.0 APPRAISAL:

### 10.1 Principle of the development:

Core Strategy policy P9 identifies that a minimum of 706,250 sqm of office floor space will be provided over the Plan period. This provision comprises of new and existing locations. Policy P9 notes that a third of the existing supply is located outside the City Centre and includes permissions at Thorpe Park Business Park. Saved UDP Review policy E4(6) allocates the application site for employment use as a business park and outline and full planning permissions have previously been granted for an office development of the site. The application is therefore acceptable and policy compliant in principle.

### 10.2 Layout and design

The main issue raised under the proposed development is the acceptability of the revised design, layout and scale of the proposal when compared with the Surgical Innovations office block approved on the site in 2014, in light of current planning policy requirements. Whilst there are some detailed layout aspects to resolve, overall the proposed design is of high quality with a simple palette of glass and masonry facing. The proposal is acceptable and policy compliant in design terms.

### 10.3 Highways and accessibility considerations

The application site would be accessed directly from the roundabout at the western end of Park Approach. There are no highway safety objections in principle subject to modifications to the proposed exit kerb radius on the northern arm of the roundabout and clarification over the future intention of the access road serving Plot A2, to ensure that it is capable of accommodating traffic flows. The parking layout requires some minor amendment in respect of cycle parking and car-share bay provision, and a demonstration that service vehicles can enter and leave in a forward gear, but subject to such minor amendments and clarification the application is acceptable in highway terms and is policy compliant.

### 10.4 Flood risk management

The Environment Agency has no objection to the application and the Council's Flood Risk Management Team note that matters in relation to flood risk and drainage are

covered by condition of the outline permission. The application would not be at risk of flooding or increase the risk of flooding elsewhere and is therefore policy compliant in these regards.

#### 10.5 Landscaping

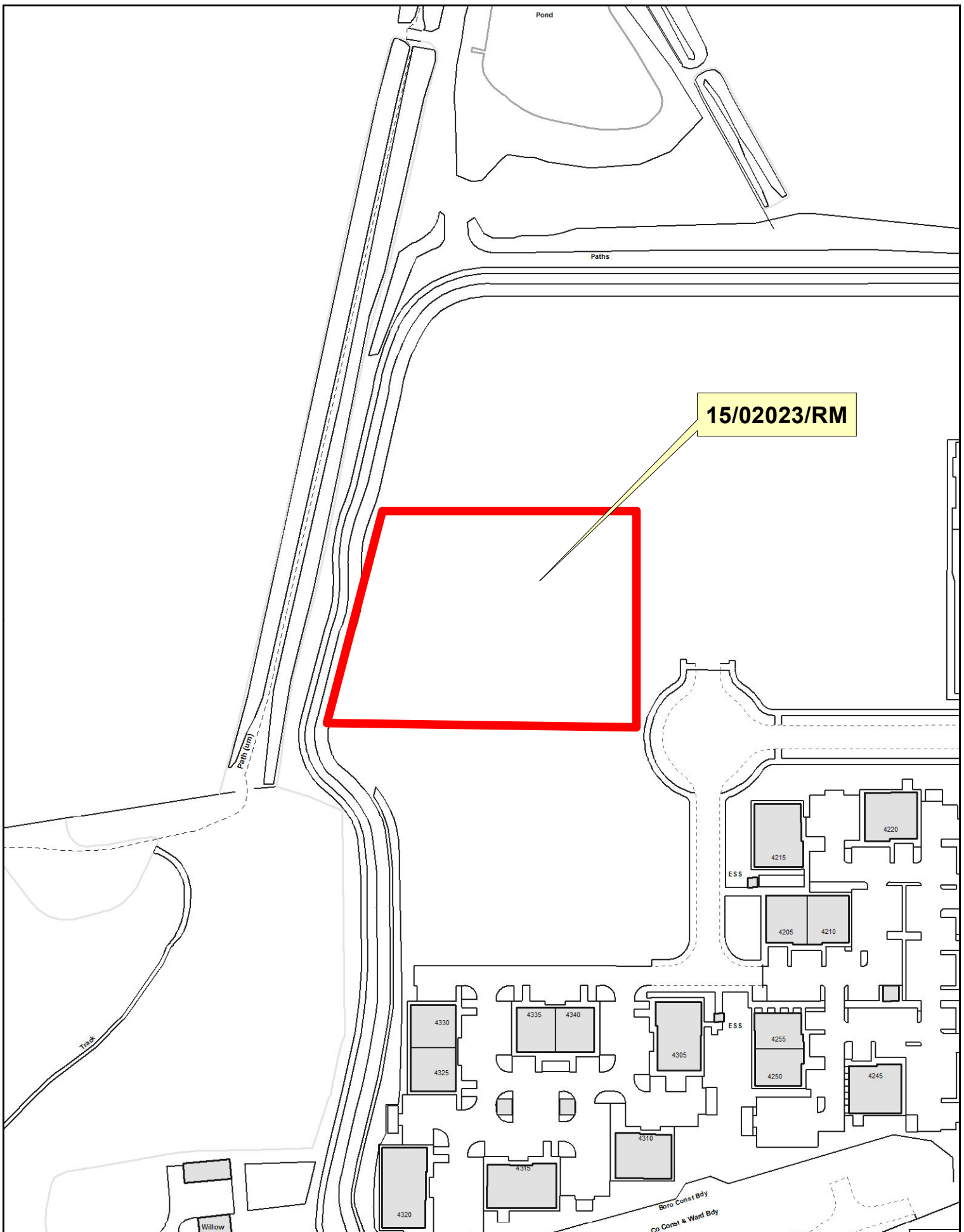
Landscape's comments are that a more generous buffer between existing trees and the parking areas and between proposed trees and the building are desirable. These are relatively easily to reconcile and detailed discussions with the applicant are ongoing to ensure that the development complies with the approved parameters plans.

#### 10.6 Other issues

With regard to ecology considerations Natural England have no comment to make on the reserved matters submission the issue of protected species (Great Crested Newts) having already been dealt with under the outline permission. The proposal would not adversely impact on the Schedule Ancient Monument.

### **11.0 CONCLUSION**

- 11.1 The site is allocated for employment use under Saved UDP Review policy E4 (6) and the development of offices at Thorpe Park is well established in principle. A detailed proposal for office development of the site has previously been supported and the revised design proposed for Plot A2 is acceptable. Together with allied proposals for the development of Plot 3175 the proposal will 'set the tone' for future development as a key landmark building at the western edge of the development site.
- 11.2 It represents another step forward in the delivery of the overall scheme and the application is in accordance with adopted local and national planning policy. The remaining issues in relation to highways and landscaping are relatively straightforward matters which are easily addressed and the applicant is progressing the necessary amendments.
- 11.3 It is therefore recommended that members defer and delegate approval of the application to the Chief Planning Officer, subject to the resolution of the outstanding issues and the above conditions.



15/02023/RM

# CITY PLANS PANEL





**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 11<sup>th</sup> June 2015**

**Subject: PLANNING APPLICATION REFERENCE 15/01615/FU FOUR STOREY OFFICE BUILDING WITH ASSOCIATED PARKING ON LAND AT THORPE PARK, LEEDS**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Thorpe Park Developments Ltd	31.03.15	30.06.15

<p><b>Electoral Wards Affected:</b></p> <p>Garforth and Swillington</p> <p><input type="checkbox"/> Yes Ward Members consulted (Referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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**RECOMMENDATION:**  
**Defer and delegate to the Chief Planning Officer for approval, subject to addressing outstanding issues including any issues Members may raise, the imposition of the specified conditions (and any others which he might consider appropriate).**

**Conditions:**

1. Three year time limit for commencement.
2. Plans to be approved.
3. No encroachment onto Highways England land.
4. Area to be used by vehicles to be laid out.
5. Provision for contractors during construction period.
6. Means of preventing mud on the highway.
7. Details of long and short stay cycle parking.
8. Details of motorcycle parking including anchorage bars.
9. Provision and retention of lockers and showers within building.
10. Maximum development thresholds in accordance with Transport Assessment.
11. Surface water drainage works scheme.
12. Unexpected contamination reporting.
13. Imported soil contamination verification.
14. Schedule of external materials.
15. Landscaping and implementation.
16. Travel Plan and Travel Plan monitoring.

## 1.0 INTRODUCTION

- 1.1 This report is presented to City Centre and Strategic Panel due to the fact that the proposal is for the development of a significant gateway plot into Thorpe Park that represents the new design approach being taken under the evolving masterplan. A separate but related reserved matters application for Plot A2 is considered elsewhere on this agenda.

## 2.0 PROPOSAL:

- 2.1 The proposals seek full planning permission for the construction of a four storey office building with associated parking on Plot 3175 off Century Way, west of the roundabout off Junction 46 of the M1. The building would be accessed from the existing access with Century Way, which serves Plots 3125 and 3150.
- 2.2 The building is designed to maximise natural light whilst seeking to remain within the maximum height restrictions of the approved parameters plans for the wider development. The building seeks to be sympathetic with existing office buildings whilst raising the bar for the standards of construction, in recognition of the context in which the building is proposed. The aim is to create a focal point to the key vistas and approaches to the wider development. Materials proposed include a simple palette of masonry and glazing, with solar shading provided with louvers.
- 2.3 Within the constraints of the proximity of the M1 motorway (in terms of acoustics and air quality) the design of the building follows the following low carbon approaches:
- Energy efficiency plant and heat recovery of ventilation and cooling systems;
  - Automatic zone controlled heating, ventilation, cooling and lighting;
  - LED high efficiency lighting;
  - Low and zero carbon technologies such as air/water source heat pumps and/or photovoltaic systems;
  - Fabric first approach to performance enhancement above minimum standards; and
  - Sustainable Urban Drainage Systems and water conservation measures.
- 2.4 External access steps are proposed to the south east of the site, faced in a Baggeridge Staffordshire Blue brick, to link with the existing path around the SUDS pond to the south east of the development.

## 3.0 SITE AND SURROUNDINGS:

- 3.1 The application site boundary relates to the southern half of the employment allocation that totalled 63 hectares. Plot 3175 is the last remaining plot to be constructed within this phase of Thorpe Park. Plots 3125 and 3150 have already been constructed and are occupied.
- 3.2 With respect to the surrounding area the site is located on the eastern boundary of Thorpe Park and abuts the motorway slip road created to serve the development. Two and three storey office buildings surround the site on three sides (north, south & west) and at the same level. To the east between the application site boundary and the slip road is a large balancing pond set within a landscaped area. These features are approximately 2m lower than the site.



3.3 Thorpe Park is allocated as employment land and a 'key business park' in the UDPR. It forms a key part of the Council's employment land supply and provides an attractive regionally significant business park. The land to the west is allocated as Proposed Open Space and to the east is the Green Belt. The UDPR designates a new cycle route running north-south through Thorpe Park and a scheduled ancient monument, Grims Ditch, is located to the immediate west of Thorpe Park.

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

4.1 09/00829/RM – Reserved matters application for 3 storey 'L' shaped office building with parking for 122 vehicles – Granted 22/05/09

4.2 32/152/05/RM – Reserved matters application for three 3 storey office blocks including car parking & landscaping to business park – Granted 03/10/05

4.3 32/140/96/FU – Variation to outline condition to extend the total permitted floorspace within the development - Granted 31/03/04

4.4 32/356/01/RM – Laying out of new access and roundabout diverting footpaths and bridleway and construction of cycleway/footpath (option 2) – Granted 22/01/02

4.5 32/185/00/FU – Re-profiling to proposed business park – Granted 27/04/01

4.6 32/199/94/OT – Outline permission Thorpe Park – Granted 04/10/95

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

5.1 The applicant engaged in pre-application discussions with officers on the amended design of building and design principles to be adopted in early 2015. The proposals submitted on 31<sup>st</sup> March 2015 are generally reflective of these pre-application discussions.

#### **6 PUBLIC/LOCAL RESPONSE:**

6.1 Public consultation on the application has taken the form of formal statutory consultations. A site notice was displayed on 17<sup>th</sup> April 2015 and the application was advertised in the press on 16<sup>th</sup> April 2015. The expiry date for these consultations was 08<sup>th</sup> May 2015 and in response no public comment has been received. No Ward Councillor comments have been received in respect of the application.

#### **7.0 CONSULTATION RESPONSES:**

##### **7.1 Statutory:**

Environment Agency: The application falls outside the scope of matters on which we wish to be consulted.

Coal Authority: Objects due to substantive concern – the applicant has submitted a Mining Statement which draws on previously submitted information to conclude that there are no outstanding issues regarding mining legacy affecting the site but insufficient information has been submitted in support of the application to demonstrate that the site is safe and stable for the proposed development.

Highways England: Recommend that conditions should be attached to any planning permission that may be granted in respect of the boundary of the proposed development and associated works so that they do not encroach onto designated Highways England property nor compromise or conflict with the Highways England M1 J46 project [the encroachment is minor in respect of the verge and amended plans are awaited to address this concern].

LCC Transport Development Services: No objections subject to conditions and the red line boundary being amended, so as to ensure any margin required by Highways England is not prejudiced by the proposal.

## 7.2 **Non-statutory:**

LCC Landscape and Design: No objections subject to agreement of materials and amendments to the parapet of the rooftop terrace detail and plant room/office form, in order that this detail does not detract from the simplicity of the overall design and to ensure that building is well balanced in terms of its proportions.

LCC Flood Risk Management: An overall drainage strategy for the Thorp Park development has been undertaken for the entire Thorp Park site so that balancing facilities have been included within the curtilage of the wider site area for the control and management of the surface water discharges from the catchment. Connections have been put in place to connect the surface water runoff from this section of the site to the drainage infrastructure in place. The site includes an extensive car parking area and petrol interceptors are required. Condition recommended to require prior approval of such details and to cover attenuation measures and surface water discharges from the site.

LCC Contaminated Land: No objections subject to standard conditions to cover contaminated land issues.

## 8.0 **PLANNING POLICIES:**

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy (2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

### Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds District. Some saved policies of the UDP Review also apply. The following policies within them are relevant:

Spatial Policy 1	Location of Development
Spatial Policy 2	Hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
Spatial Policy 8	Economic development priorities
Spatial Policy 9	Provision for offices, industry and warehouse employment land and premises

Policy EC1	General employment land
Policy EC2	Office development
Policy EN1	Climate change
Policy EN2	Sustainable design and construction
Policy EN4	District heating
Policy EN5	Managing flood risk
Policy T1	Transport management
Policy T2	Accessibility requirements and new development
Policy P8	Sequential and impact assessments for town centre uses
Policy P10	Design
Policy P12	Landscape
Policy ID2	Planning obligations and developer contributions

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

GP1	Land use and the proposals map
GP5	General planning considerations
BD5	Design considerations for new build
E4(6)	Austhorpe business park allocation
N23/N25	Landscape design and boundary treatment
T7A	Cycle parking guidelines
T24	Parking guidelines
LD1	Landscape schemes

### 8.4 Relevant Supplementary Planning Guidance:

SPG10 Sustainable Development Design Guide (adopted)  
 SPG22 Sustainable Urban Drainage (adopted)  
 SPD Street Design Guide (adopted)  
 SPD Travel Plans (draft)  
 SPD Public Transport Improvements and Developer Contributions (adopted).  
 SPD Designing for Community Safety (adopted)

Natural Resources and Waste Local Plan (adopted).

### 8.5 **National planning policy guidance:**

8.6 The National Planning Policy Framework was published on 27<sup>th</sup> March 2012 and sets out the Government's planning policies for England and how these are expected to be applied, alongside other national planning policies. In this case the following sections are relevant:

Achieving sustainable development  
 Section 1 Building a strong, competitive economy  
 Section 2 Ensuring the vitality of town centres  
 Section 4 Promoting sustainable transport  
 Section 7 Requiring good design  
 Section 8 Promoting healthy communities  
 Section 10 Meeting the challenge of climate change, flooding and coastal change  
 Section 11 Conserving and enhancing the natural environment  
 Decision-taking

Annex 1 Implementation

## 9.0 MAIN ISSUES:

- Principle of the development
- Layout and design
- Highways and accessibility considerations
- Flood risk management
- Landscaping

## 10.0 APPRAISAL:

### 10.1 Principle of the development:

Core Strategy policy P9 identifies that a minimum of 706,250 sqm of office floor space will be provided over the Plan period. This provision comprises of new and existing locations. Policy P9 notes that a third of the existing supply is located outside the City Centre and includes permissions at Thorpe Park Business Park. Saved UDP Review policy E4(6) allocates the application site for employment use as a business park and outline and reserved matters planning permissions have previously been granted for an office development of the site. The application is therefore acceptable and policy compliant in principle.

### 10.2 Layout and design

The main issue raised under the proposed development is the acceptability of the revised design when compared with the office blocks approved on the site in 2005 and 2009 in light of current planning policy requirements. Whilst there are some detailed design aspects to resolve, focussing on the parapet and rooftop structure, overall the proposed design is of high quality with a simple palette of glass and masonry facing. It represents a step forward in quality over the earlier buildings adjacent which are in many respects of their time. Overall the proposal subject to minor these minor amendments is acceptable and policy compliant in design terms.

### 10.3 Highways and accessibility considerations

The application site would be accessed directly from Century Way where bus stops are in close proximity, even if services are quite limited. Highways advise that because of this the site doesn't fully meet Core Strategy accessibility standards, but note that recent wider approvals at Thorpe Park have a public transport strategy, travel plan, and that these considerations and likely improvements due to the delivery of the Manston Lane Link Road will in time address accessibility issues. Core Strategy Policy T2 sets out the Council's accessibility requirements and saved policy guidelines under UDPR Review policies T7A (Cycle parking guidelines) and T24 (Parking guidelines) set out parking standards. There are no highway safety objections to the proposed access, and the level of car parking provision proposed is in accordance with policy. Conditions are however recommended in relation to construction management and measures to prevent mud on the highway, and to require adequate cycle/motorcycle parking facilities and showers/lockers within the building. Subject to such conditions and confirmation that there is no encroachment onto Highway England land there are no highway objections to the proposed building.

### 10.4 Flood risk management

Food risk management note that drainage measures including attenuation have been agreed for the whole site, but request a scheme for surface water drainage with

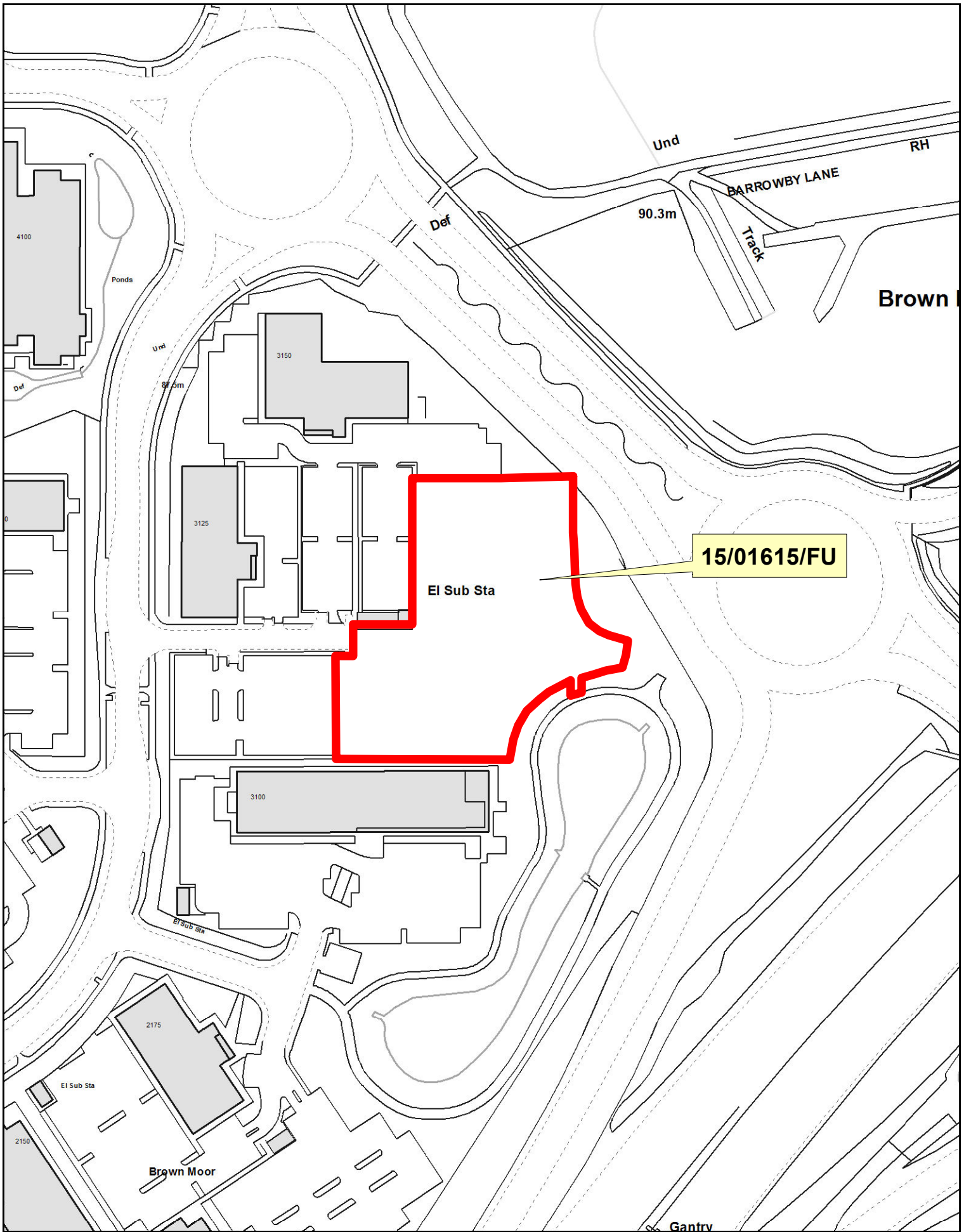
pollution prevention measures by condition. Subject to such a condition the application would not be at risk of flooding or increase the risk of flooding elsewhere and is therefore policy compliant in these regards.

#### 10.5 Landscaping

The site is landlocked between the parking areas of existing office developments to the west which currently form the frontage with Century way and which is already tree lined and landscaped, and the verges of the Motorway junction slip road and roundabout to the east. To the southeast of the building the existing SUDS balancing pond is already landscaped on its margins. Whilst more detail of soft planting around the building and within parking areas to break it up would be desirable, this detail is capable of being addressed by condition. Subject to such a condition the proposal would be policy compliant in this regard.

### 11.0 CONCLUSION

- 11.1 The proposal completes the last remaining plot on the southern part of Thorpe Park. The site is allocated for employment use under Saved UDP Review policy E4 (6) and the development of offices at Thorpe Park is well established in principle. Various detailed designs of building have previously been supported on this site and the revised design proposed for Plot 3175, subject to minor amendment, represents an improvement on the quality and detail of building previously approved.
- 11.2 Together with allied proposals for the development of Plot A2 it will 'set the tone' for future development and act as a key landmark building on approach to Thorpe Park from the M1. The application is in accordance with adopted local and national planning policy and the remaining issues in relation to highways, landscaping and mining legacy are matters which are relatively easily addressed and the applicant is progressing the necessary amended plans and further information.
- 11.3 It is therefore recommended that members defer and delegate approval of the application to the Chief Planning Officer, subject to the resolution of the outstanding design issues and the conditions identified above under recommendation.



# CITY PLANS PANEL





Originator: Tim Hart

Tel: 3952083

## Report of the Chief Planning Officer

### CITY PLANS PANEL

11<sup>th</sup> JUNE 2015

### PRE-APPLICATION PRESENTATION OF THE PROPOSED REDEVELOPMENT OF TOWER WORKS, GLOBE ROAD, LEEDS, COMPRISING OFFICES, RESIDENTIAL, SUPPORTING A1, A3, A4 AND D1 USES AND PUBLIC OPEN SPACE (PREAPP/15/00275)

#### Electoral Wards Affected:

City and Hunslet

Yes

#### 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 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 of the emerging proposals for the mixed use redevelopment of the Tower Works site (currently excluding the Engine House which is owned by the Council and the subject of a bidding process and the listed towers which the Council also owns and is maintaining as heritage assets).
- 1.2 An initial phase of redevelopment involving buildings fronting the central part of Globe Road abutting the site was completed in 2011-2012. These retained buildings are occupied by 20 small businesses within the refurbished and newly constructed contemporary office space.
- 1.3 In March 2015, following a competitive bid process, Carillion was selected by the Homes and Communities Agency to deliver the mixed use redevelopment of the remainder of the site (excluding the Engine House). Subsequently, pre-application discussions based on the proposals developed through the bid process began in April 2015. A full planning application is expected in the near future and the developer intends to commence construction of the scheme in January 2016.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The Tower Works site is 1.17 ha in area tapering towards the junction of Globe Road with Water Lane. It was originally established as a card clothing pin works in the 1860s and underwent major expansion in the 1890's and 1920's before finally closing in 1978. Demolition in the 1980's and during the last decade removed a significant number of the late 19<sup>th</sup> century and later sheds. Five of the surviving buildings are listed: The Engine House, 6-8 Globe Road, and 3 towers. The smaller ornate tower was built in 1864 in the centre of the site is based upon the Lamberti Tower in Verona. The largest, and most ornate tower, was built in 1899 close to Globe Road is based upon the Giotto campanile in Florence. The third tower, often referred to as the Little Chimney, was built close to the north-east site boundary in 1919, is plainer than the earlier ones and thought to represent a Tuscan tower house. 6-8 Globe Road, and the extension at its western end, is occupied by a number of small businesses. Landscaping between 6-8 Globe Road and the Giotto tower was completed to a high standard as part of the initial phase of development whereas landscaping in the remainder of the site is largely of a temporary nature.
- 2.2 Leeds-Liverpool canal and towpath, with some permanent residential boat moorings, is situated on the northern boundary of the site. Beyond the boundary wall to the north-east there is a surface car park accessed from Wharf Approach. This car park has been the subject of a previous planning permission for three buildings, comprising office and residential accommodation (11/01976/EXT). Hol Beck runs adjacent to the site at its south-eastern corner. To the south, on the opposite side of Globe Road, is another surface car park with the Round Foundry development beyond. 16 Globe Road known as the Antiques Centre/Globe Quay (last in office and storage use) to the west of the site is a four-storey grade II listed building positioned close to the canal with a long courtyard between the building and Globe Road.
- 2.3 The site falls within the boundary of the designated Holbeck Urban Village Planning Framework Area and the Holbeck Conservation area.

## **3.0 PROPOSALS**

- 3.1 The current proposals comprise 9 new buildings incorporating a mix of uses across the site. Generally, residential uses are primarily located in buildings towards the west of the site and B1 office uses in buildings on the eastern half. A mix of active uses, including shops, restaurants and cafes, and drinking establishments are proposed at ground level of the buildings adjacent to public routes.
- 3.2 The buildings are arranged as follows with a series of pedestrian routes crossing the site:

### **Building A**

This building would be located on the northern edge of the site alongside the canal towpath and abutting 16 Globe Road on the west boundary. It would be 7 storeys (23.2m) in height with roof accommodation resulting in a maximum height of 27.2m.

### **Building B**

This building is proposed on the west boundary, alongside the boundary wall to 16 Globe Road. Upper floors of the building would be inset approximately 2.5m from



the boundary. It would be 8 storeys (26.2m) in height with roof accommodation on the main body of the building resulting in a maximum height of 30.2m.

#### Building C

The listed Engine House does not currently form part of the development.

#### Building D

This building is situated between the Verona Tower and the northern boundary. It would be 6 storeys (20.2m) in height with roof accommodation resulting in a maximum height of 24.2m.

#### Building E

There are no proposals for the listed Verona Tower.

#### Building F

This building is situated between the Verona Tower and 6-10 Globe Road largely reflecting the scale and form of Building D to the north. It would be 6 storeys (20.2m) in height with roof accommodation resulting in a maximum height of 24.2m.

#### Building G

This is a triangular-shaped building on the north-eastern boundary to the east of Buildings D and F. It would have an acute corner facing towards 6-10 Globe Road. It would be 7 storeys (23.2m) in height with roof accommodation resulting in a maximum height of 27.2m. That part of the building abutting the boundary would be single storey in scale.

#### Building H

There are no proposals for the listed Little Chimney albeit images suggest the addition of signage at the top of the tower.

#### Building J

This primarily office building would comprise two linked elements on the north-eastern boundary to the east of the Little Chimney. It would be 6 storeys (26.0m) in height with roof accommodation resulting in a maximum height of 30.3m. That part of the building abutting the boundary would be single storey in scale.

#### Building K

This commercial building is proposed in the eastern corner of the site. It would be 5 storeys (22.1m) in height with roof accommodation resulting in a maximum height of 26.4m. That part of the building abutting the north-eastern boundary would be single storey in scale.

#### Building L

Building L would be located along Globe Road abutting the east of 6-10 Globe Road. It would provide office accommodation. It would be 4 storeys (18.2m) in height with

roof accommodation resulting in a maximum height of 22.5m. It would be linked by glazed corridors at second and third floor to building J.

#### Building M

6-10 Globe Road and its extension is already occupied.

#### Building N

There are no proposals for the listed Verona Tower.

#### Building P and Q

This primarily residential building at the west end of the site fronting Globe Road and abutting the forecourt to 16 Globe Road would be 4 storeys (15.1m) in height with roof accommodation resulting in a maximum height of 19.1m.

#### Routes and spaces

- 3.3 The principal north-south pedestrian route runs between Globe Road and the canal towpath through the central public open space to the east of the Giotto Tower. A parallel route would run to the east of buildings D and F to the east of the Verona Tower. Diagonal public routes would be located between the entrance archway of 6-10 Globe Road and the Little Chimney, and from Globe Road to the west of building K albeit the usability of these latter routes is dependent upon the redevelopment of the neighbouring car park site aligning with the routes to be provided within the Tower Works site. Just over 20% of the site would be laid out as publicly accessible space albeit beyond this most functional space there are additional areas that would provide dual functions as both walkways and as amenity space, with important provisions such as trees and seating.
- 3.4 Two points of vehicular access are identified from Globe Road beneath buildings L and P. The routes provide access for servicing and delivery vehicles, emergency vehicles, refuse vehicles and to 28 car parking spaces (9 disabled persons spaces; 3 car club spaces and 16 spaces for the residential accommodation).

#### Residential accommodation

- 3.5 The location and size of the residential accommodation is identified below:

30, one-bedroom flats would be located in buildings A, B, G and P. These would comprise 5, one person flats 38-40m<sup>2</sup>; and 25, two person flats 47-56m<sup>2</sup>. 4 of these properties would be affordable units.

38, two-bedroom flats would be located in buildings A, B, D, F, G and P. These would comprise 9, three person flats 60-67m<sup>2</sup>; and 29, four person flats 69-83m<sup>2</sup>. 2 of these properties would be affordable units.

21, two-bedroom 4 person duplex flats would be located in buildings A, D and F 90-100m<sup>2</sup>.

34, three-bedroom flats in buildings A, B, D, G and P. These would comprise 16, five person flats 84-90m<sup>2</sup>; and 18, six-person flats 93-102m<sup>2</sup>. 2 of these properties would be affordable units.

9, three-bedroom triplex flats (three storey) in building Q 146m<sup>2</sup>.

6, five-bedroom 8 person townhouses (five storey) in building Q 185m<sup>2</sup>.

Many of the dwellings benefit from external balconies. Most of the flats will comply with Lifetime Homes standards.

### Materials and sustainability

3.6 The primary building materials identified are red brick, slate and glass. It is proposed that these would be supplemented by stone coloured render to the set-back elements on Globe Road responding to the materials at 6-8 Globe Road. Hardwood timber would be used on the townhouse garage doors and front doors. Three different types of cobble stone are proposed in the public realm to define routes and connections through the site. This would be supplemented by the use of areas of soft landscaping in the form of reed beds, water jets and tree planting. New lighting and street furniture would be of a high quality and contemporary design.

3.7 The development seeks to achieve high sustainability standards. BREEAM “Excellent” for all non-domestic buildings and Code for Sustainable Homes Level 4 for all dwellings would be achieved through a range of measures including:

- Orientation of the majority of buildings optimises levels of daylight and reduces demand on artificial light and heating;
- Introduction of saw-tooth roof forms with rooflights on the northern face and photovoltaic cells on the south face;
- High standards of thermal performance, high specification glazing, efficient artificial lighting and selection of sustainable materials;
- A gas-fired combined heat and power plant;
- Green and brown roofs to encourage wildlife and biodiversity;
- Rainwater attenuation and SUDS drainage, and finished floor levels set at a level to minimize the impact in the event of flooding;
- Green Travel Plan including promotion of sustainable forms of transport, including a community cycle hire and car club scheme and limited car parking spaces on site (a total of 28 car parking spaces).

3.8 In summary, the development proposes:

- 147 residential units ranging from 1 bedroom flats to 5 bedroom townhouses. 8 (5%) of the units would be affordable.
- 8,561m<sup>2</sup> of commercial B1 office space.
- 773m<sup>2</sup> of A1 retail space.
- 1,147m<sup>2</sup> of A3 restaurant, cafe and A4 drinking establishments.
- 180m<sup>2</sup> of non-residential D1 use.
- Around 50% of the site laid out as public realm including new public routes across the site.
- BREEAM “Excellent” for all non-domestic buildings and Code for Sustainable Homes Level 4 for all dwellings.

## **4.0 RELEVANT PLANNING HISTORY**

4.1 Several planning permissions have been granted for redevelopment of the Tower Works site culminating in application 08/05144/FU. Permission was granted on 19.10.09 for demolition, new build and change of use to provide a major mixed use

scheme comprising B1 (offices), C3 (residential), D1 (Community facilities), A1 (retail), A3 (café) and A4 (bar) uses with a combined heat and power plant, ancillary public open space and landscaping and use of land at Water Lane as a temporary car park. The heights of the buildings typically varied between 7 storey fronting the canal and at the eastern end of the site, and 5 storey fronting Globe Road and within the heart of the site. A variation to this permission (10/02604/FU) involving changes to Block B was approved on 1.4.11. Only Phase 1A of the redevelopment, involving alterations to 6-8 Globe Road; the construction of Block B to its west; and temporary landscaping has been completed.

4.2 There have been several unimplemented permissions close to the site:

- On land to the west of 16 Globe Road (plot 1, 8 storeys and plot 2, 7 storeys) and to the south-west of Globe Road (plot 4A, 8 storeys and plot 4B, 7 storeys) outline permission was granted to West Register on 31.7.14 for a mixed use development comprising a hotel, residential, A2, A3, A4, A5, B1 and D1 uses (13/03647/OT).
- Permission was granted for a 5 storey hotel on the triangular piece of land to the south of Globe Road on 29.11.10 (08/05440/FU).
- An extension of time for 3 buildings (2 storey offices; 6 storey offices and 7 storey residential over car park) on the car park to the north-east of the Tower Works site was approved on 25.11.11 (11/01976/EXT).

There is a current application (14/06428/FU) seeking permission to convert upper floors of Globe Quay into residential use.

4.3 In March 2015, following a competitive bid process, Carillion was selected by the Homes and Communities Agency to deliver the mixed use redevelopment of the site. Pre-application discussion regarding the current proposals commenced in April 2015.

## 5.0 CONSULTATION RESPONSES

5.1 City and Hunslet Ward Councillors were notified of the pre-application proposals. Councillor Nash responded that she cannot support the proposals as they would block the view of the Lamberti Tower of Verona and that space should be left around this structure.

### 5.2 Highways

The key permeable routes indicated will support the development being cycling and pedestrian friendly with a large part of the development vehicle free. However, improvements to Globe Road will be required to further improve the links for cycling and walking, including a controlled crossing.

Access to the development for emergency, refuse, delivery and other servicing vehicles, including large removal vehicles, will be required as there will be no scope for servicing from the highway. Vehicle tracking diagrams shows little clearance from buildings and height clearance is below that specified in the Street Design Guide.

The 28 car parking spaces proposed and the allocation of these spaces is acceptable given the nature of the development and its sustainable and accessible location within the Holbeck Urban Village. The proposal for 3 car club bays is likely to be adequate but demand should be monitored over time to assess need.

The Transport Assessment should examine the sustainable credentials of the site to demonstrate that residents in particular can live without reliance on a car. A Travel Plan will be required with robust measures appropriate for the low-car nature of this development. Provision of long stay cycle parking above the UDP levels is advised. Provision for Electric Vehicle and electric bikes will be required as will provision for motorcycle/scooter parking.

Improvements to Globe Road, including widening of the footway (option of shared use to be considered) / narrowing of the carriageway and provision of a controlled crossing will be required, for pedestrian, cycle and disabled access and safety. If supported by the highways improvements, there are no road safety concerns.

### **5.3 Historic England (HE)**

The Tower Works site is a unique, landmark site within a most important historic area. The current proposals will change the character of the site and reduce the dominance of the towers. HE previously accepted a high level of building on the site and would support a scheme that is broadly similar to what was previously consented, providing that unjustified harm is not caused to the prominence of the towers. Any built development that challenges the dominance of the towers in terms of height has the potential to cause harm to their significance and the extent to which they contribute positively to the distinctiveness of the area and its context from longer distance viewpoints. An increase in building heights above what has already been consented requires a clear and convincing justification. Whilst the current proposals have generally been disposed to minimise their impact, there are concerns principally regarding the heights of the blocks either side of the Verona Tower which impact upon key views across the site from the canal basin.

It is recognised that a balance must be struck between viability and conservation issues in order to secure the regeneration of the site which HE fully supports. HE support the introduction of new uses, however, new development at greater densities brings tensions between the need to secure viability and the need to preserve the special interest which makes it attractive and sustainable.

### **5.4 Flood Risk Management**

The site is located within Flood Zone 3A(ii) – Leeds SFRA (ie the chance of flooding in any year is greater than 5%). However, this site will be protected by the Leeds Flood Alleviation scheme, which is expected to be complete within the next couple of years. A Flood Risk Assessment will be required demonstrating that the development provides wider sustainability benefits to the community that outweigh flood risk; and that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

### **5.5 Canal & River Trust (CRT)**

CRT support the principle of the development which will help regenerate the site, boost activity and enjoyment of the waterway and help safeguard the famous towers on the site which are an integral landscape feature of this part of Leeds.

In line with the previous approved scheme, the applicant should resurface the path along the canal in order that it is fit for purpose and well designed. Furthermore, it is

recommended that the canal wall is repaired in order that the development would not have a negative impact on its structural integrity.

## **6.0 POLICY**

### **6.1 Development Plan**

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) – with the exception of remitted Policy Minerals Policies 13 and 14, which are subject to further consultation, prior to submission and examination
- Any Neighbourhood Plan, once Adopted

### **6.2 Core Strategy (CS)**

6.2.1 Relevant Core Strategy policies include:

#### Spatial policies

Spatial Policy 1 prioritises the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by

- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods
- Expanding city living with a broader housing mix

Spatial Policy 6 identifies the housing requirement and allocation of housing land using the following considerations: sustainable locations; preference for brownfield and regeneration sites; least impact on Green Belt; opportunities to enhance communities through the design and standard of new homes; lead-in times; the least negative and most positive impacts on green infrastructure, green space and nature conservation; avoiding or mitigating areas of flood risk.

Spatial Policy 7 sets out the spatial distribution of the district wide housing requirement between Housing Market Characteristic Areas. The site is in the City Centre with a requirement to provide 10,200 units (2012-28)

Spatial Policy 8 supports a competitive local economy including through the provision of a sufficient supply of buildings for B class uses; developing the City Centre for new retail, office and other main town centre uses; and by supporting training/skills and job creation initiatives via planning agreements.

Spatial Policy 9 sets out district-wide requirements for office and development.

Spatial Policy 11 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; measures to deliver safer roads; the provision of infrastructure to serve new development; and provision for people with impaired mobility.

Spatial Policy 13 states that the Council, with others, will maintain and enhance the canal corridor.

#### City Centre policies

Policy CC1 outlines the planned growth within the City Centre for 10, 200 new dwellings, supporting services and open spaces. Part (b) encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers. Part (d) requires sequential test for proposals for comparison retail space located outside of the Primary Shopping Quarter whilst Part (f) allows up to 372sqm convenience retail without a sequential test.

Policy CC2 states that areas south of the river in City Centre South will be prioritised for town centre uses, particularly large-scale office development, residential and leisure uses.

Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods, and improve connections with the City Centre. Where proposals are located in the line of or adjacent to a new route or a route planned for improvement development should make appropriate enhancements.

#### Housing and economic policies

Policy H1 identifies a managed release of housing sites largely reflecting Spatial Policy 6.

Policy H2 indicates new housing will be acceptable in principle on non-allocated sites providing the number of dwellings does not exceed the capacity of transport, educational or health infrastructure.

Policy H3 states that housing development should meet or exceed 65 dwellings per hectare in the City Centre.

Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term taking into account the nature of the development and character of the location.

Policy H5 identifies affordable housing requirements. According to the policy, the affordable housing requirement would be 5% of the total number of units, with 40% for households on lower quartile earnings and 60% for households on lower decile earnings.

Policy H8 states developments of more than 49 dwellings should include support for Independent Living.

Policy EC2 identifies appropriate locations for office development with the focus being within the City Centre.

Policy EC3 safeguards existing employment land and industrial areas.

#### Design, conservation and other policies

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 that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.

Policy P11 states that the historic environment will be conserved and their settings will be conserved, particularly those elements which help to give Leeds its distinct identity. Enabling development may be supported in the vicinity of historic assets where linked to the refurbishment or repair of heritage assets.

Policy P12 states that landscapes, including their historical and cultural significance, will be conserved and enhanced.

Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

Policy G1 states development adjoining areas of Green Infrastructure should retain and improve these; where appropriate by extending the infrastructure, particularly encouraging street trees and green roofs, and the provision for biodiversity and wildlife.

Policy G5 requires commercial developments over 0.5 hectares in the City Centre to provide a minimum of 20% of the total site area as open space.

Policy G9 states that development will need to demonstrate biodiversity improvements.

Policies EN1 & EN2 set targets for CO<sup>2</sup> reduction and sustainable design and construction, including Code for Sustainable Homes Level 4 and at least 10% low or zero carbon energy production on-site.

Policy EN5 identifies requirements to manage flood risk.

### **6.3 Saved Unitary Development Plan Review policies (UDPR)**

#### **6.3.1 Relevant Saved Policies include**

GP5 all relevant planning considerations to be resolved.

N19 states that all new buildings within Conservation Areas should preserve or enhance the character and appearance of the Conservation Area by ensuring the siting and scale of buildings is in harmony with neighbouring buildings and the area as a whole; detailed design is such that the proportions relate to each other; that materials are appropriate; and that careful attention is given to boundary and landscape treatment.



BD2 states new buildings should complement and enhance existing skylines, vistas and landmarks.

BD5 seeks to ensure a satisfactory level of amenity for occupants and surroundings.

BC7 states traditional local materials should be used in Conservation Areas.

T24 states that parking provision should reflect detailed UDP parking guidelines.

T7A identifies cycle parking requirements.

T7B identifies motorcycle parking requirements.

LD1 sets out criteria for landscape schemes.

## 6.4 **Natural Resources & Waste DPD 2013**

6.4.1 The plan sets out where land is needed to enable the City to manage resources, such as 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, coal recovery and land contamination are relevant to this proposal. The site is within the Minerals Safeguarding Area for Coal (Minerals 3) and partly within Minerals Safeguarding Area for Sand & Gravel (Minerals 2).

## 6.5 Other material considerations

### 6.5.1 **National Planning Policy Framework (NPPF)**

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.
- 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.

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23). Housing applications should be considered in the context of the presumption in favour of sustainable development (para 49).

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. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF states that local authorities should deliver a wide choice of homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (para 50).

Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;

- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 131 states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability.

## 6.6 Relevant Supplementary Planning Guidance includes:

SPD Street Design Guide  
 SPD Travel Plans  
 SPD Building for Tomorrow Today: Sustainable Design and Construction  
 SPD Biodiversity and Waterfront Development  
 SPG City Centre Urban Design Strategy  
 SPG3 Affordable Housing and the interim affordable housing policy  
 SPG Neighbourhoods for Living  
 SPG Leeds Waterfront Strategy

### 6.6.1 Holbeck Urban Village Revised Planning Framework 2006

The Holbeck Urban Village Revised Planning Framework was adopted as a guide for the sustainable regeneration of the area. The Framework encourages office and residential use as part of a mixed use sustainable community.

The framework encourages buildings of good contemporary architecture that respect key views of the towers on Tower Works and would enhance pedestrian permeability through the area. It indicates development of about 4 to 5 storeys as appropriate on the site with gaps about every 50 metres to allow for pedestrian access through the area.

Buildings in Holbeck Urban Village should meet BREEAM Excellent for the commercial unit and Code for Sustainable Homes Level 4 for residential, or equivalent standards.

## 6.7 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 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 ‘liveability’ 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.

## 6.8 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 needs of the community.

#### 6.9 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.

#### 6.10 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.

6.11 An informal planning statement was prepared in June 2014 to guide the bid process for the site.

### 7.0 ISSUES

The emerging proposals have potential to significantly contribute towards the ongoing regeneration of this important historical area and to improve linkages between the City Centre and adjacent areas. At the same time Tower Works is a unique, landmark site within a most important historic area and redevelopment proposals must strike a balance between viability and conservation issues in order to secure appropriate regeneration of the site. Members are asked to comment on the proposals and to consider the following matters:

#### 7.1 Principle of the Use

7.1.1 The proposal is for a predominantly residential and B1 office scheme set within the boundary of Holbeck Urban Village. The National Planning Policy Framework, Core Strategy, Leeds Unitary Development Plan Review saved policies, and the Holbeck Urban Village Revised Planning Framework all support the principle of residential development and office development within this area.

7.1.2 The development also includes a mix of commercial uses including 773m<sup>2</sup> of A1 retail use; 1,147m<sup>2</sup> of restaurant, cafes and bar space (A3 and A4); and 180m<sup>2</sup> of non-residential D1 institutions (possibly a doctor's or dentist surgery or crèche) intended to ensure a wide range of activities are present at all times of the day.

7.1.3 In order to protect the function of the Prime Shopping Quarter Core Strategy Policy CC1 allows up to 372m<sup>2</sup> of A1 convenience retail in this location without the need for

a sequential test. Consequently, if more than 372m<sup>2</sup> of retail use is proposed a sequential test is required. However, there is no policy constraint relating to the A3, A4 or D1 uses which would contribute to the delivery of a vibrant and lively site and community in Holbeck Urban Village, whilst proposals for the Engine House (not currently part of the development) could supplement these uses.

**7.1.4 Do Members consider that the mix of the proposed uses is acceptable, and can Members confirm that a sequential test is required if the extent of A1 retail floorspace is use maintained as currently proposed?**

## 7.2 Scale, massing and arrangement of buildings

7.2.1 Current views of the listed towers provide instant recognition for the site and signpost the Holbeck Urban Village area. Following the demolition of buildings on Tower Works and adjoining sites, these views are currently more dramatic and open than they were originally, particularly from approaches closer to the site. In determining the previous planning application (08/05144/FU) it was considered unrealistic to expect the retention of almost 360 degree views of the towers with the redevelopment of the site and wider area. The HUV planning framework recognises this and identified the views to be retained on key approaches to the site from the west, south and north-east. Accordingly, new buildings ranging from 4 to 7 storeys high were considered to acceptably maintain the setting of the historic listed buildings on the Tower Works and adjoining sites as part of application 08/05144/FU.

7.2.2 The buildings now proposed are in broadly similar in scale to the previous scheme albeit the arrangement of buildings has altered such that a direct comparison is of reduced value. Notwithstanding, in common with the previous scheme, an analysis of the impact on key views around the site is being undertaken. Some key areas for discussion with regard to the emerging proposals are set out below:

Block A This building alongside the canal and Globe Quay previously comprised two separate buildings stepping down from 23.6m adjacent to Globe Quay to 22.8m for the eastern building. The current proposals (see paragraph 3.2 above) involve a single building, with a centrally-located ground and first floor cut. The building is a similar height to that originally approved, albeit roof accommodation has subsequently been added. The roof, itself, would not have significant impact in relation to the building. The principal change results from the amalgamation of the buildings producing an impression of a greater mass and the impact of the roof in longer distance views.

Block B This 9 storey building sits behind Block A close to the western boundary and immediately south of Globe Quay. The proposals involve principal rooms within upper floors of the building directly facing the western boundary. The previous configuration involved a 13m set-back from the boundary to retain a sense of separation between the two sites and so as not to unduly dominate or affect the setting of Globe Quay.

Blocks D and F These buildings are proposed north and south of the Verona Tower. Whilst their footprint is largely the same as previously approved each are 3.9m taller to eaves level (plus a sawtooth roof). The top of the Verona Tower is 31m above ground level whilst the roofs to Blocks D and F are a maximum of 24.2m. The additional height relative to the approved scheme would not affect nearby views of the tower but could have an effect from medium range viewpoints. Further, the

additional height when combined with the close proximity of the buildings could affect the legibility and significance of the tower.

Block G This triangular-shaped building would be situated on the north-eastern boundary to the east of Buildings D and F and between the Verona Tower and Little Chimney. The building would limit views of the Verona Tower from the east albeit views from the Canal Bridge of the tower and the Giotto Tower appear to be unaffected. Its position would also help to open up and frame views of Little Chimney from the southwest.

Block K This is a newly proposed building in the extreme eastern corner of the site. Its position would help to address the junction of Globe Road and Water Lane at the same time as providing a positive boundary to the site. As with newly proposed routes on the north-eastern boundary, its usability is dependent upon the provision of complimentary arrangements in the neighbouring car park site.

**7.2.3 Do Members consider that the scale and arrangement of buildings is appropriate especially with regard to the setting of listed towers and buildings?**

**7.3 Residential accommodation**

7.3.1 The current proposals identify 147 residential units ranging from 1 bedroom flats to 5 bedroom townhouses. Most of the flats would comply with Lifetime Homes standards whilst 8 (5%) of the units would be affordable. Consequently, the development would introduce a good mix of residential accommodation into the area.

7.3.2 The size of the dwellings is identified at paragraph 3.5 above. Each of the units would meet or exceed the targets identified in the Leeds Standard.

7.3.3 The applicant indicates that private amenity space would be available to all residents in the form of balconies or roof terraces although the currently available information does not demonstrate this. Similarly, at this stage, it is not clear that the quality of daylight, outlook and privacy for the properties will be satisfactory although the submission of more detailed information may establish its acceptability.

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

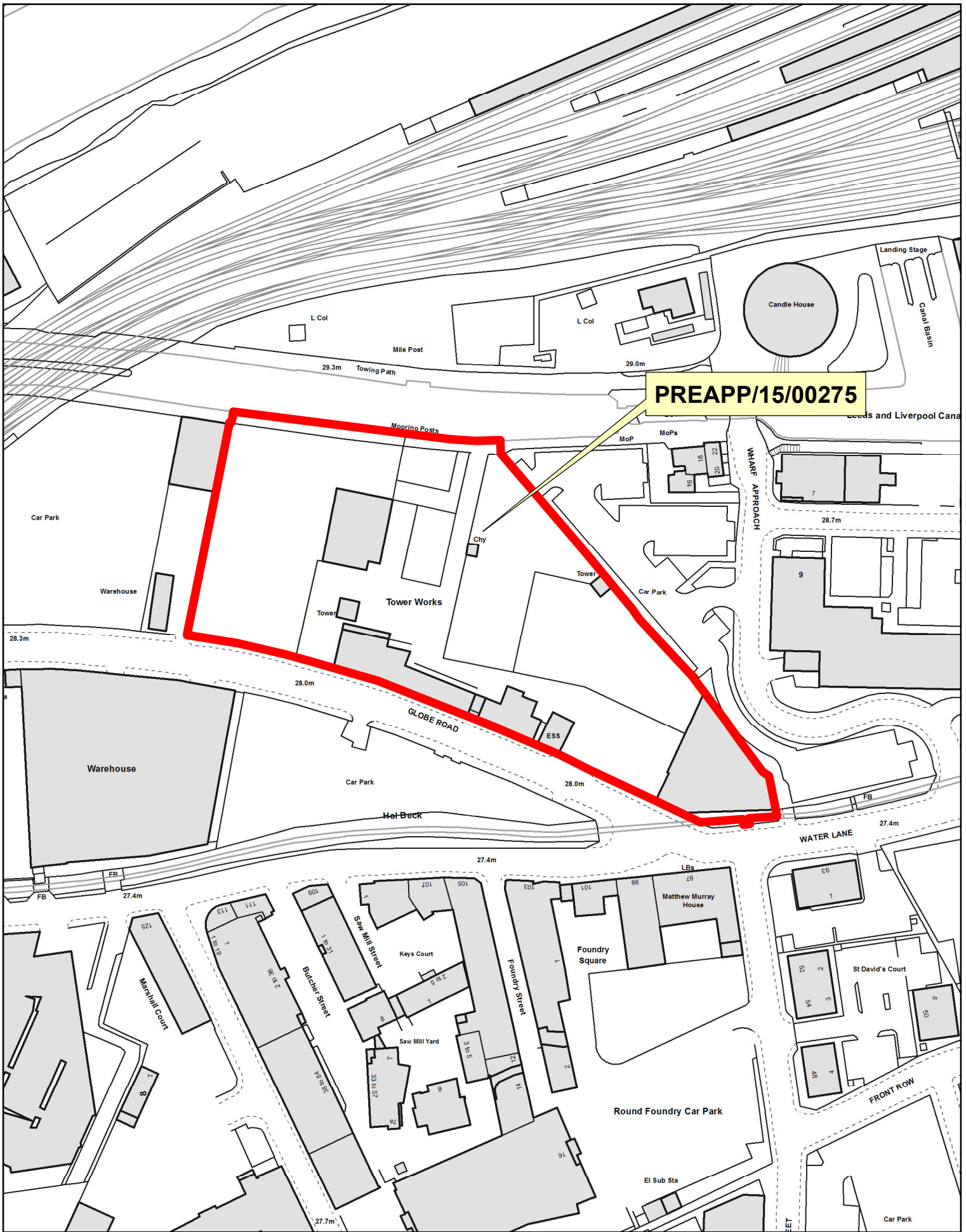
**7.4 Transport and Access**

7.4.1 Much of the development would be vehicle-free although occasional deliveries will need to be catered for within the site as there will be no scope for servicing from Globe Road. Similarly, there would be only limited provision for car parking within the site (28 car parking spaces in total including 9 disabled persons spaces and 3 car club spaces). In addition to the provision of an adequate number of cycle spaces the applicant also refers to the potential delivery of a community cycle hire scheme as part of the development.

7.4.2 New pedestrian routes are proposed across the site. Agreement is required to ensure that access along the canal towpath is available. At the same time, improvements to Globe Road, including widening of the footway / narrowing of the carriageway, and the provision of a controlled crossing will be required to ensure that the cycling and walking links to the City Centre and neighbouring communities are

satisfactory. At the current time the proposed scheme does not include such provisions or improvements.

**7.4.3 What are Members views on the proposed approach to car parking provision within the site and the need for improvements on Globe Road?**



# CITY PLANS PANEL



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Originator: Sarah McMahon

Tel: 2478171

## Report of the Chief Planning Officer

### *CITY PLANS PANEL*

Date: 11 June 2015

**Subject: PREAPP/15/00332 - PRE-APPLICATION PRESENTATION OF PROPOSALS FOR A ROOF TOP EXTENSION TO THE SOUTHERN ARCADE BLOCK OF THE VICTORIA GATE DEVELOPMENT, AT LAND BOUND BY EASTGATE, ST PETERS STREET AND GEORGE STREET/DYER STREET, LEEDS.**

#### Electoral Wards Affected:

City & Hunslet

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 presentation and to provide any comments on the proposals.**

#### **1.0 INTRODUCTION:**

- 1.1 This presentation is intended to inform Members of the emerging proposal for an extension to the southern block of the Victoria Gate development to create two restaurant units (Use Class A3) at roof level, within Phase 1 of the Victoria Gate scheme. Members will recall approving application 13/02967/FU at Plans Panel on 26 September 2013, for the development of the Phase 1 arcades and buildings.
- 1.2 The current proposal is brought to City Plans Panel as the development involves increasing the height of the southern arcade block by one level, introducing external cladding materials that are new to the materials palette for the wider Victoria Gate development, and adding a further A3 restaurant use to the mix of uses across the full Phase 1 site.

#### **2.0 SITE AND SURROUNDINGS**

- 2.1 The full application site for the Victoria Gate scheme (covering both Phase 1 and

Phase 2 of the proposal) extends to approximately 6.9 hectares in size and forms the north east quadrant of Leeds City Centre. It is defined by New York Road (Inner Ring Road A58M/A64M) to the north, Bridge Street to the east, George Street and Dyer Street to the south and Harewood Street and Vicar Lane to the west. Ground levels fall by approximately 14m from the north west (former ABC site) to the south east corner (bus station) of the site.

- 2.2 The development of Phase 1 has commenced on site, with the arcades, the John Lewis building and multi storey car park being currently under construction, however, its previous land use was largely as surface car parking as Union Street Car Park.

### **3.0 PROPOSALS**

- 3.1 The proposal is for the addition of a new structure at roof level on the southern arcade block of the Victoria Gate development, to be used as two restaurants (Class A3). The restaurant would form part of, and be accessed via, the Victoria Gate scheme.

### **4.0 PLANNING HISTORY**

- 4.1 The original outline planning permission for the previous Victoria Gate development scheme (06/03333/OT) was granted consent on 24th August 2007 and permission was extended on 9 July 2010 (10/01477/EXT). Subsequently a revised scheme was submitted under outline planning application 11/0100/OT for major redevelopment, including demolition, involving mixed use to provide retail stores, restaurants, bars and offices (A1, A2, A3, A4, A5 and B1 Use Classes), gym (D2 Use Class), medical centre, crèche, multi-faith prayer room (D1 Use Classes), changing places toilet facilities, with new squares and public realm, landscaping, car parking and associated highway works. This was approved on 6 September 2011. A Non Material Amendment planning reference 12/9/00055/MOD to amend the description to refer to leisure use (D2 use class) instead of gym (D2 use class) was approved on 4 April 2012.
- 4.2 A subsequent Section 73, Variation of Condition application, planning reference 12/03002/OT, was submitted seeking the variation of condition 3 of planning permission 11/01000/OT to allow for Leisure Use (D2 use class) and Casino Use (sui generis) as part of a retail-led mixed use development. This application was approved on 30 October 2012. A Non Material Amendment planning reference 12/9/00098/MOD to amend the description to add in Casino Use (Sui Generis) was also submitted in parallel to the Variation of Condition application (12/03002/OT) and this was approved on 2 October 2012.
- 4.3 Approval was granted for a trio of applications covering Phase 1 of the Victoria Gate development to the south side of Eastgate, on 9 January 2014. These applications were for:
1. 13/02967/FU - Major mixed-use, retail-led development including the demolition of all buildings and construction of retail (use classes A1, A2, A3, A4, A5), leisure (use class D2)/casino (sui generis), public realm works and landscaping,
  2. 13/02968/FU - Demolition of Millgarth Police Station and the erection of a multi-storey car park and associated landscaping, means of access and highway works and
  3. 13/02969/RM - Reserved matters approval for Plot HQ1 (to be occupied by John Lewis) of the outline planning permission, at Land Bound by Eastgate, George

Street and Millgarth Street, Leeds, LS2.

4.4 Subsequently planning approval was granted for the following two Section 73 applications to vary specific details;

1. The variation of conditions 2 (which lists the approved plans), 19, 28 and 37 of application 13/02967/FU to introduced alterations to the design of the approved Arcades area of Phase 1 of the Victoria Gate scheme, including the lowering of the western end of the southern block by one level, to amend the wording of Condition 19 allow for further discussion and to amend the triggers to Conditions 28 and 37 to introduce more flexibility, planning reference 14/04437/FU, on 18 February 2015.
2. The variation of conditions 2, 17 and 21 of application 13/02968/FU involving alterations to the approved multi-storey car park for Phase 1 of the Victoria Gate scheme, planning reference 14/04438/FU, on 25 February 2015.

## **5.0 HISTORY OF NEGOTIATIONS**

5.1 Discussions regarding the pre-application proposals have been undertaken between the Developer and Officers from January 2015. These discussions have focused on layout, scale and massing, appearance and materials, and the opportunities for external terrace spaces and soft landscape features.

5.2 Ward Members were consulted by the Case Officer on 24 April 2015. No responses have been received to date.

## **6.0 POLICY**

### **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. This national planning policy document is likely to be of relevance in considering the schemes proposed progression. The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses such as retail. The document also promotes economic growth in order to create jobs and prosperity

6.3 The 10th principle listed states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

6.4 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 states that there should be a presumption in favour of sustainable development.

6.5 Paragraph 23 of the NPPF states that planning policies should be positive and promote competitive town centres.

6.6 Paragraphs 56 and 57 of the NPPF state that good design is a key aspect of sustainable development, is indivisible from good planning and contributes positively to making better places for people., and that design should be of a high quality and inclusive.

6.7 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

## 6.8 **Core Strategy**

6.9 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.

6.10 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. Development should protect and enhance locally important buildings, skylines and views.

6.11 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.

## 6.12 **Unitary Development Plan Review 2006 – Retained Policies**

6.13 The UDPR includes policies requiring that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, and access for all are addressed through the planning application process. The application site lies within the designated City Centre. Relevant policies include:

- 6.14 Policy BD2 (Design and siting of new buildings)
- Policy BD5 (Amenity and new buildings)
- Policy GP5 (Development control considerations)

## 6.15 **Natural Resources and Waste Local Plan 2013 (NRWLP)**

6.16 One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 is that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

## 6.17 **Supplementary guidance**

6.18 Building for Tomorrow Today – Sustainable Design and Construction.

## 6.19 The Leeds City Centre Urban Design Strategy (September 2000)

The application site falls within the Retail and Entertainment Area (Study Area 2) of the City Centre Design Guide. Pages 78-79 of the Design Guide highlight the aspirations and issues for the area. Some relevant key aspirations are highlighted as follows:

Realise potential for redevelopment of temporary car park areas  
Retain and enhance the mixture of new and old buildings

Improve links to other Quarters  
Preserve and enhance fine grain  
Retain and enhance the existing character of strong street frontages  
Preserve and enhance the quality of priority and permeability for the pedestrian  
Preserve and enhance views  
Provide and enhance spaces  
Encourage lively activity and discourage perceived privatisation of shopping streets  
Improve clear edges

#### 6..20 Eastgate and Harewood Supplementary Planning Document

The Eastgate and Harewood Supplementary Planning Document (SPD) was adopted in October 2005. The SPD was prepared to supplement the guidance in the adopted UDP for the Eastgate and Harewood Quarter. The SPD provides 12 principles to guide the redevelopment of the Eastgate and Harewood Quarter and those of relevance are:

Enhance the public realm through pedestrianisation or street closures if necessary, and encourage pedestrian linkages from the site to the market, river, Sheepscar, Mabgate, Victoria Quarter and Quarry Hill, integrated into the existing fabric of the city centre.

Restrict access to through traffic using local streets and where possible, integrate the traffic displaced by, and accessing, the development into the improved highway network in recognition of safety and capacity constraints.

Preserve where both practical and appropriate, existing historic assets and their settings.

## 7.0 KEY ISSUES

7.1 Members will recall that the original approved scheme for the Phase 1 Victoria Gate site (approved under planning reference 13/02967/FU) included a 3 storey block to the southern edge of the site. The Developer subsequently considered that they did not require all 3 floors to this side of the Phase 1 site and submitted the Section 73 variation application 14/04437/FU to remove the top floor of this southern block. This was approved, following discussions with the Plans Panel Chair, under delegated powers on 18 February 2015. However, the Developer is now proposing to reintroduce a 3rd floor to the southern block to accommodate an A3 restaurant.

7.2 The approved scheme for the arcade buildings is currently under construction on site and the load bearing specification for the southern block is for the reduced height version of the building. This means that it is not possible to simply go up a storey again using the originally designed top floor, and a lighter weight version is now required. Therefore the current proposal is for this newly designed additional top storey. The proposed development will increase the height of the southern arcade by an additional 4m resulting in an overall height similar to the original scheme. Officers consider the massing and height to be acceptable, being in accordance with the parameters approved under the original Outline and full planning consents, and as such being contextually appropriate in respect of neighbouring buildings.

7.3 **Do Member considered the scale, massing and layout of the proposed extension to be acceptable?**

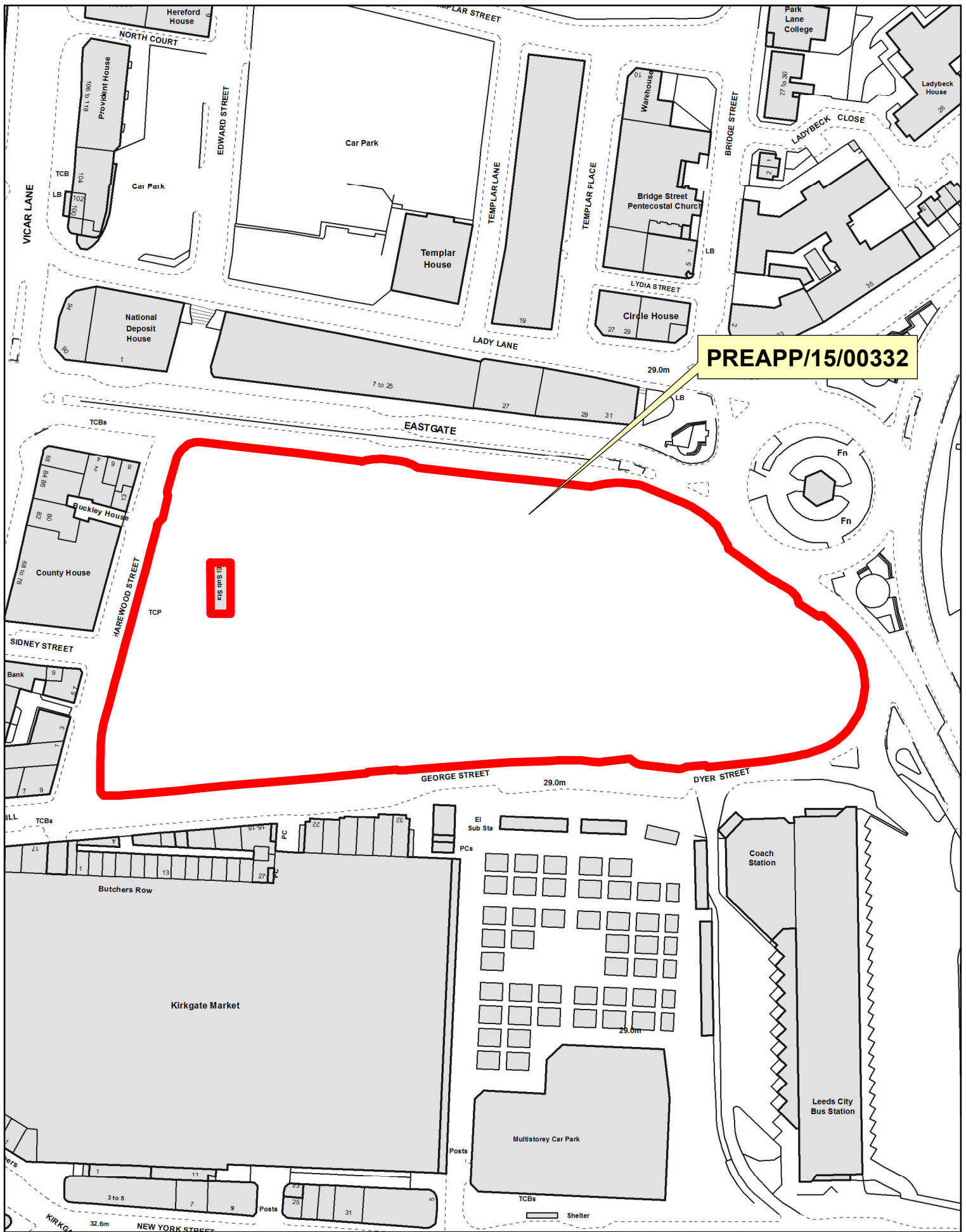
7.4 The additional storey will accommodate two restaurants (class A3 use) measuring 664sqm and 391sqm GIA. The Applicant advices that the amount of additional A3

floor space to be created would be within the range of Gross External Floorspace (GEA) permitted under the Outline Planning application 12/03002/OT.

- 7.5 Both of the restaurants will be accessed via a large shared spiral staircase that connects the ground floor of the arcade to the upper floors. The staircase will be accessible from both the Arcade and George Street..
- 7.6 The extension would be set back from the main façade of the building below and would be behind a parapet formed from the top of the brickwork of the main building façade. The extension would be faced in pleated cladding, most likely to be metal, which would visually reference the design of the pleated brickwork and terracotta on the facades beneath it. The materials would be toned to match the colour palette and quality of the Arcade and in particular those colours that are used within the southern arcade. Inset into the metal cladding would be a series of tall clear glazed windows. The introduction of a further material into the palette is supported by Officers in principal, subject to agreement of the full details, on the basis that the approved palette is a limited one, and the proposed additional material would be visually and texturally treated to ensure it became part of the material's 'family' for the arcades.
- 7.7 **Do Members consider the design and materials proposed to be acceptable?**
- 7.8 Parts of the frontage to the southern face would be set back with integrated canopies above. External roof terraces are proposed to the two areas in front of the setback section, along the southern frontage. There is the opportunity to include soft landscaping in planters to these terraces.
- 7.9 **Do Members considered that the proposal could be delegated to Officers for the determination of any subsequent planning application?**

#### **Background Papers:**

PREAPP/15/00332



# CITY PLANS PANEL



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