



SOUTH AND WEST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 17th September, 2015
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	A Castle	R Finnigan
M Coulson		R Wood	
C Gruen (Chair)			
J Heselwood			
E Nash			
A Smart			
C Towler			

Agenda compiled by:
Andy Booth
Governance Services
Civic Hall
Tel: 0113 247 4325

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 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>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 6 AUGUST 2015</p> <p>To confirm as a correct record, the minutes of the meeting held on 6 August 2015.</p>	3 - 12
7	Morley North		<p>APPLICATION 15/03417/FU - LAND ADJACENT TO 141 KING STREET DRIGHLINGTON</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for one detached house and one pair of semi-detached houses</p>	13 - 22
8	Headingley		<p>APPLICATION 15/01919/FU - MARY MORRIS HOUSE, 24 SHIRE OAK ROAD, HEADINGLEY</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for alterations and extensions to form additional 41 bedrooms to existing student accommodation, including partial cladding, car parking and associated cycle and bin stores</p>	23 - 36

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9	Horsforth		<p>APPLICATION 15/03255/FU - 12 OUTWOOD LANE, HORSFORTH</p> <p>To receive and consider the attached application of the Chief Planning Officer regarding an application for change of use and alterations of dwelling house (C3) to residential institution (C2)</p>	37 - 46
10	City and Hunslet		<p>APPLICATION 15/04091/FU - 73A LOW ROAD, HUNSLET</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use from Moor Vehicle and Accessories Sales and Service (Sui Generis) to Private Adult Members Club (Sui Generis)</p>	47 - 56
11	Bramley and Stanningley; Horsforth; Kirkstall		<p>APPLICATION 15/03561/RM - PLOT J1, KIRKSTALL FORGE, KIRKSTALL</p> <p>To receive and consider the attached report of the Chief Planning Officer for an application for a seven storey office block with basement parking (Phase 1)</p>	57 - 76
12	Horsforth		<p>APPLICATION 15/02901/OT - HORSFORTH CAMPUS, CALVERLEY LANE, HORSFORTH</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an outline application for residential development of up to 66 dwellings</p>	77 - 88
13			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 22 October 2015 at 1.30 p.m.</p>	

Item No	Ward	Item Not Open		Page No
			<p data-bbox="675 181 1015 215"><u>Third Party Recording</u></p> <p data-bbox="675 255 1382 472">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.</p> <p data-bbox="675 512 1310 584">Use of Recordings by Third Parties– code of practice</p> <ul style="list-style-type: none"> <li data-bbox="724 624 1382 842">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. <li data-bbox="724 860 1394 1162">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. 	

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

To:

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

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY 17 SEPTEMBER 2015

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

- 1 9.25 am **Application 15/04091/FU** - Change Of Use From Motor Vehicle And Accessories Sales And Service (Sui Generis) To Private Adult Members Club (Sui Generis) At 73a, Low Road, Hunslet -
Leave 9.35
(if travelling independently meet at entrance to site off Low Road).

- 2 10.00 am **Application 15/02901/OT** – Outline application for residential development of up to 66 dwellings – Horsforth Campus, Calverley Lane, Horsforth –
Leave 10.20
(if travelling independently meet at entrance to site off Calverley Lane).

- 3 10.30 am **Application 15/03255/FU** – Change of use and alterations of dwelling house (C3) to residential institution (C2) at 12 Outwood Lane, Horsforth -
Leave 10.45
(if travelling independently meet outside front of building on Outwood Lane).

- 4 11.00 am **Application 15/03561/RM** - Seven storey office block with basement parking (Phase 1) at Plot J1, Kirkstall Forge, Kirkstall –
Leave 11.15
(if travelling independently meet outside front of Eastern site entrance).

- 5 11.30 am **Application 15/01919/FU** – Alterations and extensions to form additional 41 bedrooms to existing student accommodation, including partial cladding, car parking and associated cycle and bin stores – Mary Morris House, 24 Shire Oak Road, Headingley – **Leave 11.45** (if travelling independently meet outside front of premises off Shire Oak Road)

Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 9.10 am prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.05 am

Yours sincerely

Andy Booth
Governance Officer

SOUTH AND WEST PLANS PANEL

THURSDAY, 6TH AUGUST, 2015

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, A Castle, B Cleasby,
M Coulson, R Finnigan, J Heselwood,
E Nash, A Smart, C Towler and R Wood

23 Exempt Information - Possible Exclusion of the Press and Public

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

Appendix to Agenda Item 14, Application 14/07043/FU – 80 Cardigan Road, Headingley under Schedule 12 Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4 (3) and on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time.

24 Late Items

There were no late items. An additional appendix to Agenda Item 14, Application 14./07043/FU – Cardigan Road was distributed and published following the publication of the Agenda.

25 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

26 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor J Bentley.

Councillor B Cleasby was in attendance as substitute.

27 Minutes - 9 July 2015

RESOLVED – That the minutes of the meeting held on 9 July 2015 be confirmed as a correct record.

Draft minutes to be approved at the meeting
to be held on Thursday, 17th September, 2015

28 Application 12/04737/FU - Appeal Decision - Land rear of Sandon Mount, Sandon Grove, Hunslet, Leeds

The report of the Chief Planning Officer informed the Panel of an appeal decision regarding an application that was refused for the use of a vacant site for the stationing of caravans for occupation by Gypsy-Travellers with associated development including new access track, hard standing, utility building, fencing, external lighting and foul drainage on land to the rear of Sandon Mount, Hunslet.

The Panel was reminded of the reasons for refusing the application which included it not being in line with allocations in the Unitary Development Plan (UDP) and noise from and proximity to the M621 motorway. It was reported that the applicant appealed on the grounds that that the site would not be used as allocated in the UDP and that noise levels were acceptable. The Inspector considered the noise levels on the site to be unacceptable and the appeal was subsequently dismissed.

It was reported that there would be an extensive search for alternative suitable sites under the site allocation process.

RESOLVED – That the report be noted.

29 Application 14/06007/FU - 49 Barkly Road, Leeds

The report of the Chief Planning Officer presented an application for a mixed use development comprising sports hall, teaching, prayer and community facilities and associated offices and ancillary facilities and creation of basement car park at 49 Barkly Road, Leeds.

The item was withdrawn prior to the meeting and it was reported that it would be considered at the meeting of the South and West Plans Panel to be held on 17 Spetember 2015.

30 Application 15/03304/FU - 8 Queens Promenade, Morley

The report of the Chief Planning Officer presented an application for a single storey rear extension at 8 Queens Promenade Morley.

Site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application had been referred to Panel as it ws the property of a serving Elected Member.
- There had not been any objections to the application.

- The extension projected a further 0.4 metres than the neighbouring extension but would not cause any impact on the neighbouring property.
- The level of amenity space to be retained was felt to be appropriate.
- The property was situated just outside the conservation area and the extension would have no impact on this.
- The application was recommended for approval.

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

31 Application 14/07087/FU - St Anns Mills, Commercial Road, Kirkstall

The report of the Chief Planning Officer presented an application for the retrospective change of use of land and buildings from B2 to B8 with 48 storage containers at St Ann's Mills, Commercial Road, Kirkstall, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- Members were informed of further representations that had been received from a local Ward Member. These included a lack of public consultation, insufficient engagement with the Environment Agency, breach of local byelaws and the expiry period of the consultation period. It was reported that there had been limited response to the consultation. The expiry period of the consultation was yet to expire and should fresh objections be made then the application would be referred back to Panel. With regard to the Environment Agency, they had not objected in the first instance and they did have opportunity to make representations regarding the byelaw issue. This was not likely to prevent development.
- The recommendation in the report was to be amended to recommend that the application be deferred and delegated to the Chief Planning Officer for approval subject to expiry of the consultation period and no new significant material consideration raised either through that process or by the Environment Agency.
- The site was previously the home of a textile mill and was used by a number of small businesses. The applications site was privately owned and formerly occupied by a single storey building which was destroyed by fire. The application site now housed 48 blue shipping style containers.
- There were concerns regarding the electric gate and positioning of some of the containers which were visible from the embankment. Conditions would be made for screening of the containers. The roadside sign would also have to be replaced with something more appropriate.

A local Ward Member addressed the Panel with concerns and objections regarding the application. These included the following:

- This was an ugly retrospective application in an area which local residents had worked to improve.
- It was felt that plans had not been published in accordance with legislation.
- There were discrepancies between Ordnance Survey maps and the applicant's plans and the distance between the site and the goit side needed to be consistent.
- There had not been sufficient time for the Environment Agency to be consulted.
- In response to questions from Members the following was discussed:
 - Development of the Kirkstall Neighbourhood Plan.
 - There was no obstruction to any public rights of way.
 - The screening was inadequate. The proposals would be more acceptable if the containers were hidden from view.

The applicant addressed the Panel. The following was highlighted:

- The land had been purchased two years ago and was initially used for caravan storage. There had been a request and demand for use of container storage.
- Prior to purchase the site was in disrepair and suffered from vandalism and fly tipping.
- Since the site was used for container storage, fly tipping had stopped.
- Seventy five percent of the containers were used by small business owners.
- The containers would be screened and the backs painted green to blend in with the surroundings.

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

- Conditions to the application would include appropriate planting to screen the containers.
- Concern regarding retrospective applications.

RESOLVED – That the application be deferred and delegated approval to the Chief Planning Officer subject to expiry of the consultation period and there being no new significant material consideration raised either through that process or by the Environment Agency. Officers also to investigate further land ownership issue raised by Councillor Illingworth.

32 Application 14/07450/FU - 101 Commercial Road, Kirkstall, Leeds

The report of the Chief Planning Officer presented an application for the change of use of halls of residence to residential development forming 36 self-contained units at 101 Commercial Road, Kirkstall, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of this application.

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

- The proposals would bring a vacant building back into use.
- The single storey extension to the rear would be demolished and this would enable room for 25 car parking spaces on site.
- The building would be re-clad.
- The original application had been for 58 apartments. This had been reduced to 36 and the apartment sizes fell within emerging size standards.
- The site was situated close to public transport links to the City.
- There would be an off site affordable housing contribution and a commuted sum for traffic regulations should they be required.

A local Ward Member addressed the Panel regarding the application. Issues raised included the following:

- The revised plans were much improved on the original proposal.
- Concern regarding double occupancy of the studio flats with regard to size and car parking.
- It would have been preferable to have seen one bedroom flats.
- It was felt that further negotiation could have brought a more suitable scheme.
- There were problems with car parking nearby and these proposals could add to that.

The applicant addressed the Panel. The following was raised:

- The applicant had worked closely with planning officers and had made a lot of changes to the original proposals to meet standards.
- The new façade to the building would make an improvement to the surrounding area.
- The proposals would meet local market needs.
- There had been no concern from highways regarding parking.

In response to comments and questions from officers, the following was discussed:

- The level of car parking available was within planning policy and guidance. Travel cards would also be issued and there was the fall back of traffic regulation orders if needed. The car parking spaces would not be allocated to specific properties to allow for flexibility and the assessments had indicated that there would be no overspill on parking.

- Concern that studio flats would lead to a more transient population and the need for more stability.
- The re-use of a derelict building.

RESOLVED – That the application be approved in principle and deferred and delegated to the Chief Planning Officer subject to conditions included in the report and a satisfactory Section 106 agreement.

33 Application 15/00901/FU - 57 Cardigan Lane, Burley, Leeds

The report of the Chief Planning Officer presented an application for a new second floor and change of use of existing offices to form 14 self-contained flats with associated landscaping at 57 Cardigan Lane, Burley, Leeds.

Members attended a site visit prior to the hearing and site plans and photographs were displayed and referred to throughout the discussion of this item.

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

- There had been concern from local Ward Members regarding the loss of employment land.
- The building was currently in a poor and deteriorating condition and it was proposed to re-clad the whole building and retain the dutch gable feature at the front.
- It was proposed to have a one way system for traffic through the site.
- There would be 10 x 2 bedroom flats, 3 x 1 bedroom flat and one four bedroom flat.
- The proposed flats were generously sized and would meet space standards.
- There had been some concern regarding cars being parked at a higher level than neighbouring properties. It had been agreed to put in additional protective measures for this. Photographs demonstrating the difference in levels were shown.
- There was sufficient distance between the building and neighbouring properties and it was not felt that the building was over dominating or would cause significant overshadowing.
- It was recommended to defer and delegate the application for approval.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- This was already a densely populated area.
- Concern regarding the building overlooking neighbouring properties.
- The possibility of increased parking on local streets.

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

- There was approximately 12 metres distance between the windows and neighbouring properties. Neighbourhoods for Living guidance suggested a minimum distance of 10.5 metres.
- The property had been on the market between three and four years.
- The development would attract a sum under the Community Infrastructure levy but this would only be a minimal amount.
- It was suggested that the entrance to the building from Cardigan Road could be re-used.
- The possibility of allocating certain spaces where there could be disturbance due to the close proximity to bedrooms.

RESOLVED – That the Application be deferred and delegated for approval to the Chief Planning Officer subject to conditions outlined in the report, Section 106 for greenspace and additional conditions for barriers to parking spaces and opening up of doorway to Cardigan Road elevation.

34 Application 14/05558/FU - Guiseley AFC, Otley Road, Guiseley

The report of the Chief Planning Officer presented an application for new spectator terracing to three sides of the ground, new turnstile and toilet facilities, new compound building and associated landscape proposals at Guiseley AFC, Nethermoor Park, Otley Road, Guiseley.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- New terracing was required to increase the ground's capacity to meet requirements following the club's promotion to the National League.
- The new terracing would not be any higher than existing terracing.
- The works needed to be completed by March 2016.
- Car parking – there were problems associated with car parking on match days and there were conditions to the application to alleviate this.
- Reference was made to the conservation area and boundary treatments would be sympathetic to this.
- It was recommended to defer the application to the Chief Planning Officer for approval.

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

- The covenant on Nethermoor Park did not affect either the lease of the football ground or prevent further development.
- Should the application not be granted, the club would be demoted from the National League.

- Traffic and parking surveys had been carried out before and after matches at the ground.

RESOLVED - That the application be approved in principle and deferred and delegated to the Chief Planning Officer subject to conditions included in the report and a satisfactory Section 106 agreement.

35 Application 14/07043/FU - 80 Cardigan Road, Headingley

The report of the Chief Planning Officer presented an application for the change of use and alterations to a former day care facility and offices to form 66 flats and associated external works, including demolition of ramp and rear extension, at 80 Cardigan Road, Headingley, Leeds.

Site Plans and photographs were displayed and referred to throughout the discussion on this application.

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

- The site fell within the Headingley Conservation area.
- An application had been considered at the previous Panel meeting where concern had been expressed regarding the size of the proposed flats, access arrangements and the viability of the scheme
- The number of flats had been reduced from 26 to 16 and this had enabled flats that met size criteria both to national and Leeds standards.
- It was felt appropriate to retain the proposal for a one way access system with access from Cardigan Road and exit on to Chapel Road. This would involve the lowering of the rear wall to improve visibility. Any other proposals would reduce garden areas within the site, cause the loss of trees and impact on the character of the property.
- A revised viability report on the scheme had been produced and Members discussed this in private session.

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

- Members supported the reduction to the number of flats which now met standards in relation to size.
- It was felt on balance that proposed access arrangements to the site would be appropriate.
- With regard to service vehicles it was reported that these would use Chapel Lane. There was not sufficient space within the site for these vehicles to turn round.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report and with an additional condition which required the cleaning of the two pairs of stone gateposts.

36 Application 15/00577/LA - Rothwell Training Centre

The report of the Chief Planning Officer presented a retrospective application for variation of condition 2 (plans schedule) of approval 12/05355/FU for an increase in the height of the roof ridge and parapet wall, addition of an overhang to the north elevation monopitch, louvre to east wall, door and window amendments, change from through coloured render to painted and a fixed maintenance access ladder.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application was originally approved in 2013. It had been brought to Panel following concerns from local residents that it had not been completed in accordance with the original plans and subsequent investigation carried out by compliance officers.
- Main differences to the original application included an increase of 0.8 metres in the height of the roof ridge, 0.7 metres increase in the height of the parapet wall and the installation of a fixed maintenance ladder.
- The increase in the height of the roof was not considered to be harmful and only caused minimal overshadowing.
- The walkway across the parapet was only accessed internally and only used occasionally for maintenance purposes.
- There was no accommodation on the first floor height of the building and the windows were only to allow light in.
- It was recommended that the retrospective application be approved.

In response to Members comments and questions, it was felt that the building was a valuable resource for the city although concern was expressed that the original plans had not been adhered to.

RESOLVED – That the application be approved as per the officer recommendation.

37 Date and Time of Next Meeting

Thursday, 27 September 2015 at 1.30 p.m.

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Originator: Shameem
Hussain
Tel: 78024

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: APPLICATION 15/03417/FU– One detached house and one pair of Semi detached houses on land adjacent to 141 King Street Drighlington, BD11 1EJ.

APPLICANT
Miller Homes Limited
Yorkshire

DATE VALID
9th June 2015

TARGET DATE
23rd September 2015
(extension requested)

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

Grant permission subject to the conditions referred to in the report below

Conditions:

1. Time limit on permission
2. Plans to be approved
3. Details of fences and walls to be provided
4. Statement of Construction Practice
5. Laying out of areas to be used by vehicles
6. Adoption of highway (Section 38 works)
7. Minimum internal dimensions of garages
8. Submission and implementation of landscaping details
9. Landscape Management Plan
10. Protection of retained trees and hedges

11. Preservation of retained trees and hedges
12. Provision for replacement trees and planting as necessary
13. Submission of walling and roofing materials
14. Submission of surfacing materials
15. Flood Risk management details to be submitted
16. Surface water drainage works to be approved and implemented
17. Surface water drainage scheme to be implemented in accordance with approved scheme
18. Development to be carried out in accordance with approved drainage details
19. Reporting of unexpected contamination
20. Submission of verification reports
21. Coal Site Investigation works

1.0 INTRODUCTION:

- 1.1 This application is brought to Plans Panel (South and West) at the request of Ward Councillor Finnigan as he has concerns about the highways impact on what is already a problematic location.

2.0 PROPOSAL:

- 2.1 Proposed is a residential development consisting of three units comprising of the following:-
 - Two units in the form of semis on plots 1 and 2 sitting adjacent to the south east boundary with the vehicular access running adjacent to this
 - Adjacent to the other side of the vehicular access is a landscaping scheme in the form of replacement trees and hedging
 - The private drive leads to hardstanding within the middle of the site which provides car parking spaces for plots 1 and 2
 - Beyond this hardstanding area is a detached dwelling with an attached garage and a rear garden to the rear and side
 - The site has a group of trees which are the subject of a Tree Preservation Order (TPO). These are proposed to be removed with a replacement landscaping scheme.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is currently vacant and extends approximately 0.12 acres facing King Street. The North west boundary has a gravel entrance to adjacent properties with existing hedge and vegetation with a further dwelling (namely 141 King Street) located behind this vegetation/hedging and trees. Towards the northeast is a mix of residential and commercial buildings. Towards the rear of the site the area is open (application for residential development is currently under consideration with access further along King Street). The site currently has a group of trees subject of TPO No.5.1984. The general character of the immediate vicinity is predominantly residential.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 14/01954/FU One detached house and two pairs of semi detached
Refused 10.10.2014
Reasons for refusal:-
(i) Loss of four protected mature trees, not offset by a
landscaping proposal of sufficient nature
(ii) Poor landscaping scheme
(iii) Unacceptable layout
- 4.2 14/01904/FU Demolition of Moorside Building Supplies and construction of
Residential development comprising 42 dwellings (Revised Plans
Received 2nd March 2015) on land at 37 -39 King Street.

The Moorside Buildings Supplies site abuts this application site to the rear and is referred to in the site and surroundings section above. Application 14/01904/FU is proposed for Phase 3 as part of the wider allocation in the Public Draft Site Allocations Plan and is currently under consideration. It will be scheduled to be presented to South and West Plans Panel for consideration. Access to the PAS site beyond will be through this Moorside Buildings site and not through this application site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Whilst no negotiations have taken place with officers, the applicant has sought to address the previous reasons for refusal for application 14/01954/FU. The applicant has reduced the number of units from five to three units.

6.0 CONSULTATION RESPONSES:

- 6.1 Coal Authority
Recommend condition requiring site investigation works prior to commencement of development. Consequently any remediation works if required.
- 6.2 Mains Drainage
Conclusions of flood risk assessment report are acceptable and drainage proposals should be carried out in accordance with this. Drainage conditions recommended. Developer aware of FRM requirement of £1,500 contribution towards downstream improvement works as set out in the FRA.
- 6.3 Contaminated Land
No objections recommend conditions and directions.
- 6.4 Highways
No objections in principle however revisions requested. Revisions considered acceptable, highways confirm no objections.
- 6.5 Forward Planning and Implementation
Application site is proposed for Phase 3 as part of a wider allocation in the Public Draft Site Allocations Plan. However the Publication Draft Site Allocations Plan allocates sites on a strategic basis and details, such as the greenfield and brownfield status of specific

parts of larger sites, may need to be considered through the planning application process. This application site has specific characteristics which have to be considered on their own merits, with the application site (unlike the wider allocation) being a brownfield infill site

Policy SP1 of the Core Strategy identifies that the first priority for development will be brownfield sites, followed by infill sites, and as such there is a good rationale for considering this part of the site as distinct from the wider proposed Phase 3 allocation and allowing it to come forward now.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Application advertised by site notice posted on site 3rd July 2015.
No local representations have been received.

7.2 Drighlington Parish Council

Representation raises the following:-

- (i) Development does not do anything for the access onto King Street, the left hand blind bend 35m northeast of the proposed access means an accident will occur if the development goes ahead.
- (ii) Miller Homes are trying to gain access to land behind which they are trying to build on.
- (iii) No mention of top water storage to elevate flooding downstream.
- (iv) Where are children going to go to school up to under 11, as local schools are full?
- (v) If you take all the proposed developments that are coming through this could be on average 66 children needing school places. Where do they go if schools are full?
- (vi) On the whole other local services are also under strain due to numbers.

7.3 Local Ward Member representation

Councillor Finnigan has raised concerns regarding the highways impact on a problematic location.

8.0 PLANNING POLICIES:

Planning Policies:

8.1 Development Plan

The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

The site is unallocated in the Development Plan.

8.2 Relevant Policies from the Core Strategy are:

SP1 – Location of development in main urban areas on previously developed land.

SP6 – Housing requirement and allocation of housing land.

SP7 – Distribution of housing land and allocations.

H1 – Managed release of housing sites.

H2 – New housing development on non-allocated sites.

H3 – Housing density.
H4 – Housing mix.
P10 – High quality design.
P12 – Good landscaping.
T2 – Accessibility.

8.3 Relevant Saved Policies from the UDP are:

GP5 – General planning considerations
N25 – Landscaping
BD5 – General amenity issues.
LD1 – Landscaping
Car Parking Guidelines

8.4 Relevant DPD Policies are:

GENERAL POLICY1 – Presumption in favour of sustainable development.
LAND2 – Development should conserve trees and introduce new tree planting.

8.5 Supplementary Planning Documents

Street Design Guide
Neighbourhoods for Living

8.6 Draft Site Allocations DPD

Site is allocated as part of a wider phase 3 housing allocation.

8.7 Technical Housing Standards 2015

The housing standards are a material consideration in dealing with applications however, limited weight is attached given the early stage within the local plan process in moving towards adoption.

The proposal consists of 3, three bedroomed dwellings with one being 5 bedspace and two being 4 bedspace. The housing standards require 95.5msq for 3 bedroomed (5 bedspace) and 86.5sqm for 3 bedroom (4 bedspace).

The proposed 3 bedroom (5 bedspace) detached dwelling (Darwin) has a floor area of 85sqm and falls short of the standards by 10.5sqm The proposed 3 bedroom (4 bedspace) semi detached dwellings (Hawthorn) have a floor space of 77sqm per unit and falls short of the standards by 9.5sqm.

8.8 National Planning Policy

The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

9.0 MAIN ISSUES:

- 9.1 Principle of development
- 9.2 Visual amenity
- 9.3 Highways
- 9.4 Landscaping and trees
- 9.5 Residential amenities
- 9.6 Housing standards requirements
- 9.7 Community Infrastructure Levy (CIL)
- 9.8 Representations received

10.0 APPRAISAL:

10.1 Principle of Development

10.1.1 The application site is proposed for Phase 3 as part of a wider allocation in the Public Draft Site Allocations Plan. The Publication Draft Site Allocations Plan allocates sites on a strategic basis and details, such as the greenfield and brownfield status of specific parts of larger sites, need to be considered through the planning application process.

10.1.2 The site is currently vacant but has previously been occupied by a residential property. This property has been demolished and the site has been vacant for some time now and there is very little evidence of the previous use left. The majority of the site is overgrown. The site is located centrally within an existing residential area close to the, limited, services that the centre provides. Whilst access to schools etc is not optimal, given the location, previous use, access to buses and the small scale nature of the proposal then the development is considered to be sustainable in nature.

The application site has specific characteristics which have to be considered on their own merits, with the application site (unlike the wider allocation) being a brownfield infill site.

10.1.3 Policy SP1 of the Core Strategy identifies that the first priority for development will be brownfield sites, followed by infill sites, and as such there is a good rationale for considering this part of the site as distinct from the wider proposed Phase 3 allocation and allowing it to come forward now. The redevelopment of the site for residential purposes would therefore comply with policies SP1 (i) H1, H2 and T2 of the adopted Core Strategy.

10.2 Visual Amenity

- 10.2.1 The site proposes 3 units in total in the form of a pair of semis and a detached house. The semis are positioned to the front of the site following the building line of the adjacent similarly designed terraced rows. The vehicular access to the detached dwelling that is positioned towards the rear of the site and car parking to the rear is adjacent to the semis. To the other side of the access is a landscaping scheme which contributes positively towards the streetscene generally and the visual amenity of the area generally.
- 10.2.2 The site faces dwellings on the opposite side of King Street that has dwellings positioned on the street frontage with no setback. The proposed pair of semis are slightly set back from the frontage allowing for some private defensible space and soft landscaping. The elevational treatments reflect that within the immediate surroundings.
- 10.2.3 A soft landscaping scheme is proposed along the northwest boundary which offsets the hard standing required for the access and the car parking area. This also provides screening to the adjacent driveway and dwelling at number 141 King Street. This landscaped area contributes positively to the overall character and visual amenity of the area.

10.3 Highways

- 10.3.1 The proposal is small scale in nature resulting in just 3 additional units which would all access onto King Street. The number of vehicles resulting is not considered to significantly increase vehicle numbers on local roads.
- 10.3.2 Vehicular access to the site is proposed in close proximity to a bend in the King Street carriageway where forward visibility is obscured by the presence of a building directly on the corner. The site does not appear to have an established access with King Street. Whilst the proposed access would not be provided with sightlines as advised in the Street Design Guide, the results of LCC surveys from 2014 recorded speeds generally consistent with the speed readings referred to in the Highway Statement submitted. Therefore, it is accepted that vehicles travelling towards the site around the bend will typically be approaching at speeds of less than 30mph. A site visit assessed the available visibility to be around 2.4m x 35m – 40m towards the bend and approximately 2.4m x 60m - 65m in the opposite direction. These splays would be considered adequate if MfS visibility guidance is used for the purposes of the assessment and, in the light of the particular circumstances or conditions in the vicinity of the site, it would be appropriate to consider the MfS guidance in this case. For these visibility splays, the end of the stone wall on the southeast boundary should be demolished as set out in the submitted drawing.
- 10.3.3 The applicant has revised the submitted plan to address the concerns raised. Highways have no further objections and in highway and pedestrian safety terms, the proposal is considered acceptable and would comply with policy T2 of the Core Strategy

10.4 Landscaping and trees

- 10.4.1 The site has within it a number of trees, and there are also a number of trees on the edges of the site which impact on the proposal. A number of these are protected with a group TPO and are of significant stature and beauty. The TPO consists of T1

(Sycamore), T2 (Ash), T4, T5, T6, T7 (Ash trees), T8, T9, T10 (Hawthorn trees). T1 is on the eastern boundary. T2, T4, T5 and T7 are off site (outside of the red boundary). There are also hedges to the north west and north east boundaries. Four trees T6, T8, T9 and T10 which are within the site are shown for removal, whilst others will have their root protection zones covered by hardstanding areas. The Tree survey submitted verifies the condition of the four trees within the low level category.

10.4.2 Whilst the trees form an important landscaping backdrop to the streetscene, and provide a welcome break in what would otherwise be a very building dominant area. The loss of the trees, per se, is not objected to as they are mostly ones that are starting to die back.

10.4.3 A landscaping scheme has been submitted for the site, which provides three native trees to the northeast of the boundary, and a further three along the northwest boundary. These trees are positioned adjacent to the gravel entrance to neighbouring dwelling number 141 King Street. Additional small ornamental trees and shrub planting are proposed in the landscaping scheme on the northwestern boundary, and to the front of the pair of semi dwellings facing King Street. This scheme is considered acceptable, as it offsets the loss of the trees, contributes towards softening the development and contributes towards, the visual enhancement of the streetscene.

10.4.4 The areas of hardstanding have potential to impact negatively on root zones of existing trees, this can be overcome through the use of appropriate engineering techniques and this matter could be conditioned for.

10.5 Residential Amenities

10.5.1 The layout of the site results in the plots having adequate outlooks and adequate sized garden areas providing sufficient space for private amenity space and in accordance with guidelines within the Neighbourhoods for Living SPG. The landscaping scheme and boundary treatments provide adequate screening to existing surrounding dwellings. Plots 1 and 2 (the semis) are positioned close to the boundary with the adjacent dwelling number 147 King Street, which has been extended with windows in the side elevation. There is a driveway between the dwelling and the application site which serves number 145 King Street which is set further back off the main road. The proposed close boarded fencing at a height of 1.8m and the retention of the sycamore tree on the boundary provides adequate screening. The width of the driveway provides sufficient space between the proposed semis and the existing dwelling and it is not considered that the proposal will have a detrimental impact on the residential amenities of this existing dwelling.

10.5.2 On balance the proposed layout and design is acceptable and is not considered to have a detrimental impact on the occupants of the proposed dwellings and existing neighbouring dwellings. The proposal satisfies the requirements of policies GP5 of the UDP and policy P10 of the Core Strategy, as well as to guidance within Neighbourhoods for Living.

10.6 Housing standards requirements

10.6.1 The draft Leeds housing standards are a material consideration in dealing with applications although of limited weight given the early stage in moving towards adoption of the standards through the local plan process.

10.6.2 The floorspace for the semis fall short of the required standards by 9.5sqm and the detached dwelling falls short by 10.5sqm. This shortfall for both housetypes is considered minimal and does not warrant a reason for refusal as the standards have limited weight at this stage of the local plan process.

10.7 **Community Infrastructure Levy (CIL)**

10.7.1 The development is CIL liable in accordance with the CIL Regulations (2010).

10.8 **Representations received**

10.8.1 The representations received raise the following concerns:-

- Access – this is addressed in the highway section of the report.
- Miller Homes looking to access land behind. An application by Miller Homes on land to the rear is currently under consideration and has a separate access along King Street.
- Drainage concerns raised are addressed by conditions for further details to be submitted.
- Local service issues are considered within the Principle of Development section of the report.

11.0 **CONCLUSION:**

11.1 The Planning Act requires planning applications that comply with the terms of the development plan to be considered favourably. The principle of the development accords with the Core Strategy and the design and layout of the development is in line with the Councils Neighbourhoods for Living SPD. These factors should be given significant weight in reaching a decision.

11.2 In light of the above, it is considered that the proposal of one detached house and one pair of semi detached houses as part of application 15/03417/FU is acceptable.

Background Papers:

Application files 15/03417/FU

Certificate of ownership:

Notice served to owner Mr J Hirst

Broadbottom Farm, Broadbottom Lane Hebden Bridge

HX7 8PD

Notice served 27.04.2015



SOUTH AND WEST PLANS PANEL





Originator:	Laurence Hill
Tel:	0113 3952108

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: APPLICATION 15/01919/FU – ALTERATIONS AND EXTENSIONS TO FORM ADDITIONAL 41 BEDROOMS TO EXISTING STUDENT ACCOMMODATION, INCLUDING PARTIAL CLADDING, CAR PARKING AND ASSOCIATED CYCLE AND BIN STORES – MARY MORRIS HOUSE, 24 SHIRE OAK ROAD, HEADINGLEY, LEEDS, LS6 2DE

APPLICANT
Campbell Property

DATE VALID
2nd April 2015

TARGET DATE
2nd July 2015

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

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

RECOMMENDATION:

DEFER AND DELEGATE for approval to the Chief Planning officer subject to the conditions below and subject to the signing of a Section 106 agreement within 3 months of the date of resolution unless otherwise agreed in writing by the Chief Planning Officer to include contributions of £20,000 for a Traffic Regulation Order, £30,501.95 towards off site greenspace and £2,500 for Travel Plan measures.

1. Time limit condition
2. Plans to be approved;
3. Materials details and samples of all external walling, roofing and surfacing
4. Hard and soft landscape scheme to be approved in writing and implemented.
5. Landscape management plan
6. Protection of trees during construction
7. Preservation of retained trees/hedges/bushes
8. Provision for replacement trees/hedges/bushes
9. Details of cycle and motorcycle parking

10. Details of access, storage, parking, loading/unloading of contractors plant, equipment materials, vehicles
11. Implementation of travel plan measures;
12. Details of bin stores
13. Specified operating hours (construction) of 08.00-18.00 weekdays, 09.00-14.00 Saturdays; no Sunday / Bank Holiday operations;
14. Submission of statement of construction method;
15. Student Accommodation Management Plan

1. INTRODUCTION:

- 1.1 This application is brought to Panel due to the level of interest in the proposals from local residents.

2. PROPOSAL:

- 2.1 The proposal is for alterations and refurbishment and extensions to existing halls of residence to increase the bedrooms from 206 as existing to 247 as proposed. Originally the application was first submitted for 117 new bedspaces but has been revised down to 41 new bedspaces. In addition to the increase in accommodation the proposal alters the accommodation arrangements from traditional halls of residence to self-contained apartments. The apartments are up to 8 bed spaces and are arranged with shared kitchen/living dining rooms and bathrooms.
- 2.2 The extensions proposed are a 3 storey extension to the rear of the three storey element fronting Shire Oak Road (Block 1) to provide a staircase, two five storey extensions to the existing 5 storey element in the centre of the site (Blocks 2 and 3) to create new living and kitchen rooms and a dormer window to the two storey building to the rear of the side (Roundhay Flats).
- 2.3 The development includes the refurbishment of the existing buildings with external works including the replacement of the windows and addition of areas of metal cladding and render.
- 2.4 9 additional car parking spaces are provided and a new electrical substation is to be constructed adjacent the parking area.

3. SITE AND SURROUNDINGS:

- 3.1 The application relates to the site of Mary Morris House Halls of Residence. The site comprises a number of linked accommodation blocks providing 206 bed spaces. To the front of the site facing Shire Oak Road is a 3 storey linear block (Block 1), a 5 storey block and plant room within the centre of the site (Block 2 and 3), and an two storey detached block to the rear of the site (Roundhay Flats). Brick is the predominant building material throughout the site.
- 3.2 The internal layout of the accommodation is arranged as typical student halls of residence, with single bedrooms and shared kitchen facilities with a large communal lounge and games room.

- 3.3 The site benefits from mature tree belts to the front and side boundaries. A tree subject to a Tree Preservation Order is located adjacent to Block 3 in the centre of the site.
- 3.4 Existing parking is predominantly located in the north western portion of the site with a small amount of parking to the rear of block 1.
- 3.5 Shire Oak Road is characterised by large brick and stone Victorian villas set back from the street within generous and spacious plots. The street is predominately residential. Mature landscaping and street trees form an important and attractive characteristic of the street.
- 3.6 Adjacent to Mary Morris House is a large nursing home to the east and the Grade II listed 22 Shire Oak Road. To the rear of the site is Hinsley Court which provides accommodation for elderly residents. Beyond this is Hinsley Hall Conference Centre.
- 3.7 The site is located in Headingley Conservation Area. The adjoining site at 22 Shire Oak Road contains a grade II listed building, Shire Oak.

4. RELEVANT PLANNING HISTORY:

- 4.1 26/481/03/FU - Alterations to common room to form 2 bedroom apartment and alterations and extension to garages to form common room - Application Withdrawn
- 26/613/02/FU - 3 pole mounted antennae and 2 dishes within shroud attached to existing chimney and equipment cabin to roof - Application Approved
- 26/56/02/FU - 6 pole mounted antennae and 4 dishes within chimney shroud and equipment cabin to roof Application Approved
- 26/488/01/DTM - Determination for 3 pole mounted antennae and 2 dishes within chimney surround and equipment cabin to roof - Application Withdrawn
- 26/22/01/FU - Addition of 5 antennae to chimney and equipment cabin to roof of hall of residence - Application Refused
- 4.2 There has been a recent approval for the redevelopment and extension of the neighbouring 22 Shire Oak Road to create a total of 11 flats.
- 15/00089/FU - Alterations to house and new build extension to form an additional six flats; conversion of coach house to two flats; and conversion of east wing to one flat; restoration works to summer house and attached wall; restoration of boundary wall and entrance gate pillars – Application Approved
- 15/00090/LI - Listed Building Application for alterations to house and new build extension to form an additional six flats; conversion of coach house to two flats; conversion of east wing to one flat; restoration works to summer house; restoration of boundary wall and entrance gate pillars – Listed Building consent granted

5. HISTORY OF NEGOTIATIONS:

- 5.1 Prior to the application being submitted a pre-application enquiry was submitted and advice provided (PREAPP/15/00004). The original proposal included two significant elements for two additional stories to Block 1 fronting Shire Oak Road,

and a new build element located within the centre of the site replacing the plant room. The extensions provided an addition 124 bed spaces taking the total to 330. Concern was raised regarding the implications this increase in accommodation would have on residential amenity within Shire Oak Road, the potential impact on parking locally together with the impact the large extensions would have on the character and appearance of the Conservation Area.

5.2 As a result of the pre-application discussions the proposal was amended on submitting the full planning application to reduce the addition to Block 1 to a single storey Mansard and the large element in the centre of the site redesigned and broken up. Additional parking was provided in the south western portion of the site adjacent to 22 Shire Oak Road. The changes reduced the addition of bed spaces to 117, a total of 323.

5.3 During the application process the proposal has been further amended in response to concerns relating the extent of the development on the site with the resulting impact on the amenity of neighbouring properties from the increase in noise and nuisance, the impact on protected trees from the enlarged parking area and the limited amenity space provided for future occupants. The amendments to the proposal as originally submitted are as follows:

- The number of additional bed spaces reduced from 117 to 41.
- The roof extension to Block 1 fronting Shire Oak Road has been omitted.
- The 5 storey extension to Blocks 2 and 3 located in the centre of the site has been omitted.
- Car parking omitted from the south west corner of the site in response to concerns regarding the impact the parking area would have on the mature boundary trees.

5.4 Headingley Ward Members have been briefed on the scheme as originally submitted and the subsequent revised scheme. No written representation has been received.

6. PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by means of site notices, neighbour notification letters and a notice published in the Yorkshire Evening Post. Site notices were posted and notification letters sent to advertised the amended plans and allow further comments to be made.

6.2 35 letters of representation were received from local residents and a comment from Greg Mulholland MP following the initial notification of the applications. Concerns and comments raised are summarised as follows:

- The proposal is likely to attract additional students into Headingley consolidating Headingley as a student dormitory resulting in further imbalance to the community. The proposal is therefore contrary to national, local and neighbourhood planning policy regarding 'sustainable, inclusive and mixed' communities.
- Concerns raised during Community Consultation regarding increased student number are not reflected in the Design and Access statement.
- Shire Oak Road is a predominately residential street with a relatively large number of retired and elderly residents. Increasing the number of students,

with the resultant likely increase in noise and nuisance, would be harmful to the amenity of existing residents.

- Parking and related traffic is already an issue, the development is likely to exacerbate this problem.
- The increase in student numbers is likely to worsen the litter issue in Shire Oak Road.
- The proposal should contain accommodation for families and young professionals.
- The submission makes no reference to the NGT trolley bus proposals.
- The extensions and additional parking will be harmful to the character and appearance of Headingley Conservation Area.
- The improvements to the external appearance of the building is welcomed.
- The lack of any residential management on site is unacceptable. Proper management of the site, particularly given the proposed increase in student numbers, is required.
- The loss of interior communal space is likely to result in students congregating outside. This would result in further noise and nuisance issues.
- There is a surplus of student bedrooms in Leeds. Therefore no need to provide additional bedrooms.

6.3 Greg Mulholland MP has provided comments on the application reiterating the concerns raised by local residents regarding the resulting imbalance in the demographics of the area, the lack of residential management, the impact the additional students would have on existing residents of Shire Oak Road and the exacerbation of existing parking and highway issues locally.

6.4 Following the originally submitted plans being substantially revised local residents were notified of the revisions and given the opportunity to provide further comments. Fifteen further letters of representation have been received reiterating concerns about the increase in and concentration of student numbers within the street and making specific reference to the lack of sufficient onsite management and supervision proposed for the students and the concern with students using the adjacent Hinsley Hall and Hinsley Court as a direct pedestrian route to Headingley Lane.

7. CONSULTATIONS RESPONSES:

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

7.2 **Statutory:**

Yorkshire Water: No objection subject to conditions requiring agreement of foul and surface water drainage.

Transport Development Services: No objections subject to conditions covering cycle storage, unallocated parking and the submission of a construction method statement. Funding for a potential TRO and management fee for the Travel Plan should be secured through a Section 106 agreement. A direction advising that future occupants would not be eligible for on-street parking permits should these be imposed.

7.3 **Non-statutory:**

Flood Risk Management: No objections subject conditions requiring the submission and agreement of drainage details.

8. PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan for Leeds is made up of the adopted Core Strategy (2014), saved policies from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

8.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and contains policies on a range of issues including housing, sustainable development, Green Belt, conservation, the local economy and design.

8.3 In respect of design it states that "good design is indivisible from good planning" and Local Authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted".

8.4 Core Strategy policies:

Policy SP1: Location of development in main urban areas within settlements

Policy H6: Student Accommodation

Policy P10: High quality design

Policy P11: Conservation

Policy P12: Landscaping

Policy T1: Transport management

Policy T2: Accessibility requirements

8.5 Saved UDPR policies:

Policy GP5: General planning considerations;

Policy N19: Conservation areas and new buildings

Policy BD6: Extensions and alterations

Policy LD1 - Criteria for landscape design;

Policy T7A – Cycle parking

Policy T24 – Parking provision

8.6 Supplementary Planning Documents:

Street Design Guide

Neighbourhoods For Living (SPG)

9 **MAIN ISSUES:**

9.1 The following main issues have been identified:

- Principle of student accommodation
- Residential amenity
- Impact on visual amenity and the character of Headingley Conservation Area and the affect upon the setting of the neighbouring listed building
- Highways and parking
- Trees and landscaping
- Other matters
- Conclusions

10 **APPRAISAL:**

Principle of student accommodation

10.1 In assessing the acceptability of the development, Policy H6B of the Leeds Core Strategy is relevant. The policy states that:

Development proposals for purpose built student accommodation will be controlled:

- i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used,
- ii) To avoid the loss of existing housing suitable for family occupation,
- iii) To avoid excessive concentrations of student accommodation (in a single development or in combination with existing accommodation) which would undermine the balance and wellbeing of communities,
- iv) To avoid locations which are not easily accessible to the Universities by foot or public transport or which would generate excessive footfall through quiet residential areas.

10.2 With regards to criteria (i) and (ii) the proposal extends the student accommodation provision which contributes to taking pressure off the need for private housing to be used as student accommodation and does not result in the loss of existing housing suitable for family occupation. The proposal complies with criteria (i) and (ii) of policy H6B.

10.3 With regards to criteria (iii), the proposal is for an addition 41 bedrooms to the existing 206 bedrooms. This is a 20 percent increase. Within Shire Oak Road Mary Morris House is the main student residence. The majority of the other houses appear to be family or non-student residences. It is noted that an extra 41 students will add to the concentration of students in this street and that there will be some increased impacts on the amenity of neighbouring residents through the comings and goings of students both on foot and in cars. However, the impacts are not considered to be substantial given the site is an existing student halls of residence and the opportunities for improving the existing accommodation facilities at the site and creating management plans to manage the disruptive elements of the student life style can be secured through appropriate planning conditions which do not currently exist. It is considered that this increase cannot in itself be considered to result in an excessive concentration of student accommodation both in terms of the numbers and density of students at Mary Morris House or in combination with other

existing student accommodation which would have an adverse impact on the wellbeing and balance of the community. The development therefore complies with criteria (iii).

- 10.4 With regards to criteria (iv) the site is located within a distance of the University of Leeds and Leeds Beckett University whereby a proportion of students would walk to campus and within walking distance of the amenities of Headingley Town Centre. The site has good public transport links with the regular bus services which operate on Headingley Lane. The direct access, both vehicular and pedestrian, to the various University campuses is down Shire Oak Road and along Headingley Lane. The development will inevitably result in an increase in footfall along the predominantly residential Shire Oak Road. The increase is not considered to be excessive above the footfall generated by the existing accommodation and therefore compliant with criteria (iv). It is however essential to consider the impact the additional student numbers will have on the amenity of the residents of Shire Oak Road and other surrounding properties. This will be considered further below.
- 10.5 Overall, it is considered that the extension to the existing student accommodation is compliant with Policy H6B of the Leeds Core Strategy.

Residential amenity

- 10.6 Careful consideration has been given to the impact the development will have on the residential amenity of nearby residents. The existing site provides accommodation for 206 students and therefore there is a significant element of student accommodation with the associated comings and goings within this predominantly residential area. In assessing the impact the additional accommodation will have on amenity this existing situation needs to be given weight. It was considered that the original proposal for an additional 117 bedrooms would have resulted in an excessive concentration of students generating an unreasonable increase in footfall along Shire Oak Road to the likely detriment of the amenity of nearby residents. In assessing the impact, it was considered that an increase in accommodation would not be unreasonable. In making this assessment a 20 percent increase to provide 41 additional bedrooms was considered to be an appropriate and proportionate increase. This level of increase would, in all likelihood, result in a perceptible increase in students within Shire Oak Road for local residents. However, it is considered that this increase would not result in such an increase in comings and goings and additional noise and nuisance that significant additional harm would result to the amenity local residents.
- 10.7 In addition to the consideration the increase in student numbers, it is also important to consider how the redeveloped Halls of Residence is designed and managed to mitigate potential amenity issues. The redevelopment involves the replacement of existing communal areas with additional accommodation removing the ability for students to congregate in large numbers within the building and encouraging social gatherings within the living areas provided within the self-contained apartments. Furthermore, the configuration of the layout provides direct access into the 3 courtyard areas within the centre of the site enabling and encouraging students to use these areas, which are located away from surrounding properties, as outdoor amenity space. Sufficient outdoor amenity space is provided across the site for the increased number of students. The bedrooms provided meet the minimum of 7.5 square metres required for single bedrooms in the nationally described space standards.

- 10.8 The applicant has provided additional details of the proposed management plan for the site. It is the intention to set up a management office to be staffed during office hours. A 24 hour enquiry service will be established where concerns and complaints from local residents or students can be raised and dealt with by an on call member of staff if necessary. The moving in process of tenants is to be managed with key release being staggered over a suitable period and the number of arrivals in a single day to be limited to ensure the process can be contained within the site limiting disruption to local residents. The Management Plan includes details of the maintenance of the site to ensure that the buildings and grounds are appropriately managed and kept clean, tidy and well landscaped. Local residents and students will be able to raise and concerns or issues with the site maintenance with the management office. A condition is suggested requiring the submission and agreement of a detailed student accommodation management plan to secure the appropriate management of the site.
- 10.9 In assessing the proposal the fall back position for the redevelopment of the site needs to be given some weight. The existing accommodation could be reconfigured, primarily with the conversion of the communal space and garages, to provide approximately 20 additional bedrooms. This would be achieved without any control over the management of the accommodation or securing any wider benefits of physical improvements to the building, control over parking or greenspace contributions. It is the view of officers the improvements and safeguards which can be secured in granting planning permission for an additional 41 bedroom spaces is a preferable situation compared to the likely and plausible fallback position of 20 additional bedrooms.
- 10.10 Overall it is considered that the development will not result in any significant additional harm to the occupants of Shire Oak Road and other nearby properties. As such, the proposal accords with Policy GP5 of the saved UDPR (2006).

Impact on visual amenity and the character of Headingley Conservation Area

- 10.11 In assessing the proposal it is important to consider the impact on visual amenity and character to ensure the development meets the test to preserve or enhance the Conservation Area. The existing site comprises of a number of two, three and five storey blocks which do not reflect the attractive residential character of Shire Oak Road and therefore have an adverse impact on the character and appearance of this part of Headingley Conservation Area. It is important that the development responds to this and provides improvements to the site and its contribution to the character and appearance of the Conservation Area.
- 10.12 The proposed redevelopment involves four main extensions to the rear of Block 1 and Block 2, to the front of Block 3 and to the roof of Roundhay Flats to the rear of the site. The extensions are modest and proportionate additions to the existing buildings and are of a design and form which respect and enhance the existing buildings. Their location within the site ensures that they will not be prominent additions when viewed from Shire Oak Road or surrounding properties. As a result the extensions will not result in any harm or significant change to the existing street scene.
- 10.13 As part of the redevelopment all the windows and the majority of the doors are to be replaced. A mixed palette of materials are proposed, including the addition of steel cladding and render elements being introduced to provide interest and relief to the existing brick facades. It is considered the new windows and addition of the

contrasting materials will enhance the appearance of the buildings and the contribution the site makes to the wider Conservation Area.

- 10.14 The development retains all the mature boundary trees and prominent open space to the front of the site ensuring the development will have limited impact on the sylvan character and landscaping of Shire Oak Road. This important character of the Conservation Area will therefore be preserved.
- 10.15 The development is adjacent to the Grade II listed 22 Shire Oak Road. The extensions and alterations retain the area of separation between Mary Morris House and the 22 Shire Oak Road and the mature boundary tree screening is retained. In light of this, the development will not harm the character or setting of the Grade II listed building.
- 10.16 Overall it is considered that the redevelopment will provide significant physical improvements to the appearance of the existing buildings and in doing so provides improvements to the character and appearance of the site and Shire Oak Road and enhances the wider Headingley Conservation Area. The development therefore accords with Policies P10 and P11 of the Leeds Core Strategy and Policy N19 of the saved UDPR (2006).

Highways and parking

- 10.17 With regards to the parking implications of the development, the revised scheme increases accommodation from 206 rooms to 247 car parking increases from 24 spaces to 33 leaving 1 parking space per 8 bed spaces. The table below compares the existing situation with the proposed.

Existing	Proposed
24 parking spaces	33 spaces
206 rooms	247 rooms
1:8.5 parking ratio	1:7.5 parking ratio
182 rooms with no parking	214 rooms with no parking

- 10.18 The development improves the parking ratio but also increase the number of rooms on site without access to parking provision. There is therefore some potential for an increase in on street car parking resulting from the proposal. As a result, it is important to consider the implications of demand for on street parking in the event of this arising from the additional accommodation. To understand this a parking survey was undertaken to pick up existing parking patterns. The survey confirms there is extensive parking on Shire Oak Road through the day time associated with the centre of Headingley, residents, students and other nearby businesses, with some parking availability in the evenings for residents. Currently, other than protecting driveways the street is maintained unrestricted, However, if parking demand increases to a level that starts to impact on access points that are not already protected or results in other parking or highway safety issues, it may be necessary to consider a permit scheme or additional yellow lining where appropriate. In light of this, an obligation to fund Traffic Regulation Orders in the event that on street parking becomes an issue following the occupation of the extended accommodation is considered appropriate in this case. The obligation would help to maintain residents parking availability and help allay resident concerns about car parking associated with the proposal. The obligation would be

secured through a Section 106 agreement to provide the funding if requested by the Council within 2 years of occupation.

- 10.19 The current parking is managed as an additional cost for residents. It is proposed that this will remain the case with the cost of parking included within the tenancy agreement and not as stand-alone additional cost. It is considered that this is a suitable management scheme to contain parking within the site and prevent significant additional on street parking. It is however important that parking on site remains unallocated to ensure that parking bays are available to staff, students and visitors. It is recommended this is conditioned.
- 10.20 A Travel Plan has been provided as part of the proposal to encourage and facilitate the use of sustainable forms of transport for future occupants reducing the reliance of the use of car. The Travel Plan and monitoring will be secured as part of the Section 106 agreement.
- 10.21 The development accords with Policy T2 of the Leeds Core Strategy and Policy T24 of the saved UDPR (2006)

Trees and landscaping

- 10.22 The site benefits from a number of mature trees which contribute positively to both the character of the site and Shire Oak Road. All the trees are protected by the Conservation Area designation and there is a Hornbeam in the centre of the site subject to a Tree Preservation Order. The extensions are located away from all the mature boundary trees and the proposed parking within the root protection areas has been omitted. As a result no damage or conflict with these trees is anticipated.
- 10.23 With specific regard to the protected Hornbeam, the extension to Block 3 is in close proximity this tree and will involve some development within its root protection area. It is likely that some damage and future pressure for tree works or removal will result from the development. However, the tree is not a healthy specimen resulting from existing conflict with the building and previous unsympathetic tree works. As a result the tree has been classified as a category 'C' tree. Furthermore, the tree's location in the centre of the site means that provides limited amenity value to the wider street. In light of this, the tree will be retained and protected during construction with an appropriate additional tree to be planted within the courtyard area to enhance the landscaping and to ensure an appropriate replacement tree is in place in the likely event of the existing tree needing to be removed or failing at some point in the future.
- 10.24 The development accords with Policy LD1, N19 and N20 of the saved UDPR (2006).

Other matters

- 10.25 There is a greenspace requirement for this application based on the 41 additional bedspaces created. For the purposes of calculating greenspace requirements for new student flat accommodation a ratio of 4 bedrooms equating a cluster flat is used. As such, in this case 10 additional flats are proposed.
- 10.26 In applying the requirements of Core Strategy Policy G4, provision should be made on site for 80sqm per residential unit of publicly accessible greenspace (ie 800sqm for 10 units). If the applicant is able to achieve this on site, as separate from private

amenity space for the residents, there would be no financial contribution. In this case the existing configuration of the site prevents the required amount of publicly accessible greenspace being provided within the site. As a result an off-site contribution is required and this has been calculated at £30,501.95. This will be secured as through Section 106 agreement

- 10.27 Through the local consultation process a number of local residents have raised concerns regarding students using Hinsley Hall as an alternative pedestrian route to access Headingley Lane as a more direct route to the City Centre Campuses. There is no existing public pedestrian or highway route through the grounds of Hinsley Hall and the development does not propose this to be created. Therefore the development will not result in intensifying of an existing public route. In the event of students using Hinsley Hall as an alternative pedestrian route this would need to be resolved as a civil matter between affected parties. The applicant has however been made aware of these concerns and this will be considered as part of the wider management of the site.

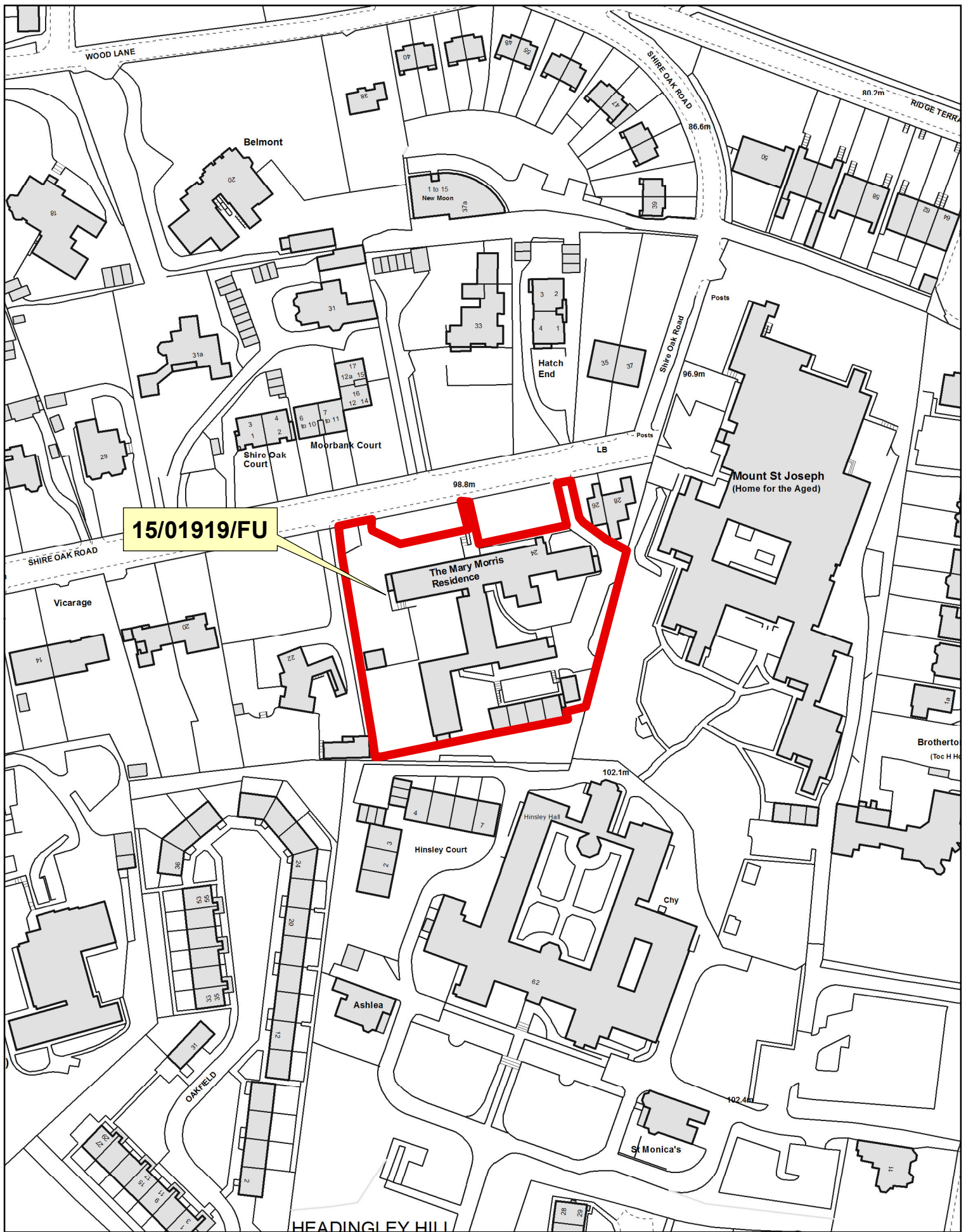
11 Conclusions

- 11.1 In reaching a recommendation to approve the proposed development it is important to acknowledge that the recommendation is a balanced one. The development will result in additional and further concentration of students within Shire Oak Road which will increase the extent of student activity within the street. This weighs against the development.
- 11.2 Weighing in favour of the development are the additional controls secured for funding for a Traffic Regulation Order, the implementation of a Travel Plan, funding towards local greenspace and the benefit the development will have on character and appearance of the site, Shire Oak Road and wider Headingley Conservation Area.
- 11.3 Weight also needs to be given to the fall back position. The site could be redevelopment and reconfigured without planning permission to create approximately 20 additional bedrooms. This would be achieved without securing any parking controls or wider planning benefits. Furthermore the redevelopment scheme includes removing the main communal areas that currently exist and have been used to hold parties that can cause noise and disruption to neighbours. In addition the applicant is proposing a managed site which should further reduce the likelihood of significant noise and disturbance emanating from the site.
- 11.4 The proposed development is a preferable situation to the likely fall back scenario and this coupled with the controls and wider benefits which can be secured in granting planning permission outweigh the harm resulting from the additional student activity within Shire Oak Road. It is therefore recommended that planning permission is granted subject to conditions and the completion of the Section 106 Agreement.

Background Papers:

Application file.

Certificate of Ownership



SOUTH AND WEST PLANS PANEL



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Originator: Susie Watson

Tel: 0113 2478000

Report of the Chief Planning Officer -

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: Application number 15/03255/FU – Change of use and alterations of dwelling house (C3) to residential institution (C2) at 12 Outwood Lane, Horsforth, LS18 4JA.

APPLICANT

Cambian Group PLC

DATE VALID

16th June 2015

TARGET DATE

18th September 2015

Electoral Wards Affected:

Horsforth

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and the completion of a Legal Agreement to include the following obligation:-

An off-site highways contribution of £10,000 towards any necessary waiting restrictions which may be required should overspill parking from the site be found to be occurring on the adjacent highway network.

1. 3 year time limit on full permission.
2. Development in accordance with the approved plans
3. There shall be a maximum of 10 bedspaces for residents
4. Stonework to match existing.
5. Full details of bin storage to be submitted.
6. Full details of bike storage to be submitted.
7. Vehicular areas to be laid out, surfaced and drained.
8. Protection of trees, hedges / shrubs during construction.
9. Preservation of retained trees, hedges / shrubs.
10. Full details of the proposed ha-ha to be submitted.
11. Submission of landscape scheme and management plan.
12. Implementation of landscaping scheme.

13. Lighting scheme to be submitted.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel in response to a request from Councillor Townsley due to insufficient parking, particularly at staff turnaround times, and lack of amenities in the area.

2.0 PROPOSAL:

2.1 The proposal is for the change of use of the C3 dwelling located at 12 Outwood Lane, Horsforth to a residential institution, use class C2. The intention is to use the property as a care home for adults with learning difficulties.

2.2 The existing building will be retained largely as existing, with the exception of changes to the triple garage (with games room over) and the gym/workshop. The gym/workshop will be converted to a manager's office and staff sleeping area and the garage with games room over will be converted to 2 en-suite bedrooms with adjacent kitchen and living areas. The only change to the external appearance of the building is therefore the replacement of the garage doors with windows and new masonry infill around these, which will be stonework to match the existing building. The only alterations within the main dwelling are the creation of 4 en-suite bathrooms within existing bedrooms. These are purely internal alterations and will have no impact on the external appearance of the building (other than additional soil and vent pipes to serve these elements).

2.3 In order to provide additional parking within the site (13 spaces in total) the existing area of hard standing will be extended to the front of the site. A covered bin and cycle store will also be provided to the front.

2.4 The fence along the rear boundary of the site is relatively low and it is proposed, rather than increase the height of this existing fence, to construct a ha-ha with planting on it along the full length of this boundary.

2.5 The proposal will create a 10 bedroom care facility and will provide a home for adults with learning disabilities and associated complexities. It is stated that Cambian will provide care and rehabilitation to support individuals to fulfil their potential and achieve self-determination and independence. The aim is to provide community care in as much like a home environment as possible. Residents will be encouraged to access the community and identify suitable activities e.g. college courses, work placements, leisure activities.

2.6 The proposal will create 28 additional jobs. 12 staff will work 8am to 3pm and another 12 will work 3pm to 10pm. There will be 4 staff during the night and a maximum of 12 staff on the premises at any one time.

3.0 SITE AND SURROUNDINGS:

3.1 The application site lies within an established residential area on the southern side of Outwood Lane and contains a large 3 storey, 8 bedrooms dwelling, with 5 bathrooms and 4 reception rooms. It has an attached triple garage (with games room over) and gym/workshop and is constructed of stone with a slate roof. There is a large area of hard standing to the front of the site with space for at least 6 cars. The remainder of the site is lawned. There is a high stone wall and metal gates along the site frontage.

3.2 The property is situated on a generally level site but is significantly elevated above the properties to the rear on Oliver Hill. It lies within the Horsforth Cragg Hill and Woodside Conservation Area.

3.3 The site is within walking distance of bus stops on New Road Side and also the New Road Side District Centre.

4.0 RELEVANT PLANNING HISTORY:

4.1 H27/58/79/ - Change of use of house to nursing home – approved 08-MAY-79.

4.2 H27/295/79/ - Change of use and alterations, to form boiler room, stores, bathrooms, staffroom, laundry room, matron's bedroom – approved 15-OCT-79.

4.3 H27/204/80/ - Outline application to erect extension to form 3 wards, toilets and bathrooms, to nursing home – refused 22-SEP-80.

4.4 H27/3/81/ - Alterations, including new windows, and 2 storey extension, to form 18 bedrooms, 2 bathrooms and 2 shower rooms – refused 24-AUG-81.

4.5 H27/251/88/ - Alterations, to form bedroom and extension, to form sunlounge, to rear of nursing home – approved 13-FEB-89.

4.6 27/197/94/FU - Three storey side extension to nursing home – approved 02-MAR-95.

4.7 27/60/97/FU - Change of use of nursing home to house in multiple occupancy – approved 05-AUG-97.

4.8 27/11/99/FU - Change of use of nursing home to day nursery – refused 21-MAY-99.

4.9 27/62/02/FU - Change of use of nursing home to dwelling house – approved 07-MAY-02.

4.10 27/8/04/FU - Change of use involving 2 three storey side extensions of house to 11 flats and of detached garage to one flat – refused 07-APR-04.

4.11 07/02622/FU - Two storey and single storey front extension to form triple garage with games room over workshop, and utility room and single storey front extension to form swimming pool – approved 13-JUL-07.

4.12 10/03525/FU - 1.6m high boundary wall over retaining wall to rear – withdrawn 21-DEC-11.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Since the submission of the application the applicant has revised the drawings to omit a 1.8m high close boarded fence that was to enclose the rear garden and instead proposes the creation of a planted ha-ha along the rear boundary.

5.2 A transport statement has also been submitted and the number of parking spaces increased from 10 to 13.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was initially advertised by neighbour notifications dates 18 June 2015, a site notice posted on 3 July 2015 and in the Wharfe Valley Times on 9 July 2015. In response to this consultation 20 letters of representations have been received from 18 households, as well as one letter from Cragg Hill and Woodside Residents Group. These all object to or raise concerns with regard to the proposal. The main planning points raised are summarised as follows.

- Insufficient parking will result in parking on Outwood Lane, creating highway safety problems.
- It is unrealistic that most staff will cycle or use public transport.
- Any increase to the height of the boundary with properties on Oliver Hill is not acceptable.
- The site is in the conservation area and has a peaceful and wholly residential character. This proposal will adversely affect this character.
- It is not appropriate to remove a residential property from much needed housing stock.
- The property and garden are too small for such a proposal.
- It will overlook neighbouring properties.
- Increase in noise disturbance e.g. from residents, use of garden, vehicles.
- Use as a day nursery was rejected on grounds of noise, character and amenity. This current proposal will have a much greater impact.

6.2 In addition to the above planning considerations, many of the local residents who have commented on the application have raised concerns about the nature of the use and future occupiers, commenting that such a use will be detrimental to the existing community and is not acceptable in a residential area. They are concerned that the proposal will make the area unsafe to live and for children to play.

6.3 Following the submission of a revised plan to show the omission of the rear fence, the introduction of a ha-ha and an increase to 13 parking spaces, along with a Transport Statement, all original neighbours and contributors were re-consulted. 10 letters of representation (from 7 households) have been received in response to this. Again, all of these object to the proposal and the planning comments made are summarised as follows.

- Insufficient parking will have a detrimental impact on highway safety.
- The level of proposed cycling to work and public transport use is unrealistic.
- The vehicle movements in the Transport Statement are set arbitrarily low, as are the expectations of staff use, given the size and intensity of the proposal.
- Figures in the Transport Statement don't reflect what will happen at this site.
- Residents going out into the community will further increase the vehicle movements to and from the site.
- No nearby facilities suitable for such residents.
- Less intensive developments have previously been rejected at the site.
- Overlooking of properties on Oliver Hill.
- Noise and light pollution from the car park.
- It will be harmful to the conservation area.
- It is an over intensive use and will alter the character to a commercial car park.
- The proposal does not show the need for enhanced security by CCTV and high intensity lighting. This will be intrusive to neighbours.

6.4 In addition to the above planning considerations, many of these contributors also raise concerns about the nature of the use and future occupiers and question

whether it is appropriate to have such a vulnerable group of patients in such close proximity to children and the elderly. It has also been questioned why Cambian state that they don't expect patients to receive many visitors and whether or not family and friends are actively discouraged from visiting?

- 6.5 All 3 Ward Members were briefed on the original submission and all 3 had concerns regarding the proposed use and parking and requested additional information in relation to the operation of the company, where else they have been operating, whether the level of car parking is adequate, what is the proximity to public transport and town centre and leisure use.
- 6.6 Following the submission of additional information Ward Members remain concerned and Councillor Townsley has formally requested that the application be reported to Panel for the reasons set out at paragraph 1.1 above.

7.0 CONSULTATION RESPONSES:

Statutory Consultations

- 7.1 **HIGHWAYS:** As originally submitted, Highways advised that that could not support the proposal and that revised plans and further information were required. This related to clarification of how staff change overs will be managed, the need for an ambulance waiting area, provision of a disabled space, revisions to the parking layout, visitor spaces bin storage and cycle parking. As a result of these comments, a Transport Statement was submitted.
- 7.2 With regard to the Transport Statement, Highways advised that it makes assumptions about the amount of car parking that would be necessary to ensure that the site operates safely and efficiently without having a detrimental impact on the adjacent highway network, suggesting 9 spaces (one less than offered originally). Highways were not convinced that 9 spaces would be sufficient for the intended use as it had not been adequately explained how the shift changeover would happen. The concern was that all of the spaces on-site would be occupied by staff so when the shift changeover occurs there would be no space for those arriving at work to park, leading to vehicles parking on the highway to the detriment of highway safety.
- 7.3 Following clarification of the changeover process and given travel to work surveys indicate that 60% of people drive to work in Leeds, Highways advised that in this instance this would equate to 7 members of staff driving to the site per shift. If 7 are parked and another 7 arrive at changeover times then in its simplest terms this would require up to 14 parking spaces to allow the changeover to occur. On balance this level of parking would also be sufficient to enable the site to operate safely and that outside of shift changeover times there should be sufficient space to cater for staff, visitors and visiting professionals, without harm to highway safety.
- 7.4 A revised plan has therefore been submitted which shows 13 parking spaces in the front part of the site. Highways have advised that, on balance, this is acceptable but that a £10,000 contribution will be required towards any necessary waiting restrictions which may be required should overspill parking from the site be found to be occurring on the adjacent highway network.

Non Statutory Consultations

- 7.5 None due to the nature of the application.

8.0 PLANNING POLICIES:

National Policy

8.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and contains policies on a range of issues including housing, sustainable development, green belt, conservation, the local economy and design.

8.2 In respect of design it states that "good design is indivisible from good planning" and Local Authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted".

Local Policy

8.3 Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

8.4 The Development Plan comprises of the Core Strategy, saved policies of the UDP (2006) and the Natural Resources and Waste Local Plan.

8.5 The Core Strategy (CS) was adopted by the Council on 12 October 2014. Relevant CS Policies:

- P10 relates to design and requires new development for buildings and spaces, and alterations to existing, to be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.
- P11 relates to conservation and requires proposals to conserve and enhance the historic environment.
- T2 requires new development to be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

8.6 Relevant Saved Leeds Unitary Development Plan (Review) 2006 Policies:

- GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- BD6 requires all alterations and extensions to respect the scale, form, detailing and materials of the original building.
- N19 requires development to preserve or enhance conservation areas.

8.7 Supplementary Planning Guidance/ Documents

- Street Design Guide
- Horsforth Cragg Hill and Woodside Conservation Area Appraisal and Management Plan.

9.0 MAIN ISSUES

- Principal of development
- Visual amenity
- Residential amenity
- Highway considerations

10.0 APPRAISAL

Principle of development

- 10.1 The application is concerned with the change of use of a dwelling house (C3) to a residential institution (C2), upon an unallocated site. C2 uses are residential uses which include residential care homes, hospitals, nursing homes, boarding schools, colleges and training centres. In this case it is intended to operate the premises as a care home for adults with learning difficulties.
- 10.2 There are no policies within the Leeds UDP concerned with such changes of use. The property lies within an established residential area but is within walking distance of public transport links and the New Road Side Town Centre. As such, the use of the premises for such a residential purpose is therefore considered acceptable in principle, subject to other material planning considerations.

Visual amenity

- 10.3 The host dwelling is not listed but it is within a Conservation Area. Conservation areas are areas of 'special architectural or historic interest, the character of which it is desirable to preserve or enhance'. As such any proposals for development need to preserve or enhance the character and appearance of such areas. The application property is identified as a positive building within the Horsforth Cragg Hill and Woodside Conservation Area Appraisal and Management Plan.
- 10.4 The only changes to the external appearance of the building are the replacement of the garage doors with windows, and new masonry infill around these, to enable the conversion of the garage to habitable accommodation and the addition of 4 soil and vent pipes to serve the 4 additional en-suite bathrooms to be created within the main house. The stone work and design of the windows will match those existing and the soil and vent pipes are very minor features. As such these elements of the proposal will be sympathetic to the host dwelling and the character and appearance of the conservation area will be preserved.
- 10.5 In order to provide additional parking within the site the existing area of hard standing will be extended to the front of the site. There is a high stone boundary wall along much of the site frontage and the area of intended hard standing will be located largely behind this, therefore limiting any visual impact. It should be noted that such a hard standing can be provided without the need for planning permission (provided it is permeable). On balance, it is therefore considered that the additional hard standing would not be visually intrusive and its provision would preserve the character and appearance of the conservation area.
- 10.6 With regard to the area of hard standing it should also be noted that there is a valid planning permission for the construction of a large swimming pool extension in this area. This was approved in July 2007 as part of the application which included the utility room, workshop and triple garage with games room over. Whilst the swimming pool was not built at the time, given the planning permission was partly implemented when the garage etc. were constructed, the swimming pool could still be built. It is considered that the provision of additional hard standing at this location would be much less intrusive to the conservation area than the swimming pool.
- 10.7 It is also proposed to provide a covered bin and cycle store to the front of the site. Full details of these have yet to be submitted and conditions are recommended to ensure that full details are provided and agreed prior to the commencement of development. However, these structures will be located behind the existing

boundary wall and will therefore have very little, if any, impact on visual amenity. The character and appearance of the conservation area will be preserved in this respect.

- 10.9 A 1.8m high fence will be erected between the new hard standing / car parking and the rear garden. This will be approximately 20m from the roadside boundary and as such will have little impact on the visual amenity of the locality and conservation area. It should also be noted that such a fence can be erected as permitted development.
- 10.10 The application proposes to construct a ha-ha with planting on it along the full length of the rear boundary. This will not be visible from outside of the site given the proposals for a 1.8m high fence as detailed at paragraph 10.9 above. For this reason and given the nature of this element of the proposal it will have no significant or adverse impact on visual amenity and will therefore preserve the character and appearance of the conservation area.
- 10.11 A number of comments have been made with regard to the character of the conservation area being a tranquil, residential area. In this respect it should be noted that the proposed use is a residential use and tranquillity is not a quantifiable matter. It should also be noted that conservation areas are not created with the intention of preventing development but to ensure proposals are sympathetic and do not cause destruction of key features that are essential to fully appreciate historical and architectural context.

Residential amenity

- 10.12 The proposal is to use a C3 dwelling as a C2 care home for adults with learning difficulties. There are currently 8 bedrooms within the property and it is intended to increase this to 10 (through the conversion of the garage and games room) to enable care for 10 adults with a maximum of 12 staff on site at any time. Given the nature of the existing building (e.g. detached property set within a generous plot) and that no changes, other than the conversion of the garage, are proposed to it, it is considered that there will not be any significant additional or harmful impact on the living conditions of neighbouring properties.
- 10.13 Concern has been expressed about the potential for overlooking of neighbouring properties, especially those on Oliver Hill which are set below the level of the application site by approximately 3m. The concern is that the proposal will overlook these properties, especially their rear bedroom windows. However, the building is an existing building and there are no changes to it with regard windows, other than 3 new windows in place of the existing garage doors, all of which will look onto the car parking area to the front of the site. As such there will be no greater potential for overlooking than currently exists. Furthermore, whilst views towards these neighbouring bedroom windows are possible from the application site, it must be remembered that these neighbouring windows face directly towards the application site and therefore overlook it. This is a historic situation that has existed since the properties on Oliver Hill were constructed. In respect of overlooking / privacy, it is therefore considered that the proposal will not have any greater impact than exists already.
- 10.14 Concerns have also been expressed that the proposal will result in increased noise and disturbance to neighbouring properties from future residents and vehicular movements and also in light pollution. It is considered that there should be limited impact from residents given the number proposed and the detached nature of the

dwelling. Similarly, vehicular movements should not be unduly harmful given these will take place primarily in the daytime, with changeovers at 8am, 3pm and 10pm. These are not considered to be antisocial hours. With regard to external lighting Cambian has advised that they are likely to provide a light at the front of the property so that staff can access their vehicles safely. This will be typical of security lighting commonly used on domestic dwellings. It will not be a flood light that is left on permanently. In order to ensure that any lighting does not adversely affect neighbouring properties a condition requiring the submission and approval of a lighting scheme is recommended.

- 10.15 A number of the objections to the proposal relate to the living conditions of the occupiers. The method of treatment of the people within the property is not a matter for Planning. Planning would not look at how people live within a C3 dwelling and it is no different for a C2 proposal. In this respect it is not for Planning to forensically analyse how the business is operated but to look at the bigger picture, e.g. the suitability of location and parking, impact on neighbouring amenity. Matters such as the suitability of the premises and the detailed operation of the service are regulated by the Care Quality Commission.

Highway considerations

- 10.16 The proposal will create a 10 bed care facility for adults with learning disabilities and will create 28 additional jobs. 12 staff will work 8am to 3pm, another 12 will work 3pm to 10pm and there will be 4 staff on site during the night. There will be a maximum of 12 staff on the premises at any one time. 13 parking spaces, including 1 disabled space, will be provided within the site, as will cycle parking (Cambian run a cycle to work scheme).

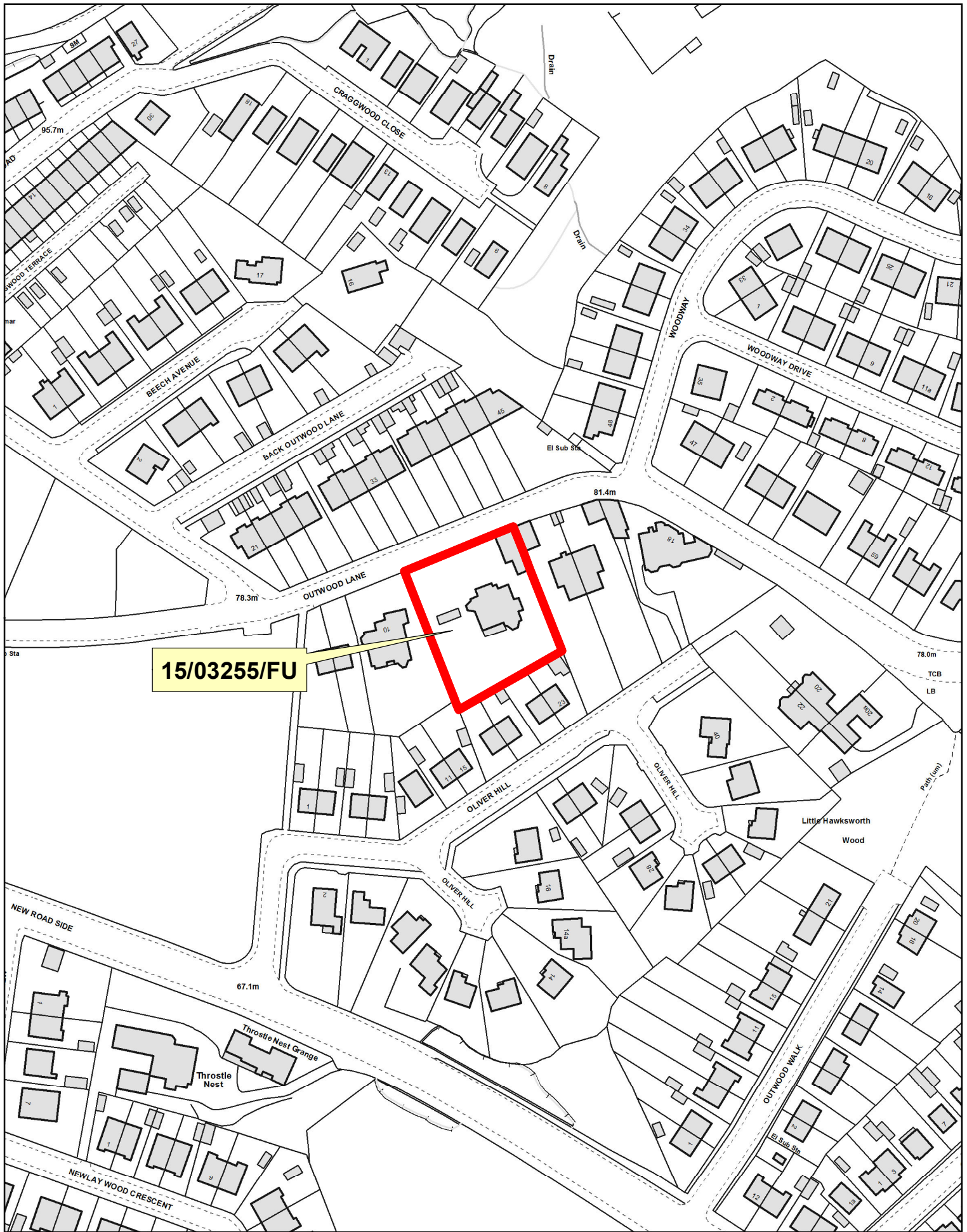
Given these staff figures, the nature of the operation and the proximity to public transport links and the nearby district centre, the level of proposed parking is considered acceptable and it is not considered that the proposal would be detrimental to highway safety.

11 CONCLUSION

- 11.1 To conclude, it is considered that the proposal represents a residential use within an established residential area that is close to existing public transport links and community and leisure facilities. It will therefore be in keeping with the established character and given, its limited scale, the detached nature of the property, and the scale and location of the parking area proposed, it will not be harmful to visual amenity (including the character of the conservation area), neighbouring living conditions or highway safety. As such the proposal is considered to comply with the relevant development plan policies referred to in the planning policies section above and the application is therefore recommended for approval, subject to conditions.

Background Papers

- Application file: 15/03255/FU
- Certificate B served on Carl Martin Sharman and Eileen Christine Watt of 12 Outwood Lane, Horsforth, LS18 4JA



15/03255/FU

SOUTH AND WEST PLANS PANEL





Originator: Ian Cyhanko

Tel: 247 4461

Report of the Chief Planning Officer

PLANS PANEL (SOUTH & WEST)

Date: 17TH September 2015

Subject:

APPLICATION 15/04091/FU: APPLICATION FOR CHANGE OF USE FROM MOTOR VEHICLE AND ACCESSORIES SALES AND SERVICE (SUI GENERIS) TO PRIVATE ADULT MEMBERS CLUB (SUI GENERIS) AT 73A, LOW ROAD, HUNSLET, LEEDS, LS10 1RH

APPLICANT

Mrs Joanne Winterhalder

DATE VALID

10th July 2015

TARGET DATE

18th September 2015

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION

APPROVE, subject to the specified conditions.

1. Time Limit on Permission.
2. Plans to be approved.
3. Restriction on hours of use (as stated in para 2.3).
4. Car park to be laid out, and made available prior to the occupation of the development.
5. 5 car parking spaces identified on plan, only to be used after 18:00 hours.

1.0 INTRODUCTION:

- 1.1 This application is brought to South and West Plans Panel at the request of Councillor Nash, due to the local interest in the application.

2.0 PROPOSAL:

- 2.1 The proposal is for the use of the building as a Private 'Adult' Members Club. The premises propose to provide a discreet, clean, safe and controlled environment for like-minded adults to meet and potentially engage in legal sexual activities, within the private rooms provided. The applicants state the most accurate general description would be 'swinging club'. Payment directly or indirectly between adult members for sexual services is strictly prohibited. Entry fees are charged by the applicant but they do not provide or arrange any sexual entertainment or services.
- 2.2 The proposal will offer a reception area, and bar (serving only non-alcoholic drinks) and 8 private rooms. Other facilities include changing areas, wc's and ancillary office/ staff facilities. The operation will employ 4 full-time employees, however there would only be 2 or 3 staff at any one time at the premises, as they will work in shifts.
- 2.3 The applicants are seeking to relocate their existing business, from their current premises at Macauley Street, Leeds 9, which is located on the eastern fringe of the city centre, between Mabgate and Lincoln Green. The business has operated from the current premises since 2002. The applicant's state they wish to relocate to premises which have all the facilities for patrons on a single level access, so they are fully accessible to all users, without the need to navigate stairs. The applicants state at present the peak times of the premises are Friday and Saturday nights, where 35 patrons can frequent the premises.
- 2.4 The proposed opening hours are as follows:

	Daytime	evening
Mon to Thurs	11.00- 18.00	20.30- 00.00
Friday	11.00- 18.00	20.30- 02.00
Saturday	13.00- 19.00 Closed every other week	20.30- 02.00
Sunday	11:00- 18:00	20.30- 00.00

3.0 SITE AND SURROUNDINGS:

- 3.1 The host property is brick built with a shallow pitched roof and a sales/ service yard surrounded by a palisade fence. It is of a commercial/ industrial character and has been used for a variety of uses in the past including vehicles sales and servicing, warehouse and light industrial. Most of the building is single storey but part has a second floor that has previously been used for offices and storage. The unit is served by a number of service bays and windows to the side and rear which have roller shutters. The building was originally designed for use as a light industrial unit and as such has very little glazing.
- 3.2 At the rear of the premises is a parking and delivery area which serves a number of the units. Boundary treatment consists of a 1.8m high steel palisade fence which bounds the delivery and parking area to the rear. The property is accessed via an un-adopted street that also serves Kwik Fit (69 to 73 Low Road) and Atkinson's

Fencing (75 Low Road and workshop to rear). The building is situated 'behind' the main Kwik Fit building which has a frontage onto Low Road (A61).

- 3.3 The site is located in a flood risk area (zone 2). The North of the site is bound by a substation and to the East and South by other commercial/ industrial uses including a garden centre. To the West is Low Road, a heavily trafficked (A61) road beyond which is an assisted care over 55's Care Home (Assisi Place) which lies approximately 70m away. The site is unallocated in the Development Plan and is located on the outer edge of Hunslet Local Centre.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 A planning application (reference 15/01036/FU) for 'Change of use of commercial garage (sui generis) to mixed use (sui generis) private members club, adult entertainment, beauty and holistic therapy provision' at the same premises and by the same applicant was submitted on 9th March 2015 and refused planning permission on 11th May 2015, on the following grounds:

- 4.2 1) *The proposed multi-functional use would generate a demand for car parking that cannot be satisfactorily met within the site due to the limited availability of off-street car parking spaces. As such, the use is likely to result in car parking taking place on the access road which serves other industrial units creating vehicular conflict between visitors to the proposed use and the existing nearby units alike. As such, the proposal is considered to be detrimental to highway safety. Accordingly, the proposal is considered to be contrary to Leeds Unitary Development Plan Review (2006) policies GP5, T24 and Core Strategy Policy T2.*
- 2) *The Local Planning Authority considers that by reason of the lack of a sequential test it has not been demonstrated that there are no sequentially preferable sites available for this proposed town centre use. As such the proposal could be harmful to nearby town centres and to the principles of sustainable development and is contrary to policies SP1, P2 and P8 of the Core Strategy and to guidance in the NPPF.*

- 4.2 The difference between this previous application and this current proposal is that previous application included references to 'beauty and holistic therapy provision', and as such the previous application was considered to be a D2 use, which is a main town centre use. However, after further consideration, the applicant has confirmed that the main focus of the business will remain as existing at their current Macauley Street premises, and will provide no 'beauty and holistic therapy provision'. Legal Services have confirmed the proposed use is sui generis and falls outside any Use Class. Therefore no sequential test is now required, nor the duty to consider alternative sites within town centre locations. The parking arrangements have also been amended, and parking provision has been increased. This is detailed in greater detail in paragraph 9.6.

- 4.3 There are two other records of planning applications submitted upon this property in 1990's concerning a minor extension and the previous garage use. It is not considered these have any relevance to this current proposal.

5.0 CONSULTATION RESPONSES:

- 5.1 Legal Services – The proposal does not require a sexual entertainment license and falls within the sui generis use class.
- Highways – No objections subject to conditions.
- Police Architectural Liaison Officer – No objections
- Licensing - A sexual entertainment license is not required due to the nature of the premises.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by site notice on 22nd July 2015. The site notice was posted on the main Low Road frontage, adjacent to a bus stop in order to ensure maximum coverage, rather than being posted on the side access road directly adjacent to the site. An e-mail was also sent to all three Ward Members informing them of the application. An article in the Evening Post newspaper regarding the application created further coverage and publicity of the application. Overall 6 letters of objection and one letter of support have been received to the development.
- 6.2 The points raised in the objections received are highlighted below.
 - The application has not been adequately publicised
 - Research has shown sexually oriented businesses are associated with higher rates of crime within the immediate vicinity of the business
 - Proposal not suitable nearby a ‘residential zone with families’
 - Proposal is located near a Primary school
 - Others uses such as a food kitchen or youth club would be more appropriate
 - Impact on property prices
- 6.3 The letter of support received is from the owners of the Timber Merchants which lies directly opposite the premises. The points raised in this support are highlighted below.
 - Confirmed no objection
 - Our business is closed in the evening, and we believe the businesses can peacefully co-exist
- 6.4 Councilor Nash has objected to the proposal stating that ‘there is much hostility from local residents against this planning application’.

7.0 PLANNING POLICIES:

7.1 Core Strategy Policies

- SP1 – Location of development in main urban areas on previously developed land.
T2 – Accessibility.

Relevant Saved UDP Policies

- GP5 – General planning considerations
T7A – Secure cycle parking.
T7B – Secure motorcycle parking.
T24 – Parking provision (until adoption of parking SPD).
R2 - Area based initiatives.
BD5 – General amenity issues.

A9A - Car Parking Guidelines (saved until adoption of Parking SPD)
A9C/A9D – Motorcycle/Cycle parking guidelines (saved until adoption of Parking SPD).

7.2 National Planning Policy Framework (2012)

The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

8.0 **MAIN ISSUES:**

- Principle of development.
- Impact on Residential Amenity.
- Highways
- Other Issues
- Conclusion

9.0 **APPRAISAL:**

Principle of development

- 9.1 The principle of the application is concerned with changing the use of a sui generis use (a use not falling within a specific use class) into another new sui generis use. The site lies unallocated within the Leeds UDP. There are no policies within the Core Strategy concerned with such changes of use, and there are no policies which are concerned with the retention of motor repairs premises. Consideration of the application has to be based on the planning merits of the case and not moral judgements on the activities which may occur within the premises. The application in land use terms is considered to be acceptable in principle, within this industrial/

commercial setting, subject to an assessment against normal development control considerations. The main consideration being the impact on amenity and general character of the immediate and surrounding locality.

9.2 Impact on Residential Amenity

The proposal is for a late night use (closing at 2:00am some mornings). The site is surrounded by industrial and commercial uses. The northern side of Low Road (A61) where this application site lies, is commercial in character accommodating uses such as Trade Counters, Car Showrooms, Car Repairs (all of which are typically housed in shed type buildings) and a 24 hour McDonalds Restaurant. Hunslet Trading Estate also lies directly to the rear of the site. The southern side of A61 is more residential in character, with the road being a defining barrier to these two different character areas. It is not considered the proposal lies within a 'residential zone' which is one point raised by an objector.

9.3 It is not considered the proposed use, would create any conflict with the surrounding land uses in terms of noise or activity. The proposed use is not considered to be noisy, or particularly people intensive, when compared to a night-club for example. The nearest residential properties are the flats at Assisi Place, which lie across the A61, approximately 70m away. However the A61 provides a substantial physical barrier to these flats, and from the existing commercial uses which lie opposite. The application site is further screened from these properties by the Kwik Fit garage, which lie to the front of the application site. The entrance to the premises is discreet and hidden from public view, being located within an enclosed yard area, at the end of unmade 'no-through' access track. It is considered the Kwik Fit garage would have a greater impact on these occupiers in terms of noise and activity when compared to the proposal.

9.4 The proposed use is not considered to be similar to a night-club or lap dancing club, which can result in anti-social behaviour and noise outside their premises. Typically sexual entertainment venues, such as a strip/ lap dancing club, will sell alcohol and encourage its consumption to both make money from the sale of alcohol and to encourage of customers to pay for private dances/ strip shows. Legal Services have confirmed the premises do not require a sexual entertainments license, as the proposed use does not include any 'performance' for patrons to pay to watch. No alcohol is to be sold from the proposed use. The applicants currently follow this model at their premises at Maculay Street, and state this is because excessive alcohol consumption is at odds with the environment the applicant is trying to create (and which it is known for by its members), it impairs judgement, impairs sexual experience and performance and can lead to problems with violence and anti-social behaviour. Members are allowed to bring moderate quantities of alcohol onto the premises for their own consumption. However, drunkenness is prohibited and the premises will not sell alcohol and has no intention of doing so.

9.5 Given the nature of the proposed use, it is considered that the people whom frequent the premises will want to be discreet and not want to draw attention to themselves. It is therefore unlikely the proposal would result in anti-social behaviour outside the premises and result in people loitering outside the premises etc. There are no complaints regarding noise or anti-social behaviour at their existing premises at Maculay Street. The Police have confirmed in the past 3 years at the current premises there has only been one recorded incident, which they state was outside the control of the management of the club. This incident was concerned with a patron who was refused entry due to being intoxicated, and the subsequent disruption he caused outside for being refused entry into the premises.

Highway Issues

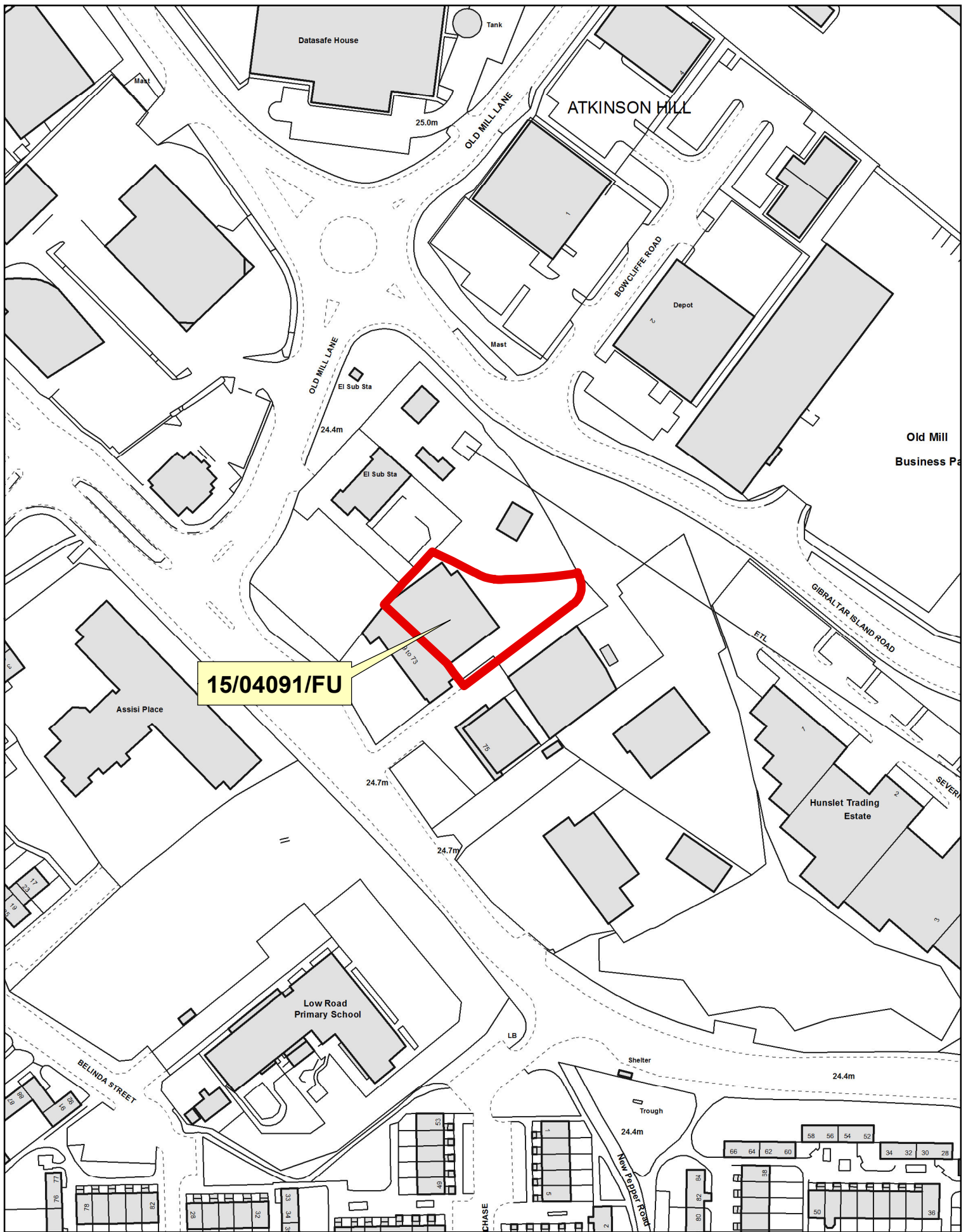
- 9.6 The parking on site has increased when compared to the previous application. This has been achieved by utilising a strip of land between the building and the access track for an additional row of parking which provides 5 spaces. This is separate from the main parking area. Highways have recommended a condition which places a duty for these bays to be closed off throughout normal working hours, to prevent any vehicle conflict with neighbouring business's which lie opposite, given the relatively narrow width of the access track.
- 9.7 The configuration of the enclosed parking area has also been amended which now means there are 18 parking spaces in total, it was considered that previously refused scheme only offered 10 spaces which were fully accessible. Further supporting information has been submitted by the applicants in support of this application which illustrates the minimal use of this establishment throughout the day. Highways have confirmed that the parking numbers are adequate. The proposal will be at peak use in the evening, when the adjacent businesses are closed. Therefore should a small element of overspill parking on the adjacent highways occur, in the unlikely event of the designated parking area's being full, it is not envisaged that this would cause an issue either in highway safety terms, or causing conflict with existing business's. As stated in paragraph 6.3, the existing Timber Merchants which lies directly opposite the premises, have confirmed they support the proposal. It is considered that the proposal complies with policy T2 of the adopted Core Strategy.
- 9.8 Other Issues
One point raised by one objector is the impact on property prices; this is not a material planning consideration. It is not considered the fact a Primary School lies on the opposite side of A61 has a bearing to the outcome of this application. As stated in paragraph 3.1, the host property is situated behind a Kwik Fit garage, and has no frontage onto the A61. The proposal is located in a discreet location in and amongst existing commercial and industrial uses. The proposed use will be busiest in the evening, outside of school hours. The application cannot be assessed on assumptions and stereotypes of the likely patrons who may use the premises. The facility is mainly aimed at couples of both sexes.
- 9.9 The application has to be assessed on the current proposals, and the fact an objector would prefer the premises to provide a community use, is just the aspiration of one individual. No other such application is before us, and the application cannot be resisted on such grounds.
- 9.10 One objection has quoted research which has shown sexually oriented businesses are associated with higher rates of crime within the immediate vicinity of the business. It appears this research is concerned with premises such as lap-dancing clubs, peep shows and brothels, where payment is taken for sexual entertainment or services, as oppose to a private club for consenting adults. In any event, as stated in paragraph 9.5 the Police have been consulted on the application, and have raised no objection and cited only one recorded incident, in the past 3 years at the applicant's current premises.
- 9.11 Consideration has been given to Section 149 of the Equality Act, which places a duty on the Public Sector to advance equality and minimise disadvantage. It is considered the proposal complies with this legislation.

Conclusion

9.12 It is not considered the proposed use would have an adverse impact on residential amenity, or the character of the locality, due to the location of the application. The proposed use is considered to be best suited to a discreet location in a commercial setting, and it is considered this application site provides this. The development also would bring a vacant property back into use, and provides an adequate level of parking for its size, and function. Accordingly, the proposal is considered also to comply with relevant local policies GP5 and T2 of the Leeds Core Strategy.

Background Papers:

Application files 15/04091/FU



15/04091/FU

SOUTH AND WEST PLANS PANEL



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Originator:	Kate Mansell
Tel:	0113 247 8360

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: Reserved Matters application 15/03561/RM for a seven storey office block with basement parking (Phase 1) at Plot J1, Kirkstall Forge, Kirkstall Abbey, Leeds, LS5 3NF

APPLICANT

Kirkstall Forge Investment
Property I Limited

DATE VALID

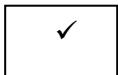
18th June 2015

TARGET DATE

17th September 2015

Electoral Wards Affected:

**Bramley and Stanningley
Kirkstall
Horsforth**



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Grant Planning Permission subject to conditions.

CONDITIONS

- 1. Development in accordance with the approved plans.**
- 2. Soft landscaping details – species and plant density prior to first planting.**
- 3. Details of tree pits**
- 4. Glazing standards in accordance with the submitted Acoustic Report.**

1.0 INTRODUCTION:

- 1.1** This application is brought to the South and West Panel on the basis that it represents the first phase of a major development at Kirkstall Forge.
- 1.2** Members may be aware that outline planning permission for the re-development of the Kirkstall Forge site was originally granted on 20th July 2007 under application

24/96/05/OT with details of access only approved at that time. Matters of design, layout, appearance and landscaping all reserved for future consideration. The Plans Panel West subsequently approved an extension of time of this original outline application on 18th August 2011 under application 11/01400/EXT with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement. This 2011 application was identical to the original outline planning permission in terms of the extent of development with the exception of an amendment to the Section 106 agreement to provide additional funding for the new Kirkstall Forge train station.

- 1.3 This application represents the first phase of development – a seven-storey office block to provide 15,534 square metres (Gross External Area) of high specification office space within Use Class B1. The office block is referred to as ‘Plot J1’ within the Kirkstall Forge Masterplan. This application is a Reserved Matters submission pursuant to the outline planning permission 11/01400/EXT to consider details of appearance, layout, scale and landscaping only. It is, in effect, an application to discharge Conditions 1, 2 and 3 of 11/01400/EXT. Means of access in relation to the Kirkstall Forge development, including the highway impact of the development, has already been assessed and approved in accordance with 11/01400/EXT such that it does not form a matter for consideration as part of this application.

2.0 PROPOSAL:

- 2.1 This is a Reserved Matters application to discharge Conditions 1, 2 and 3 of 11/01400/EXT in relation to the first phase of development of the Kirkstall Forge site at Plot J1.

- 2.2 Condition 1 of 11/01400/EXT states the following:

‘Application for the approval of the following details (hereafter referred to as the Reserved Matters) for each phase of the development shall be submitted to the Local Planning Authority within 15 years from the date of the permission:

*Siting of the buildings
Design
External Appearance
Landscaping*

Following changes to the Town and Country Planning (General Development Procedure) (Amendment) Order 2006, the Reserved Matters were redefined as the following:

Layout – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Appearance – the aspects of the building that determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Scale – the height, width and length of the building proposed in relation to its surroundings.

Landscaping – the treatment of land for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated, including boundary treatments and the planting of trees, hedges, shrubs.

This application therefore seeks approval for the above Reserved Matters in relation to Plot J1 – the first phase of development. Means of access, which is defined as the means of accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulations routes and how these fit into the surrounding access network (the transport impact of the development) was approved in accordance with 11/01400/EXT with further details required by planning condition(s) and such matters are therefore not for consideration as part of this application.

2.3 Condition 2 of 11/01400/EXT states the following:

‘Applications for the approval of reserved matters for each phase of the development shall be broadly in accordance with the approved Design Statement unless otherwise agreed in writing by the Local Planning Authority’.

In assessing the Reserved Matters, it is therefore important to ensure that Phase 1 is broadly in accordance with the approved Design Statement.

2.4 Condition 3 of 11/01400/EXT requires the following:

‘Approval of the reserved matters shall be obtained from the Local Planning Authority in writing for each phase of the development before each respective phase of development (excluding works of demolition, site remediation and archaeological investigation) is commenced, unless otherwise agreed in writing by the Local Planning Authority.

In other words, the details of each phase in relation to layout, scale, appearance and landscaping must be agreed before work on that phase commences.

2.5 Members are advised to note that the implementation of this phase of development at Kirkstall Forge (and any subsequent phase) is subject to (a) the details of the Reserved Matters being agreed (as sought in this application in relation to Phase 1) and (b) compliance with all other pre-commencement conditions imposed by 11/01400/EXT and the Section 106 Legal Agreement. Such conditions and Section 106 Schedules include the following, which are required pursuant to each phase:

- (i) Details of vehicular access arrangements including servicing and car parking (Condition 10);
- (ii) Cycle parking provision (Condition 10);
- (iii) Sustainability and drainage appraisal (Condition 10);
- (iv) Nature conservation and enhancement works (Condition 10);
- (v) Footpath and cycle links (Condition 10);
- (vi) Material samples (Condition 23).
- (vii) Training and employment initiatives during construction and occupation (Section 106).

Accordingly, prior to each phase commencing, the above details will need to be agreed for that phase by means of the submission of a Discharge of Condition application. Such details are therefore considered separately to this application for Reserved Matters.

- 2.6 In addition, there are also a number of general conditions attached to the outline approval that require compliance across the whole site including the following:
- (i) The provision of both the eastern and western accesses to be completed when an agreed quantum of development is achieved on site (Condition 12)
 - (ii) The provision of a bus route through the site to be implemented when an agreed quantum of development is achieved on site (Condition 13)
 - (iii) The protection of the Listed Buildings on site and ensuring that the Listed Cottages are weather tight prior to the commencement of the first phase (Condition 18).

Again, these details will come forward separately for determination as Discharge of Condition applications.

- 2.7 This Reserved Matters application provides details of the layout, scale, appearance and landscaping for Plot J1 in relation the provision of a contemporary office block within Use Class B1 to deliver 15,534 square metres (GEA) of office space.
- 2.8 Plot J1 extends to 0.21-hectare; it is rectangular in form extending to a width of 59 metres and a depth of 54.5 metres at the widest point. To the north, it adjoins an access road that is situated on the south bank of the River Aire. To the west, it is positioned adjacent to an area that will become a pedestrian route as a continuation of the bridge across the river - referred to in the outline planning permission Design Framework as 'The Stitch') providing a direct link to the new Kirkstall Forge railway station. Beyond this to the west lie Plots K3 and K4, which will be developed temporarily as a car park to serve the railway station. Finally, to the east of Plot J1 are two plots referred to in the Masterplan as J3 and J4; it is anticipated that these two plots will form the next phase of development and they will comprise residential apartments available for rent.
- 2.9 With regard to layout, as the first phase, this proposal cannot relate to any existing built form but it must clearly have regard to the form of future development. Within the plot, the proposed office building is positioned centrally within the site to ensure appropriate separation distances between adjacent plots, particularly as to the east, the adjacent buildings at Plots J3 and J4 are likely to be in residential use. The proposed office building is set-in 8 metres from the western boundary of the site and it is also set in 8 metres from the eastern boundary of the plot adjoining the edge of Plot J3. Indeed, there is a distance of circa 20 metres from the western façade of Plot J1 to the Plot 3 boundary. To the northern and southern boundaries, a separation distance of between 2.5 metres to 6 metres between the building façade and the edge of the surrounding access road is retained. The positioning of the building allows for a one-way road loop around the plot. Within the building, the main entrance to the offices is located in the south-west corner at ground floor level, adjacent to the railway station. The primary core is positioned on the southern elevation of the building to connect efficiently to the main entrance and also to provide a solid element to this façade with resultant environmental benefits to the building as a whole. The Planning Statement submitted with the application confirms that the core allows for a large, open plan, flexible workspace of between circa 1715 square metres and 1858 square metres on each floor, which can be sub-divided as and when operators emerge.
- 2.10 In its appearance, the office building is designed to be contemporary. The Planning Statement advises that the brief was to deliver a timeless design that would provide longevity and form part of the wider masterplan for Kirkstall Forge. The elevational treatment is designed to reflect the internal space planning grid of 1.5 metres to

create an ordered façade. The façade materials will comprise an anodised metal frame in a bronze/copper colour with masonry elements where glazing is not possible, for example, to the lift and stair core. This is likely to comprise a lightweight natural stone wall cladding system as well as areas of curtain walling. The façade treatment extends to screen the roof top plant and to permit a roof top terrace for office users. The façade is generally highly glazed and in particular, the building entrance and façade has been designed to be a double height with a large glazed frontage facing onto the public realm to provide a direct interaction with this key pedestrian route.

- 2.11 With regard to scale, this proposal extends to seven storeys within an incorporated plant area on the roof and extends to circa 30 metres AOD, which has been designed to be consistent with the adjacent plot at J3. In width and depth, the building extends to 45 metres.
- 2.12 Finally, with regard to the proposed details in respect of the landscaping of the site, the Planning Statement highlights that the approved Design Statement set out a number of general principles for the development of landscaping and public realm across the site, including the need to develop an attractive, vibrant and safe public realm for all users, retain to and use a restrained palette of materials as well as creating an attractive waterside setting, to which this scheme will comply.
- 2.13 As noted above, means of access was approved as part of 11/01400/EXT such that it is not a matter for assessment as part of this application. Furthermore, details of car parking in relation to each phase is required for submission as part of Condition 10(h) of 11/01400/EXT. It will therefore be determined as the subject of a separate discharge of condition application. However, for Members information, the applicant has provided details of car parking in relation to Plot J1, which is included within this application for information rather than assessment. The Reserved Matters application confirms that car parking will be provided at a ratio of up to a maximum of 1:33 square metres gross external area to be determined in accordance with Condition 10(h); this equates to a maximum of 470 spaces. A total of 54 spaces will be provided within the basement of Plot J1 with the remainder of the spaces initially provided by way of a temporary surface car park on an adjacent plot and subsequently provided as part of a permanent solution for car parking, which will be developed and implemented as the Kirkstall Forge scheme progresses and in accordance with Condition 10(h), which is applicable to each phase of development.

3.0 SITE AND SURROUNDINGS:

- 3.1 In its entirety the Kirkstall Forge site extends to 22.93 hectares of land situated circa 6km (3.7 miles) to the north west of Leeds City Centre. The site is broadly rectangular in shape extending from the north-west to south-east between the Leeds to Shipley/Ilkley Railway and the A65 Abbey Road. The Leeds-Liverpool canal and the Leeds-Shipley/Ilkley railway line all run through the Aire Valley in parallel with the River Aire. Since the granting of planning permission, the site has been levelled and remediation works have commenced in accordance Condition 5 of the outline permission, which was approved as part of application 14/02638/COND. Works have also commenced on the Kirkstall Forge Railway Station and the construction of the access road.
- 3.2 This Reserved Matters submission relates specifically to the first phase at Plot J1. This is a 0.21-hectare plot immediately positioned to the east of the road and pedestrian route that is referred to as 'The Stitch' within the submission. Beyond this to the west lie Plots K3 and K4, which will be developed temporarily as a car

park to serve the railway station. To the east of Plot J1 are two plots referred to in the Masterplan as J3 and J4; it is anticipated that these two plots will form the next phase of development and they will comprise residential apartments available for rental. To the south of the application site is the railway line and the new Kirkstall Forge railway station.

- 3.3 Plot J3 will initially be accessible from the internal loop road that provides a connection to the new railway station at Kirkstall Forge approved in accordance with 10/01211/FU.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is an extensive planning history to Kirkstall Forge, the most relevant of which is summarised below:

- 4.2 Outline planning permission for the re-development of Kirkstall Forge was originally granted on 20th July 2007 in accordance with 24/96/05/OT with details of access only approved as part of this outline and matters of design, layout, appearance, landscaping reserved for future consideration. The indicative development at that time comprised the following elements:

- 1,355 dwellings (1,109 apartments and 246 townhouses/ maisonettes);
- 146,000 square feet of offices;
- Support facilities including bars, restaurants, small scale retail, health and fitness and spa, banking, hotel, a crèche and accommodation for social community uses totalling 104,000 square feet;
- Preservation and change of use of existing grade 2 listed lower forge building to provide food and drink uses;
- Change of use grade 2 listed stables to residential.
- Areas of amenity green space;
- Wildlife and ecological enhancements;
- Park and ride for approximately 150 cars;
- Improvements to vehicular junctions, allowing access to the A65;
- Internal access roads, catering for new bus services;
- Network of pedestrian and cycle routes, enabling connections to the national cycle network and canal towpath, including new footpaths alongside the former abbey mill race;
- New pedestrian and vehicular bridge across River Aire;
- Site remediation works;
- Riverside improvement works and creation of flood relief channel.

- 4.3 The 11/01400/EXT application was approved by the Plans Panel West on 18th August 2011 with the decision finally issued on 4th April 2014 following resolution of the Section 106 agreement. It is identical in terms of the extent of development to the original outline planning permission with the exception of an amendment to the Section 106 agreement to provide additional funding for the new Kirkstall Forge train station.

- 4.4 Following the approval of the outline planning application in 2007 and the subsequent extension of time application issued in 2014, a number of subsequent discharge of condition applications were approved as follows:

08/02189/COND: Discharge of condition 28 of application 24/96/05/OT relating to details of the flood relief channel.

Approved: 20.05.2008 subject to a requirement that no development within Flood Zones 2 and 3 shall be occupied until the flood relief channel is constructed in accordance with these approved plans.

14/02638/COND: Consent, agreement of approval required by Conditions 5 (Remediation Strategy) and 6 (Unexpected Contamination) of planning permission 11/01400/EXT

Split decision issued: Remediation strategy approved on 20.10.2014 but Condition 6 was not discharged as it relates to the potential need to submit a revised remediation strategy in circumstances where remediation cannot proceed in accordance with the approved strategies or where unexpected contamination is encountered.

- 4.5 In addition, the following discharge of condition application in relation to Plot J1 (Phase 1) pursuant to 11/1400/EXT is currently pending assessment and determination:

15/04895/COND: Consent, agreement or approval required by Condition 9 (b) (bin storage) and Condition 10 (h) (details of access arrangements for vehicles, including servicing and car parking, motorcycle parking and cycle storage areas for each phase).

Members are advised to note that the details of this discharge of condition application in relation to parking provision are included in the report below for information purposes.

- 4.6 The following variation of condition application has also recently been submitted by the applicant and is pending consideration:

15/04824/FU: For each phase of development, variation of Condition 9 (lighting (a), boundary treatments (c) and signposting (d)), Condition 10 (a) sustainability appraisal (b) foul and surface water drainage, (c) surface water run-off limitation, (d) works to the River Aire, (e) nature conservation works, (f) provision of footpath and cycle links, (i) existing and proposed levels, (j) tree works and tree protection measures and (k) measures to protect the river during construction, Condition 12 (Timescale for the completion of both the eastern and western accesses), Condition 13 (Timescale for the delivery of a bus route through the site), Condition 17 (Provision of an interpretation board), Condition 19 (Programme for works for the refurbishment of the Listed Buildings), Condition 23 (Materials) and Condition 27 (Construction of a flood risk channel) of 11/01400/EXT.

This application is effectively seeking to amend the above conditions to vary the timescales for their submission of information to allow some works to progress on site at the earliest opportunity. At the present time, this application is the subject of statutory consultation.

- 4.7 Members will also be aware that the Kirkstall Forge Railway Station was approved in accordance with planning permission 10/01211/FU. Following on from that approval, details pursuant to Condition 3 of 10/01211/FU, in relation to details of the proposed access road from the A65 to the station, comprising layout, cross/long sections and construction details was approved on 4th March 2015 in accordance with 15/00746/COND, which is presently on site. This includes the provision of the one-way primary loop road around Plot J1, referred to above.

4.8 Finally, in July 2014, planning permission was granted for the development of a temporary car park with 193 spaces on land opposite J1 for a period of 10 years to serve the consented railway station in accordance with 13/05890/FU. The Kirkstall Forge station was always intended to serve both the Kirkstall Forge development and the wider area with access to the rail halt from the A65 agreed as part of the original station approval as noted above. However, following the delays to the commencement of development at Kirkstall Forge, in order to secure funding for the rail halt, it was necessary to demonstrate its deliverability and patronage figures. It was for this reason that permission for the temporary car park was sought to bridge the gap resulting from the delay to development on site to meet targets established by the Department of Transport. The car park will operate for up to 10 years or until such time as the development itself, which includes parking provision, is constructed. The loop road being constructed in accordance with 15/00746/COND will provide access to Plot J1, the station and the temporary car park on Plots K3/K4 as well as linking J1 with the adjacent residential development at J3/J4. The temporary loop road will remain until such time as the western plots emerge and there is no longer a requirement for the temporary car park at which point the area along the western elevation will then form a pedestrianized area (a continuation of 'The Stitch') extending between Plot J1 and Plot K3/K4.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant, Commercial Estates Group, have engaged in a series of informal pre-application discussions with Officers in relation to the details of Plot J1 and its compliance with a Design Framework/Masterplan for the wider development site.
- 5.2 The Design Framework was also the subject of a Pre-application/Position Statement presentation to City Plans Panel on 16th April 2015. The purpose of the presentation was to update Members on the progress of the Kirkstall Forge development and the evolution of the Design Framework. Overall, Members commended the holistic approach being adopted by the applicant and were content with the approach being taken to date in relation to the phasing of the different elements of the scheme but noted that clearly, as phases were brought forward, they should be set within the overall context of the site as a whole.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised by means of a site notice as a major development. No representations to the application have been received.
- 6.2 Ward Members of Kirkstall, Bramley and Stanningley and Horsforth Wards were consulted as part of the statutory consultation process. An objection has been received from Councillor Cleasby on the grounds of 'completely inadequate car parking'. This matter is addressed fully in the report below.
- 6.3 Members are also advised that the applicant already organises a number of liaison events to keep the local community informed of progress with the Kirkstall Forge site. In addition, a specific public meeting was held on 13th April 2015 at Hawskworth Village Hall to review information regarding the progress of the Kirkstall Forge development, including specific information in relation to the proposed office development at Plot J1. The Statement of Community Involvement submitted with this application confirms that the event was advertised by the publication of a brochure, which was distributed door to door to the 2000 homes closest to the site. The brochure confirmed that the first phase of development would be the office

block proposed as part of this application. The SCI confirms that 44 people attended the event and provided their feedback with 19 people expressing an interest in living on the site, 1 person expressing an interest in the commercial space on site, 25 people expressing a general interest. A total of 18 people left more detailed feedback but these comments concerned the wider scheme rather than the J1 Reserved Matters submission.

7.0 CONSULTATIONS RESPONSES:

Statutory Consultation Responses:

- 7.1 As a Reserved Matters application for one phase of development where the principle of development and means of access has been established by the outline planning approval (11/01400/EXT) with which it is consistent, there are no statutory consultations in this instance.

Non-Statutory Consultation Responses:

- 7.2 Highways: The Council's Highways Officer initially requested further information with regard to both short and long term car parking arrangements as well as details of cycle stores and confirmation of numbers, drying stores/units for cyclists, security details for the basement car park, bin collection arrangements and a revised plan to show forward visibility and identify short stay cycle parking adjacent to the main entrance. However, as noted above, short and long-term car parking arrangements are not a matter for consideration as part of this application but rather, are required in accordance with details pursuant to Condition 10(h) of 11/01400/EXT. Details of cycling parking and bin collection are also required by Condition 10. Revised details of forward visibility have, however, been provided in accordance with the details of layout required by this application.
- 7.3 Drainage: The Council's Flood Risk Management team comments that the Reserved Matters application seeks to address issues relating to the siting of the building, the design, external appearances and the landscaping of the area. The drainage related matters are dealt with under the initial application for the overall development of the site in accordance with 11/01400/EXT and associated conditions. FRM note that the overall drainage related matters have been broadly agreed between the developer, the council and the EA and consequently, drainage related planning conditions have already been set for the development. These remain unchanged and will be dealt with under the application 11/01400/EXT. Accordingly, no additional comments are required for this Reserved Matters application as drainage related matters are not considered within this application.

8.0 PLANNING POLICIES:

- 8.1 Section 38 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 comprises the Adopted Core Strategy (November 2014), saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).
- 8.2 In its entirety, the Kirkstall Forge site comprising the boundary of the outline planning application comprises land within the main urban area. A small part of the western site is allocated as part of the existing employment supply under Policy E3A:28 and designated as Policy N38 Washland. The southern part of the site

(south of the river), including this Reserved Matters application site, is designated under Saved UDP Policy N8 as Urban Green Corridor. A small part of the site to the northern and western boundary (but not the Reserved Matters site) is also designated as Green Belt. To the south of the wide site boundary lies a designated nature reserve LNA 020 (Bramley Fall & Newlay Quarry) and the designated SSSI 009 (Leeds/Liverpool Canal).

Adopted Core Strategy

- 8.3 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are considered most relevant to the assessment of this Reserved Matters application:

Policy P10: Design

Policy P12: Landscape

Saved Policies - Leeds UDP (2006)

- 8.4 The site is unallocated within the Adopted Leeds UDP Proposals Map. However, the following saved policies within the UDP are considered most relevant to the determination of this application:

GP5: Development Proposals should resolve detailed planning considerations.

BD2: Design of new buildings.

BD5: The design of new buildings should give regard to both their own amenity and that of their surroundings.

LD1: Detailed guidance on landscape schemes.

Relevant supplementary guidance:

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

Neighbourhoods for Living SPG (Relationship to future residential development)

National Planning Policy Framework (NPPF)

- 8.6 The National Planning Policy Framework (NPPF), published on 27th March 2012, and the National Planning Practice Guidance (NPPG), published March 2014, replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.
- 8.7 The NPPF constitutes guidance for Local Planning Authorities and its introduction has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.8 The NPPF confirms that at its heart is a presumption in favour of sustainable development. For decision taking, this means approving proposals that accord with the development plan without delay and where the development plan is silent,

absent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.

8.9 The NPPF establishes at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental of which the provision of a strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations is identified as a key aspect of the social role. Within the economic role, it is also acknowledged that a strong and competitive economy can be achieved by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

8.10 Paragraph 17 sets out twelve core planning principles, including to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs and ensuring high quality design.

9.0 MAIN ISSUES

9.1 The main issues to consider in the determination of this Reserved Matters application include the following:

- i. Principle of development – Policy and Land Use;
- ii. Layout;
- iii. Appearance;
- iv. Scale;
- v. Landscaping;

9.2 As noted in the report above, for Members information, details of car parking in relation to Plot J1 are also provided within this report for information rather than assessment.

10.0 APPRAISAL

Principle of development – Policy and Land Use

10.1 The outline planning permission granted in accordance with 11/01400/EXT in April 2014 included permission for circa 16,500 square metres of Use Class B1 office accommodation with the potential to be dispersed throughout the site or concentrated around the proposed location of the railway station. This Reserved Matters application proposes 15,534 square metres of office space within Use Class B1 such that the principle of the extent of office accommodation proposed within this application is entirely within the scope of the outline planning permission and it is also compliant with the scope of the Environmental Impact Assessment approved as part of the outline permission. It is therefore determined that the principle of development is established by the outline planning permission and no further assessment of policy is necessary in this regard.

Layout

10.2 Within the Adopted Core Strategy, Policy P10 establishes a requirement for new development that is based on a thorough contextual analysis to provide good design that is appropriate to its scale and function; that respects the scale and quality of the

external spaces and wider locality and protects the visual, residential and general amenity of the area. These policies reflect guidance within the NPPF.

- 10.3 In considering the layout of Plot J1, in terms of the way in which the building is situated and orientated in relation to other buildings and spaces outside the development, this building is clearly the first phase and in this regard, it is important that Plot J1 is considered within the context of the wider design framework to ensure that it is appropriately sited in relation to adjoining public spaces and future buildings. On the basis that the closest adjoining block to the east (Plot J3) is anticipated to be in residential use as private rented apartments, the residential minimum privacy standards established within the Council's Neighbourhoods for Living document are also relevant to the consideration of this application. Neighbourhoods for Living recommend a distance of 10.5 metres between a main ground floor window to a boundary equating to 21 metres between main facing windows. It notes, however, that it is inappropriate to apply such distances without further consideration, especially of local character and in this context; it is considered that the environment of Kirkstall Forge is likely to be urban in character given the proximity to the railway station in contrast to its more suburban location.
- 10.4 In this case, the primary influences upon the layout of Plot J1 are its relationship to 'The Stitch' and how it will relate to the adjoining Plot J3 to the east.
- 10.5 'The Stitch' is identified within the Masterplan as an important connective route through the site and across the river. Plot J1 addresses this key route by positioning the main entrance to Plot J1 in the south-west corner of the building to front onto 'The Stitch' with a double height colonnaded façade to create a clear interaction with the public realm. The main core is positioned on the south elevation of the building to enable the provision of large open plan and flexible workspace. Its location to the southern elevation will also provide a direct visual and physical connection to the railway station.
- 10.6 In considering its relationship to the future Plot J3, which is anticipated to be in residential use within Use Class C3, it is noted that Plot J1 is set in 8 metres from the J1 plot boundary such that it achieves a distance of circa 20 metres from the western façade of Plot J1 to the Plot J3 boundary. The Neighbourhoods for Living SPD recommends a distance of 21 metres between main facing residential windows to protect the amenity and privacy of residential occupiers; however, this distance is guidance and regard must be had to the character of the site and the context. In this regard, it is considered that the Kirkstall Forge development will be urban in character with the potential for high-density development appropriate to a site that is in such proximity to a railway station. As such, a distance of 20 metres between an office block and residential development is broadly considered sufficient to protect future amenity with the capacity for a more detailed analysis of the relationship at the time of the submission of Reserved Matters for Plot J3.
- 10.7 Overall, it is concluded that the layout of Plot J1 has sufficient regard to the position of future development and it will provides an attractive active frontage to 'The Stitch' to deliver a building that is based upon a thorough contextual analysis in accordance with Core Strategy Policy P10 and guidance within the NPPF.

Appearance

- 10.8 Core Strategy Policy P10 also establishes a requirement for good design. This is reflected in the NPPF, which advises at Paragraph 56 that good design is indivisible from good planning and should contribute positively to making places better for

people. In considering the matter of appearance, it is to assess the aspects of the building that determine the visual impression the building makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

- 10.9 The Design Statement approved as part of the 2011 outline permission recognised Plot J1 as lying within a character area entitled 'The Commercial, including river crossing area'. In terms of appearance, the Design Statement advised that buildings within this character area should recognise that this is not a city centre location but equally, that the design should be closer to that of the city centre rather than out-of-town commercial developments. It stated that commercial buildings must provide the site with an identity and profile and, where possible, the visibility of the commercial building should outwardly express both reception and circulation spaces on the ground floor and vertical circulation.
- 10.10 In response, the appearance of Plot J1 as proposed seeks to deliver a very contemporary and ordered façade. It is a framed building that presents a very legible aesthetic with the elevational treatment reflecting the 1.5 metre internal space-planning grid with a double-height hierarchy and a clear entrance to the south-west corner. The main west facing elevation as well as a corner of the north elevation and also of the southern elevation adjacent to the main entrance incorporates a double height colonnaded façade to a depth of 2 metres to enable a clear interaction with the pedestrian spaces that the building adjoins. In addition, the façade treatment extends to fully screen the rooftop plant, which also allows for part of the roof to be available as a rooftop terrace for the future office occupiers. Such rigorous framing creates a building that is of a human scale and very reflective of its function.
- 10.11 With regard to materials, whilst Condition 23 of 11/01400/EXT requires samples of the materials for Phase 1, clarification has been sought as part of this application. It is proposed that an anodised metal frame will be utilised in a bronze / copper colour throughout with the bronze / metal detailing intended to make reference back to the industrial heritage of the site and compliment the predominant brickwork proposed elsewhere within the masterplan. Within the frame, the external façade of the building will comprise high performance glazing with the solid elements of the frame, such as the externalised form of the lift core, to be constructed in natural stone cladding system. Other solid elements, such as the shutter door to the car park to the eastern elevation, soffits and plant room louvres will be constructed in a composite cladding to match the colour of the anodised framework. A low level stone banding will also be incorporated to appropriately ground the structure.
- 10.12 Whilst a sustainability appraisal is a matter required by Condition 10 of 11/01400/EXT, Members are advised to note that Plot J1 has been designed to achieve a BREEAM rating of Excellent, as required by Core Strategy Policy EN2. This has been achieved in both a consideration of layout, appearance and materials through such measures as improving insulation to reduce heat gains and losses, optimising the size of windows and providing appropriate shading, providing good levels of daylight to reduce artificial light and using a low-energy ventilation strategy. Photovoltaic panels will also be included at roof level, the details of which will be secured in accordance with Condition 10.
- 10.13 Overall, it is considered that the Reserved Matters submission clearly demonstrates that the appearance of Plot J1 is consistent with the objectives of the Design Framework approved as part of the outline planning permission to deliver a design that is closer to the aesthetic of a City Centre office development. It clearly

expresses both reception and circulation spaces to the external facades and provides a legible and contemporary building of a very high quality that will provide an appropriate context for the delivery of adjacent blocks. It will contribute positively to place making at Kirkstall Forge as a distinctive building that is highly visible on arrival at the station such that its appearance is considered to meet the objectives of both Policy P10 of the Adopted Core Strategy and guidance within the NPPF.

Scale

- 10.14 In considering the scale of Plot J1, in terms of its height, width and length in relation to its surroundings, Saved UDP Policy BD2 advises that the design and siting of new buildings should complement and, where possible, enhance existing vistas, skylines and landmarks. In addition, Core Strategy Policy P10 advises that new development must be of a size and scale that is appropriate to its context and respects the character and quality of surrounding buildings, the public realm and the wider locality.
- 10.15 The Design Framework approved as part of the outline planning permission includes a plan of maximum storey heights. For the commercial area adjacent to the station, the plan indicates an approved range of building heights of between 7 storeys and 11 storeys indicating the potential for the delivery of taller commercial buildings at the core of the site adjacent to the railway station. However, the heights were also established with the intention of ensuring that views across the site from the higher slopes would not be prejudiced by the development of the south island; so the residential development on the north side of the river sloping up towards Abbey Road will still have the potential to look across the southern plots to the woodland beyond.
- 10.16 Plot J1 is proposed to a scale of seven storeys (including the plant and terrace area on the roof) to a height of 30 metres. Whilst lower than the scale of commercial buildings envisaged within the Design Framework, it is consistent with the scale of development envisaged on the south side of the island site and will ensure the protection of views across the valley from other parts of the site. Moreover, the height of the building is comparable with the width of the adjacent pedestrian space that Plot J1 adjoins, which is 35 metres in width; this correlation ensures that Plot J1 is not overly dominant in relation to the public realm and results in a building of a human scale. Moreover, at circa 45 metres in width and depth, the building is also proportionate in its entirety.
- 10.17 Having regard to future development, the Reserved Matters submission includes a contextual elevation which, whilst indicative, signifies the anticipated future scale of adjoining development. Indeed, this application has not been developed in isolation with the architect for Plot J1 engaged with the team responsible for masterplanning the wider site and also with forethought towards the immediately adjacent block at Plot J3 in particular, which is also intended to be developed to a height of 30 metres to deliver consistency with the Design Framework. On the basis of the above, the proposed scale of Plot J1 is considered to complement existing vistas whilst delivering a building that is appropriate to its function and context in accordance with UDP Policy BD2, Core Strategy Policy P10 and guidance within the NPPF

Landscaping

- 10.18 Policy P12 of the Core Strategy advises that the character, quality and bio-diversity of Leeds' townscapes and landscapes will be conserved and enhanced. Within the UDP, Policy LD1 provides advice on the content of landscape schemes, including

the protection of existing vegetation and a landscape scheme that provides visual interest at street level.

- 10.19 The red line boundary to Plot J1 to which this Reserved Matters application refers is drawn relatively tightly to the building edge. The office building is set-in 8 metres from the eastern boundary of the site adjoining 'The Stitch' and 8 metres from the western boundary of the plot adjoining the edge of Plot J3. To the northern and southern boundaries, a separation distance of between 2.5 metres to 6 metres between the building façade and the edge of the surrounding access road is retained. This provides limited opportunity for landscaping around the building but there is clearly a requirement to ensure that the landscape vision associated with this building in terms of soft planting and hard landscaping is reflective of the wider landscape masterplan.
- 10.20 In this context, the Design Statement approved as part of the outline planning permission in accordance with 11/01400/EXT establishes a number of general principles across the site including the retention, conservation and enhancement of the rural character of the landscape, the provision of a restrained palette of materials for hard landscaped areas, the provision of street trees to frame individual spaces and soften the built form. In addition, Condition 9 of the outline approval requires details of boundary treatments including walling and fencing before that phase of development commences whilst Condition 10 requires the submission of details of the provision and laying out of public open spaces before that phase of development commences. Condition 20 requires the submission of an overall management and maintenance strategy for the landscaped areas within the site.
- 10.21 The details required to consider landscaping as a reserved matter includes the treatment of land for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated, including boundary treatments and the planting of trees, hedges, shrubs. The landscape plan submitted with this application indicates that fronting on to the public realm that will, in the long term, become a pedestrian route through the site, Plot J1 will simply provide a high quality paving that is designed to integrate the plot with this adjoining public realm with soft landscaping provided within the public space itself rather than within the boundary of Plot J1 albeit that a series of cycle stands will be provided to this area to ensure visible provision of cycle parking. Similarly, to the southern façade, which accommodates the main entrance, it is principally detailed with a high quality paving to ensure ease of movement from the main entrance towards the station. The focus of the landscape proposals for Plot J1 are therefore to the northern and eastern facades, which are likely to have less immediate footfall where the landscape treatment can serve the function required within the Design Statement of softening the built form and enhancing the character of the landscape.
- 10.22 To the northern façade facing towards the river, the edge of the building will be detailed with ornamental shrub and grass planting, the specific details of which, in terms of species selection and plant density, will be required by a condition attached to this application. This will deliver a softer edge to the building with tree planting proposed on the opposite side of the access road adjacent to the river. The majority of landscaping in relation to Plot J1 is then focused on the eastern boundary; whilst Plot J1 has not been designed to have a rear façade as such, as all the facades will be visible, the eastern façade accommodates the entrance to the basement car park and the refuse area; it also faces the future residential block at Plot J3 such that it has the most need for landscaping to soften the built form. Tree planting is proposed to this elevation in the form of clear and multi-stemmed trees, which will

be interspersed with a mixture of ornamental grasses and shrubs. Again, the details of species selection and plant density will be required by a condition. The submitted Planning Compliance Statement advises that in developing the detailed planting proposals; it will be both respectful of local, native riverside species and ornamental planting providing bursts of colour and texture within the heart of the masterplan.

- 10.23 It is concluded that subject to a review of species and planting density, to be sought by condition, the landscape strategy proposed in relation to Plot J1 is consistent with the objectives of the originally approved Design Framework. It will soften the built form particularly having regard to the nature of the adjoining Plot J3, which will be in residential use; when viewed in the context of the wider public realm proposals, it will sufficiently enhance the landscape and provide visual interest at street level in accordance with Core Strategy Policy P12 and Saved UDP Policy LD1.

Parking strategy

- 10.24 As noted in the introduction to this report, means of access in relation to the Kirkstall Forge development, including the highway impact of the development, has already been assessed and approved in accordance with 11/01400/EXT such that it does not form a matter for consideration as part of this application. Furthermore, details of car parking and cycle parking in relation to each phase is actually required for submission as part of Condition 10(h) of 11/01400/EXT and will therefore be determined as the subject of a separate discharge of condition application as noted above. However, details of parking provision for Plot J1 and how relates to the wider parking strategy within the site is provided for Members information.
- 10.25 The detailed plans for J1 indicate the provision of 54 car parking spaces (including three spaces for people with a disability) within the basement of the building, accessed via a roller shutter door to the eastern elevation. The visibility splays onto the adjoining loop road have been amended in the course of the application to ensure that appropriate visibility can be achieved. In addition, provision for 90 cycles is made within the basement including a separate male and female changing area with cycle lockers and showers.
- 10.26 In addition, the applicant recognises the need to provide sufficient car parking within the site such that provision is proposed at a ratio of 1 space per 33 square metres gross external area of office floorspace, which is the maximum standard supported by the Council's Parking SPD. For 15,534 square metres, this generates a maximum of 470 spaces.
- 10.27 The Design Framework approved as part of the outline application includes a broad parking strategy and identified that a total of 2175 car parking spaces would be provided across the site. It acknowledged that the concept for the Kirkstall Forge development is based around a sustainable community such that the mix of uses is designed to realise an environment that combines a significant degree of a live/work/play ethic and the strong possibility that residents of the site may undertake all these activities without leaving the site boundaries. It also acknowledges that the commercial space is well served by public transport routes, further reducing the dependence on the private car. The Framework accepts, however, that it is unrealistic to suggest that private car use into and out of the site will be radically changed such that it identifies the need for a design code to prioritise the concealment of cars wherever practical. It also acknowledges the need for short term parking to serve future shopping facilities and a concealed multi-storey to serve the influx of site population generated by the commercial uses. The long-term vision for the provision of car parking to serve the commercial

development within the site is therefore the provision of a multi-storey car park most likely to be provided in a single location on the southern side of the river with the current preferred location being land to the west of the temporary station car park at Plots K1 and K2.

- 10.28 In the interim, the proposed short-term solution is to deliver the balance of the 470 spaces that cannot be accommodated with the basement of the building – a total of 418 spaces on temporary car park sites in the vicinity of Plot J1. The applicant is currently considering one of two options – utilizing the open land to the west of the temporary station car park (identified as Plots K1, K2 and L1 on the Masterplan) to deliver 416 spaces or on land to the east of ‘The Stitch’ on the north side of the river (Plots E1, C1, C2 and C3), which can also deliver 418 spaces. Both car parks would be compliant with the Council’s maximum parking standards for office development and are provided in addition to and separate from the temporary station car park.
- 10.29 The information provided by the applicant and a requirement for the details to be approved in accordance with Condition 10(h) is considered to provide sufficient assurance that Plot J1 is appropriately accessible and an informative is proposed to ensure provision in accordance with the maximum ratio above.
- 10.30 Notwithstanding the provision of car parking, it is also relevant to note that Plot J1 is located adjacent to the Kirkstall Forge Railway Station, which will connect the site to both Leeds City Centre (6 minutes) and Bradford with two trains in either direction at peak hours and one train during off-peak hours as well as being accessible to bus services on the A65. For pedestrians moving around the site, Plot J1 is bounded by pedestrian walkways. The main pedestrian route is envisaged to the north of the plot, which will link with the River Walkway that will run along the south bank of the River Aire. ‘The Stitch’, between Plot J1 and Plots K3-K4 will ultimately become a pedestrian zone as noted above, which will connect the site with the station to the south and ‘The Stitch’ to the north. A pedestrian pathway is also provided along the northern elevation of the building, which will link to a crossing taking pedestrians to the future residential development at Plots J3 and J4. The above is therefore considered to demonstrate that full consideration has been given to the connectivity of Plot J1 in both the short term and the long term.

Noise Report

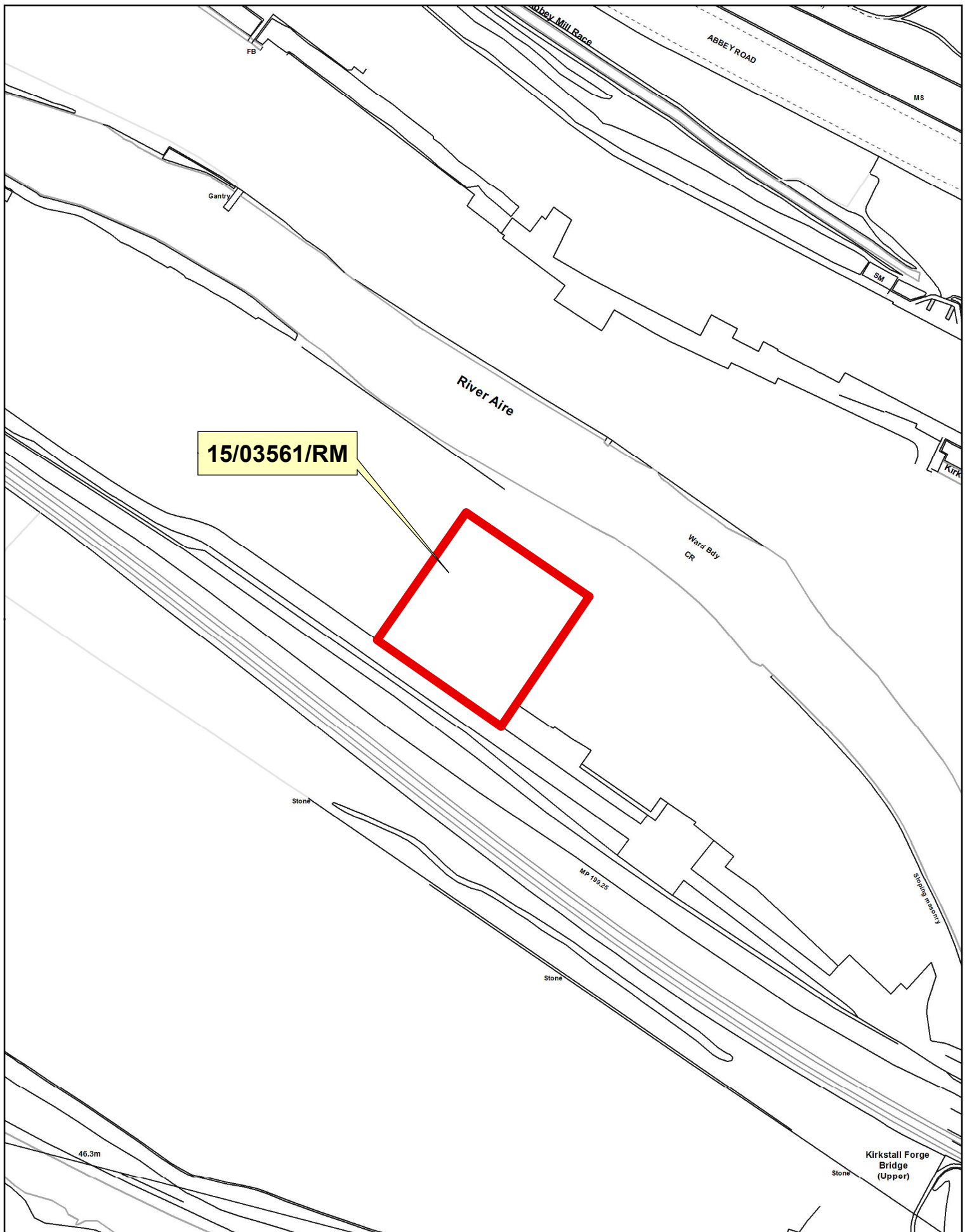
- 10.31 It is noted that the Reserved Matters application includes the submission of an Acoustics Planning Report to determine the existing ambient and background noise levels around the proposed site. The Acoustics Report has been prepared with reference to the Council’s Guidance Document ‘Noise Design Advice” (April 2007). The report concludes that Plot J1 is exposed to low levels of background noise from Abbey Road but regular peaks, in the region of 70-80dB L_{Amax} due to the regular passage of trains. Furthermore, levels of vibration are not expected to be of concern to future occupants due to the separation distance between the building and the railway track. In addition, the Acoustics Report notes that the office is targeting points under BREEAM such that specific internal noise levels must be met, which are considered to be achievable. A condition is proposed, however, to require glazing to comply with the recommendations of the submitted Acoustics Planning Report.

11.0 CONCLUSION

- 11.1 This is a Reserved Matters application to consider details of appearance, layout, scale and landscaping as required by Conditions 1, 2 and 3 of 11/01400/EXT pursuant to the first phase of development within the Kirkstall Forge site – a seven-storey office block (Plot J1) to provide 15,534 square metres of Grade A office space within Use Class B1.
- 11.2 Means of access in relation to the Kirkstall Forge development, including the highway impact of the development, was assessed and approved in accordance with 11/01400/EXT such that it does not form a matter for consideration as part of this application.
- 11.3 The extent of and location of the office accommodation proposed within this application is entirely within the scope of the outline planning permission 11/01400/EXT. It is therefore determined that the principle of development is clearly established by the outline permission and no further assessment of policy or principle is necessary in this regard.
- 11.4 It is concluded that the Reserved Matters application sufficiently demonstrates that the layout of Plot J1 has sufficient regard to the position of future development. It will provide an appropriate frontage to 'The Stitch' and have sufficient space around it to ensure an appropriate relationship with future development. The scale of development is also considered to complement existing vistas and deliver a building that is appropriate to its function and context.
- 11.5 With regard to its appearance, the architectural approach to Plot J1 is considered to deliver a high quality contemporary office building that is appropriate to its location and purpose. It will contribute positively to place making at Kirkstall Forge as a distinctive building and establish the context for future development in accordance with UDP Policy BD2, Core Strategy Policy P10 and guidance within the NPPF.
- 11.6 The landscaping strategy to Plot J1 is consistent with the objectives of the originally approved Design Framework and subject to a review of species and planting density to be sought by condition it will sufficiently enhance the landscape and provide visual interest at street level in accordance with Core Strategy Policy P12 and Saved UDP Policy LD1.
- 11.7 The Reserved Matters application is therefore considered to sufficiently meet the objectives of up-to-date policies within the Development Plan. It is also concluded that the details of scale, appearance, layout and landscaping submitted for this application demonstrate that Plot J1 will meet the intentions of the Design Framework approved in accordance with the outline planning permission 11/01400/EXT. It will enable the evolution of a strong urban structure within the site and contribute to the objective of achieving a high quality aesthetic with buildings that are that 'robust and timeless, making reference to the local architectural heritage yet interpreted in a contemporary manner'. For the reasons set out in the report above, the application is recommended for approval subject to conditions.

Background Papers:

Application and history files.
Certificate of Ownership



SOUTH AND WEST PLANS PANEL



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Originator: Tony Clegg

Tel: 0113 2478020

Report of the Chief Planning Officer

SOUTH AND WEST PLANS PANEL

Date: 17th September 2015

Subject: Application Number 15/02901/OT – Outline application for residential development of up to 66 dwellings – Horsforth Campus, Calverley Lane, Horsforth

APPLICANT	DATE VALID	TARGET DATE
Leeds City College	28 May 2015	27 August 2015

<p>Electoral Wards Affected:</p> <p>Horsforth</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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POSITION STATEMENT
 This application is presented to the Panel for information and in order that members have the opportunity to comment on the proposals prior to the application being referred back to the Panel for a decision. Comments are invited from the Panel generally and with specific regard to the bullet point questions at the end of this report.

1.0 INTRODUCTION:

- 1.1 This report relates to a current proposal for housing development on part only of the Leeds City College Horsforth Campus site. The application will be referred back to this Panel for a decision but is before the meeting today for information and to seek the views of the Panel. Leeds City College is undertaking a rationalisation of its sites which would involve the closure and disposal of some sites including this one and re-investment of capital receipts in those remaining.

- 1.2 The Panel is advised that this application site and the wider Horsforth Campus site are proposed as a housing site in the LDF site allocations plan, a proposal which was approved by the Council’s Executive Board on 15 July 2015.

2.0 PROPOSAL:

- 2.1 The application is in outline and proposes the demolition of the existing college buildings and a residential development. An indicative site layout plan shows a development of 66 houses and a mix of detached, semi-detached and terraced house types. Within the Design and Access statement is also shown a number of indicative street scenes showing two-storey dwellings with parking provided to the sides of properties such that car parking can be accommodated to the sides of the houses and a 3m gap between properties is maintained. In the written statement however it is indicated that the scheme could provide 'a range of storey heights including 2, 2.5 and 3 storeys.
- 2.2 It is important to note that it is not the whole of the campus site which is proposed for housing under this site, but a part only of the current campus site basically comprising the footprint of the existing college buildings.

3.0 SITE AND SURROUNDINGS:

- 3.1 The campus site lies to the South-West of Horsforth centre adjacent to the A6120 Ring Road which forms the western boundary of the site. The site is reached along Calverley Lane which joins the A65 close to the Ring Road/A65 roundabout. This serves a number of residential properties and Horsforth Cemetery which abuts the site to the east. To the south of the campus site is an area of woodland, Swaine Wood, the railway line and the river Aire.

The site itself comprises a mixture of college buildings, mainly two storey, of post-war construction, and areas of car parking interspersed with grassed areas and mature trees. These buildings include teaching buildings and greenhouses and polytunnels and quasi agricultural buildings used in connection with horticultural teaching at the college. To the northern part of the campus site is a grass playing pitch and to the southern area the land is open and treed and contains a pond. These areas are outside of the area of the current application site

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant has had regular meetings with the local planning authority and held a public consultation event on Wednesday 15 April 2015 at the Campus site. Letters and emails of invitation to the event were sent to Councilors and Local Interest Groups and site notices were displayed and a press advert placed in the Wharfedale and Aireborough Observer. The applicant advises that around 60 people attended and 21 consultation response forms were received. Of those respondents 4 agreed that the site was suitable for new housing, 12 did not and 5 were unsure

6.0 PUBLIC/LOCAL RESPONSE AND CONSULTATIONS:

6.1 The application was advertised by press and site notices as a Departure from the Development Plan. The following comments have been received –

Horsforth Ward Members Councillor Chris Townsley and Councillor Brian Cleasby have objected to the application on grounds that:

- the site should be retained in educational use considering the amount of new build dwellings approved in the area
- The access is unsuitable to serve residential use including commuter traffic and bin collections
- Further allocation of greenfield sites for residential use in the area will lead to a need for a new school
- What consideration has been given to traffic flow modelling for the reconfigured roundabout nearby?
- The Calverley Lane/A65 is already problematic and is unsuited to further traffic pressures

Councillor Dawn Collins has commented to the effect that the height of new buildings should not represent an increase over the scale and height of the existing buildings on the site

There have been 14 letters of objection from local residents and Horsforth Civic Society on grounds of

- Access and congestion issues including pressure of traffic on Calverley Lane, backing-up of traffic on Victoria Mount, rat-running through the Victorias and risk to children living in the area and attending Newlaithes primary school.
- Overcrowding of local schools and pressure on medical and dental services
- The site should be reserved for school use
- Harmful impact on the landscape and on the ecology of the area

Environment Agency: The application falls outside the scope of applications the EA wishes to be consulted on

Mains Drainage: Further investigation as to the feasibility of infiltration drainage are needed as otherwise a second surface water pumping station may be required to drain the lower areas of the site. Conditions to address this and other drainage matters are recommended.

Yorkshire Water: No objections subject to conditions

Coal authority: The site is likely to be affected by past coal workings. Conditions to secure mitigation of this are recommended. The applicants should consider wherever possible removing remnant shallow coal.

Highways: Further information is required concerning trip generation.

Sport England: No objection subject to a condition to safeguard the playing field and sports facilities at the detailed application stage.

Education – Has commented to the effect that schools in the Horsforth Area surrounding this development are already under pressure to provide enough places to meet current demand for places and that CIL funding would be sought to increase local schools capacity

7.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Local Development Framework Core Strategy (2014), those policies saved from the Leeds Unitary Development Plan (Review 2006) (UDP) and the Natural Resources and Waste Local Plan.

7.2 The Local Development Framework Core Strategy was adopted by the Council on 12th November 2014. The following policies contained within the Core Strategy are considered to be of relevance to this development proposal:

7.3 The following Core Strategy policies are relevant:

Policy P9 – Community facilities and other services

Policy P10 – Design

Policy P11 – Conservation

Policy P12 - Landscape

Policy T2 – Accessibility requirements and new development

Policy H2 – New housing development on non-allocated sites

Policy H4 – Housing mix

Policy H5 – Affordable housing

Policy H8 -Developments of 50 or more dwellings are expected to make a contribution to supporting needs for Independent Living. Smaller developments may contribute through e.g. provision of bungalows or level access flats

Policy G4 – New greenspace provision

7.4 The following saved UDPR policies are relevant:

Policy GP5 – General planning considerations

Policy GB7 – Major developed sites in the Green Belt

Policy BD6 – Alterations and extensions

Policy N19 – Conservation Areas and development

Policy N14 – Listed Building preservation

7.5 Supplementary Planning Guidance

- SPG3: Affordable Housing;
- SPG4: Greenspace Relating to New Housing Development;
- SPG11:Section 106 Contributions for School Provision;
- SPG13: Neighbourhoods for Living;
- SPD Public transport improvements and developer contributions;
- Street design guide SPD, and
- Travel plans SPD (Draft).
- Horsforth Design Statement 2010

7.6 Government Guidance

The National Planning Policy Framework was issued at the end of March 2012 and is a material planning consideration. The NPPF sets out up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 7.5 Paragraphs 69 and 74 deal with matters relating to health and wellbeing and existing recreation facilities. Paragraph 74 states that: Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Paragraph 89 advises that limited infilling or the redevelopment of brownfield land in the Green Belt may be appropriate where it would not have a greater impact on the openness of the Green Belt.

8.0 MAIN ISSUES:

Residential development of the site
LDF Site Allocations Plan background
Loss of educational use of the site
Affordable housing and housing mix
Access and highway safety
Travel Planning
Sport England Comments
Indicative design and layout
Greenspace /Landscaping
The S106 package

9.0 APPRAISAL:

- Residential development of the site
- 9.1 The site is one of only two sites in the Leeds district to be identified as a 'Major Developed Site in the Green Belt' – the other being the former High Royds hospital site at Menston. Under policy GB7 of the UDPR, alternative uses and some infill development may be acceptable subject to the development having no greater impact on the purposes of the Green Belt than existing development and that it would contribute to the objectives of the Green Belt. Amongst other considerations, the height of new development should not exceed that of the existing buildings and there should be no major increase in the developed proportion of the site. This policy is consistent with more recent policy guidance in the NPPF

Images and drawings will be shown at the Panel meeting which show the extent of existing buildings coverage and an indicative layout of 66 dwellings. The applicant's figures indicate that the existing buildings have a combined footprint of 6800m² and that the proposed buildings have a footprint of 5280m². The extent of hard surfacing and overall volume of buildings would be reduced.

LDF Site Allocations Plan background

9.2 The wider campus site is proposed for housing in the LDF Site Allocations Plan –

Site reference HG2-43
Site Capacity 206 units
Site Area 7.85 HA
Phase 2

Nearby this site at Broadway and Calverley Lane is a smaller proposed housing site

Site Reference HG2-42
Site capacity 18 Units
Site Area 0.57HA
Phase 2

On the opposite side of the Ring Road is a substantial site proposed for residential and school use:

Site Reference HG2-41
Site Capacity 777 units
Site Area 36.3 HA
Phase 1

Part of the site should be retained for a school. This should contain a through school with 2 form entry primary and 4 form entry secondary

These allocations are proposals only at this stage and have yet to go through the formal consultation and Inquiry stages and can be afforded limited weight.

Loss of educational use of the site

9.3 Policy P9 of the adopted Core Strategy states that where proposals for development would result in the loss of an existing facility or service (including education facilities), satisfactory alternative provision should be made elsewhere within the community if a sufficient level of need is identified. The College has been invited to provide a fuller explanation of their strategic plans and proposals and advice on the proposed relocation of the courses currently being run from this and has responded as follows:

Leeds City College has been pursuing an estates strategy of improvement and consolidation over a number of phases since it was formed from the merger of three colleges in April 2009. The merger was based on a promise from the Learning and Skills Council (LSC) of £250m to create a single site college in Leeds. The promise of this capital meant that the LSC did not provide maintenance capital for the three colleges in the period preceding merger. Unfortunately, the capital funding did not materialise because of the LSC's well-publicised miscalculation of its capital funding and the College has grappled with managing too many, poorly maintained buildings since that date, with limited capital availability and little revenue for even routine maintenance. This has resulted in the systematic disposal of poorer quality buildings, the proceeds from which are then reinvested in the sites that are being preserved. The final vision for the College estate is that we have three campuses – in Keighley, at the Printworks on the Hunslet Road and on a remodeled Park Lane site. The disposal of the Horsforth site (a decision facilitated by the condition of the building and the likely disposal proceeds) will partly fund the completion of the Printworks and partly contribute to remodeling the Park Lane site. Governors are

charged with obtaining best value from asset disposals, for reinvestment in College assets.

Students studying at Horsforth attend from across the Leeds City Region and beyond and are by no means local to Horsforth. They are predominantly adult students and study a range of courses including Land Based, Public Services, Trade Union Studies, Teacher Education Access and Higher Education. The land based provision is transferring to Askham Bryan College, a specialist land based college, from August 2015. This will provide better facilities for land based students in Leeds, as Askham Bryan are planning a local centre within Leeds but then offering progression opportunities to their campus in York, a strategy that has worked well for them in other parts of the North of England. The other provision will relocate to other parts of the College, principally to the Park Lane and College House sites. As we have been compelled by government funding cuts to reduce our adult provision, it is felt that this can be accommodated and that the College estate will then be closer to its ideal size, rather than being significantly over what is required.

Housing mix, affordable housing and Independent Living

- 9.4 Core Strategy Policy H4 – Housing Mix – aims to ensure that new housing delivered in Leeds is of a range of types and sizes to meet the mix of households expected over the Plan Period. The applicant advises that it is ‘expected’ that the proposed development will include 2, 3, and 4 bed units. This is a matter which can be dealt with through a planning condition requiring a range of house types and sizes.
- 9.5 The site is within Affordable Housing Zone 1 and as the proposal is for over 10 dwellings and therefore policy H5 of the Core Strategy normally expects that 35% affordable housing is provided. As the scheme is based on an indicative development of 66 units the council would expect 23 Affordable Housing units (35% of 66 units) 40% of which should be disposed of to households on lower quartile earnings & 60% to households on lower decile earnings. The Council’s Housing Growth team recommends the following mix

13x 2 bedroom houses
8x 3 bedroom houses
2x 4 bedroom houses

The units should be sold to a Registered Provider on the council approved list at benchmark prices.

The Housing Growth Team advises that there is demand in the area from families with a disabled family member hence it would be beneficial once a selected developer has been chosen for the site, to work closely with a Registered Provider & the council at an early stage of the process to develop 1 or 2 of the units to meet the needs of these families which could include bungalows. There is also an opportunity to develop a selection of older person accommodation units.

Policy H8 of the Core Strategy states that:

Developments of 50 or more dwellings are expected to make a contribution to supporting needs for independent Living. Very large scale development will have

potential to provide sheltered schemes, as part of a wide housing mix. Smaller developments may contribute in other ways, including provision of bungalows or level access flats. Sheltered and other housing schemes aimed at elderly or disabled people should be located within easy walking distance of town or local centres or have good access to a range of local community facilities. LDF Allocations Documents should seek to identify land which would be particularly appropriate for sheltered or other housing aimed at elderly or disabled people.

The applicant recognizes that the application will need to satisfy this policy and that an appropriate condition would be attached to any grant of planning permission.

Access and highway safety

- 9.6 Although the Highway Authority has requested further information regarding trip generation at residential peak hours, the position of the Highway Authority is likely to be that the use of the site for residential purposes will not exacerbate existing highway problems beyond those which occur as a result of the current college use.

Travel Planning

- 9.6 The Travelwise team has advised that the scheme should include provision for a Travel Plan and a fee and for Residential Metrocards

The West Yorkshire Combined Authority (Metro) comments that the Clariant Development funds a shuttle service that operates between the Clariant Works site and Horsforth Station. There is an opportunity for this development to provide funding towards provision of a stop for this site and for an extension of its current funded period.

Sport England Comments

- 9.7 Although it is excluded from the area of the current application, the campus site includes a grass playing pitch and Sport England's comments require a condition to secure the continuing use of the playing field and sports facilities. Sports England has advised that it will oppose the granting of planning permission which would lead to the loss of all or part of a playing pitch unless one of 5 exceptions applies. The applicant has been asked to provide details of the ongoing maintenance and usage of the sports pitch and details of what other sports provision including changing facilities exist in the current college buildings, and has responded as follows:

The proposal would meet Sport England's test E3 for loss of a playing pitch:

E3 - The Development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch; or

In that the proposal is an outline application for the redevelopment of the existing developed portion of the site and as such only affects land incapable of forming part of a playing pitch. Importantly in this context the area subject to the outline application excludes the current playing pitch from the red line site boundary and therefore, the current proposal in itself cannot lead to the loss of the ability to use the playing pitch. We acknowledge however, that the future use of the playing pitch will need to be considered in due course given the Colleges programme of rationalisation across the City and the fact that Horsforth Campus will close and the College will fully vacate the site in 2016. We have set the context to this below.

Pitch Background

The College football team has historically used the playing pitch, with others in the City, as part of its partnership with Farsley AFC. Over the three years of partnership

with Farsley AFC the College has run three U19 teams and one over 19s team. Home games have been held at a combination of the Horsforth Campus site and at Farsley AFC and whilst the playing pitch can still currently be used, once the College fully vacate the site in 2016 there will be no College site presence or management and the playing pitch facility will no longer be available for the College to use. As you are aware the current College courses which run from Horsforth Campus will be relocated to other campus sites, which the College will set out in detail in a separate statement. Equally, as we understand the position, the College football team will continue to play under the banner of Farsley AFC but only use Farsley AFC facilities for home games in the future.

Longer Term Strategy

The longer term future of the Horsforth Campus playing pitch will be considered as part of the wider site disposal strategy. As you are aware this outline application follows earlier submissions made by WYG on behalf of the applicant in relation to the emerging Site Allocations Development Plan Document (DPD). In this context the full extent of the Horsforth Campus site (7.8ha) has been promoted as a larger housing allocation/development than currently proposed in this outline application and has recently been confirmed as a proposed allocation for the forthcoming Site Allocations consultation later this year (Site reference HG2-43 (5009)). We consider the Site Allocations will be the appropriate stage to address the potential loss of ability to use the playing pitch, having regard for the existing and emerging policy framework.

Sport England has further responded to this response to the effect that whilst it is acknowledged that the application site does not include the playing pitch itself:

- The ancillary facilities such as changing rooms are within the application site buildings and would be lost.
- No details of the replacement of the sports facilities at the consolidated sites in Keighley or Hunslet have been provided
- In order to satisfy Sport England and NPPF para.74 there needs to be a robust assessment of current and future supply of Sports Pitches. Sport England is working with the Council on producing a Playing Pitch Strategy but the final report is not expected to be published until summer 2016
- There is no evidence to demonstrate that the Farsley pitches have sufficient capacity to support the 4 jointly run college teams.

To resolve this matter in the context of this application officers will be likely to recommend - when the application is brought to the Panel for determination – a condition along the lines recommended by Sport England.

Indicative design and layout/ Greenspace /landscaping and ecology

9.8

The application is in outline only with all matters other than the means of access to the site being reserved for subsequent approval. An indicative layout showing a development of 66 houses has however been submitted as part of the Design and Access statement. This will be shown at the meeting as part of the presentation. The applicant's Design and Access Statement indicates that the development would provide a range of units from 2 to 5 bedrooms in terraced, semi-detached and detached forms and storey heights of 2, 2.5 and 3. The scale of the development and its impact on the openness of the Green Belt relative to the existing buildings would be a key consideration of any detailed scheme.

The applicant indicates that the scheme would satisfy Core Strategy policy G4's requirement for 80m² of on site Greenspace and indicative masterplans show a layout incorporating an interconnected network of green spaces and potential retention of the existing pond to the southern end of the site. There is significant tree cover within the site and any detailed scheme would need to be designed with careful regard to tree retention and ecological mitigation.

Community Infrastructure Levy/ S106 matters

9.9 The Panel is advised that this development would not be liable to pay the Community Infrastructure Levy as the houses would replace existing buildings in active use of a greater floor space than the residential floor space proposed. A S106 agreement may be required to cover the following matters:

- Affordable housing
- Future management of the retained sports pitch and open green areas
- Metrocards and travel plan monitoring fee
- Off-site highway works

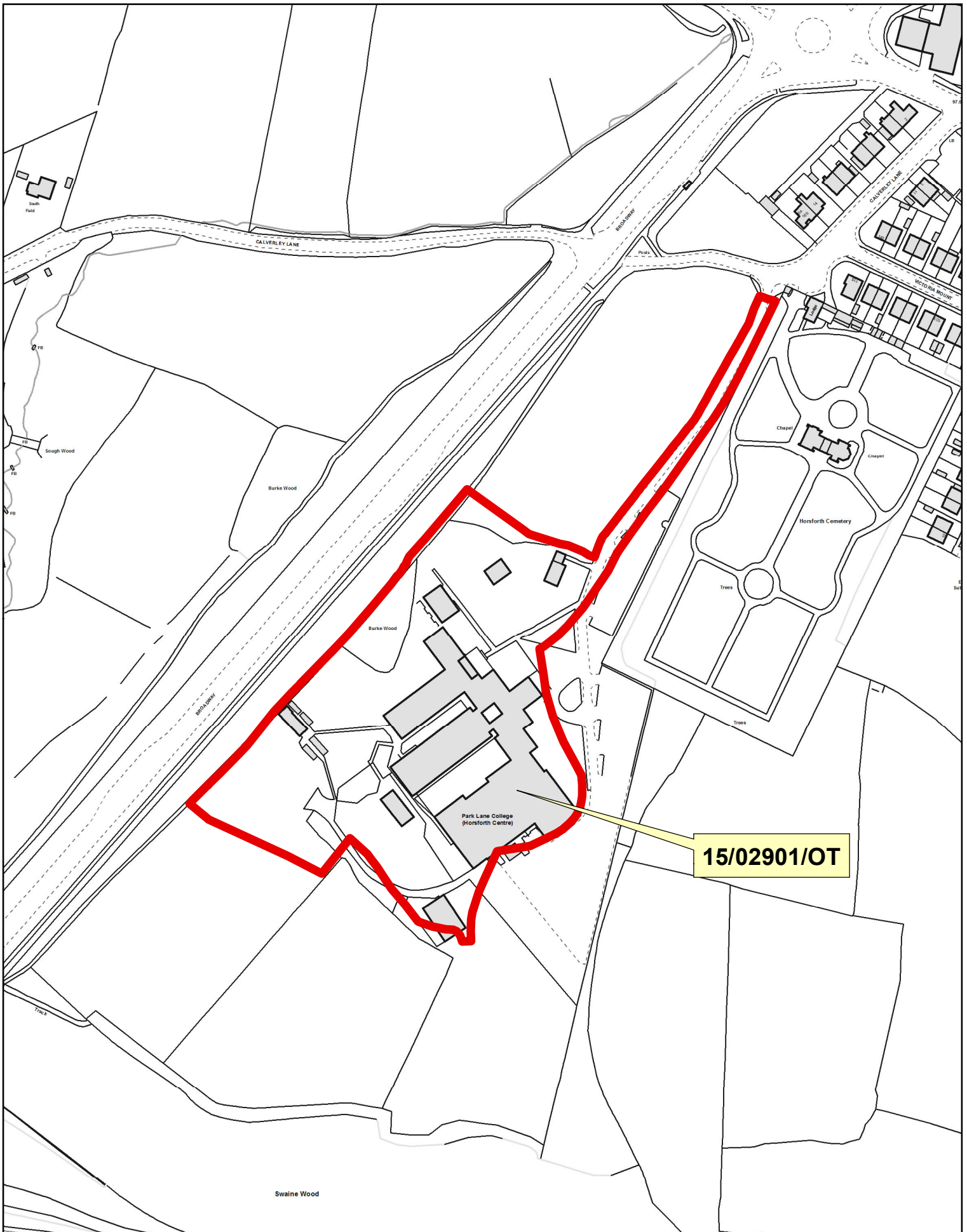
10.0 **CONCLUSION**

10.1 Comments from the Panel are invited, in general, and with specific regard to the following matters:

- **Does the Panel support the principal of residential development of the site?**
- **Does the Panel have any comments on scale, design and landscape matters?**
- **Does the Panel have any comments on Housing mix and the provision of affordable housing including housing for Independent Living?**
- **Is the Panel content with the proposed means of access to the site?**
- **Does the Panel have any comments on the medium and longer term management of the surrounding open areas and the sports pitch? In this context it cannot be assumed that the proposed allocation of the wider site for housing will go ahead as this proposed allocation is subject to consultation and Public Inquiry. Even then, the site is proposed as a 'Phase 2' site which would be brought forward only as required to maintain a 5 year supply of housing land.**

Background Papers:

Planning application file



15/02901/OT

SOUTH AND WEST PLANS PANEL



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