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## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 9th June, 2016  
at 1.30 pm

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### MEMBERSHIP

#### Councillors

P Gruen  
N Walshaw  
J McKenna  
(Chair)  
A Khan  
A Garthwaite  
J Heselwood  
B Selby  
C Macniven

C Campbell

R Procter  
G Latty

T Leadley

D Blackburn

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**Agenda compiled by:  
Phil Garnett  
Governance Services  
Civic Hall  
Tel: 0113 395 1632**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT LETTER</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	

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5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence.</p>	
6			<p><b>MINUTES - 12TH MAY 2016</b></p> <p>To receive and approve the minutes of the meeting held on 12<sup>th</sup> May 2016.</p>	3 - 8
7	City and Hunslet		<p><b>PLANNING APPLICATION 16/01115/FU - FOR A MIXED USE DEVELOPMENT ACROSS THREE BUILDINGS, COMPRISING RESIDENTIAL APARTMENTS (USE CLASS C3), FLEXIBLE OFFICE (USE CLASS B1) OR FOOD AND DRINK (USE CLASS A3), D1 (CLINICS AND HEALTH CENTRES), UNDERCROFT PARKING AND ASSOCIATED LANDSCAPING, AT GRANARY WHARF CAR PARK, WHARF APPROACH, HOLBECK, LEEDS, LS11 5PY.</b></p> <p>To receive a report of the Chief Planning Officer detailing a Planning Application 16/01115/FU - for a mixed use development across three buildings, comprising residential apartments (use class C3), flexible office (use class B1) or food and drink (use class A3), D1 (Clinics and health centres), undercroft parking and associated landscaping, at Granary Wharf Car Park, Wharf Approach, Holbeck, Leeds, LS11 5PY.</p>	9 - 34
8	City and Hunslet		<p><b>PLANNING APPLICATION - 16/02175/FU : DEMOLITION OF EXISTING BUILDING AND ERECTION OF PART 6, PART 8 STOREY STUDENT ACCOMMODATION BUILDING COMPRISING 96 STUDIO APARTMENTS, ANCILLARY STUDENT AMENITY AREAS AND TWO COMMERCIAL UNITS IN A1, A2 OR A3 USE, 67-83 COOKRIDGE STREET, LEEDS 2</b></p> <p>To receive a report of the Chief Planning Officer detailing Planning Application - 16/02175/FU : Demolition of existing building and erection of part 6, part 8 storey student accommodation building comprising 96 studio apartments, ancillary student amenity areas and two commercial units in A1, A2 or A3 use, 67-83 Cookridge Street, Leeds 2.</p>	35 - 52



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9	Cross Gates and Whinmoor		<p><b>PLANNING APPLICATION 12/02571/OT – OUTLINE APPLICATION FOR MEANS OF ACCESS AND ERECTION OF RESIDENTIAL DEVELOPMENT (CIRCA 2000 DWELLINGS), RETAIL, HEALTH CENTRE, COMMUNITY CENTRE AND PRIMARY SCHOOL DEVELOPMENT, WITH ASSOCIATED DRAINAGE AND LANDSCAPING ON LAND BETWEEN WETHERBY ROAD, SKELTONS LANE AND YORK ROAD, LEEDS,LS14.</b></p> <p>To receive a report of the Chief Planning Officer detailing Planning Application 12/02571/OT – Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road, Leeds,LS14.</p>	53 - 128
10	City and Hunslet		<p><b>PRE-APPLICATION PRESENTATION (PREAPP/16/00210) - THE PROPOSED ERECTION OF A 7 STOREY OFFICE BUILDING AT LEEDS CITY OFFICE PARK, MEADOW LANE, LEEDS 11</b></p> <p>To receive a report of the Chief Planning Officer which details a pre-application presentation (preapp/16/00210) - the proposed erection of a 7 storey office building at Leeds City Office Park, Meadow Lane, Leeds 11.</p>	129 - 138
11	City and Hunslet		<p><b>PREAPPLICATION PREAPP/16/00017- FOR PART DEMOLITION AND CONSTRUCTION OF AN ELEVEN STOREY RESIDENTIAL BUILDING (WITH THE RETENTION OF THE MAIN BUILDING OF NO.17 WELLINGTON STREET) 17 WELLINGTON STREET, LEEDS, LS1 4DL</b></p> <p>To receive a report of the Chief Planning Officer detailing Preapplication PREAPP/16/00017- for part demolition and construction of an eleven storey residential building (with the retention of the main building of No.17 Wellington Street) 17 Wellington Street, Leeds, LS1 4DL</p>	139 - 146

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12	City and Hunslet		<p><b>PREAPP/16/00067 - PRE-APPLICATION PRESENTATION FOR THE FIRST PHASE RESIDENTIAL BUILDING PURSUANT TO OUTLINE PERMISSION (14/05976/OT – MIXED USE OFFICES AND RESIDENTIAL/HOTEL BUILDING) AT THE EASTERN END OF THE SITE BOUNDED BY WELLINGTON ST AND WELLINGTON BRIDGE ST (FORMERLY YORKSHIRE POST).</b></p> <p>To receive a report of the Chief Planning Officer detailing PREAPP/16/00067 - Pre-application presentation for the first phase residential building pursuant to outline permission (14/05976/OT – mixed use offices and residential/hotel building) at the eastern end of the site bounded by Wellington St and Wellington Bridge St (formerly Yorkshire Post).</p>	147 - 158
13			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>1.30pm Thursday 31<sup>st</sup> July 2016.</p>	

**Third Party Recording**

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

Use of Recordings by Third Parties– code of practice

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

To all Members of City Plans Panel

**Planning Services**  
The Leonardo Building  
2 Rossington Street  
Leeds  
LS2 8HD

Contact: Daljit Singh  
Tel: 0113 247 8010  
daljit.singh@leeds.gov.uk

Our ref: City Site Visits  
Date: 27.5.2016

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 9<sup>th</sup> June 2016**

Prior to the meeting of City Plans Panel on Thursday 9<sup>th</sup> June 2016 the following site visits will take place:

Time	Ward	Site
9.30-9.50 am	City & Hunslet	Former Yorkshire Post site. PREAPP/16/00067
10.00-10.20am	City & Hunslet	17 Wellington Street. PREAPP/16/00017
10.30-10.50am	City & Hunslet	Granary Wharf Car Park. Application reference: 16/01115/FU
11.00-11.20am	City & Hunslet	Leeds City Office Park. PREAPP/16/00210
11.30-11.50am	City & Hunslet	67-83 Cookridge Street. Application reference:16/02175/FU

For those Members requiring transport, a minibus will leave the Civic Hall at 9.20 am prompt. Please notify Daljit Singh (Tel: 247 8010) if you wish to take advantage of this and meet in the Ante Chamber at **9.15 am at the latest**.

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 12TH MAY, 2016

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

Councillors P Gruen, R Procter,  
D Blackburn, S Hamilton, G Latty,  
T Leadley, C Campbell, A Khan, K Ritchie,  
E Taylor, S McKenna and B Selby

**Apologies** N Walshaw

### 131 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

### 132 Exempt Information - Possible Exclusion of Press and Public

There were no resolutions to exclude the public.

### 133 Late Items

There were no late items submitted for consideration.

### 134 Declarations of Disclosable Pecuniary Interests

No declarations were made.

### 135 Apologies for Absence

Apologies for absence were received from Councillor Walshaw. Councillor Selby was in attendance as substitute.

### 136 Minutes - 24th March 2016

**RESOLVED** – That the minutes of the meeting held on the 24<sup>th</sup> March 2016 be approved as a correct record. Subject to the following amendments:

From.

**Minute No 125. “Application Number 15/04151/FU, Residential development of 270 houses with associated roads and infrastructure at Tyersall.**

**RESOLVED** – The Panel resolved to defer and delegate approval to the Chief Planning officer subject to the conditions and obligations in the section 106 agreement being finalised as set out in the submitted report and asked that

Draft minutes to be approved at the meeting  
to be held on Thursday, 9th June, 2016

the commuted sum to Bradford Council regarding highway works and the bridge be tracked and that the timing of the works be considered.”

To.

**Minute No 125. “Application Number 15/04151/FU, Residential development of 270 houses with associated roads and infrastructure at Tyersall Lane, Tyersal.**

**RESOLVED** – The Panel resolved to defer and delegate approval to the Chief Planning officer subject to the conditions and obligations in the section 106 agreement being finalised as set out in the submitted report and asked that the commuted sum to Bradford Council regarding highway works and the bridge be tracked and that the timing of the works be considered. Furthermore that the viability to be reviewed at the provision of the 90<sup>th</sup>, 180<sup>th</sup> and 270<sup>th</sup> houses.”

From

**Minute No 128. “16/00176/ADV - One illuminated rooftop sign, 16/00173/ADV – Eight illuminated signs, 16/00177/ADV - One illuminated projecting blade sign.”**

To

**“16/00176/ADV - One illuminated rooftop sign, 16/00173/ADV - Eight illuminated signs, 16/00177/ADV - One illuminated projecting blade sign.**

**AT: John Lewis, Unit 45 Victoria gate, Harewood Street Leeds LS2 7AR”**

## **137 Matters Arising**

### Housing and Planning Bill

The Head of Planning Services updated the Panel on the latest developments of the Housing and Planning Bill. The Court of Appeal confirmed that small house builders constructing 10 or less houses would not be obliged to provide affordable housing.

### NGT

The Chair informed the Panel that following an inquiry the Secretary of State had decided that the NGT scheme would not be pursued. However, it was likely that the money allocated to the scheme would be earmarked for transport infrastructure works in Leeds.

## Hilton Hotel, First Direct Arena

Councillor P Gruen raised concerns about the continued halt in construction at the “arena hotel”, it now being more than 12 months since construction ceased. Also highlighted was that pedestrians and vehicles are still being inconvenienced by the barriers placed around the site. Cllr Gruen asked what the latest position was and that a strong message be sent to the bank responsible for the site.

The City Centre Team Leader updated the panel, informing them that the bank was working on getting a new contractor to complete the building. It was noted that the Leeds City Region Enterprise Partnership were also involved in negotiations.

**RESOLVED** – That the Panel write to The Director of City Development highlighting the concerns raised about the “arena hotel” and requesting that a report on the latest position on efforts to resolve the situation is brought to the next Plans Panel.

**138 Planning Application 15/07300/FU for a residential development of 503 houses, conversion of former hospital administration block, demolition of Villa building, associated infrastructure including two new vehicle access points to A64, public open space and retention of Clock Tower on land at Seacroft Hospital, York Road, Leeds, LS14 6UH**

The Chief Planning Officer submitted a report which detailed an application for a residential development of 503 houses, conversion of former hospital administration block, demolition of Villa building, associated infrastructure including two new vehicle access points to A64, public open space and retention of Clock Tower on land at Seacroft Hospital, York Road, Leeds, LS14 6UH.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

Officers highlighted the design changes that were proposed following the comments of Plans Panel on 24<sup>th</sup> March 2016.

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

- Design workshops had been held with the applicants, the outcome of which was to re-appraise the approach to some of the design detail;
- The Manston Block had been revised to incorporate fenestration detailing and string courses that were more reminiscent of the retained Administration Block. In order to provide symmetry to the building, a further two units had been added which can be accommodated without any adverse impact to the retained trees or the remainder of the layout;
- The dwellings to the south of the Grade II Listed clock tower are now proposed to be faced with an ochre render and a stone finish, rather than white render and red brick;

- The design of the house types has been reviewed, with the introduction of more vertical emphasis to the front elevations, incorporating front projections with doors and windows, pitched roofs over dormers and the introduction of decorative chimneys to some of the buildings at key moments in the street scenes;
- Amendment to the design of the apartment building (Block 01) by omitting the turret feature to the corner and replacing it with a finally expressed gable form; and. Further consideration had been given to the use of materials given Members' previous concerns - render around the base of buildings and excessive use of buff brick, when red brick is more characteristic of the locality. The render is to be removed around the base of buildings, including Block 01 and is to be replaced with brick. Whilst details of exact materials are yet to be agreed, the applicants are willing to move towards red brick as the dominant material. Design analysis has been undertaken of the forms of buildings across the development in order to inform how materials should be used.

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

- Clarification that the number of houses to be built would be 503 due to the increased size of the Manston Block. Previously 501 dwellings had been planned;
- The difference between the new designs for the Manston Block and the previously submitted designs;
- The dimensions of the balconies and garages were considered; and
- That the possibility of a school being built on land next to the development was still subject to on going discussion with the relevant parties.

The Head of Planning Services addressed the Panel commenting that the size of the garages on the development would be adequate to park a car in. He also confirmed that regular dialogue would continue with Ward Members noting that it is highly likely that there would be changes as the development went along and that this site was a key part of the Council's housing land supply.

In general Members felt that the changes made to the design of the development were good and an improvement on previous submissions.

**RESOLVED** – To approve the application in principle and defer and delegate the final decision to the Chief Planning Officer subject to the conditions and finalising the Section 106 agreement with the obligations outlined in the report and the appendix of the report (and such other conditions as he may consider appropriate).

Draft minutes to be approved at the meeting  
to be held on Thursday, 9th June, 2016



**139 PREAPP/15/00867 Proposal for the demolition of a two storey building and a garage block and the creation of an innovation and enterprise centre building, set in a landscaped area within the University Of Leeds campus, Orange Zone Car Park, Off Woodhouse Lane, Leeds, LS2 9JT.**

The Chief Planning Officer submitted a report which detailed a pre-application proposal for the demolition of a two storey building and a garage block and the creation of an innovation and enterprise centre building, set in a landscaped area within the University Of Leeds campus, Orange Zone Car Park, Off Woodhouse Lane, Leeds, LS2 9JT.

Site photographs and plans were displayed and referred to throughout the discussion of the application. Members had also attended a site visit prior to discussion of the item.

The Panel heard from the City Centre Team Leader and a representative of Associated Architects LLP who highlighted the following aspects of the proposals:

- The development would provide office, research and leisure space for start-up businesses. The layout of the building was explained in detail;
- Efforts had been made to reduce the visual impact from the conservation area to the north and east of the proposed development;
- The building would comprise a limited palette of materials which were described to Members; and
- That the existing trees on site would need to be removed but that their loss would be mitigated by the planting of some replacement trees on other areas of the University Campus and biodiversity enhancements to landscaped areas. .

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

- Which land and buildings were owned by the University in the vicinity of the proposed development;
- The disappointment at the loss of the existing trees and the expectation that there would be replacement in line with adopted Council policy ;
- The loss of existing car parking spaces and the suitability of the alternative provision for car parking ;
- The masterplan for the University and the likelihood of further buildings being built to the front and side of the proposed development, leading Members to consider what green space would remain within the setting of the development in the future and the request that green space needs to be maximised;
- The usage of the proposed building;
- The materials pallet, and that materials should be carefully chosen so that they retain the same look after construction and do not deteriorate over time;
- That public art should be a feature of the development.

- The impact on views from the Woodhouse Lane-University Precinct Conservation area;
- The impact on the existing cycling route adjacent to the north side of the inner ring road;
- The need to ensure that the design of the landscaped areas avoided potential conflict between disabled and pedestrian users and deliveries around Fenton Street; and
- The need to improve the appearance of the rear of properties located along Woodhouse Lane

Generally Members felt the proposed building design would be a positive addition to the University's buildings.

Members responded to the questions featured at paragraph 8 of the submitted report as follows:

1. Members felt that the proposed demolitions were appropriate;
2. Members felt that the emerging scale and massing of the proposals were appropriate;
3. Members felt that they needed more information on the emerging landscape proposals and approach to dealing with the loss and replacement of trees. Members noted the intention to use the DEFREA approach to retaining biodiversity value which was supported but in addition required that the Council's policy relating to the loss of trees should also be met d;
4. Members felt that the designs for the proposed development were good in general but that materials need to be carefully considered.
5. The proposal needed to be presented in the context of the future nearby building plots in order to assess the potential impact of the development and the quality of greenspace to be provided.

**RESOLVED** - The Panel resolved to note the contents of the report.

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

1.30pm Thursday 9<sup>th</sup> June 2016.



Originator: S McMahon
Tel No: 0113 2478171

**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**Date: 9 June 2016**

**Subject: Planning Application 16/01115/FU - for a mixed use development across three buildings, comprising residential apartments (use class C3), flexible office (use class B1) or food and drink (use class A3), D1 (Clinics and health centres), undercroft parking and associated landscaping, at Granary Wharf Car Park, Wharf Approach, Holbeck, Leeds, LS11 5PY.**

**APPLICANT**

CTP Ltd and U+I Group Plc

**DATE VALID**

19 February 2016

**TARGET DATE**

Extended date 20 June 2016

<p><b>Electoral Wards Affected:</b></p> <p><b>City &amp; Hunslet</b></p> <p><input type="checkbox"/> yes    Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity    <input type="checkbox"/></p> <p>Community Cohesion    <input type="checkbox"/></p> <p>Narrowing the Gap    <input type="checkbox"/></p>
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**RECOMMENDATION: Defer and Delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), and following completion of a Section 106 Agreement to cover the following additional matters:**

- Affordable Housing provision of 13 units**
- Publicly accessible areas**
- Employment and Training for Local People**
- A contribution of £3,567 towards monitoring and evaluation of a Travel Plan**
- A contribution of £17,500 for provision of a Car Club provider free trial membership package of 2 year membership with drive time and**
- A contribution of £42,650 for provision of a Sustainable Travel Fund for sustainable travel incentives to encourage the use of public transport and other sustainable travel modes.**
- A Traffic Regulations Order contribution of £15,000 is required, for changes to waiting restrictions and Park and display bays in the vicinity**
- A contribution of up to a maximum of £34,015 towards the planting of trees within the wider Holbeck Urban Village with potential planting in an area of public realm to be created in front of Temple Works.**

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

### Conditions

A full list of all planning conditions can be found in the Appendix to this report.

## **1.0 INTRODUCTION:**

- 1.1 The application is brought to Plans Panel to allow Members to consider this major proposal for a mixed use development comprising three blocks of residential apartments, with commercial units, car parking and a landscape scheme at Granary Wharf Car Park, within the defined boundary of Holbeck Urban Village, in Leeds City Centre.

## **2.0 PROPOSAL:**

- 2.1 The proposed development seeks to provide a range of 1, 2, and 3 bedroomed apartments across three buildings. These buildings would range in height from 13.350m and 22.075m for the stepped Building A, 23.175m and 27.635m for the stepped Building B and 30.750m for Building C. The scheme would bring forward a total of 250 apartments of which 121 are proposed as one bedroomed, 112 are proposed as two bedroomed and 17 are proposed as three bedroomed.
- 2.2 The scheme would also provide a total of 34 car parking spaces within the ground floors of blocks B and C. In addition 291 secure cycle parking spaces are also proposed within the development.
- 2.3 At ground floor two commercial units are proposed to block A of some 5031 sq metres for A3/B1/D1 (restaurant/office/clinics and health centres) use and 955 sq metres to operate as A3 (restaurant). In addition in block B two commercial unit to be used as A3 (restaurant) of some 478 sq metres and A3/B1/D1 (restaurant/office/clinics and health centres) use of some 2204 sq metres, and a management suite of some 216 sq metres.
- 2.4 The buildings would be set within an area of hard and soft landscape features which is intended to connect, in a seamless manner, with the landscape scheme proposed for the adjacent Tower Works scheme.

## **3.0 SITE AND SURROUNDINGS:**

- 3.1 The proposal site is currently in use as a surface car park for 100 spaces and is positioned between Leeds and Liverpool Canal and Water Lane. The site is adjacent to Tower Works, which is a complex of Grade II\* (and is also subject to redevelopment proposal) and Grade II Listed Buildings and unlisted buildings. The site also abuts the Grade II Listed Lock Keeper's Cottage.
- 3.2 Granary Wharf Car Park lies just outside the boundary of the Holbeck Conservation Area, whilst its northern most section is set within the boundary of the Canal Wharf Conservation Area. The Hol Beck runs adjacent to the site at its southern boundary.

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

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

4.1 Approval granted on the site for an outline application for multi level development in three blocks up to 8 storeys high, with offices, residential, A3/A4 use with basement car parking on 9 October 2008, planning reference 06/04922/OT.

4.2 Approval granted for an extension of time application to 06/04922/OT for multi level development in three blocks up to 8 storeys high, with offices, residential, A3/A4 use with basement car parking on 25 November 2011, planning reference 11/01976/EXT.

4.3 An application has recently been approved subject to the completion of a S106 legal agreement for the proposals at the adjacent Tower Works site for Mixed use three-phased development of 158 dwellings (C3) with 30 car parking spaces; 11,860sqm of B1 offices; up to 372sqm of A1 retail; 1,495sqm of A2, A3, A4 or D1; and new public realm, planning reference 15/06578/FU.

4.4 Approval has been granted and the scheme implemented for the construction of a temporary pedestrian link between Water Lane and Wharf Approach across the Granary Wharf Car Park site, planning reference 15/06498/LA.

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

5.1 The proposals have been the subject of pre-application discussions between the Developers team, Historic England, the neighbouring Tower Works development team and Local Authority Officers since April 2015. The developer's team have worked positively and collaboratively to address a number of planning issues. These discussions have focused on the relationship with the Tower Works development site, the scale massing and design of the proposed development, car parking levels and access, pedestrian connectivity and routes, heritage impact, and the public realm treatment.

5.2 Ward Members were consulted on 29 March 2016.

5.3 Members considered the pre-application proposals for the currently proposed development at City Plan Panel on 26 November 2015. Members made the following comments:

- safety and security issues across the site which featured ginnels and alleys were discussed. Members were informed that the areas would be clean, safe and well-lit and that proactive site management would be provided which would include CCTV although this would need to be integral to the design of the scheme
- the aim for the site to be seamless with the Tower Works site and in the event of there being exposed walls, how these would be treated. The developer's representative advised that in the event of the other site not proceeding, an attractive, quality brickwork elevation would be provided

- the possibility of including public art into the scheme and through it referencing the history of this area, including reference to the adjacent Leeds and Liverpool Canal
- the timetable for commencement of the works. Members were informed that the intention was to submit for full planning approval, and if this was granted it was hoped to be on site in mid 2016
- the level of car parking being provided on the site with some concerns being raised that 43 spaces was insufficient. It was noted there would be car clubs; that the site was in close proximity to the railway station and that in several major cities it was not unusual for there to be a limited amount of car parking on city centre residential schemes. Whilst this might be accepted, concerns remained that for people working in Leeds, car parking provision was required
- the need for a strategy to be developed to deal with the cars which would be displaced through the development of the site. Discussion took place on the changing attitudes to car parking provision in recent years, with it being stated that several city centre schemes had parking provision which was not fully utilised. The Chief Planning Officer stated that a car parking Supplementary Planning Document was to be brought in on the back of the Core Strategy which would take as its starting point the limiting and controlling of car parking alongside improvements to public transport including park and ride schemes, together with some re-provisioning of car parking in the City Centre. There would also be a need to consider how to deal appropriately with the end of the temporary permissions in March 2017 for car parking for up to 3500 spaces in the City Centre, particularly as some of these sites could be redeveloped and that consideration would need to be given to the redevelopment of the Carlsberg Tetley site and the recently announced Burberry development

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

28 emails of objection have been received from occupants of nearby residences and businesses. The reasons given for objecting are summarised as follows:

1. There will be a loss of public car parking.
2. The levels of vehicle movements in the area will increase
3. There are no general facilities such as doctors and dentist surgeries accounted for in the proposals.
4. The proposed buildings will be too tall.
5. The buildings will cause overshadowing of nearby existing buildings
6. Traffic calming measures will be needed as a result of the proposals.
7. The design is uninspiring.
8. The façades of the building would be very blank in appearance.
9. The buildings would be over dominant of the towers in the adjacent Tower Works site.
10. There would be too many apartments and the scheme is over development of the site.
11. There is a lack of trees and greenery in the scheme
12. The views from Candle House will be detrimentally interrupted.
13. There will be increased pedestrian footfall through Granary Wharf.
14. There will be increased pollution resulting in air quality issues.
15. The apartments would be buy to let and would not be owner occupied.
16. The development would detrimentally impact on the servicing charges of nearby existing residential buildings.
17. The scheme is too close to other existing residential dwellings and there will be a loss of privacy.
18. There will be increased litter in the area.
19. The development will have a negative impact on the heritage rich setting.

Response:

Points 1 and 2 are addressed in paragraphs 10.4 and 10.24 of the appraisal below.  
Points 3 is addressed in paragraph 10.3 of the appraisal below.  
Points 4, 7, 8, 9, and 19 are addressed in paragraphs 10.6 to 10.11 of the appraisal below  
Points 5 and 17 are addressed in paragraphs 10.13 to 10.17 of the appraisal below  
Point 6 and 13 are addressed in paragraphs 10.24 to 10.27 of the appraisal below and in the Planning Conditions.  
Points 10 is addressed in paragraph 10.2 of the appraisal below.  
Points 11 is addressed in paragraphs 10.19 to 10.21 and 10.33 of the appraisal below.  
Points 14 is addressed in paragraphs 10.13 to 10.17 and 10.30 of the appraisal below.  
With regard to Point 12 there is no legal right to a view and this matter cannot be considered to be a material planning consideration.  
With regard to Point 15 the Applicant has advised that the scheme will operate as a Private Rental Sector scheme whereby the entire scheme is owned and operator by one company rather than split into a number of individual landlords.  
With regard to Points 16 and 19 and in particular reference to the point that the servicing charges of other nearby buildings would be affected, it is not clear from the submission why this would occur. If the implication is that there will be increased litter and vehicle movements that will impact on servicing requirements then the point is addressed in paragraphs 10.4, 10.17 and 10.24 of the appraisal below.

## **7.0 CONSULTATIONS RESPONSES:**

- 7.1 **Historic England** state that whilst they support the regeneration of the site, they object to the proposal on the basis that the heights of blocks B and C would have a harmful impact on the surrounding designated heritage assets. They consider that the heights of these blocks means that they would not respond well to the setting of the surrounding listed buildings but also the historic character of Holbeck and Canal Wharf. They consider that the proposed development in its current form would not preserve the character and appearance of the Holbeck Conservation Area or the setting of the surrounding listed buildings. They do not consider the harm the current proposals would cause is necessary or justified.  
Response: these matters will be addressed in the appraisal below.
- 7.2 **Canals and Rivers Trust** Have no comments to make.
- 7.3 **Environment Agency** state that the scheme must comply with the measures set out in the submitted Flood Risk Assessment.
- 7.4 **Yorkshire Water** advise of the conditions on water management that they require.  
Response: the conditions will be added in accordance with their requirements.
- 7.5 **Highways** state that a contribution of £17,500 for provision of a Car Club provider free trial membership package of 2 year membership with drive time and a contribution of £42,650 for provision of a Sustainable Travel Fund for sustainable travel incentives to encourage the use of public transport and other sustainable travel modes are required.  
Response: This will be addressed via the required legal agreement.
- 7.6 **TravelWise** state that a contribution of £3,567 towards monitoring and evaluation of the Travel Plan is required.  
Response: This will be addressed via the required legal agreement.

- 7.7 **West Yorkshire Archaeological Advisory Service** state that there are currently no apparent significant archaeological implications associated with the proposed development.
- 7.8 **Holbeck Neighbourhood Forum** No response received.
- 7.9 **Leeds Civic Trust** state that they are generally supportive but would like to see green roofs incorporated in the scheme, larger apartments to meet demand, improvements to the highway on Wharf Approach to make it more pedestrian focused and active and articulated facades to the ground floor elevations.  
Response: these matters will be addressed in the appraisal below.
- 7.10 **The Victorian Society** state that they object to the proposal on the grounds that they consider there to be an unacceptable impact of building A on the canal office group of buildings, and that the proposals would impose a very high density of construction on a small site. There is also considerable concern at the possibly damaging effect on existing premises on the south side of Globe Road by the proposals, especially by the 11 storey building C.  
Response: these matters will be addressed in the appraisal below

## **8.0 RELEVANT PLANNING POLICIES:**

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



8.8 The Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
4. Any Neighbourhood Plan, once Adopted

8.9 **Core Strategy**

8.10 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district.

8.11 Policy CC1: City Centre Development

The City Centre will be planned to accommodate at least the following:

(iii) 10,200 dwellings.

b) Encouraging residential development including new buildings and changes of use of existing providing that it does not prejudice the town centre

8.12 Policy EN1: Climate Change – Carbon Dioxide Reduction states that all developments of over 1,000 square metres of floorspace, (including conversion where feasible) whether new-build or conversion, will be required to:

(i) Reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate until 2016 when all development should be zero carbon; and,

(ii) Provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.

8.13 Policy EN2: Sustainable Design and Construction states that to require developments of 1,000 or more square metres or 10 or more dwellings (including conversion) where feasible) to meet at least the standard set by BREEAM or Code for Sustainable Homes (CSH) . Recent Government guidance has stated that this should be a minimum of CSH Level 4. A post construction review certificate will be required prior to occupation.

8.14 Policy EN5: Managing Flood Risk states that the Council will manage and mitigate flood risk

8.15 Policy H2: Policy to consider the merits of windfall housing development proposals on brownfield and greenfield sites.

8.16 Policy H4: Policy to achieve an appropriate Housing Mix on residential sites.

8.17 Policy H5 Policy which incorporates Targets and Thresholds for Affordable Housing.

8.18 Policy P10: Design states that:

New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place,

contributing positively towards place making and quality of life and be accessible to all.

8.19 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.

8.20 Policy T1: Transport Management states that support will be given to the following management priorities:  
c) To support wider transport strategy objectives for sustainable travel and to minimise congestion during peak periods.

### 8.21 **Leeds Unitary Development Plan Review Retained Policies**

8.22 Policy BD2 (Design and siting of new buildings)  
Policy BD4 (All mechanical plant)  
Policy BD5 (All new buildings and amenity)  
Policy GP5 (All planning considerations)  
Policy LD1 (landscaping schemes)

### 8.23 **Leeds Natural Resources and Waste DPD 2013**

8.24 The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.

### 8.25 **Supplementary Planning Guidance**

8.26 Adopted Holbeck Urban Village Revised Planning Framework (February 2006).

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

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

8.29 Adopted Leeds Parking Supplementary Planning Document (January 2016). 8

### 8.30 **Other Material Considerations**

8.31 DCLG – Technical Housing Standards 2015 – Sets out internal space standards within new dwellings and is suitable for applications across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing a Leeds Space Standard for planning purposes. As the work is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached to it at this stage.

8.32 The Draft Site Allocations Plan (SAP) identifies the site as being designated for a mixed use scheme (SAP reference MX1-15 205).

## 9.0 MAIN ISSUES

1. Principle of proposed development and the mix of uses.
2. The impact on the character and visual amenity of the host site, nearby listed buildings, the Tower Works site, Holbeck Urban Village and the Holbeck and Canal Wharf Conservation Area
3. Residential Amenity
4. Connectivity and Landscape Details
5. Vehicle parking and sustainable transport
6. Sustainability measures
7. Section 106 Legal Agreement
8. Affordable Housing

## 10.0 APPRAISAL

### 10.1 Principle of proposed development and the mix of uses

10.2 The proposal is for a mix of uses with the predominant use being residential. This would be accompanied by ground floor commercial and office space. The site is currently used as a surface car park. The proposed mixed use development would be compliant with the aspirations of the Core Strategy and relevant retained Leeds Unitary Development Plan policies and guidance given in the Holbeck Urban Village Revised Planning Framework, which encourage a mix of uses to ensure a wide range of activities in the area.

10.3 Objections received stated that the scheme did not create opportunities for supporting services to come forward, such as doctors or dentists. Whilst provision of these types of services is dependent on surgeries wanting to set up in the area, the Applicant has stated that they have no objection to adding this type of use to the mix. As such the mix of uses across the site has been revised to C3 (residential), A3 (Restaurant), B1 (office) and D1 (Clinics and health centres). The proposed range of uses would contribute to the ongoing creation of a vibrant and lively community in Holbeck Urban Village.

10.4 The proposal would result in the loss of 100 surface commuter car parking spaces (given consent in 1992 under planning application reference 99-20/82/92/OT). Objections have been received with regard to the loss of the car park and the impact this would have on the surrounding parking in Holbeck and the wider transport network. The Leeds Core Strategy car parking policies and the adopted Leeds Parking Supplementary Planning Document seek to restrict the growth of commuter car parking in favour of other more sustainable methods of transport. The surrounding streets are subject to widespread parking controls and the site is easily accessible by a variety of public transport modes, including the train station which is now accessible via its new southern entrance and the Park and Ride facility at Elland Road. As a result the reduction in commuter parking is compliant with policies and guidance, and the aims to encourage sustainable travel. .

10.5 The impact on the character and visual amenity of the host site, nearby listed buildings, the Tower Works site, Holbeck Urban Village and the Holbeck and Canal Wharf Conservation Area

- 10.6 The proposed development is intended to be a trio of contemporary buildings of a design which aims to be sensitive to the historic context within which it is to be located. The site is close to a number of listed buildings (including the Grade II\* and Grade II towers of the adjacent Tower Works site and the Grade II Lock Keeper's Cottage) and the nearby Holbeck Conservation Area, as well as being in part of the Canal Wharf Conservation Area. The scheme aims to be responsive to this heritage rich setting in terms of its detailing and materials.
- 10.7 The layout of the scheme is in three blocks set within an area of hard and soft landscaped public realm. Block A sits the closest to the canal and is close to the Grade II Listed Lock Keeper's Cottage and Little Tower. Taking account of this setting the block would be stepped from 3 storeys close to the canal and listed cottage, to 6 storeys, with a maximum height of 13.350m at 3 storeys and 22.075m at 6 storeys (this is an increase of 400mm/825mm from the preapplication stage due to the need to increase the height of the pedestrian route under the building and to address required flood levels). This would allow the building to respond positively to the heights of the existing listed buildings in the vicinity. The southern part of the block would connect onto Block G of the adjacent Tower Works scheme (Block G is to be seven storeys at a maximum height of 27.8m), whilst maintaining the aforementioned pedestrian route through north to south under the building at ground floor level. Therefore, block A is considered by officers to be appropriately designed in respect of its stepped heights and massing.
- 10.8 Block B would be a triangular block positioned to the centre of the site. This block would also be close to the Grade II listed Little Tower on the adjacent Tower Works site. There are important key views of the tower from across Granary Wharf and as such the relationship of this block to the Little Tower is of importance. The scheme as proposed sets the overall height of the block at 23.175m with the inset top floors rising to 27.635m (the height of main building has increased by 100mm from the preapplication stage due to the need to address required flood levels). The top two levels of the building would be set back from the northern edge resulting in the creation of a breathing space for the Little Tower as viewed from the identified key points in Granary Wharf. These design elements combined with the gaps to be created between building blocks on both this scheme and the adjacent proposed Tower Works development (with the two blocks, G and J, to either side of the Little Tower in the Tower Works scheme being at maximum 27.8 m and 30.4min height) would ensure that the Little Tower would not be unduly enclosed or screened on the key approaches from the east.
- 10.9 Block C would be positioned to the south of the site and would be connected to Block K of the adjacent proposed Tower Works scheme (with Block K being a maximum height of 25.4m) at upper levels via a glazed link. At ground floor level below this link the existing pedestrian route across the historic weigh bridge would be retained and enhanced. Block C would be the tallest of the three blocks being some 30.750m (the height has increased by 275mm from that shown at the preapplication stage due to the need to address flood levels). This block would accommodate eleven levels. Block C would be to the edge of the site where it meets the Hol Beck and beyond it, Water Lane. Contrary to the concerns of Historic England, officers consider that a taller building (at the maximum height proposed) can be accommodated at this gateway location as a result of refinements made to its detailing to address the massing. The top floors of block C have been set away from the boundary with the Tower Works site in order to protect the views from

David Street and reduce the impact on the setting of nearby listed buildings and the character of the adjacent Holbeck conservation area. The proposed building is considered by officers to be an appropriately scaled modern taller building in the immediate context which is already characterised by buildings of a mixture of heights including consented development proposals within Holbeck Urban Village.

- 10.10 The design and materiality of the three blocks is contemporary yet reflects the historic context in which they are proposed. As such the blocks would be predominantly red brick to reference the solid nature of the historic brick warehouse and mill buildings in the vicinity, with a recessed precast concrete banding. The brickwork would be articulated with 'hit and miss' patterning at ground floor levels for the car parking areas to Blocks B and C and at upper levels for areas requiring vents. In addition the units at ground floor level in both Blocks A and B would have full height glazing to create open attractive units which engage with their surroundings. Strong fenestration patterns occur across the design of all three blocks with windows being of generous dimensions, regularly aligned and ordered, as well being recessed to create shadow lines and visual detailing. Glazed and folded metal balconies would either be projecting or Juliette depending on their locations on the three blocks. At the upper level of Block B the top two floors are to be set in and treated with a lightweight metal standing seam cladding to reduce the visual mass at the top of the building. On Block C the top three floors are stepped away from the adjacent Tower Works site and the mass of these top levels is visually broken by the use of an inset area of metal standing seam cladding bookended by a full height run of brickwork.
- 10.11 The resulting scheme would produce buildings which on balance are considered to complement their surroundings and the nearby Listed Buildings in respect of the proposed materials, scale, form and architectural design. Therefore, whilst the blocks are tall they are designed in a manner that will allow them to respond sensitively and appropriately to the neighbouring listed and non-listed building, street scene and wider conservation area.
- 10.12 Residential Amenity
- 10.13 The proposal provides a good mix of accommodation types, with there being 121 one bedroomed apartments, 112 two bedroomed apartments and 17 three bedroomed apartments spread across the three blocks. Therefore, the scheme proposes 6.8% of the units contain 3 bedrooms. The relevant Core Strategy policy H4 on Housing Mix requires a minimum provision of 20% of units be provided containing 3 bedrooms across the Local Authority area. However, the policy does allow the Local Planning Authority to take into account the nature of the scheme as well as its location. It is the case that across the whole city centre, presently the provision of 3 bed units is 1% of the total stock of 11,000 units (i.e. approximately 110 apartments are currently 3 bedroom units). Given that this scheme is offering 17 three bedroomed units this scheme alone would provide the equivalent of 15% of the number of 3 bedroom units which currently exists across the whole city centre. In this context it is considered that the number of three bedroom units is justified and acceptable. The majority of the apartments have generously sized habitable rooms that provide above the level of floor area set out in the DCLG Technical Housing Standards. Seven apartments across the three blocks provide accommodation marginally below the space standards but would still provide a good standard of habitable rooms.
- 10.14 It is the case that some of the apartments will be single aspect. However, windows are generously sized to ensure adequate light and natural ventilation levels can be

achieved. Where the units in Block B face the nearby proposals on the Tower Works site, the windows will be angled with full height clear glazing facing and framing views of the Little Tower to the north, and full height opaque glazing to the panels of the window opening facing directly on to the adjacent Tower Works block, thereby protecting privacy but maintaining daylight levels.

- 10.15 The proposal is to be sited in a location surrounded by buildings already in use as commercial and office spaces, with residential buildings being further out. Block A would be at least 8 metres away from Lock Keeper's Cottage (currently in use as offices) to its east. At its closest Block B would be some 5.3 metres from the nearest office block proposed on the Tower Works site, a minimum of some 11.6 metres from the nearest building across Wharf Approach and approximately 13.8 metres from Lock Keeper's Cottage to the north. Block C would be at its minimum some 10.5 metres from the closest building across Wharf Approach and approximately 16 metres away from the nearest existing building to the south across Water Lane. These relationships are considered to reflect the existing tight urban grain of the area, and that of consented development and there would be no significant issues of overlooking or overbearance from the development in respect of other existing and proposed buildings in the vicinity.
- 10.16 Bearing in mind the above distances to other nearby existing buildings, the submitted sun path analysis shows that the scheme would overshadow some nearby buildings across Wharf Approach and Lockkeeper's Cottage later in the day and particularly in the autumn to winter months. However the buildings in question, including Lock Keeper's Cottage are commercial and office buildings and the impact would be for limited periods during the latter part of the day.
- 10.17 Objections received have raised the issue of a potential increase in litter. However it is considered that provided waste is appropriately stored and collected, then the proposals would have a negligible impact on the area in this respect. Any approval would be conditioned to ensure the submission and agreement of a waste and recycling management strategy.
- 10.18 Connectivity and Landscape Details
- 10.19 The site has an unusual curved shape which has informed the positioning of the blocks. Around these on the remaining land there are opportunities to create meaningful, usable public realm spaces, as well as connections into, and extensions of, existing pedestrian routes. The developer has in consultation with the Tower Works developer and Council officers sought to provide continuous and "seamless" pedestrian links with the emerging Towers Works proposals. The developer proposes a mixture of hard and soft landscaped treatment to these new routes, with ground level soft landscaped strips, ornamental grasses and wildflowers, as well as gabion walls filled with limestone. Timber benches would be set into a paving of granite flags.
- 10.20 A key principle is the retention and enhancement of the proposed pedestrian route that passes across the historic weigh bridge to the south of the site in the application reference 15/06498/LA. This will run under Block C and will be of a minimum width of 3.5 metres to allow it to be used as a shared pedestrian and cycling route.

- 10.21 The existing site has some 37 trees which will be removed for the creation of the scheme. 8 of these trees are already scheduled for removal due to the flood alleviation works required for the adjacent Hol Beck. Therefore, as part of this proposal the loss of the remaining 29 trees requires mitigation. Policy LAND2 states that for each tree removed for a development, three replacement trees will be required. The spaces available for replanting trees in the landscape scheme are limited on the site and Officers are still in the process of determining how many replacement trees can be provided on site. Dependent on the number the remainder of the obligation will be addressed via the provision of a commuted sum of up to £34,015 (which is a figure based on the nationally recognised CAVAT method for determining the value of trees) under the S106 legal agreement to be used by the Council for tree planting on nearby local authority owned land (in locations to be agreed with there being potential to site trees on a proposed area of public realm to the front of Temple Works at some point in the future).
- 10.22 In addition to the general landscaped areas more private residential amenity spaces are to be created in the form of roof terraces to Blocks A and C.
- 10.23 Vehicle parking and sustainable transport
- 10.24 The proposal focuses on promoting sustainable modes of transport via its submitted Travel Plan. However the Applicant also states that a low level of car parking is required on site. As such it's proposed to site 16 car parking spaces in the ground floor of Block B and 18 car parking spaces in the ground floor of Block C. Access to the car parking areas will be from Wharf Approach. In addition refuse collections and servicing will take place from a layby to be created to the Wharf Approach side of the site.
- 10.25 The proposed scheme also aims to provide 291 cycle parking spaces across the site, as well as creating cycling and walking routes through the site connecting Holbeck to the City Centre and connecting to the routes to be created in the adjacent Tower Works site.
- 10.26 Off site highways works required are the creation of new access points with dropped kerbs, the reinstatement of public footways at existing access points which will become redundant as a result of the development, footway resurfacing and the introduction of a speed table at the junction of Wharf Approach and Canal Wharf.
- 10.27 A Travel Plan has been submitted to promote sustainable modes of transport including, walking, cycling and the use of public transport. In addition, the Plan proposes the provision of residential travel information packs, the establishment of a resident's forum and encouraging car sharing. There will also be a requirement for the developer to contribute to as the provision of Leeds City Council Car Club provider free trial membership package of 2 year membership with a sum of £17,500 and to a sustainable travel fund with a sum of £42,650 for the provision of a sustainable travel incentives to encourage the use of public transport and other sustainable travel modes, such as discounted MetroCards personalised travel planning, cycle schemes, car sharing and walking / cycling promotion and/or further infrastructure enhancements. .
- 10.28 Sustainability measures
- 10.29 The scheme as proposed aims to achieve a very high standard of sustainability. This will be done by a wide variety of measures including;  
Use of a brownfield site

Flexible ground floor spaces  
Aiming for equivalent of Code for Sustainable Homes Level 4  
Use of permeable paving  
A Green Travel Plan  
Timber to be obtained from renewable sources  
The potential to integrate Passive Haus technologies and  
The potential to install photovoltaics  
Such measures would ensure the scheme's compliance with Core Strategy Policies EN1 and EN2.. A planning condition will be applied to allow further exploration of sustainability measures, such as the provision of green roofs, and to agree targets.

10.30 Objections received state that there will be an adverse impact on air pollution. The scheme is predominantly residential and other uses are not likely to be large producers of air particulates or creators of NOx and carbon emissions. The proposal would result in a reduction in car presence at the site and as such air pollution levels have the potential to fall rather than rise.

#### 10.31 Section 106 Legal Agreement

10.32 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -  
(a) necessary to make the development acceptable in planning terms,  
(b) directly related to the development; and  
(c) fairly and reasonably related in scale and kind to the development.

10.33 There is a requirement for the following obligations that sit outside the Community Infrastructure Levy regime:.

1. To control the detailing of the affordable housing arrangements outlined in paragraphs 10.35 and 10.36 below
2. Access and maintenance of publicly accessible public realm areas.
3. A contribution of £3,567 towards monitoring and evaluation of a Travel Plan
4. A contribution of £17,500 for provision of a Car Club provider free trial membership package of 2 year membership with drive time and
5. A contribution of £42,650 for provision of a Sustainable Travel Fund for sustainable travel incentives to encourage the use of public transport and other sustainable travel modes.
6. A Traffic Regulations Order contribution of £15,000 is required, for changes to waiting restrictions and Park and display bays in the vicinity
7. Employment and training opportunities for local people from the Leeds Wards Beeston & Holbeck, Middleton Park and City and Hunslet.
8. A contribution of up to a maximum of £34,015 for the planting of trees within the wider Holbeck Urban Village, and potentially in an area of public realm which is to be created at a future date in front of Temple Works, to mitigate against the shortfall in replacement tree planting required in accordance with Policy LAND2.

10.34 The proposed obligations have been considered against the legal tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly this can be taken into account in any decision to grant planning permission for the proposals.

10.35 The development is Community Infrastructure Levy (CIL) liable and is likely to generate a CIL charge of £113, 685.00. CIL is generally payable on the commencement of development. The payment of CIL is not material to the



determination of the planning application. Accordingly, this information is presented simply for Members information.

10.36 Affordable Housing

10.37 The proposed housing would be a Private Rental Sector (PRS) scheme whereby the entire scheme is owned, operated and managed by one company rather than split into a number of individual landlords. There is a requirement for the provision of 13 (5%) affordable housing units, however the PRS model cannot operate if more than one provider/operator is involved in a scheme due to the funding requirements of operating as a PRS scheme, which are defined by there being only one owner/operator of the entire scheme.

10.38 Therefore the PRS residential part of the development is proposed to remain in the control of the applicant and the involvement of a Registered Provider is not possible in this situation due to the funding model used to finance the scheme. Therefore, the applicant will take on the role of the Registered Provider in accordance with a method of operation in line with the standard requirement of the L.C.C. Affordable Housing SPD. This will include the requirement to select tenant nominations from the City Council's Housing Register and a Local Lettings Plan (LLP) favouring those who live, work or have close family connections to Leeds and no history of anti-social behaviour. In addition, the units would be retained as affordable in perpetuity as the Right to Buy initiative would not be applicable to them. In these circumstances, and with the assurances offered by the signing of a S106 Agreement, this arrangement is considered to be acceptable.

**11.0 CONCLUSION**

11.1 On balance is considered that the proposed development would regenerate the site, with a high quality, appropriate development. The scheme would add vibrancy and vitality to the area. Consequently, the development would make a significant contribution to the renaissance of the immediate area and the wider Holbeck Urban Village. Therefore the proposal is considered to be acceptable and is recommended for approval.

**Background Papers:**

PREAPP/15/00277

16/01115/FU

## Appendix 1

### Proposed Conditions for Planning Application 16/01115/FU

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) No building works shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Samples shall be made available on site prior to the commencement of building works, for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity, in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 4) No building works shall take place until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the approved materials.

In the interests of visual amenity, in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 5) No building operations shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority-

(i) 1 to 20 scale drawings of the detail of roof line and eaves treatments, ground floor treatments, including ground floor unit frontages, car parking enclosures and entrance points

(ii) 1 to 20 scale section drawings of each type of window bay and balcony

(iii) 1 to 20 scale section drawings of all new external doors and entrances

(iv) 1 to 20 scale section drawings of the junctions of different materials

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity.

- 6) Notwithstanding the details shown on the approved Proposed Site Layout, development shall not commence until a revised Proposed Site Layout has been submitted to and approved in writing by the Local Planning Authority, demonstrating provision of disabled car parking (in accordance with current British Standard BS8300 unless otherwise agreed in writing). The agreed layout shall be implemented prior to occupation of any phase of the development.

To ensure the provision of disabled parking in accordance with adopted Core Strategy Policy T1.

- 7) No works shall begin on the relevant phase of development until a Statement of Construction Practice for that phase has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage; and
- d) how this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of residential amenity of occupants of nearby property in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 8) Development shall not commence until a plan showing details of the proposed vehicular access to the site has been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed as approved, prior to the first use of the site, and retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 9) Notwithstanding the details shown on approved plan ref XXXX, no development shall take place until a plan showing visibility splays of \*\*\*\* has been submitted to and approved in writing by the Local Planning Authority. The approved visibility splays shall be laid out to an adoptable standard prior to occupation and retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework

- 10) Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of adopted Core Strategy Policy T1 and the National Planning Policy Framework

- 11) Development shall not commence until a plan showing details of dedicated space for loading, unloading and parking of service/delivery vehicles has been submitted to and approved in writing by the Local Planning Authority. This space shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 12) Development shall not commence until a plan showing details and layouts of all vehicle parking and turning areas has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented and parking made available for use prior to occupation of the development. The parking shall be retained for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 13) Development shall not commence until a survey of the condition of the vehicular highway within the application site, with any necessary mitigation works, has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation works shall be fully implemented prior to occupation of the development.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 14) Development shall not commence until details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking) have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided for the duration of construction works.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 15) Development shall not commence until details of works comprising XXXX at location \*\*\*\* have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to occupation.

To ensure the free and safe use of the highway in accordance with adopted Core Strategy Policy T1 and the National Planning Policy Framework.

- 16) No construction works shall take place before the hours of 8am Monday to Friday and 9am on Saturdays, nor after 6pm Monday to Friday and 1pm on Saturdays, or at any time on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the residential amenity of occupants of nearby property and in accordance with UDPR Policy GP5.

- 17) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 18) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 19) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 20) Development shall not commence until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- (a) proposed finished levels and/or contours,
  - (b) boundary details and means of enclosure,
  - (c) car parking layouts,
  - (d) other vehicle and pedestrian access and circulation areas,
  - (e) hard surfacing areas,
  - (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
  - (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).
- Soft landscape works shall include
- (h) planting plans
  - (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
  - j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policy GP5.

- 21) The landscape details to be submitted pursuant to condition 20 shall provide full construction details of tree pits and any raised planted areas to be provided in paved areas. These shall include:
- a) the depth and area of growing media;
  - b) specification of topsoils including additives and conditioners;
  - c) proprietary structures to support paving over extended sub-surface rooting areas
  - d) tree grilles and guards and means of anchoring root balls;
  - e) passive irrigation including directed use of grey water / roofwater or surface water;
  - f) active temporary irrigation systems, using mains water or filtered, re-cycled greywater, its application rate, distribution system and controls;
  - g) means of positive piped drainage of pits.

To ensure that the cultural requirements for viable landscape and tree establishment are integrated into the development scheme design and to accord with Core Strategy Policy P10. .

- 22) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 23) No development shall take place until a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers, details of recyclable materials collection with timescales. The approved scheme shall be implemented before the development is brought into use and no waste or litter shall be stored or disposed other than in accordance with the approved scheme.

In the interests of residential amenity and to promote recycling, in accordance with adopted Leeds UDP Review (2006) policy GP5 and the adopted Supplementary Planning Document Building for Tomorrow Today 2011 and the National Planning Policy Framework.

- 24) No external storage of any commercial or residential refuse or recycling bins shall take place on any part of the site and internal bin store areas will be provided as part of the development.

In the interests of residential amenity, visual amenity and public safety, in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 25) Prior to the commencement of the superstructure of any individual block containing residential accommodation a scheme for protecting future occupiers of the proposed residential units from noise from the commercial uses within the proposed block, from nearby commercial premises and from railway and road traffic noise, shall be submitted to and agreed in writing by the Local Planning Authority.

The use of the block shall not commence until the agreed sound insulation works have been completed and any such noise insulation as may be approved shall be retained thereafter.

In the interest of residential amenity and to accord with saved Unitary Development Plan Review policy GP5 and the National Planning Policy Framework.

- 26) Plant and machinery operated from any commercial premises shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of residential amenity and in accordance with saved Unitary Development Plan Review policy GP5 and the National Planning Policy Framework.

- 27) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of amenity and visual amenity, in accordance with Saved Unitary Development Plan Policies GP5, BD2 and BD4, Leeds Core Strategy policy P10 and the NPPF.

- 28) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) reference; GRW-ARP-ZZ-XX-RP-CD-00002, ARUP, 17 February 2016 and the following mitigation measures detailed within the FRA:

1. Finished floor levels for Building A are set no lower than 28.400mAOD.
2. Finished floor levels for Building B are set no lower than 27.400mAOD.
3. Finished floor levels for Building C are set no lower than 27.700mAOD.
4. Flood proofing for Building A is to be no lower than 29.350mAOD.
5. Building B's threshold is to be no lower than 28.400mAOD, as detailed in the FRA Section 8.1.2.
6. There is to be no habitable or 'more vulnerable' development on the ground floors of the development.



The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

To reduce the risk of flooding to the proposed development and future occupants and in accordance with the retained Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework.

- 29) No development shall take place until details of the proposed means of disposal of surface water drainage, including the point(s) of connection, details of any balancing works, off-site works and the rates of discharge to the respective public sewers, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

To ensure that no surface water discharges take place until proper provision has been made for its disposal and in accordance with the saved Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework.

- 30) The development shall be constructed in accordance with the sewer diversion works submitted on drawing GRW-ARP-ZZ-XX-DR-CD-18303 (revision P01) dated 11/02/2016 prepared by Arup. Furthermore the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and the necessary works implemented prior to construction in the affected area(s), in order to allow sufficient access for maintenance and repair work at all times. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

In the interest of satisfactory and sustainable drainage and in accordance with the saved Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework

- 31) No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including the point(s) of connection, details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure that no foul water discharges take place until proper provision has been made for their disposal and in accordance with the saved Leeds Unitary Development Plan Policy GP5 and the National Planning Policy Framework

- 32) No building works shall take place until plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths,

parking areas and the height of any retaining walls within the development site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be retained thereafter as such.

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity and in accordance with retained Leeds Unitary Development Plan Review (2006) Policy GP5 and the National Planning Policy Framework.

- 33) Prior to the commencement of development of each phase an updated Sustainability Statement shall be submitted which will include a detailed scheme to demonstrate compliance with Core Strategy policies EN1 and EN2 and comprising:

(i) a recycle material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit);

(ii) a Site Waste Management Plan (SWMP),

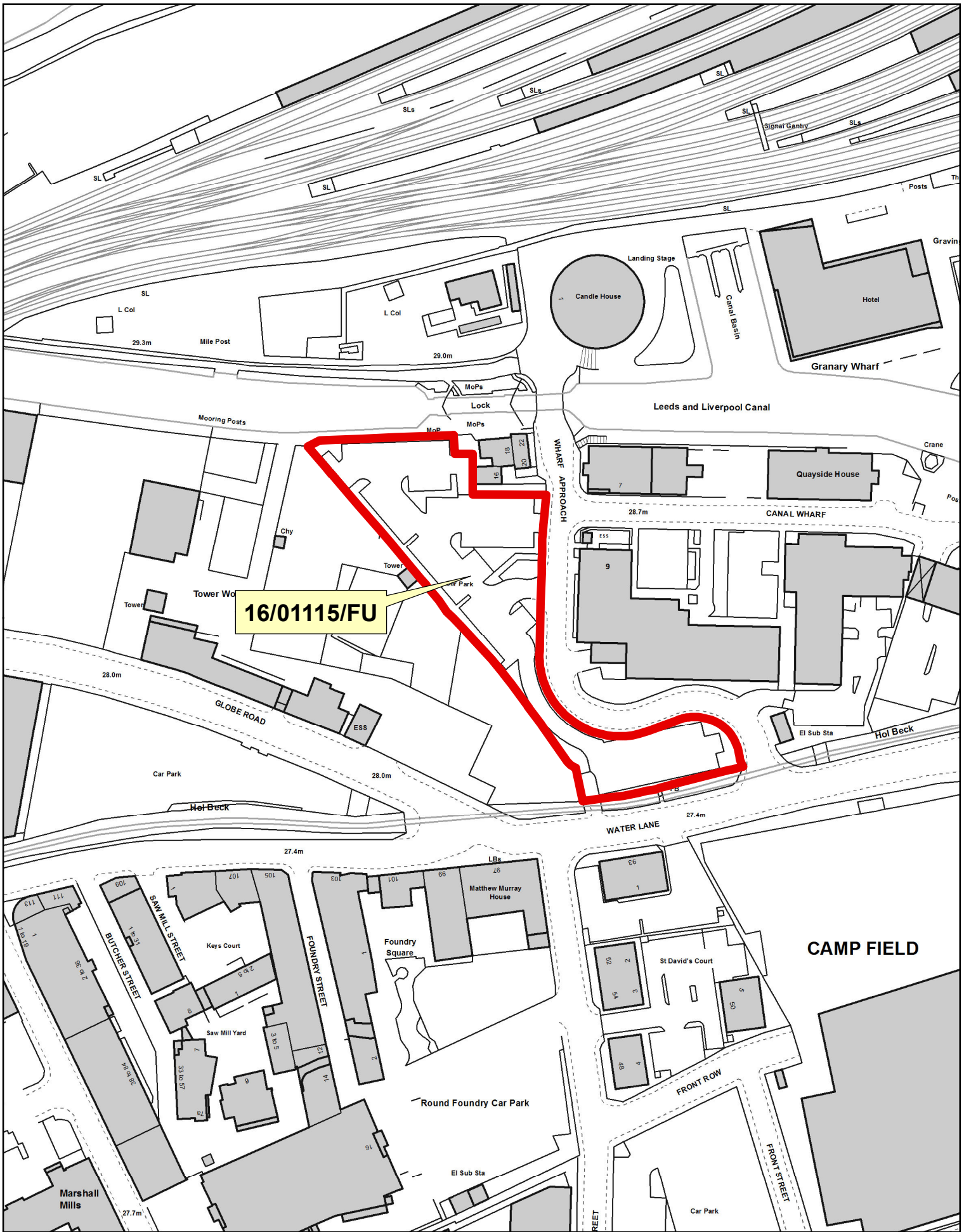
Within 6 months of the first occupation of each phase a post-construction review statement for that phase shall be submitted and approved in writing by the Local Planning Authority;

The development and buildings comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

To ensure the adoption of appropriate sustainable design principles in accordance with Core Strategy Policies EN1 and EN2, Leeds Sustainable Design and Construction SPD, the Holbeck Urban Village Revised Planning Framework, and the NPPF.

- 34) Notwithstanding the details on the hereby approved plans, and prior to commencement of the construction of the development details, including the number to be agreed and locations, of electric car charging points within the car parking areas shall be provided. The electric car charging points so approved shall be made available prior to first use of the relevant part of the development and thereafter maintained.

In the interests of highway safety, sustainable transport and in accordance with the National Planning Policy Framework 2012 and Policies T2 of the Core Strategy and Policy GP5 of the Leeds Unitary Development Plan Review.



16/01115/FU

# CITY PLANS PANEL



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Originator: Tim Hart

Tel: 3952083

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## Report of the Chief Planning Officer

### CITY PLANS PANEL

9<sup>th</sup> JUNE 2016

Planning application - 16/02175/FU : Demolition of existing building and erection of part 6, part 8 storey student accommodation building comprising 96 studio apartments, ancillary student amenity areas and two commercial units in A1, A2 or A3 use, 67-83 Cookridge Street, Leeds 2

Applicant – X & X Estates Limited

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#### Electoral Wards Affected:

City and Hunslet

Yes

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:**

- Use of residential accommodation only by students in full-time higher education;
- Contribution towards loss of income from pay and display bays and the cost of making a TRO;
- Local employment and training initiatives;
- Section 106 management fee (£1500).

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

## **1.0 Introduction**

- 1.1 This application seeks planning permission for the demolition of a two-storey building on Cookridge Street (the former Walkabout bar) and its replacement with a new 6 to 8 storey building primarily containing student accommodation. The existing building does not contribute to the character or appearance of the area which includes a number of listed buildings. The proposed building has been carefully designed to respond to its sensitive location. Similarly, the building has been vacant since 2014 and its redevelopment would deliver economic benefits whilst also helping to provide additional quality student accommodation in an appropriate location.

## **2.0 Site and surroundings**

- 2.1 The site is located within the designated City Centre. It is occupied by a vacant two storey brick and render faced flat-roofed building last used as a bar (Walkabout). The existing building abuts the northern edge of the City Centre Conservation Area and the Queen Square Conservation Area is situated nearby to the north. There are a number of listed buildings close to the site including the O2 Academy (Grade II) which abuts the southern boundary of the site; the Civic Hall (Grade II\*) to the west beyond Portland Crescent; Leeds City Museum and Art College (Grade II\*) and 49-51 Cookridge Street (Grade II) to the south. A new part 6, part 14 storey Hilton hotel is partly constructed on land immediately to the north and west of the site. Leeds College of Technology, a part 2, part 12 storey building is located on the east side of Cookridge Street. Ground levels rise gradually along Cookridge Street towards the north.

## **3.0 Proposals**

- 3.1 The existing building would be demolished. The proposed building would have a similar footprint to that existing, built up to the back edge of the footway and abutting the O2 Academy and (part-constructed) Hilton hotel at its southern and northern extremes. A gap of approximately 3.5m would be retained to the rear of the building to the Hilton at ground floor level.
- 3.2 The building would comprise 8 floor levels above the basement. Above ground level, levels 1 to 5 would share a common floorplate with the rear half of the building heavily fragmented by two extensive lightwells sitting above first floor courtyards. The floorplates of Levels 6 and 7 progressively step in from the levels below, in particular, stepping back from the O2 Academy, Cookridge Street and rear elevations of the building.
- 3.3 The ground floor of the building would comprise a centrally-located reception and common area, bike, bin and plant rooms. Two retail units would be formed to the southern side of the entrance space. A basement would extend beneath half of the ground floor level and would contain ancillary retail space; and student facilities including a gym, games and TV room; and a study area.
- 3.4 Student accommodation above ground level would be accessed via a lift or one of the two staircores. There would be 16 studios on each of levels 1 to 5. 11 of the studios on these levels would face Cookridge Street with those located towards the rear arranged so as to look into the courtyards or towards Portland Crescent between the Hilton and O2 Academy. Each of the studios would be at least 31sqm, arranged with living areas closest to the windows so as to take advantage of natural light and outlook, whereas sleeping areas and shower-rooms would be located furthest from window openings.

- 3.5 The reduced floorplate at level 6 would contain 9 studios, 7 of which would face Cookridge Street. Level 7, the smallest floor, would comprise 7 studios, 6 of which would face Cookridge Street. These studios would range between 32sqm and 35sqm.. The internal arrangement at these upper levels is similar to that in the levels below.
- 3.6 The proposed architectural style would be contemporary. The front façade would be divided into 3 vertical bays subdivided and flanked by strips of vertical glazing. The central bay would be wider and taller than those to either side. Each of the three bays would have a primary, expressed, frame extending up from ground level. A thinner, secondary, frame would be set back from the primary frame dividing the recessed, vertically proportioned, fenestration. Louvred panels would have fully openable windows behind providing natural ventilation to the apartments. The upper two levels of the building would be set back from the frontage and have a lightweight, glazed, form.
- 3.7 The intended arrangement at ground floor strengthens the overall design concept. The centrally-located main entrance would have a double height curtain wall to enhance its significance and to respond to the step up in height of the bay. The retail frontages would be recessed so as to maintain the primacy of the frame. These recessed, shopfront, areas would gradually step up in direct response to the sloping ground levels along the street.
- 3.8 A simple palette of materials is proposed involving a smooth stone rainscreen cladding system for the primary and secondary frame. Glazing, stone panels and aluminium louvres would be utilised in the recessed openings. The upper two set-back levels would be predominantly glazed with an aluminium eaves profile and brise soleil. The rear courtyards would be predominantly white render.

#### **4.0 Relevant planning history**

- 4.1 The application was submitted following a formal pre-application process (PREAPP/15/00940). In this case the applicant decided not to present the scheme to City Plans Panel prior to submission of the application due to time constraints. However, they have worked closely with officers to produce a scheme which responds positively to the site's location and to the need to provide acceptable living conditions for occupiers. The pre-application proposals followed a series of earlier pre-application submissions by other parties over the last couple of years which sought a greater level of development on the site.

#### **5.0 Public / local response**

- 5.1 Site notices were displayed around the site on 27th November 2015 and the application was advertised in the YEP on 26th November 2015. The application was re-advertised on 14th January 2016 following the receipt of revised plans.
- 5.2 Leeds Civic Trust (LCT) considers that the proposed building will complement the adjacent O2 Academy in its height and layout. There is undoubtedly a need for good quality student accommodation in the area and this development will contribute to that need. LCT supports the scheme.

## **6.0 Consultation responses**

### **Statutory:**

#### 6.1 Transport Development Services - Highways

The site is in an accessible location. The proposed cycling provision is acceptable as are proposals for the beginning and end of terms. Space will be required to service the development and this will result in the loss of at least one pay and display parking spaces. Compensation for the loss of income from these spaces, along with the cost of a Traffic Regulation Order, is required.

#### 6.2 Historic England (HE)

HE has confirmed that they do not wish to offer any comments and that the application should be determined in accordance with national and local policy guidance, and on the basis of LCC specialist conservation advice.

### **Non-statutory:**

#### 6.3 LCC Flood Risk Management - no response when this report was drafted.

#### 6.4 LCC Contaminated Land Team – the site has been the subject of a potentially contaminative land use. As such, a phase 1 desk study would be required in support of the application. Depending on the outcome of the phase 1, a phase 2 site investigation and remediation statement may also be required.

#### 6.5 LCC Neighbourhoods and Housing – no response when this report was drafted.

#### 6.6 Yorkshire Water – there are no distribution-related planning issues.

## **7.0 Policy**

### **7.1 Development Plan**

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

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Any Neighbourhood Plan, once Adopted.



## 7.2 **Core Strategy (CS)**

### 7.2.1 Relevant Core Strategy policies include:

Policy H6B refers to proposals for purpose built student accommodation. Development will be controlled to take the pressure off the need to use private housing; to avoid the loss of existing housing suitable for families; to avoid excessive concentrations of student accommodation; to avoid locations that would lead to detrimental impacts on residential amenity; and to provide satisfactory living accommodation for the students.

Policy CC1(b) states that residential development will be encouraged within the City Centre and (c) that university facilities will be retained in the City Centre.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.

Policy P11 states that the historic environment will be conserved and their settings will be conserved, particularly those elements which help to give Leeds its distinct identity.

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

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

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

Policy EN5 identifies requirements to manage flood risk.

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

### 7.3.1 Relevant Saved Policies include:

GP5 - All relevant planning considerations to be resolved.

BD2 - New buildings should complement and enhance existing skylines, vistas and landmarks.

BD5 – All new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.

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

### 7.4.1 The plan sets out where land is needed to enable the City to manage resources, such as minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding drainage, air quality and land contamination are relevant to this proposal.

7.4.2 AIR1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

WATER 4 - All developments are required to consider the effect of the proposed development on flood risk, both on-site and off-site

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

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

- Proactively drive and support sustainable economic development
- Seek high quality design and a good standard of amenity
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and the reuse of land that has previously been developed.

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

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

## 7.6 **Noise Policy Statement for England (NPSE)**

7.6.1 The NPSE sets out the following aims with regard to noise:

- To avoid significant adverse impacts on health and quality of life;
- To mitigate and minimise adverse impacts on health and quality of life; and
- Where possible, contribute to the improvement of health and quality of life.

It also introduces concepts of:

- No Observed Effect Level
- Lowest Observed Adverse Effect Level; and
- Significant Observed Adverse Effect Level.

**7.7 Relevant supplementary planning guidance includes:**

SPD Parking  
SPD Travel Plans  
SPD Building for Tomorrow Today: Sustainable Design and Construction  
Neighbourhoods for Living

**Other material considerations:**

**7.8 Best Council Plan**

The Plan identifies 6 objectives in order to achieve the best council outcomes identified between 2014-2017. Best Council objectives "Promoting sustainable and inclusive economic growth" and "Promoting sustainable and inclusive economic growth" are applicable to this proposal.

**7.9 Vision for Leeds 2011-2030**

One of the aims is that by 2030 Leeds' economy will be more prosperous and sustainable. The vision states that Leeds will be a great place to live, including the provision of high quality buildings, places and green spaces, where local people benefit from regeneration investment.

**7.10 Leeds Growth Strategy**

The Strategy identifies seven core priorities intended to drive future growth to create a prosperous and sustainable economy.

**7.11 The Leeds Standard**

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance.

The Leeds Standard sets a minimum target of 37m<sup>2</sup> for a self-contained studio flat. This standard closely reflects the Government's Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

## 8.0 Main issues

- Principle of the development
- The impact upon the significance of listed buildings and the character of the conservation area
- Traffic and access issues
- Noise issues
- Other considerations
- Section 106 obligations and CIL

## 9.0 Appraisal

### 9.1 Principle of the development

9.1.1 Policy CC1(b) of the Core Strategy encourages residential development in city centre locations providing that the development does not prejudice the functions of the City Centre and that it provides a reasonable level of amenity for occupiers. These issues are reviewed in more detail at paragraph 9.1.3 below.

9.1.2 The former bar has remained unoccupied for a couple of years and it is evident that the area does not have a shortage of such facilities. The redevelopment of this brownfield site in a highly sustainable location for residential accommodation is also supported by the National Planning Policy Framework, Core Strategy, and Leeds Unitary Development Plan Review saved policies. Similarly, the introduction of commercial uses within Use Classes A1-A3 at ground floor of the building accords with local and national policy and would help to activate the Cookridge Street frontage.

9.1.3 Core Strategy Policy H6(B) specifically refers to proposals for purpose built student accommodation. The relevant criteria of Policy H6(B) in the context of the proposed development are reviewed below:

*(i) To help extend the supply of student accommodation taking pressure off the need for private housing to be used.*

The development of 96 studios would assist with the objective.

*(ii) To avoid the loss of existing housing suitable for family accommodation.*

The development of vacant commercial premises would meet the objective.

*(iii) To avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities.*

The proposed development involves 96 student studios. There is no student accommodation in the immediate area, albeit there is significant student accommodation adjacent to the Leeds Beckett University campus approximately 200m to the west; some to the north off Clay Pit Lane; and some further to the east on Wade Lane. There is a small amount of private residential accommodation in Queen Square and in the Brodrick Building to the south. However, it is not considered that existing residents in the city centre would be adversely affected by student accommodation in the proposed location given the way in which the area is currently used. Further, it is not considered that the number of students proposed

would result in an excessive concentration of students within the context of a busy city centre environment.

*(iv) To avoid locations which are not easily accessible to the universities.*

The site is close to and well-placed with regard to access to both the University of Leeds and Leeds Beckett University.

*(v) The proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms.*

All of the student accommodation is proposed as studios. The majority of studios would be 31.0sqm although those on the upper levels (level 6 and 7) are slightly larger (32.0sqm) and two on the west side of the building would be 35.0sqm. Each of the units identify well-arranged layouts with living/dining space closest to windows and sleeping, washing and storage space located in distinct areas beyond the living space. Although not spacious the studios are significantly larger than those dismissed at the planning appeals at 46 Burley Street (primarily 20.9sqm); Kirkstall Design Centre (primarily 16-25sqm); and the development at City Campus, Calverley Street (22sqm) which was approved before the Leeds Standard and the introduction of the Government's Technical Housing Standards. Members of City Plans Panel visited a show-flat for this development on May 12<sup>th</sup> 2016.

Additional dedicated amenity space for the students would be provided at ground floor and basement level of the building. These areas include a common area / reception incorporating a lounge space and food vending area (190sqm); a gym and games area (109sqm); tv and study rooms (94sqm). Further, ancillary areas are identified for laundry, bin storage and cycle storage. Additionally, there is a space (123sqm) which could potentially be used as ancillary student space or as letting agents office space (A2).

The majority of studios would face Cookridge Street and would enjoy a good outlook and daylighting. However, those units to the rear would have a less favourable position due to the juxtaposition with the partially constructed hotel. The studios towards the southern end of the building would have a view beyond the southern gable of the hotel podium towards the Civic Hall. The daylighting and outlook of those studios located towards the centre of the site at levels 1 to 5 would be limited by the proximity of other elements of the proposed student building and also by the position of the hotel. However, the reduced amenities experienced by those centrally-located units to the rear is offset by the combination of space within the studios and the opportunities afforded by the extent of dedicated communal amenity areas proposed elsewhere within the building.

It is considered that the proposed space and internal layouts of the units provide an acceptable arrangement for conducting day to day living functions particularly in conjunction with the availability of the additional dedicated communal areas (at least 393sqm).

- 9.2 The impact upon the significance of listed buildings and the character of the conservation area**
- 9.2.1 The site is located close to several listed buildings and two conservation areas. Special regard needs to be paid to the desirability of preserving the listed buildings and their setting or any features of special architectural or historic interest which they possess. Additionally, special attention needs to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.2.2 It is not considered that the existing building positively contributes to the character of the area such that, in principle, its demolition and redevelopment would not be resisted.
- 9.2.3 Two distinct character areas are recognisable in the immediate vicinity comprising tall buildings addressing Woodhouse Lane to the north and predominantly smaller scale, 3 to 5 storey properties, to the south. There are views of these areas from Clay Pit Lane to the north and from Cookridge Street / Millennium Square to the south. The site is located at the northern edge of the lower scale buildings. At a more immediate level the appropriate massing of the development is heavily influenced by the scale and form of the neighbouring listed O2 Academy building which, with the other recent buildings in the area, informed the scale of the podium to the Hilton hotel and the adjacent Leeds Beckett University Rose Bowl.
- 9.2.4 The top of the proposed building would be slightly higher than the ridge to the O2 building located at a lower ground level to the south. However, the upper two levels of the proposed building would be recessed from the frontage and also set in from the southern boundary. These top levels would also be predominantly glazed and lighter in appearance than the main body of building below.
- 9.2.5 Sections submitted with the proposals illustrate that the proposed building would be marginally lower than the top of the hotel podium. As noted, the upper two levels of the building would have a relatively lightweight and recessive appearance. The scale and form of the proposed building appears to have an acceptable relationship with the hotel complementing the mass of other nearby buildings and, as such, it is likely to enhance the character of the area.
- 9.2.6 The main body of the building itself would be articulated by three principal expressed elements, rising towards the centre, responding to the articulation of the O2 building. A secondary frame, set back from the main frame, would continue the vertical rhythm of the building and divide the recessed fenestration. The proposed facing materials for the primary and secondary frame would be a stone rainscreen cladding system which would be complementary to the O2 building. Glazing and horizontal aluminium louvres would be utilised in the recessed openings. The set-back roof level would be predominantly glazed with a horizontal emphasis resulting from the eaves profile and brise soleil. However, this element of the building would be recessive in appearance and the stepped nature of the main, expressed, frame would be the main feature.
- 9.2.7 The intended arrangement at ground floor would strengthen the overall design concept. The centrally-located main entrance would have a double height curtain wall to enhance its significance and to respond to the step up in height of the bay. The retail frontages would be recessed so as to maintain the primacy of the main frame. These recessed, shopfront, areas would gradually step up in direct response to the sloping ground levels along the street.

9.2.8 Accordingly, it is considered that the massing, form and materiality of the proposed building would have a positive relationship with the O2 building, other listed buildings in the area thereby preserving and enhancing their setting and also that of the wider conservation area.

### **9.3 Traffic, servicing and access issues**

9.3.1 The site is located in a highly sustainable, central, location with close proximity to a full range of goods, services and different modes of transport.

9.3.2 There are 17 existing pay and display parking bays on Cookridge Street. One of the bays outside the building could be removed to provide space to help service the development. The applicant would be required to pay for the cost of these changes and the loss of revenue which is likely to be approximately £15,000 in total and a clause is proposed in the section 106 agreement to this effect.

9.3.3 The remaining pay and display spaces could be used, if available, at the start and end of the academic year to help manage this drop-off/pick-up process. In addition, there are existing public car parks nearby, such as the Rose Bowl, which could be used.

9.3.4 A dedicated secure area would be provided within the building for the storage of bicycles. The provision is in accordance with the Council's Parking SPD.

### **9.4 Noise issues**

9.4.1 The site is located in an area containing a number of bars and entertainment premises, including a live music venue in the O2 Academy. Numerous events, including live music, are also held in Millennium Square. Given the location directly adjacent to a music venue there is the potential for the transmission of structure-borne noise. There is also the potential for airborne transmission of entertainment noise from bar/entertainment sources, as well as noise from patrons in external areas queuing or smoking, noise from deliveries and collections and the general increased environmental noise levels associated with a city centre location and the nearby road junction, especially that associated with the night-time economy.

9.4.2 The application was supported by an acoustic report. Noise surveys demonstrated that within the existing building music noise from the O2 Academy was almost inaudible. The proposed development would not have an adjoining party wall such that the transfer of noise is expected to be even lower than presently such that residents would not be affected.

9.4.3 Existing background noise is dominated by pedestrians and traffic. A mechanical ventilation system is proposed for the development which would provide the occupants the realistic option of keeping windows shut, but the option to open them if desired. As such, the general perception of residents should be that noise would be noticeable but not intrusive

9.4.4 The proposed ground floor uses may include plant and machinery which could generate noise. However, as it is not known what plant is proposed at this stage a condition is proposed regarding sound insulation and the need to control plant noise. Consequently, in conclusion, with mitigation measures and conditions as referred to above, the noise level should be reasonable for residents; music noise should be inaudible and the development should create a minimal impact itself.

## **9.5 Other material considerations**

- 9.5.1 The proposed building would adversely affect the outlook and daylighting to several rooms within the hotel when completed. However, given the temporary use of hotel accommodation which is predominantly used for sleeping and the potential opportunity to enhance the character of the area with a well-designed infill building it is considered that this impact, in itself, would not be a sufficient reason to resist the proposal.

## **9.6 Section 106 obligations and Community Infrastructure Levy (CIL)**

- 9.6.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms,
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The proposed scheme produces the need for the following obligations which it is considered meet the legal tests:

- Occupation of the studios only by full-time students;
- Contribution of approximately £15,000 for loss of revenue from on-street pay and display parking spaces and for the associated Traffic Regulation Order to enable servicing and deliveries;
- Local employment and training initiatives;
- Section 106 management fee (£1500).

- 9.6.2 The proposed development would also be subject to the Community Infrastructure Levy (CIL) of £14,925.

## **9.7 Conclusion**

- 9.7.1 The proposed redevelopment of the site has the potential to enhance the character of the conservation area and the setting of listed buildings. The principle of the development of the site for use as student accommodation is acceptable and, in doing so, it would deliver sustainable, economic growth. The size of the studios, although not spacious, would provide an acceptable standard of amenity for the occupiers when considered in conjunction with a good level of communal space which would help to undertake day to day living functions. The occupiers would not be adversely affected by noise and the traffic impacts of the development of this sustainably-located site could be readily managed. Consequently, it is considered that the proposal is acceptable subject to a section 106 agreement and the specified conditions.



## APPENDIX 1 – CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) The development shall not commence until a scheme detailing surface water drainage works, including hydraulic calculations, has been submitted to and approved in writing by the Local Planning Authority. The allowable rate of discharge shall be agreed with the Local Planning Authority and this will be based on a minimum 30% reduction on the existing. The developer shall provide details of the existing drainage network, including gully connections, pipe sizes, invert levels, gradients and connection points, as well as a plan showing the measured impermeable areas of the existing site. A surface water attenuation system shall be provided which ensures that the allowable discharge rate is not exceeded for the 1 in 100 year event including a 30% uplift for climate change. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in the approved details.

To ensure sustainable drainage and flood prevention in accordance with LCCs Natural Resources and Waste DPD and the NPPF.

- 4) Development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

Where remediation measures are shown to be necessary in the Phase II Report and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the saved Unitary Development Plan Review 2006.

- 5) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the saved Unitary Development Plan Review 2006.

- 6) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

- 7) No works shall begin until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway;
- b) measures to control the emissions of dust and dirt during construction;
- c) location of site compound and plant equipment/storage;
- d) deliveries and off-loading of materials;
- e) workforce parking; and
- f) how this Statement of Construction Practice will be made publicly available by the developer.

The approved details shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of amenity and highway safety in accordance with Core Strategy policy T2, saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 8) The development shall not be occupied until the approved cycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In order to meet the aims of Core Strategy policy T2 and the Parking SPD.

- 9) The development shall not be occupied until details of arrangements for servicing and deliveries to the building have been submitted to and approved in writing by the Local Planning Authority and the arrangements thereby approved have been implemented.

In the interests of highway safety and in order to meet the aims of Core Strategy policy T2

- 10) The approved details for the provision of bin stores (including siting, materials and means of enclosure) and where applicable storage of wastes and access for their collection shall be implemented in full before the use commences and shall be retained thereafter as such for the lifetime of the development. For the avoidance of doubt refuse bins shall not be stored outside the approved areas.

In the interests of amenity and to ensure adequate measures for the storage and collection of wastes are put in place in accordance with saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 11) Prior to the commencement of the superstructure of the building a scheme for protecting future occupiers of the proposed studios from noise shall be submitted to and agreed in writing by the Local Planning Authority. The studios shall not be occupied until the agreed sound insulation works have been completed and any such noise insulation as may be approved shall be retained thereafter.

In the interest of residential amenity and to accord with saved Unitary Development Plan Review policy GP5 and the National Planning Policy Framework.

- 12) The student accommodation shall have a mechanical ventilation system details of which shall first be submitted to and approved in writing by the Local Planning Authority. The approved system shall be installed prior to first use of the accommodation and thereafter retained and maintained.

In the interests of residential amenity and in accordance with saved Unitary Development Plan Review policy GP5 and the National Planning Policy Framework.

- 13) Plant and machinery operated within the development shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of residential amenity and in accordance with saved Unitary Development Plan Review policy GP5 and the National Planning Policy Framework.

- 14) No installation of externally mounted plant or equipment shall take place until details of the installation and/or erection of any air conditioning or extract ventilation system, flue pipes, window cleaning equipment or other excrescences proposed to be located on the roof or sides of the building, including details of their siting, design, noise attenuation, and external appearance have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of amenity and visual amenity, in accordance with Saved Unitary Development Plan Policies GP5, BD2 and BD4, Leeds Core Strategy policy P10 and the NPPF.

- 15) (i) Prior to the commencement of development an updated Sustainability Statement shall be submitted which will include a detailed scheme to demonstrate compliance with Core Strategy policies EN1 and EN2.

(ii) Within 6 months of the first occupation of the building a post-construction review statement shall be submitted and approved in writing by the Local Planning Authority demonstrating compliance with Core Strategy policies EN1 and EN2.

The development shall thereafter be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

To ensure the inclusion of appropriate sustainable design principles in accordance with Core Strategy Policies EN1 and EN2, Leeds Sustainable Design and Construction SPD and the NPPF.

- 16) Prior to commencement of construction of the superstructure of the building typical detailed 1:20 scale (or other appropriate scale) working drawings of the following elevational features shall be submitted to and approved in writing by the Local Planning Authority:
- (a) Sections through windows, window louvres and curtain walling;
  - (b) Shop-fronts and entrances;
  - (c) Details of roof parapets, railings and brise soleil; and
  - (d) Eaves line and soffits.

The works shall be constructed in accordance with the approved details.

In the interest of visual amenity and providing a high quality design and to accord with Core Strategy policy P10 and P11.

- 17) Prior to commencement of construction of the superstructure of the building a sample panel of the external finishing materials to be used shall be approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the details of the type, bonding and coursing of the materials. The materials shall be constructed in strict accordance with the sample panel which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the materials harmonise with the character of the area and to accord with Core Strategy policy P10 and P11.



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Originator: Andrew Crates

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 9<sup>th</sup> June 2016

**Subject: Planning Application 12/02571/OT – Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road, Leeds, LS14.**

#### APPLICANT

East Leeds Extension North  
Quadrant Consortium

#### DATE VALID

8<sup>th</sup> June 2012

#### TARGET DATE

7<sup>th</sup> September 2012

**Electoral Wards Affected:**  
Crossgates and Whinmoor

Harewood

Roundhay

Yes Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION:

**For Members to note the contents of this report.**

**Members have previously agreed to DEFER and DELEGATE approval to the Chief Planning Officer, subject to conditions to cover those matters outlined below (and any others which he might consider appropriate) and the completion of a Section 106 agreement to cover the following (post CIL):**

- Affordable Housing – 15% guaranteed (with a 60% submarket and 40% social rent split) to be provided on site (subject to provisions that allow for a payment in lieu towards offsite provision if offers are not received from housing associations during the offer period, such period having been extended to 12 months during negotiations with applicants)
- Public open space on site of the size and locations set out within the Design and Access Statement Addendum (laying out costs of £2,188,816, plus 10 years maintenance costs of £1,660,642 or transfer to approved management entity). On site

play facilities in three locations at a cost of £1,209,099, plus a fixed play maintenance cost of £28,693 or transfer to approved management entity. Provision is also made to offer the transfer of Skeltons Woods to the Council at nil cost.

- Provision of land for a country park at nil cost, together with a financial contribution of £1,402,078 for laying out and maintenance. The S106 will include a requirement for a planning application to be submitted for the enlarged park, as indicated on the revised masterplan. The country park is to be developed through the Parks and Countryside apprenticeship scheme.

- Provision of an area not less than 0.86 hectares for the development of a local centre in the location identified in the Design and Access Statement Addendum. The centre will make provision for retail, health and community facilities.

- Provisions for a scheme of older peoples housing.

- Education provision – Provision of 2 hectares of land at nil cost in the revised location shown in the Design and Access Statement Addendum, together with a financial contribution of £4,946,145.83.

- Roof tax payments to cover the agreed cost of delivering the Northern Quadrant section of ELOR (land for ELOR to be transferred, plus land indemnity agreement to be delivered). Payments to be made at six monthly intervals to follow the build out rate of new dwellings.

- Requirement to submit a planning application for a roundabout at the A58/ ELOR junction in the optimum position and to implement it. Requirement will also be made to safeguard land for the eventual 6 arm A64 / ELOR junction and to close the south end of Thorner Lane at the A64 on completion of the Northern Quadrant section of ELOR. Provisions are also required relating to the timing of the A58 and A64 ELOR junctions relative to the Council's ELOR programme.

- Provision of £200,000 to be used for additional local traffic management measures.

- Extension of bus services through the development. Service 16 to be extended to terminate in the Northern Quadrant (north of Skeltons Lane) to provide high frequency services to the city centre. One additional bus required for a period of up to 2 years at an indicative cost of £150,000 per year. Service 4 will then replace this extension once the spine road through the site is completed. Two additional buses will be required for a period of up to 3 years at an indicative cost of £150,000 per year per bus. The maximum bus subsidy will be £1,200,000.

- Travel Plans for the residential and primary school elements of the development, including a Travel Plan monitoring fee of £14,500. The Travel Plan co-ordinator to have an annual Travel Plan budget of £12,000 per year for a period of 16 years.

- Employment and training initiatives.

**Final determination of the application shall be delegated to the Chief Planning Officer.**

Conditions:

1. Ten year time limit for commencement and reserved matters submission deadlines
2. Outline relates to Access only. All other matters Reserved.
3. Plans to be approved.
4. Off-site highway improvement works to outer ring road junctions with A58, A64 and Barwick Road to be completed prior to first occupation
5. Full detailed design of Northern Quadrant section of ELOR to be approved, including provision of pedestrian and cycle routes in accordance with the masterplan.
6. New ELOR roundabout junctions on A58 and A64 to form the sole points of construction access, subject to agreement.
7. Final details of the spine road to be submitted and agreed (including details of closures on Skeltons Lane), including spine road connection through to Grimes Dyke.
8. Vehicular connection to Grimes Dyke development to be capable of accommodating buses.



9. Pedestrian and cycle improvements to section of Skeltons Lane between ELOR and Thorner Lane to be implemented within one year of the completion of the Northern Quadrant section of ELOR.
10. Southern end of Thorner Lane (at junction with A64) to be closed at a time coincidental to the opening of the Northern Quadrant section of ELOR.
11. Provision of a bridge carrying footway / cycleway to the country park.
12. Tie in of footways / cycleways along the A58 and A64.
13. Details of re-located bus stops on A58 and A64 to be submitted and agreed.
14. Full surface water drainage strategy for Northern Quadrant section of ELOR to be submitted and approved.
15. Full details of ELOR buffer landscaping scheme and a timetable for its implementation to be submitted and approved.
16. Pre-start 25 year landscape management plan for buffer landscaping scheme.
17. Pre-start arboricultural method statement for Northern Quadrant section of ELOR.
18. Details of biodiversity mitigation and enhancement to be approved and implemented in accordance with an agreed timetable.
19. Closure of Red Hall Lane at junction with A58 to be agreed.
20. Full details of country park landscaping scheme and a timetable for its implementation to be submitted and approved in order that works shall commence following the construction of the Northern Quadrant section of ELOR.
21. Pre-start 25 year landscape management plan for country park.
22. Programme of archaeological recording for each phase of development, where the Northern Quadrant section of ELOR is included as a phase.
23. Samples of walls, roofing and surfacing material to be approved for each reserved matters phase.
24. Details of means of enclosure including for each reserved matters phase.
25. Details of bin stores for each reserved matters phase.
26. Phasing plan for the delivery of development and associated greenspaces to be submitted.
27. Landscape scheme for each reserved matters phase.
28. Implementation of landscape schemes.
29. Pre-start 25 year landscape management plan for each reserved matters phase.
30. Tree protection on each reserved matters phase.
31. Tree replacement conditions.
32. Biodiversity enhancement on each reserved matters phase.
33. Access roads and car parking to be complete prior to first occupation of each phase of development.
34. Drainage details for each reserved matters phase.
35. Cycle/motorcycle provision for each reserved matters phase.
36. Construction Management Plan to include interim drainage measures, arrangements for construction traffic including access routes, on site provision for contractors during construction, location of compounds, measures to prevent mud on road and dust suppression, for each reserved matters phase.
37. Contamination reports for each reserved matters phase.
38. Unexpected contamination on each reserved matters phase.
39. Verification reports for each reserved matters phase.
40. Electric vehicle charging points.
41. 20mph speed limit throughout the site.
42. Adherence to the design principles as set out within the Design and Access Statement and supplement.
43. Restriction on development where owners have not entered into the s106, until an agreement is entered into to bind the relevant land in its entirety by the same planning obligations.
44. Details of housing mix to be submitted for each Reserved Matters application.
45. Provision of bus stops / shelters and associated infrastructure.

## **1.0 INTRODUCTION:**

- 1.1 This application is presented to Members as an information item in order to provide an update following on from 10<sup>th</sup> March 2015 City Plans Panel. At that meeting, Members agreed to defer and delegate approval to the Chief Planning Officer. This report seeks to set out the current position on the S106 agreement, following the negotiations with the applicants that have taken place since the Plans Panel resolution, with a view to issuing a planning permission in the near future.

## **2.0 UPDATE SINCE 10<sup>TH</sup> MARCH 2015 CITY PLANS PANEL**

- 2.1 The application was discussed at the City Plans Panel meeting of 10<sup>th</sup> March 2015. The minutes of the meeting note that Members carefully considered how to deal with the application, as follows:

It was felt that the recommendation within the submitted report (for a scheme with 12% Affordable Housing) was at variance with Members' views.

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

The Head of Planning Services and the Panel's legal adviser sought clarification of what was being proposed, for the avoidance of doubt. The Panel resolved *'to defer and delegate approval to the Chief Planning Officer on the grounds set out in the submitted report, subject to an amendment to the affordable housing provision which should be on-site at a guaranteed level of 15%, in a 60/40 split and in the event this could not be agreed upon, that a further report be submitted to Panel and to note this could be after 6<sup>th</sup> April 2015 when the Council's CIL charging schedule and Regulation 123 of the CIL regulations 2010 (as amended) would come into force.'*

- 2.2 At that point in time, the applicant was not in a position to agree to the 15% Affordable Housing requirement (as set out in the resolution) and could not therefore sign a S106 agreement at that time. Inevitably, the date for the introduction of CIL passed by on 6<sup>th</sup> April 2015 and officers continued to work with the applicants in order to assess what the implications of CIL would now be on the development.

### **Introduction of CIL**

- 2.3 The introduction of CIL has meant that certain components of the S106 package reported to Members last time can no longer be included as they relate to wider off-site infrastructure, namely off-site education contributions which are included on the Council's Regulation 123 CIL spending list and are now intended to be funded by CIL.
- 2.4 In terms of education provision, the scheme proposes a 2 form entry primary school on site which, as on-site infrastructure, can be secured through the S106. However, the off-site primary and secondary education contributions that were reported to Panel last time can no longer be secured through the S106 and would be funded by CIL.
- 2.5 Ward Members have expressed particular views around CIL spending and these are dealt with in more detail in paras. 2.26 – 2.31.

## Planning obligations

2.6 There are a number of planning obligations related to the development which are not CIL items (as set out above) and which would therefore be secured through a S106 agreement. Officers have worked with the applicants to ensure that the S106 package delivers the necessary infrastructure in a timely way and, in particular, achieves the 15% Affordable Housing that Members sought at the 10<sup>th</sup> March 2015 Plans Panel. The summary table below sets out in brief what changes have taken place since that time:

Obligation	Position at 10 <sup>th</sup> March 2015 City Plans Panel	Position at 9 <sup>th</sup> June 2016 City Plans Panel
<b>Affordable Housing</b>	Recommended with 12% provision on site (with a 60% submarket and 40% social rent split) with an ability to increase to 15% through ELOR savings. Plans Panel resolved to defer and delegate on basis of 15% provision.	15% provision on site (with a 60% submarket and 40% social rent split).
<b>Education</b>	Primary – 2ha of land to be transferred to the Council together with a financial contribution. A separate contribution to be secured for off-site primary expansion.  Secondary - contribution to be secured for off-site secondary expansion.	Primary – 2ha of land to be transferred to the Council together with a financial contribution.  Off-site primary and secondary contributions can now only be funded by CIL.
<b>Retained open spaces</b>	To be laid out on site.	No change.
<b>Country Park</b>	To be transferred to the Council and for planning application to be submitted for enlargement.	No change.
<b>Skeltons Wood</b>	To be transferred to the Council.	No change.
<b>Local Centre</b>	Provision of 0.86ha for a local centre.	No change.
<b>Housing for the Elderly</b>	Provision to be made to secure an element of housing for the elderly	No change.
<b>Training and Employment</b>	Plan for employment and training initiatives.	No change.
<b>East Leeds Orbital Road (ELOR)</b>	Roof tax payments to be made to cover agreed cost of Northern Quadrant section of ELOR.	No change.
<b>Off-site highway improvements</b>	Requirement to submit planning application for A58 ELOR roundabout in agreed optimum position.	No change.

	Provision of fund to be used for additional local traffic management measures.	
<b>Public Transport</b>	Extension of bus services through the development.	No change.
<b>Travel Plans</b>	Travel Plans for the residential and primary school elements of the development.	No change.

The various components of the S106 agreement are set out below:

*Affordable Housing*

- 2.7 Members will recall that the application was previously presented with a recommendation to defer and delegate approval on the basis of 12% Affordable Housing, with a mechanism to claw back savings on the cost of ELOR, such that those funds can be used to increase the level of Affordable Housing. Having received a confidential paper on the viability of the scheme, Members resolved to not accept the officer recommendation, but to approve the application on the basis of 15% Affordable Housing being delivered on site, in accordance with policy. Following negotiations, the applicants now accept a planning obligation for 15% Affordable Housing, as described above.
- 2.8 With a scheme of this size, it is likely that development will come forward as a series of phases over time. The S106 will require the reserved matters application for each phase to contain the policy requirement level of Affordable Housing. This will ensure an even spread of Affordable Housing across the development and avoid a situation where some phases contain fewer / no Affordable Housing units and other phases having to make up the difference.
- 2.9 The Housing and Planning Act 2016 will bring about changes to the definition of Affordable Housing, notably to include Starter Homes. At this point in time, and prior to the introduction of secondary legislation, it is too early to know how such legislative changes might affect this site and the wider East Leeds Extension over the course of the development and it would therefore be premature to specify particular initiatives, as these are likely to be updated or replaced over time. Provisions have therefore been put in place to future proof the delivery of Affordable Housing.

*Education*

- 2.10 As described above, education is one of the matters that is now generally covered by CIL, except where some on site provision is necessary, as is the case here. For the on-site provision, Children's Services have previously advised that a 2FE primary school is required on an area of land totaling 2 hectares in the north-western part of the site, as indicated on the masterplan. The S106 will contain provisions to trigger the transfer of the land to the Council at the occupation of the 1,000<sup>th</sup> dwelling. The liability to transfer the land will be several, but with restrictions on development up to a combined limit of 1,000 dwellings split between the Consortium members. Children's Services have previously advised that it is critical that the school can be developed by 1,600 units. Thus, financial contributions of £1.6m will be due at 1,000 units, a further £1.6m at 1,100 units and the balance of £1,746,145.83 at 1,200 units. The total on-site primary school contribution is £4,946,145.83, index linked. The obligation to pay financial contributions will be given by the owners on a joint and several basis.

### *Retained open spaces*

- 2.11 The term 'retained open spaces' refers to the areas of land set aside for public open space in accordance with the landscape masterplan accompanying the application, including on-site play facilities. The S106 will contain a Site Wide Retained Open Spaces Strategy and subsequent phases that come forward through reserved matters applications shall be required to comply with it. This ensures that the quantum and location of open spaces comes forward in a logical fashion, reflecting the landscape masterplan. The applicants propose that they, or their appointed management companies, shall maintain the retained open spaces in perpetuity and provisions shall ensure that they remain in a satisfactory condition and open for public use.

### *Country Park*

- 2.12 Unlike the retained open spaces, it is proposed that the Country Park will be developed and subsequently maintained by the Council's Parks and Countryside Service. The land identified in the landscape masterplan is proposed to be transferred to the Council by the relevant landowners at the same time that the section of the East Leeds Orbital Road (ELOR) that is adjacent to the Country Park is transferred to the Council. This is logical given that ELOR and the Country Park are intrinsically linked - the Council will be delivering the ELOR project and there are economies of scale and efficiencies that can be achieved in pursuing both schemes simultaneously.
- 2.13 As described above, the Country Park has been expanded during the course of the application to include land which is outside the application site boundary, but is within the control of the applicants. The S106 will therefore contain provisions requiring the Consortium to submit a planning application for the Country Park Extension and to diligently pursue the grant of a planning consent. Thereafter, the Country Park Extension shall be transferred to the Council in accordance with the provisions described above.
- 2.14 In addition to the transfer of land, the Consortium will pay a Country Park contribution of £1,402,078, index linked, for the purposes of securing the detailed design, laying out and maintenance of the Country Park land in perpetuity. These obligations will be given by the owners on a joint and several basis. The timing of the payment will be linked to the Council demonstrating that it has entered into a contract for the laying out / provision of the Country Park, together with the timing in relation to when those works will be carried out. It is worth noting, as set out in the previous Panel report, the Parks and Countryside Service are keen to take on the delivery and management of the Country Park, utilising their apprenticeship scheme.

### *Skeltons Wood*

- 2.15 Skeltons Wood is an existing area of woodland to the rear of properties on the eastern side of Hornbeam Way. Historically, the woodland has been managed on an informal basis by the Friends of Skeltons Wood. The planning application proposes to incorporate the woodland into the open space offer and formalise arrangements with the Friends group. The most practical way of doing this is for the wood to be transferred to the Council, together with a financial contribution for future maintenance. The Parks and Countryside Service would work with the Friends group to enable them to continue their work, assisted by a financial contribution. Longer term, should the Friends group cease, the Council would continue to be in control of the land and can ensure its long term maintenance.

### *Local Centre*

- 2.16 The Local Centre is identified in the masterplan, indicatively shown on an area adjacent to the spine road in the southern parcel of development. It is acknowledged that the exact location of the local centre will be influenced by the commercial

requirements of future operators, though provisions are made within the S106 to ensure an appropriate location for the good planning of the area. The Local Centre site is defined as an area of not less than 0.86 hectares and will contain a mix of uses including retail, health centre and community uses. It is proposed that the Local Centre site is marketed from commencement of development in the southern parcel up to the occupation of 750 dwellings in that part of the development, allowing a reasonable amount of time for such an opportunity to be considered by the market. Should there be no interest in delivering a Local Centre or should the proposal be demonstrably unviable, any replacement uses shall be agreed with the Council.

#### *Housing for the Elderly*

- 2.17 It is proposed that the development should contain an element of specialist housing for the elderly. The S106 contains provisions such that an area up to a maximum of 1 hectare shall be marketed for these purposes in accordance with an implementation plan to be agreed with the Council. A reserved matters application would then be pursued in the future, most likely by a specialist provider.

#### *Training and Employment*

- 2.18 As expected on this scale of development, the S106 contains an obligation requiring training and employment initiatives to be pursued (through working in liaison with Employment Leeds). A training and employment scheme is to be developed and agreed with the Council.

#### *East Leeds Orbital Road (ELOR)*

- 2.19 Following negotiations, the Consortium are now in a position to agree to transfer to the Council the land required for ELOR at a point in time no earlier than April 2018. This is dependent on the Council demonstrating that it has entered into a contract for the construction of ELOR, together with a build programme demonstrating that the works are to be carried out; and the land within the application site on which ELOR is to be constructed is required by that date for the construction of that section of ELOR. The above timetable fits comfortably with the Council's intended delivery of the ELOR project. There will be a restriction on any development (or any further development) on any part of the site in the event that land required for ELOR is not transferred when required by the Council.

- 2.20 As reported to Members previously, it is anticipated that the development of the Northern Quadrant will pay for the Northern Quadrant section of ELOR through a per dwelling roof tax contribution (calculated by dividing the anticipated cost of this section of ELOR by 2,000 dwellings). The S106 will contain provisions to ensure that there is some flex such that re-balancing can take place if more or less dwellings are developed, essentially ensuring that the cost of this section of ELOR is covered. The Consortium has now also agreed to a mechanism for a 'long stop' to ensure that the roof tax is eventually paid in full.

- 2.21 It was previously noted that the optimum position of the A58 ELOR roundabout is in a slightly different position (more westwards) than the position shown in the planning application. The S106 will therefore contain provisions requiring the Consortium to submit a planning application for the agreed optimum position of the A58 ELOR roundabout, which utilises a small area of land within the Council's control, at Red Hall. Provisions are also made for an interim A64 ELOR roundabout to be constructed to enable access to the southern parcel, in the absence of the Council delivering ELOR to the current timetable. In reality, this is unlikely to be necessary, as the Council's programme for the delivery of ELOR has now overtaken the programme for development of the Northern Quadrant. If the A58 and/or A64 ELOR junctions are delivered by the Consortium, the cost of these elements shall translate into a works in

kind 'payment holiday' against the roof tax programme.

#### *Off-site Highway Improvements*

- 2.22 As noted by Plans Panel previously, there are some specified improvements that are required in relation to the existing Outer Ring Road junctions with the A58, A64 and Barwick Road, prior to the commencement of development. No dwellings shall be occupied until these works are completed. Additionally, a Local Traffic Management Contribution of £200,000 is payable to the Council no later than the completion and opening of ELOR to motorised vehicles or, if earlier, occupation of 500 dwellings. This is in order that the effects of the development can be measured to assess whether there are any unforeseen off-site highway impacts that need to be mitigated or addressed. These obligations are secured through the S106.

#### *Public Transport*

- 2.23 Public transport in the form of bus service extensions is integral to the development of the Northern Quadrant. The S106 will make provision for the various owners to be severally liable for their respective parts of the total public transport contribution. The bus service extensions involve extending the service 16 to terminate in the site (north of Skeltons Lane) to provide high frequency services into the city centre. For this, one additional bus is required for a period of up to 2 years at an indicative cost of £150,000 per year. Additionally, the service 4 will replace the above service extension once the spine road through the site is completed. Two additional buses are required for a period of up to 3 years at an indicative cost of £150,000 per year. The maximum bus subsidy will be £1.2m. Crucially, no dwelling shall be occupied unless it is 400m or less walking distance from an operational bus stop.

#### *Travel Plan*

- 2.24 The planning application is accompanied by a framework travel plan for the whole site. It is intended that as phases of development come forward, they will be subject to a specific travel plan, though it is desirable to minimise the number of different plans in order to reduce the burden of monitoring. The Consortium has stated that there shall only be three travel plans sitting below the framework travel plan. The Council's travel plan monitoring fee for the level of development is £14,500. The annual travel plan budget for the travel plan co-ordinator post shall be £12,000 per year for a period of 16 years, thus giving a total contribution of £192,000 to be spent on travel plan measures.

#### *S106 Agreement – general comments*

- 2.25 The applicant is the East Leeds Extension North Quadrant Consortium. However the Consortium does not exist in any formal or legal sense and the land is currently held in a number of different ownerships and in some cases subject to option arrangements. Careful consideration has been given to each planning obligation and in particular to whether the obligation should be given by all owners on a joint and several basis or whether, in the circumstances, a several obligation from one or a combination of owners would be acceptable.

#### **Update on briefing to Ward Members**

- 2.26 Officers have met with Crossgates and Whinmoor Ward Members on 18<sup>th</sup> May 2016 to provide a briefing on the overall S106 package as it now stands. Ward Members noted the update and in relation to the amount of CIL generated by the development made strong representations that this money should be ring fenced for use within the Crossgates and Whinmoor Ward, given that this is where the impact of the infrastructure needs will be felt most, particularly in relation to education.

2.27 The issue around how the Council's portion (as opposed to any community portion) of the levy is spent was dealt with at the Executive Board meeting of 11<sup>th</sup> February 2015. With regard to strategic CIL spend, the minutes state:

*“(vii) That priorities for strategic CIL spend are decided on an annual basis as part of the Council's budget setting process, in line with the Regulation 123 List, and taking into account the impact of specific and cumulative infrastructure needs arising from new development.”*

2.28 The report to Executive Board noted that much of the agreed spending would be based in the general localities where the development occurred or caused infrastructure pressures, reflecting Members' views on priorities at the time. It was also noted that a process for determining the strategic spending during the budget setting will need to be put in place.

2.29 Plans Panel cannot direct how CIL is spent as that is a matter for Executive Board. However, it is clear from the Executive Board report that there is recognition of the need to address infrastructure requirements in the locality of a development and that the intention is to agree a process to enable these needs to be fed into that process.

2.30 Notwithstanding Ward Members' request, it should also be noted that part of the application site falls within Harewood Ward and also within the boundary of Barwick-in-Elmet and Scholes Parish Council. Where a development site is located in the area of a Town or Parish Council, CIL Regulation 59A requires the charging authority to pass on 15% of CIL receipts to the relevant local council, and this percentage rises to 25% where the local council has adopted a Neighbourhood Plan. It is also understood that Barwick-in-Elmet and Scholes Parish Council is currently consulting on a Neighbourhood Plan so if that is adopted before the planning permission first permits development (as defined in CIL Regulation 8 and essentially meaning the day of approval of the last reserved matter associated with a phase) then that percentage will increase to 25%. It is noted that the Parish Council would only get the proportion of CIL received by the City Council equal to the proportion of the gross internal area of the development that is within their area – as per CIL Regulation 59A(8). Clearly, the application is in outline, but it may be that a small amount of residential development would fall within this area.

2.31 Once CIL receipts are passed to the Parish Council they must be used to support the development of the Parish Council's area by funding infrastructure or “anything else that is concerned with addressing the demands that development places on an area”.

#### **Update on the East Leeds Orbital Road (ELOR) project**

2.32 As reported to Members previously, the Council is now taking a leading role in the delivery of ELOR. The Council has been successful in obtaining backing from the West Yorkshire Transport Fund (WYTF) and the Council's partners, Mouchel, have already undertaken a good deal of work in terms of feasibility and the preparation of a planning application for the whole of ELOR. The Council undertook a public consultation exercise at the end of 2015 / early 2016 with feedback influencing the project. It is anticipated that a planning application will be lodged in summer 2016. Notwithstanding the need to obtain planning permission, there is a great deal of work to be done in terms of liaising with landowners and obtaining a Compulsory Purchase Order (CPO) if necessary. It is anticipated that work would start on constructing the ELOR in 2018, such that it would be open for public use by 2021. Clearly, the delivery of housing on the Northern Quadrant is critical to securing roof tax payments for ELOR and satisfying the business case made to the WYTF.



### **Summary conclusion**

- 2.33 Members resolved to grant outline planning permission for the development at the 10<sup>th</sup> March 2015 City Plans Panel, on the basis of 15% Affordable Housing provision. A lot of work has been undertaken in negotiating and drafting the S106 agreement, which now delivers what Members required. Given the introduction of CIL, post resolution, this has changed the nature of some of the obligations that were presented to Members previously and so this information report seeks to provide an update on the overall S106 package as it now stands. The recommendation is therefore for Members to note the contents of this report. It is proposed that officers continue to finalise the drafting of the S106 agreement and conditions in order to issue the outline planning consent in due course.
- 2.34 A copy of the report to 10<sup>th</sup> March 2015 City Plans Panel is included at Appendix A for information.

# APPENDIX A



Originator: Andrew Crates

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 10<sup>th</sup> March 2015

**Subject: Planning Application 12/02571/OT – Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road, Leeds, LS14.**

#### APPLICANT

East Leeds Extension North  
Quadrant Consortium

#### DATE VALID

8<sup>th</sup> June 2012

#### TARGET DATE

7<sup>th</sup> September 2012

**Electoral Wards Affected:**  
Crossgates and Whinmoor

Harewood

Roundhay

Yes Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

**DEFER and DELEGATE** to the Chief Planning Officer for approval subject to conditions to cover those matters outlined below (and any others which he might consider appropriate) and the completion of a Section 106 agreement to cover the following:

- Affordable Housing – 12% guaranteed on site (with a 60% submarket and 40% social rent split), with provision for further Affordable Housing to be paid for from surplus roof tax payments.

- Public open space on site of the size and locations set out within the Design and Access Statement Addendum (laying out costs of £2,188,816, plus 10 years maintenance costs of £1,660,642). On site play facilities in three locations at a cost of £1,209,099, plus a fixed play maintenance cost of £28,693. Provision is also made to offer the transfer of Skeltons Woods to the Friends of Skeltons Wood at nil cost.

- Provision of land for a country park at nil cost, together with a financial contribution of £1,402,078 for laying out and maintenance. The S106 will include a requirement for a planning application to be submitted for the enlarged park, as indicated on the

revised masterplan. Provision will also be made for the country park to be developed through the Parks and Countryside apprenticeship scheme.

- Provision of an area not less than 0.86 hectares for the development of a local centre in the location identified in the Design and Access Statement Addendum. The centre will make provision for retail, health and community facilities, as well as older peoples housing in close proximity.

- Education provision – Provision of 2 hectares of land at nil cost in the revised location shown in the Design and Access Statement Addendum, together with a financial contribution of £5,935,375 to deliver a new two form entry primary school and one form of entry of primary provision off-site. A secondary education contribution of £3,582,986 is also to be made.

- Roof tax payments to cover the agreed cost of delivering the Northern Quadrant section of ELOR (land for ELOR to be transferred, plus land indemnity agreement to be delivered). Payments to be made at six monthly intervals to follow the build out rate of new dwellings.

- Requirement to submit a planning application for a roundabout at the A58/ ELOR junction in the optimum position and to implement it. Requirement will also be made to safeguard land for the eventual 6 arm A64 / ELOR junction and to close the south end of Thorner Lane at the A64 on completion of the Northern Quadrant section of ELOR. Provisions are also required relating to the timing of the A58 and A64 ELOR junctions relative to the Council's ELOR programme.

- Provision of £200,000 to be used for additional local traffic management measures.

- Extension of bus services through the development. Service 16 to be extended to terminate in the Northern Quadrant (north of Skeltons Lane) to provide high frequency services to the city centre. One additional bus required for a period of up to 2 years at an indicative cost of £150,000 per year. Service 4 will then replace this extension once the spine road through the site is completed. Two additional buses will be required for a period of up to 3 years at an indicative cost of £150,000 per year per bus. The maximum bus subsidy will be £1,200,000. Provision of all related bus stop infrastructure and Real Time information.

- Travel Plans for the residential and primary school elements of the development, including a Travel Plan monitoring fee of £14,500. The Travel Plan co-ordinator to have an annual Travel Plan budget of £12,000 per year for a period of 16 years.

- Employment and training initiatives.

**In the circumstances where the Section 106 has not been completed by 5<sup>th</sup> April 2015, the final determination of the application shall be delegated to the Chief Planning Officer.**

Conditions:

1. Ten year time limit for commencement and reserved matters submission deadlines
2. Outline relates to Access only. All other matters Reserved.
3. Plans to be approved.
4. Maximum units to be 2000.
5. Off-site highway improvement works to outer ring road junctions with A58, A64 and Barwick Road to be completed prior to first occupation
6. Full detailed design of Northern Quadrant section of ELOR to be approved, including provision of pedestrian and cycle routes in accordance with the masterplan.
7. New ELOR roundabout junctions on A58 and A64 to form the sole points of construction access, subject to agreement.
8. Final details of the spine road to be submitted and agreed (including details of closures on Skeltons Lane), including spine road connection through to Grimes Dyke.
9. Vehicular connection to Grimes Dyke development to be capable of accommodating buses.

10. Pedestrian and cycle improvements to section of Skeltons Lane between ELOR and Thorner Lane to be implemented within one year of the completion of the Northern Quadrant section of ELOR.
11. Southern end of Thorner Lane (at junction with A64) to be closed at a time coincidental to the opening of the Northern Quadrant section of ELOR.
12. Provision of a bridge carrying footway / cycleway to the country park.
13. Tie in of footways / cycleways along the A58 and A64.
14. Details of re-located bus stops on A58 and A64 to be submitted and agreed.
15. Full surface water drainage strategy for Northern Quadrant section of ELOR to be submitted and approved.
16. Full details of ELOR buffer landscaping scheme and a timetable for its implementation to be submitted and approved.
17. Pre-start 25 year landscape management plan for buffer landscaping scheme.
18. Pre-start arboricultural method statement for Northern Quadrant section of ELOR.
19. Details of biodiversity mitigation and enhancement to be approved and implemented in accordance with an agreed timetable.
20. Closure of Red Hall Lane at junction with A58 to be agreed.
21. Full details of country park landscaping scheme and a timetable for its implementation to be submitted and approved in order that works shall commence following the construction of the Northern Quadrant section of ELOR.
22. Pre-start 25 year landscape management plan for country park.
23. Programme of archaeological recording for each phase of development, where the Northern Quadrant section of ELOR is included as a phase.
24. Samples of walls, roofing and surfacing material to be approved for each reserved matters phase.
25. Details of means of enclosure including for each reserved matters phase.
26. Details of bin stores for each reserved matters phase.
27. Phasing plan for the delivery of development and associated greenspaces to be submitted.
28. Landscape scheme for each reserved matters phase.
29. Implementation of landscape schemes.
30. Pre-start 25 year landscape management plan for each reserved matters phase.
31. Tree protection on each reserved matters phase.
32. Tree replacement conditions.
33. Biodiversity enhancement on each reserved matters phase.
34. Access roads and car parking to be complete prior to first occupation of each phase of development.
35. Drainage details for each reserved matters phase.
36. Cycle/motorcycle provision for each reserved matters phase.
37. Construction Management Plan to include interim drainage measures, arrangements for construction traffic including access routes, on site provision for contractors during construction, location of compounds, measures to prevent mud on road and dust suppression, for each reserved matters phase.
38. Contamination reports for each reserved matters phase.
39. Unexpected contamination on each reserved matters phase.
40. Verification reports for each reserved matters phase.
41. Electric vehicle charging points.
42. 20mph speed limit throughout the site.
43. Adherence to the design principles as set out within the Design and Access Statement and supplement.
44. Restriction on development where owners have not entered into the s106, until an agreement is entered into to bind the relevant land in its entirety by the same planning obligations.
45. Details of housing mix to be submitted for each Reserved Matters application.

## **1.0 INTRODUCTION:**

- 1.1 This application is presented to Plans Panel due to the scale and sensitivity of the proposals. A pre-application presentation was made by the developers to Plans Panel East in May 2012 and position statement reports were presented to City Plans Panel in March and December 2013 and most recently on 29<sup>th</sup> January 2015. Minutes of the previous Plans Panel meetings are attached at Appendices 1, 2 and 3 (Draft Minutes).
- 1.2 Since the December 2013 City Plans Panel meeting, a further report to Executive Board on 22<sup>nd</sup> January 2014 resolved that the Council should take a leading role in the earlier delivery of the East Leeds Orbital Road (ELOR). The timely provision of the ELOR is critical to the delivery of housing on the Northern Quadrant and the East Leeds Extension (ELE) as a whole. Good progress has been made on the early feasibility work, discussed later in the report, such that it is currently anticipated that the whole of ELOR will be complete and open for public use by 2021.
- 1.3 Over the last year or so, officers have sought to resolve a number of issues, including the traffic impact of the proposals, consideration of the submitted viability appraisals in order to obtain a full understanding of the S106 package and the undertaking of Bat surveys. The application has subsequently been re-advertised (following the submission of a further EIA Addendum) and has been the subject of further public consultation. The application was brought back before Members on 29<sup>th</sup> January 2015 to provide an update prior to determination. The feedback from Members at the last meeting has enabled officers to make further progress with the application, such that it can now be brought back to Members with a recommendation to defer and delegate approval to the Chief Planning Officer. Officers have already had detailed meetings with the Consortium to make progress on the drafting of the S106 agreement and further meetings are scheduled.
- 1.4 Members should be aware that consideration of this application is to be accompanied by a separate report relating to the scheme's overall viability, to follow. The information contained within the separate report is confidential as it relates to the financial and business affairs of the applicant. It is considered that it is not in the public interest to disclose this information as it would be likely to prejudice the applicant's commercial position. It is therefore considered that the viability report, when issued, should be treated as exempt under Schedule 12A Local Government Act 1972 and Access to Information procedure Rule 10.4(3).

## **2.0 PROPOSAL:**

- 2.1 The planning application for housing development follows the decision of the Executive Board to support the principle of releasing Phase 2 and 3 housing allocations. The outline planning application seeks approval for residential development of circa 2,000 dwellings, retail, health centre, community centre and primary school development, with associated drainage and landscaping together with the approval of means of access to the site.
- 2.2 The scale and nature of the development proposed means that it is Environmental Impact Assessment (EIA) development, so is accompanied by an Environmental Statement (ES), as well as a planning development framework for the land to address relationships with east Leeds and nearby villages and to show how the ELOR can be delivered.

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

- 3.1 The development site area is on land between A58 Wetherby Road and A64 York Road, north of Skeltons Lane, to the north / east of Whinmoor. The land on the northern half rises towards Shadwell, whereas the eastern half of the site comprises a ridge, with a westward fall towards Grimes Dyke, as well as a gradual fall to the east, towards Thorner Lane. The site currently has a rural appearance, containing the basis of field layouts and clusters of existing trees. The Bramley Grange farm complex exists on the edge of the housing allocation (accessed from Skeltons Lane) and a small residential institution, Bramley Gardens, exists on the opposite side of the road.
- 3.2 The existing urban area, to the south of the site, comprises a wide mixture of housing types and ages, predominantly in brick and/or render. There is an urban morphology, even though this varies between tree lined early C20th development, 'Radburn' layouts and 1980s housing developments. To the north and east of the site, the character is different and distinctly more rural. The villages of Shadwell, Thorner and Scholes each have a distinct character, using a variety of materials.

### **4.0 UPDATE SINCE LAST PLANS PANEL MEETING**

- 4.1 The application was discussed at the City Plans Panel meeting of 29<sup>th</sup> January 2015. The draft minutes indicate the following responses from Members to the issues raised in the report:

- that Members were content on the approach to the funding and delivery of ELOR but required a letter of comfort from the Chief Executive of Leeds City Council
- on the S106 package and the provisions to enhance the level of affordable housing through the use of potential surplus roof tax, there were concerns that the level of affordable housing did not comply with policy and that over the development period of 15 years, it was difficult to explain to residents why the full amount of affordable housing was not being provided. It was accepted that this matter would be discussed in greater detail once the financial information was provided to Panel when the application was considered for determination, but the strong view of the Panel was that more affordable housing should be sought than was currently being offered
- to note that Ward Members were content for the funding for Metro Cards to be diverted to increase the level of affordable housing; that provision of improved bus services was a higher priority than subsidised travel and whilst there might be some flexibility, ultimately Panel was being asked to consider a lesser package of benefits
- that Members were satisfied on the proposal to use potential surplus roof tax to refund other parts of the S106 package in the future, such as the Integrated Public Transport Strategy
- that the provision of additional affordable housing should be provided on-site
- the need to understand the extent of the older people's housing provision and the community facilities on the land being provided, i.e. what was included and who would build and finance these
- the need to address the issue of construction methodology and to ensure mitigation measures were in place to protect the amenity of existing residents close to the site and as development progressed, on site
- the need for further information to be provided on pupil numbers in the schools closest to the site
- that water butts should be a requirement for all homes within the scheme, rather than offered as an option to residents

- 4.2 Following the above responses, officers have sought to work with the applicant to make further progress on the development proposals and the matters raised previously, as follows:

*Certainty of delivery of ELOR*

- 4.3 A letter from the Council's Chief Executive setting out the commitment to deliver ELOR will be provided to the Chair, prior to the meeting of the Panel, with copies to be made available to Members.

*S106 package – Affordable Housing*

- 4.4 Members were concerned that the 10% guaranteed level of Affordable Housing was insufficient, given the policy requirement for 15%. Members did acknowledge that the funding for MetroCards could be diverted to Affordable Housing and that there was potentially some flexibility elsewhere in the S106, though this would need to be explored once information on viability was available for consideration. In the discussions with the Consortium that have taken place since January, flexibility in the S106 package, a correction in the agreed cost of ELOR and extra funding have enabled a new proposal. It is now proposed that an additional 2% of Affordable Housing can be achieved (at a cost to the developer of £1.8m per 1%), as follows:

Correction in ELOR cost	£1,142,629
Re-directed funding from MetroCards	£1,000,000
Re-directed funding from off-site public transport contribution	£900,000
Additional Consortium funding	£557,371
Total	£3,600,000

The 12% guaranteed Affordable Housing would be provided across the whole development, within each reserved matters application that comes forward.

- 4.5 As noted previously, there is the ability to gain further funding for Affordable Housing if the cost of ELOR in the Northern Quadrant is less than expected, i.e. the committed programme of roof tax payments are not all required as a contribution to the road, with excess payments to be diverted to affordable housing. The cost allowance for the Northern Quadrant section of ELOR is just over £24m, including contingency and inflation. The cost estimate is based on the construction of the Northern Quadrant section of the ELOR being undertaken as a standalone scheme; although the junction works at the A64 and A58 will be undertaken separately to provide for early site access, the Council will incorporate the remainder of the works into its wider project for the delivery of ELOR. This is therefore a robust estimate and at this stage of the ELOR project there is a good level of confidence that cost savings could be achieved against it. When this section of ELOR is complete the difference between the actual and estimated costs on which the roof tax is based will be known and any savings translated into affordable housing contributions once the developers have met the Northern Quadrant ELOR cost through the cumulative roof tax payments.
- 4.6 To offer an indication of how this may take effect, if the Northern Quadrant ELOR works required only half of the contingency built into the estimate, this saving and the accompanying reduced inflationary impact on cost, would equate to a further 2% of affordable housing contribution.
- 4.7 It is noted that the cost of the Northern Quadrant section of ELOR, at £24m is in itself equivalent to 13.4% Affordable Housing.

- 4.8 At the last Plans Panel, Members stated they would prefer any additional Affordable Housing achieved through savings in the cost of ELOR, to be delivered on site. In considering the point further, once ELOR is built and the true cost is known, it should be possible to plan for the potential surplus and provide for this on the form of Affordable Housing on site. However, officers do also note that given the roof tax is tied to the development of new dwellings, any later 'surplus' that may be available from the roof tax payments will not be realised until the latter stages of development, once enough dwellings have been completed for the roof tax to have paid the actual costs of ELOR through the Northern Quadrant. If this were the case, it could prove difficult to reuse these savings and translate them into Affordable Housing to be delivered on site. It is therefore suggested that additional Affordable Housing is delivered on site in the first instance, but if that is unachievable, the money could be used to deliver Affordable Housing off-site. This can be dealt with through the wording of the s106 agreement.

*S106 package – Older people's housing and community facilities*

- 4.9 Officers have sought to ensure that older people's housing is incorporated into the housing mix developed across the site. This provision could take different forms, from bungalows through to extra care facilities. The Consortium has noted that specialist providers are constantly seeking new sites for development and so is willing to market land to allow the provision of housing for the elderly.
- 4.10 The method of provision would be similar to that used for local centre provision and which is well used elsewhere, whereby land is marketed at a trigger point agreed with the Council and if there is demand and the value is not below the open market residential value, the land will be sold to the specialist housing provider.
- 4.11 Similarly, the 0.86 hectares of land for the local centre will be marketed in accordance with dwelling triggers to be agreed with the Council. The Environmental Statement noted that the local centre shall include 780m<sup>2</sup> of A1 retail, 650m<sup>2</sup> of health centre uses and 275m<sup>2</sup> of community centre uses, though the centre could also be supported by other appropriate uses. It is noted that the local centre will be a responsibility for the whole Consortium, rather than rest with one of the Consortium members. Ultimately, the Consortium will be responsible for leading on and delivering the local centre, including the community facilities element of the scheme.

*Phasing of construction*

- 4.12 If planning permission is granted, a condition will be imposed requiring a robust 'Statement of Construction Practice' for each phase of the development. This will ensure that the potential impact of noise, disturbance and HGV movements on local residents is minimised as much as possible. As presented at the last Plans Panel, the developers would need to construct the ELOR roundabout junctions on the A58 and A64 in order to achieve access to the development area. These would effectively become the site accesses and would result in two separate parcels of development taking place at each end of the site. Over time, the development would work towards the centre of the site. It is noted that there is benefit in phasing construction such that development occurs closest to existing houses and then moves further back into the site over time. This will mitigate against the potential for existing residents to have construction work happening in close proximity to them for a protracted period of time. Given the size of the overall site, development is likely to come forward in much smaller parcels of land for the purposes of submitting Reserved Matters applications. Therefore, aside from the strategic phasing, there will also be an opportunity to agree the very detailed phasing on each Reserved Matters application.



### *Education provision*

- 4.13 The approach to the education provision requirements has been agreed with Children's Services, following consideration of the pressures on local schools and their catchment areas. These catchments will clearly change as a result of the Northern Quadrant development, hence this has informed the revised location of the 2 form entry primary school on site. In order to allow for the appropriate phasing of education provision, one form of entry at primary level will also be provided off-site in the vicinity of the development. The closest primary schools to the site are Fieldhead Carr, Whinmoor St Paul's and White Laith. Grimes Dyke is also close by, but is south of York Road. A secondary education contribution will also be paid.

### *Water Butts*

- 4.14 Members' desire for properties to benefit from water butts is noted. Given the outline nature of the application, it is suggested that this matter is dealt with as an informative to the applicant at this stage. Thereafter, an assessment can be made about the nature and type of development, when the layout and design of buildings is known on each reserved matters phase and conditions attached accordingly if Members desire.

## **5.0 IMPLICATIONS OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 5.1 At the last Plans Panel, it was noted that CIL will come into effect from 6<sup>th</sup> April 2015 which will have implications for this application if a planning permission has not been issued by that date. Members requested a summary of how the application would fare under CIL, relative to the current S106 regime. Officers have considered this aspect, which will be dealt with in the separate confidential report.

## **6.0 SUMMARY OF PROGRESS TO DATE**

- 6.1 As outlined at the City Plans Panel in January, good progress has been made over the last year or so (since the discussion at the December 2013 Plans Panel) in securing the early delivery of ELOR and this is summarised below.

### *Early delivery of ELOR*

- 6.2 Since December 2013, consideration has been given to both the viability appraisal prepared by the applicant and strategies to enable the Council to take a leading role in the procurement and delivery of ELOR. The Council has been successful in attracting public sector support and funding for the whole of ELOR from the West Yorkshire Transport Fund. As part of the process, the Council has commissioned feasibility work to be undertaken by Mouchel and a detailed programme has been produced which would enable the whole of ELOR to be constructed and opened to the public in early 2021. This would enable the Northern Quadrant section of ELOR to open at an earlier point in time than had been originally set out in the applicant's proposal reported to Members in December 2013. The Northern Quadrant developers would pay for their section of ELOR through a series of 'roof tax' payments back to the Council, based on an agreed cost, allowing for contingency and inflation. The roof tax is simply calculated by dividing the total agreed estimate for the Northern Quadrant section of ELOR by 2,000 houses.
- 6.3 The Consortium have reviewed the likely build out rates downwards from 200 dwellings per year to 150 dwellings per year, which is considered to be more realistic. Additionally, the stepping up to build out rate of 150 units per will be a gradual

process. Given the need for land owners to sell land, where relevant, and the need to submit and receive approval for detailed reserved matters and condition discharge applications, the timetable for the delivery of housing has slipped. Following technical highways approvals, there will be a requirement to undertake a number of off-site highway improvements to the existing outer ring road, as well as the construction of the A58 and A64 ELOR roundabouts and other ground works on site. The Consortium therefore anticipates a start on building and selling houses in 2018, with a phased build up to 150 dwellings per year. By 2021, the Consortium expect to have sold around 250 dwellings in total over the whole development.

- 6.4 In a parallel exercise, highways officers have worked through the revised traffic modelling to consider the effects of the proposed development over time, accounting for committed development and future background traffic growth. In planning terms, the National Planning Policy Framework (NPPF) advises that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. The term 'severe' is not expressly defined, but officers have considered a number of factors at key junctions in order to form a view as to when such an impact would occur, in the absence of the Northern Quadrant section of ELOR. It is considered that a severe impact would start to occur at about 500 dwellings being occupied on the development. Given the programmed opening of full ELOR, with the Council taking a leading role, as set out in the paragraphs above, it is considered that the 'severe' impact would be avoided. It is acknowledged that there are current pressures on the local highway network and in order to further mitigate the effects of some early house building, it is suggested that house building is split between the A58 and A64 end of the site, with a greater concentration at the A64 end where there is greater capacity. In summary, it is considered that with likely timescales for both the delivery of ELOR and build out rates on the Northern Quadrant development, house building can occur without causing a traffic impact that could be classified as severe.

#### *S106 package*

- 6.5 As discussed above, the cost of ELOR is significant and would be paid back to the Council via a roof tax mechanism. The cost of the Northern Quadrant section of ELOR has been well defined and it is proposed that when house building starts, developers start to pay back a roof tax on each property developed. The roof tax is calculated by dividing the total agreed estimate for the Northern Quadrant section of ELOR by 2,000 houses. However, given the proposed programme, the Council will have delivered the whole of ELOR by 2021. It will therefore be known what the actual cost of the Northern Quadrant section of ELOR is at that time. It is noted that at this stage, the estimated total cost of the Northern Quadrant section of ELOR has been through a robust costing process and allows for contingency and inflation. It is therefore anticipated that the Northern Quadrant section of ELOR is very likely to cost less than the agreed estimate of £24m. Given the agreed base cost of £19m, there is an overall contingency of £5m to be received through the roof tax. The Consortium has agreed that roof tax payments would continue to be paid, even after the real cost of the Northern Quadrant section of ELOR has been paid off. In these circumstances, the potential surplus roof tax can come back into the S106 package, such that it can be used for additional Affordable Housing, over and above that guaranteed at the current time. This sum could alternatively be used to fund other agreed obligations in the s106 package.

6.6 The Consortium's position is that they are able to provide the following:

- Affordable Housing – 12% guaranteed on site (with a 60% submarket and 40% social rent split, with provision for further Affordable Housing to be paid for from surplus roof tax payments.
- Public open space on site of the size and locations set out within the Design and Access Statement Addendum (laying out costs of £2,188,816, plus 10 years maintenance costs of £1,660,642). On site play facilities in three locations at a cost of £1,209,099, plus a fixed play maintenance cost of £28,693. Provision is also made to offer the transfer of Skeltons Woods to the Friends of Skeltons Wood at nil cost.
- Provision of land for a country park at nil cost, together with a financial contribution of £1,402,078 for laying out and maintenance. The S106 will include a requirement for a planning application to be submitted for the enlarged park, as indicated on the revised masterplan. Provision will also be made for the country park to be developed through the Parks and Countryside apprenticeship scheme.
- Provision of an area not less than 0.86 hectares for the development of a local centre in the location identified in the Design and Access Statement Addendum. The centre will make provision for retail, health and community facilities, as well as older peoples housing in close proximity.
- Education provision – Provision of 2 hectares of land at nil cost in the revised location shown in the Design and Access Statement Addendum, together with a financial contribution of £5,953,375 to deliver a new two form entry primary school and one form of entry of primary provision off-site. A secondary education contribution of £3,582,986 is also to be made.
- Roof tax payments to cover the agreed cost of delivering the Northern Quadrant section of ELOR (land for ELOR to be transferred, plus land indemnity agreement to be delivered) Payments to be made at six monthly intervals to follow the build out rate of new dwellings.
- Requirement to submit a planning application for a roundabout at the A58/ ELOR junction in the optimum position and to implement it. Requirement will also be made to safeguard land for the eventual 6 arm A64 / ELOR junction and to close the south end of Thorner Lane at the A64 on completion of the Northern Quadrant section of ELOR. Provisions are also required relating to the timing of the A58 and A64 ELOR junctions relative to the Council's ELOR programme.
- Provision of £200,000 to be used for additional local traffic management measures.
- Extension of bus services through the development. Service 16 to be extended to terminate in the Northern Quadrant (north of Skeltons Lane) to provide high frequency services to the city centre. One additional bus required for a period of up to 2 years at an indicative cost of £150,000 per year. Service 4 will then replace this extension once the spine road through the site is completed. Two additional buses will be required for a period of up to 3 years at an indicative cost of £150,000 per year per bus. The maximum bus subsidy will be £1,200,000. Provision of all related bus stop infrastructure and Real Time information.
- Travel Plans for the residential and primary school elements of the development, including a Travel Plan monitoring fee of £14,500. The Travel Plan co-ordinator to have an annual Travel Plan budget of £12,000 per year for a period of 16 years.
- Employment and training initiatives.

6.7 The overall S106 package described above is compliant with policy, save for the provision of Affordable Housing where the policy requires 15% provision, rather than the 12% set out in the above proposal. The proposal is the result of viability discussions between the Council and the Consortium. Payment of the roof tax will be

fixed – essentially the agreed estimated cost divided by 2,000 houses. However, it is noted that the total agreed cost of ELOR provides for contingency and inflation. It is therefore possible that the cost of the Northern Quadrant section of ELOR is in fact less than that planned for. This will become clear when ELOR is completed, in 2021. In the event that this section of ELOR costs less than expected, the S106 will provide for a mechanism which will allow any potential surplus roof tax to be spent on delivering further Affordable Housing, potentially getting towards 15%.

- 6.8 Further detail on the issues summarised above is provided in the remainder of the report.

*Public consultation*

- 6.9 As reported at the last City Plans Panel, since the December 2013 City Plans Panel meeting, further public consultation has taken place through statutory procedures (re-advertisement of EIA Addenda), as well as through the Consultative Forum and drop in sessions held by officers. At the most recent meeting of the Consultative Forum, the benefit of the Council taking a leading role in delivering ELOR was acknowledged and welcomed, though concerns were raised about any potential risks to the funding. The form of the proposed S106 package was also noted. Concerns continue to be expressed around rat running and the closure of Red Hall Lane at the junction with Wetherby Road, though it was noted that the measure could be reversed if it did not work. A sum of £200,000 is provided for within the S106 to allow measures to be put in place to deal with any unforeseen highway impacts, such as those discussed.

- 6.10 Officers held three further consultation 'drop in' events on 15<sup>th</sup>, 17<sup>th</sup> and 20<sup>th</sup> January in order to update residents on the alignment of ELOR and its roundabouts, the traffic impacts and mitigation proposals and the contents of the proposed S106 package. As with previous events, the sessions were well attended with 66 people signing in on 15<sup>th</sup> January, 57 people signing in on 17<sup>th</sup> January and 52 signing in on 20<sup>th</sup> January, though there were likely to be additional attendees who did not sign in.

- 6.11 In terms of the content of the comments forms received, 46 were completed and the following issues raised:

1. Support for the more positive position that has been reached regarding the delivery of ELOR.
2. Support for more housing, integrated with ELOR.
3. No objection to housing, but it is essential that ELOR is constructed ahead of future development and that any highway impact is not pushed onto other smaller roads .
4. ELOR should be designed with a flyover over the A64.
5. Would like to see dual carriageway plans for the remainder of the Outer Ring Road.
6. Concern about the visual impact and noise from ELOR. Detailed planning should include effective barriers to noise and vulnerable pedestrians.
7. Speed limit on Wetherby Road should be no more than 30mph.
8. Would not want to see 'traffic humps' as a means of traffic calming.
9. Contractors should not be allowed to access the sites from the residential areas or park on Red Hall Lane.
10. More consideration should be given to the environment of houses along the existing Outer Ring Road, west of the A58.
11. Before Red Hall Lane is closed, car parking at Whinmoor St Paul's Primary School needs to be addressed, along with rat running along Whinmoor Crescent. The existing crossroads should be improved.
12. Concern about accidents on Kingsmead Drive if it is one of the few roads

remaining open and providing access to the existing housing.

13. The Red Hall Lane / Wetherby Road junction should be kept open as long as possible. Alternative routes into the Red Hall estate are either lengthy or dangerous.
14. Concern that the 770 bus route is retained, as it provides a good service.
15. Concern about the speed and weight of traffic currently, which may be improved.
16. There is a longstanding agreement that no new roads or paths will cross the hedge on Red Hall Lane / Skeltons Lane. Needs to ensure retention of as much of the hedgerow and mature trees as possible.
17. Concern about loss of greenspace.
18. Concern that wildlife within Skeltons Wood will be surrounded by development.
19. Concern about drainage of the site, given its already boggy nature.
20. The country park should be a lot bigger than that proposed.
21. Social housing should be scattered across the development.
22. The development should include a secondary school.
23. Concern about the impact on historic and well use Red Hall playing fields.
24. The proposals will cause significant disruption to existing residents for many years.
25. Would like to see more pedestrian and cycle connections to the north.
26. Concern about a detrimental impact on house price values.
27. Question whether a survey has been done of existing residents to see if they are in favour.
28. Question whether there will be a public meeting before planning permission is granted.
29. Question how much the Council will receive for selling the land.

6.12 Broadly speaking, there is support for the Council taking a leading role in the delivery of ELOR and it is acknowledged that the earlier delivery is a significant improvement on the proposal that has been consulted on previously where the Northern Quadrant section of ELOR was to be delivered only by the Consortium. It is also recognised that the benefit of full ELOR being implemented is significantly greater than just the Northern Quadrant section being completed. For many, the need for further housing is understood, but specific concerns relate to rat-running and the closure of the junction of Red Hall Lane, to the east of Wetherby Road. It is noted that some of the issues referred to include current parking problems and the future of existing bus services, which could be addressed outside of the application in the short term. It is noted a sum of £200,000 is provided for within the S106 to allow measures to be put in place to deal with any unforeseen highway impacts, which could include any rat running issues not already identified. It is recognised that some residents will lose their current outlook over open countryside as a result of the new development. However, residents who attended were keen to ensure as many features, such as trees and the existing hedgerow along Skeltons Lane, are retained as possible. It was noted that the country park has enlarged since the submission of the original application and the wider greenspace linkages are welcomed. However, some felt that the country park ought to have a larger area. Concern was also expressed about the potential loss of Red Hall playing fields, though it is noted that there are no current proposals for that site.

## **7.0 RELEVANT PLANNING HISTORY:**

7.1 None relevant to the application site.

Relevant Thorpe Park applications:

- 7.2 32/199/94/OT – Outline application to layout business park, Green Park and access roads - Granted 04/10/95. This relates to the original outline permission and allows for up to 1.2million ft<sup>2</sup> (111,500m<sup>2</sup>).of office floorspace.
- 7.3 32/9/96/FU – Full permission for the Manston Lane Link Road, approved 20/05/96 and renewed in 13/11/01 by application 32/66/01/RE.
- 7.4 32/140/96/FU – Variation of condition application to allow up to 1.8m ft<sup>2</sup> (167,225m<sup>2</sup>) of office floorspace to be provided – Granted 31/03/04 4.3 Connected to the above permissions is a Section 106 agreement which requires the applicant to undertake various off-site highway improvement works to achieve satisfactory points of access from the A63 and M1 motorway (these works have been completed), to provide Green Park (via a series of trigger points) and the delivery of the MLLR which is triggered following occupation of 1million ft<sup>2</sup> of office accommodation.
- 7.5 06/05310/FU – Application to vary various conditions attached to the MLLR scheme so as to allow details to be agreed as and when phases come forward rather than everything at the outset – Granted 21/11/06.
- 7.6 12/03886/OT: Outline application for major mixed use development, approved 20/03/14.
- 7.7 12/03887/FU, 12/03888/FU, 12/05382/FU: Application for the north-south and east-west links of the MLLR, approved 28/10/13.
- 7.8 12/05150/LA - Formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park, approved 26/02/14.
- 7.9 14/01216/FU - Detailed application for the Manston Lane Link Road (North - South Route), approved 14.07.14.
- 7.10 14/02406/COND – Revised Masterplan relating to the approved application (12/03886/OT) for a major mixed use development at Thorpe Park – approved 27/06/14.
- 7.11 14/02488/FU – B1 Office building at Thorpe Park (Surgical Innovations Building) – approved 04/07/14.

Relevant Manston Lane applications:

- 7.12 08/00298/OT – Outline application for residential development of up to 256 units at Optare, Manston Lane, Crossgates – approved 15/11/12. A section 106 agreement requires the development to be phased with only the first of two phases permitted to be delivered prior to the upgrading of the MLLR. The reserved matters application for 204 units, 13/00288/RM, was approved 19/06/13. The first phase of development is under construction.
- 7.13 08/03440/OT – Outline application for mainly residential development of up to 151 units at former Barnbow site – approved as a phased development subject to a Section 106 agreement linked that restricts the construction of no more than 122 units until the MLLR is constructed. The reserved matters application for 129 houses and 19 flats, 11/02315/RM, was approved 28/11/11. The first phase is nearing completion.

- 7.14 O9/04999/OT – Outline application for residential, employment, health centre, retail and ancillary uses and community building at the Barnbow site – Undetermined and not being progressed (as essentially superseded by 14/02514/OT below).
- 7.15 14/02514/OT – Outline application for 385 dwellings and retail and full application for 100 houses at the Barnbow site – Under consideration.
- 7.16 14/05481/OT - Outline application for residential development (maximum 300 units) together with other uses and revised landscaping – Under consideration.
- 7.17 14/05483/FU - Variation of Condition 4 (floor space) of approval 12/03886/OT to read 'The development hereby permitted shall not exceed the total quantum of developments as listed below (all Gross External Area) B1 - 83,615sqm, A1 (food store) - 9,000sqm, A1 not within the food store - 9,000sqm, A2, A3, A4 and A5 - 4,200sqm, C1, D1 and D2 - 16,340sqm. Of which no more than 14,050sqm shall be in the C1 hotel use and 2,290sqm shall be in D2 gym use' – Under consideration.

## **8.0 HISTORY OF NEGOTIATIONS:**

- 8.1 The applicant engaged in pre-application discussions with officers in July 2011, submitting an outline planning application in June 2012. A pre-application presentation was made to Plans Panel East in May 2012 and position statements on the current application were presented to City Plans Panel on 26<sup>th</sup> March 2013 and 10<sup>th</sup> December 2013.
- 8.2 At the City Plans Panel meeting of 29<sup>th</sup> January 2015, Members discussed the issues and made a number of comments (see full text at **Appendix 1**)
- 8.3 Prior to this, at the City Plans Panel meeting of 10<sup>th</sup> December 2013, Members discussed the issues and made a number of comments (see full text at **Appendix 2**)
- 8.4 Prior to this, at the Plans Panel meeting of 26<sup>th</sup> March 2013, Members discussed the issues and made a number of comments (see full text at **Appendix 3**)

## **9.0 EAST LEEDS REGENERATION BOARD**

- 9.1 The East Leeds Regeneration Board was established as part of the Housing and Regeneration City Priority Board to offer a strategic overview of regeneration issues in this part of the city. It has focussed on the wider implications of development in the East Leeds Extension and has discussed these over the course of several meetings since its formal establishment in January 2012 and will continue to focus on these issues. The Board has received presentations on the development proposals for the Northern Quadrant and Thorpe Park from the respective planning applicants and offered views to officers on issues arising for the area as a whole. The Board has also been regularly briefed on progress in bringing forward the project for delivery of the East Leeds Orbital Road.
- 9.2 The Board has expressed the clear view that development of the East Leeds Extension, including the Northern Quadrant proposals provide a significant opportunity to deliver much needed infrastructure, including ELOR, public transport, environmental improvements, housing, including affordable housing, new schools, greenspaces and employment and training initiatives, all of which have a potential to assist in delivering regeneration objectives for east Leeds.
- 9.3 The Board has highlighted a number of key 'asks' that would help shape the

requirements of development in the area:

1. Highway infrastructure should be provided upfront and construction of the full East Leeds Orbital Road should be completed before any development takes place;
2. That all funding sources for new road infrastructure are explored and that developers contribute a fair amount to this;
3. That the East Leeds Orbital Road should represent the outer edge of any urban development;
4. Ensure clarity in how the education requirements arising from development should be planned and funded across all developments, including both the provision of new schools on-site and the potential for expansion of existing schools in the area;
5. Integrate a proper response to the needs of elderly people in the type and tenure of housing being developed;
6. Consider timing and phasing of development and whether the affordable housing requirements can be revised to reflect market conditions at later phases;
7. Consider whether affordable housing should be provided off-site;
8. That proposals for Red Hall development need to be looked at in more detail.

9.4 It is considered that these points will be helpful to Plans Panel Members in informing their thinking on the proposals for the Northern Quadrant. Of particular note is that since this time, progress has been made on the Council playing a leading role in the delivery of ELOR. Proposals for development of Red Hall and the route of ELOR through the site were considered by the Council's Executive Board on 9<sup>th</sup> September 2013 and the outcome of feasibility work on the full route of ELOR was reported to the Council's Executive Board in October 2013. A further report on the delivery of ELOR was presented to Executive Board on 22<sup>nd</sup> January 2014.

## **10.0 PUBLIC/LOCAL RESPONSE:**

10.1 Public consultation on the application has taken the form of formal statutory consultation, as well as the creation of a Consultative Forum and the holding of a number of public exhibitions by officers.

10.2 In terms of the statutory consultation process, 21 site notices were displayed, posted 29<sup>th</sup> June 2012. The application was also advertised in a local newspaper, published 12<sup>th</sup> July 2012.

10.3 Further to the initial statutory consultation process, an EIA Addendum was submitted and advertised by site notices, posted 20<sup>th</sup> December 2013 and advertised in a local newspaper, published on the same day. More recently, a further EIA Addendum has been submitted, resulting in a further statutory consultation process, involving site notices, posted 31<sup>st</sup> October 2014 and advertised in a local newspaper, published 24<sup>th</sup> October 2014.

10.4 One letter of representation has been received from Barwick in Elmet and Scholes Parish Council stating that they do not object to the proposals, but ask that consideration is given to:

- The importance of landscaping and open space and the need for a strong green buffer to the outer edge of the scheme, which will set the tone for the remainder of



the development and particularly for the strategic gap between the East Leeds Extension and Scholes.

- The effect of the proposals on drainage. It is noted that there are regular flooding problems along Barwick Road.
- The effect of the proposals on the highway network, both strategically in terms of queuing and on local minor roads in terms of additional rat-running, particularly in the short term before the completion of ELOR. It is asserted and requested that the construction of ELOR should be brought forward to an earlier date.

10.5 One letter of representation has been received from Thorer Parish Council commenting that the proposals are well thought out, but listing the following concerns:

1. Adequate landscaping is required to soften the visual impact of ELOR and to assist in creating a green buffer between the development and the surrounding rural area.
2. To ensure that as the work commences, adequate steps are taken to minimise the disruption caused by the construction process, particularly with regard to traffic and rat runs along Skeltons Lane.
3. The adequate infrastructure is provided in order to prevent adverse impact in the village in terms of education and medical facilities.

10.6 One letter of representation has been received from planning consultants acting on behalf of Taylor Wimpey (who have land interests in parts of the East Leeds Extension south of York Road). The letter supports the principle of development, but lists the following issues:

- (i) A fair and equitable approach to the S106 packages is required for all the main quadrant developments.
- (ii) ELOR must be delivered to a consistent design standard, avoiding any cost or time penalties on any individual component which has a responsibility for its delivery.
- (iii) The scheme must be progressed with the most cost beneficial and appropriate public transport strategy for the ELE and east Leeds as a whole. Concern is expressed that the submitted proposals do not achieve this and require a more strategic and visionary approach. Again, a fair and equitable costings and contributions approach must be agreed prior to determination. It is also stated that all the main landowners should be party to early discussions with the Council and West Yorkshire Passenger Transport Executive (WYPTE).
- (iv) The development framework is very broad brush in its approach and does not go far enough in setting design principles to be followed by all developments. A comprehensive and integrated design approach across the whole of ELE is needed.

In addition to the above strategic points, the letter contains a number of detailed transport related comments on the submission, many of which seek clarification.

10.7 One letter of representation has been received from Leeds Local Access Forum, who have commented on the proposals as part of a wider consultation and urge that paths should offer safe and pleasant environments, ginnels should be avoided, support a parallel route for walkers, cyclists and horseriders, suitably distanced and screened from ELOR, stresses the need for cycleway linkages, welcomes the retention of current levels of playing pitch provision, welcomes the provision of a country park to the west of Whinmoor Grange and asks to be consulted on future reserved matters applications.

10.8 33 letters of objection have been received from local residents commenting that:

1. The new development will result in additional traffic.

2. The major roads and roundabouts must be built first. Some letters state that ELOR must be built in its entirety before any development occurs.
3. York Road (A64) should be dual carriageway all the way out to ELOR.
4. Further clarification is required in respect of the Transport Assessment and detailed drawings and calculations are needed.
5. Transport contributions should be used to build a new train station at Thorpe Park.
6. Consideration should be given to the provision of land for future tram / train links.
7. Views are expressed for an against the closure of Red Hall Lane at its junction with Wetherby Road in respect of whether this will improve or worsen rat running.
8. The Ringwoods are too narrow to take bus services and there are already adequate bus services.
9. Concern is expressed about increased traffic on Coal Road.
10. Objection to loss of green belt and the intrusion of 2000 new homes.
11. The proposals represent urban encroachment into the countryside having a detrimental impact on wildlife. This cannot be mitigated by the creation of new greenspaces.
12. The proposals to build 2, 3, 4 and 5 bedroom houses in a prime site location will do little to address current housing problems. The development would be better placed on brownfield sites.
13. The development is not necessary to meet housing requirements.
14. Some greenspaces may give rise to anti-social behaviour.
15. Trees should only be planted in parks to avoid problems associated with leaf litter and the lifting of footways resulting in health and safety issues.
16. The proposals will cause irreparable harm to the archaeology and cultural heritage of the locality.
17. The proposed sustainable drainage systems, including the balancing pond, raise safety issues for children.
18. It has not been satisfactorily determined that there is sufficient capacity in the existing sewerage system to cope with the additional foul drainage discharge.
19. The school and medical centre will give rise to further traffic.
20. The hedge along Red Hall Lane must be retained to act as a landscaped buffer and to retain biodiversity.
21. Concern about the impact on Red Hall playing fields.
22. Loss of access to the countryside in the north for existing residents – the landscape buffer could have unintended consequences.
23. Concern that the northern end of Coal Road will become a 'ghost road'.
24. Concern that a bottle neck will be created where ELOR meets this existing outer ring road heading west.
25. Concern about the adequacy of consultation on the planning application.

10.9 A Consultative Forum has been set up and is currently chaired by Cllr Pauleen Grahame (Crossgates and Whinmoor Ward). The forum comprises representatives from local groups, including the Parish Councils, Ward Members from each of the Wards most directly affected by the proposals and members of the developer's team. It has met eight times and will continue to meet for the duration of the project. The key concerns raised at the forum meetings (to date) include:

- Highway impact - Concern that the proposal must be considered in the round, taking into account the overall allocation, as well as sites which already have planning permission. There is also concern about the impact on rat-running in the adjacent residential areas and nearby villages. Additionally, this is pertinent to the phasing of development and the phasing / opening of the orbital road. Concern has been raised about the possible closure of some roads at Red Hall Lane and Coal Road, although it is noted that there have been mixed responses to this in the developer's consultation exercise.

- Education – A new primary school (of at least 2 form entry) will be required within the site. Some debate has taken place as to where the best location for a primary school would be within the northern quadrant, but a location adjacent to Skeltons Lane in the north-western part of the site has been encouraged, given the location of existing primary schools. Secondary school provision is more complex, although it is noted that Children’s Services are undertaking further discussions on this.
- Landscaping - The landscaping outside of ELOR needs to act as a significant buffer. In particular, the landscaping needs to appear more natural than on the plans originally circulated.
- Drainage - Concern has been raised about the poor drainage on parts of the site and the impact on Cock Beck. It is noted that the developer will be proposing a number of attenuation basins to deal with surface water run off. Some discussion has also been had about the importance of ecology links through and around the site, taking into account water features, trees and hedgerows.
- Phasing - There is concern about which parts of the site are delivered in which order and what the implications are for the delivery of local services, such as the primary school. As above, there is a clear link to the off site highway impact of the development and the potential for highway capacity, accessibility and rat running.
- Health - There is concern that the proposals may put undue pressure on existing medical services.
- Local Centre - Discussion has been had about the location and nature of the proposed local centre. It is considered important that any retail provision is of the right size and quality and is viable in order to avoid having empty units in the future.

10.10 At the most recent meeting, the benefit of the Council taking a leading role in delivering ELOR was acknowledged, though concerns were raised about any potential risks to the funding. The form of the proposed S106 package was also noted. Concerns continue to be expressed around rat running and the closure of Red Hall Lane at the junction with Wetherby Road, though it was noted that the measure could be reversed if it did not work.

10.11 In addition to the statutory requirement to advertise the planning application, the Council also held a public exhibition for local residents on 10<sup>th</sup> December 2012, at which Officers representing planning, Regeneration, Highways, Metro, Children’s Services, Flood Risk Management and Parks and Countryside were present. The session was well attended and attendance sheets show that 59 people signed in, although the number was perhaps nearer 100 as many people went straight to the boards when the session was busiest. Those attending were also offered the opportunity of completing a comments form. Analysis of the comments forms that were completed and left at the venue show that:

Letters of support - 0  
 Letters of comment - 13  
 Letters of objection - 5  
 Total - 18

10.12 In terms of the content of the comments forms, the following issues were raised:

- ELOR must be built first before any housing is erected. Concern that the interim measures if the development is phased will be inadequate.
- Concern about noise and pollution from ELOR and the impact on health.
- Concern about the traffic impact on Coal Road, Skeltons Lane and Red Hall Lane and scepticism about the traffic data submitted by the developer. Residents have offered to undertake their own traffic counts.
- Coal Road should have a 20mph speed limit and chicanes.
- No development construction traffic should use Coal Road.
- Buses should not use Coal Road / Skeltons Lane, particularly the mini roundabout due to highway safety issues.
- Quiet road surfaces are required within the development.
- Concern about loss of Green Belt.
- Concern about the loss of the gap between Leeds and Scholes.
- Concern about the impact on flora and fauna.
- Concern about loss of agricultural land, given world food supply and food cost issues.
- Concern about the loss of greenspace needed for children.
- Existing hedgerows should be retained.
- The size of the development is overpowering and will have a detrimental impact on the surrounding area.
- Concern that proposals will not meet housing need if only large houses are built - there is a need for older persons accommodation.
- Single storey houses should be located adjacent to existing properties.
- There needs to be a commitment to expand local facilities.
- The local centre is inadequate and should also include a leisure centre
- Playgrounds need to be in safe areas.
- The primary school is welcomed but consideration needs to be given to child safety in relation to traffic.
- Surface water drainage needs significant improvement.
- Although planning has tried to assist, there are a lot of unknowns and further information is needed in order to make a judgement.

10.13 Notwithstanding the above written comments, additional points of discussion with the various Officers present at the event included:

1. The effect of road closures at Red Hall Lane and the severance of Coal Road and the inconvenience that would be caused to existing residents.
2. The effect of existing speeding and rat-running issues. Although these issues were raised, it is felt that concerns on the whole were reduced when the proposals were explained. It is also felt that the general concern about interim traffic impact (until the Northern Quadrant section of the ELOR is built), applies as much to exacerbated rat-running/speeding as it does congestion on the strategic routes. A lot of residents could see the potential benefits of the completed scheme but were concerned about the intervening period.
3. Particular concerns were noted in relation to the poor drainage of some parts of the site and a photograph subsequently supplied.
4. With regard to secondary school provision, a view was expressed that a new school in the area might reduce some of the drift from local primary schools to secondary provision in Wetherby and North Yorkshire.

10.14 Subsequently, officers organised further consultation 'drop in' exhibition sessions, held on Saturday 28th and Monday 30th September 2013. The attendance sheets showed that 66 residents signed in at the event held on 28th September (where 34 comments sheets were completed) and 54 residents signed in at the event held on 30th September (where 31 comments sheets were completed). As with the event in December 2012, they were very well attended and the actual number of residents attending was higher than this for both events.

10.15 In terms of the content of the comments forms, the following issues were raised:

1. ELOR must be built first before the Council approves any development.
2. Whilst some benefit may be sought from the whole of ELOR, this proposal does not achieve that and does not overcome existing problems on radial routes into the city.
3. Concern about traffic noise from ELOR.
4. Concern that public money may be used to fund ELOR and assist private developers to make more profit.
5. Traffic heading north will have to use Coal Road (and the existing mini roundabout) in order to get to the spine road and ELOR.
6. The location of the school is unsafe and inappropriate as it will be too close to the traffic.
7. The closure of Red Hall Lane will lead to access problems into and out of the Red Hall estate and increase rat running.
8. Existing local roads already suffer from too much traffic and cannot cope with the additional pressure of the development.
9. The severance of Coal Road and Red Hall Lane will cause rat running through the Whinmoor estate, which is already a problem.
10. No effort has been made to enforce the 30mph speed limit on Skeltons Lane.
11. Support for closing Skeltons Lane to through traffic other than buses, cyclists and pedestrians.
12. Suitable provision must be made for cyclists.
13. Greater investment in public transport should be made, such as a new rail link.
14. Concern that changes to bus services may affect elderly people in the bungalows on Red Hall Lane, who will be further away from bus stops.
15. Adequate off-street parking provision must be made for new houses, to avoid parking problems found on other new developments.
16. All road signage must be clear and direct HGVs appropriately.
17. Provision must be made to ensure that disabled people can get around the area and access the new facilities, including public transport.
18. The park and ride should be developed as quickly as possible.
19. Development should not be taking place on greenfield sites and brownfield sites should be used first.
20. Concern about loss of green belt land.
21. The area is poorly drained and historical maps show a pond near the Shell garage. Development will exacerbate flooding issues.
22. Concern about construction traffic passing through residential areas.
23. Provision should be made for young people - leisure centre, indoor facilities.
24. Concern about lack of any meaningful greenspace within the proposals.
25. Concern about the field, woods and walkways behind Hornbeam Way being lost.
26. Confirmation is sought that Skeltons Woods are not to be developed as it is unclear from the plans.
27. Concern regarding loss of wildlife habitat.
28. Thought should be given to the provision of wildlife corridors, particularly under ELOR.
29. The proposals appear to be over-development and lack the necessary

infrastructure, which is already inadequate (including impact on emergency services in future).

30. Provision must be made for elderly people downsizing.

31. Low cost affordable housing is needed, much more than the 15% proposed.

32. Concern that the plans are out of date and do not show the new housing on the former Strikes garden centre site.

10.16 Most recently, officers have held three further consultation 'drop in' events on 15<sup>th</sup>, 17<sup>th</sup> and 20<sup>th</sup> January, in order to update residents on the alignment of ELOR and its roundabouts, the traffic impacts and mitigation proposals and the contents of the proposed S106 package. A summary of the events and the responses received is covered at para. 6.11.

10.17 The delivery of ELOR was also discussed at the Housing and Regeneration Scrutiny Board on 9<sup>th</sup> December 2014. Members requested further progress updates on the delivery of ELOR in 3 months time, together with details of current housing consents in the area, any applications under consideration and the implications of these for the highway network in the interim period. Members were clear that they do not want to see permission granted for any further house building until ELOR is constructed.

## **11.0 CONSULTATION RESPONSES:**

### **11.1 Statutory:**

Highways: - Significant work has been undertaken to understand the impacts of development of the site and ELOR, including the extent of off-site works and issues relating to the phasing of development and mitigation measures in advance of ELOR. Officers have considered the revised Transport Assessment and further supporting information and are now content that they have sufficient information in order to be clear about what the nature and quantum of the traffic impacts are likely to be. In terms of testing the scheme against the NPPF threshold of when a 'severe' impact is likely to occur, on balance, it is considered that no more than 500 dwellings (split between the A58 and A64 ends of the site) can be developed without the Northern Quadrant section of ELOR being constructed and open to the public. Officers are also mindful of the existing traffic pressures and concerns about rat-running, but are content with the nature of the mitigation proposals. The scale of public transport provision is also considered to be reasonable given the size of the development.

Highways Agency: - No objections, subject to the final agreed Travel Plan being secured in the S106 agreement.

Environment Agency: - The development is acceptable provided that it is carried out in accordance with the Flood Risk Assessment. Conditions are recommended to ensure the development is carried out in accordance with the Flood Risk Assessment.

Natural England: - Initial objection to the development as submitted, as further information was required regarding the impact on Bats. A Bat survey of Bramley Grange Farm has now been completed and is included in the latest EIA Addendum. Natural England have now confirmed no objection to the proposals, subject to the implementation of mitigation measures.

English Heritage: - The application does not need to be considered by English Heritage.

## 11.2 **Non-statutory:**

Combined Authority (formerly Metro): - Initial comments stated no objections in principle, subject to the agreement and clarification of the interventions set out in the Transport Assessment and S106 Heads of Terms. Further discussions and agreement is needed with regard to the wider public transport strategy, bus service diversion (including the feeder service), phasing of development, on site infrastructure, Metrocards, Grimes Dyke park and ride and bus priority measures on the A64 corridor. These matters have subsequently been resolved such that they can feed into the S106 package.

TravelWise Team: - Further advice has been provided on the necessary content of the Travel Plan for the proposed primary school - a Travel Plan Monitoring and Evaluation fee of £2,500 is required. Negotiation has also been ongoing with regard to the residential element of the development and a Travel Plan Monitoring and Evaluation fee of £12,000 is required (in addition to a Travel Plan Co-ordinators budget of £12,000 per annum for 16 years). It is anticipated that revised Travel Plans will be finalised in due course.

Transport Development Services (Public Transport): - Funding for local measures and funding towards the wider East Leeds Extension public transport strategy is required.

Education: - A two-form entry primary school is required on site and is proposed (inclusive of a primary education contribution of £5,935,375). A secondary education contribution of £3,582,986 is also required. It is requested that the developer use part of the primary contribution to deliver one primary form of entry off-site in the early years of development.

Yorkshire Water: - Initial consultation noted that the submitted Flood Risk Assessment suggested that surface water will be connected to the public sewer which would not be acceptable and clarification was sought. Drainage conditions were otherwise recommended. Following dialogue between the Consortium and Yorkshire Water, it is noted that the intention is to discharge surface water to infiltration systems and/or watercourses at a restricted rate. However, it is noted that Yorkshire Water has no sewer capacity available for the discharge of surface water.

Flood Risk Management Team: - The submitted Flood Risk Assessment and subsequent technical notes are considered acceptable, though it is noted that further detailed work will be required for each of the future reserved matters applications in order to ascertain the size requirements of attenuation areas. The conditions proposed by the EA are also supported and conditions are also suggested to consider the feasibility of infiltration drainage methods, restrictions on surface water flow, an additional 3,500 cubic metres of flood storage to be provided above that required for flow balancing and details of surface water drainage schemes to be submitted and implemented.

Sport England: - No part of the site constitutes a playing field. However, a non-statutory objection is raised as Sport England is not assured that the development makes appropriate contributions sports provision.

Public Rights of Way: - There are no claimed or definitive rights of way crossing the site. However, a non-definitive path runs adjacent to the playing fields and Skeltons Wood, off site. Suggestions are made for new paths crossing the site.

Environmental Studies Team: - It is not anticipated that air quality will be a significant concern during the operational phase of the development. At detailed design stage, suitable distances will need to be maintained between the ELOR and the proposed properties in order to safeguard against emissions from traffic growth when the ELOR is complete.

Housing: - A preference for on-site provision of Affordable Housing is stated. The contents of the Housing Market and Needs Assessment are noted and the evidence base considered appropriate for influencing the type and mix of Affordable Housing to be delivered. Advice is provided in respect of the demand for older people's and smaller sized accommodation.

Contaminated Land: - No objections in principle, although it is recommended that further information is sought prior to determination. Conditions are otherwise recommended to deal with further investigation, unexpected contamination and verification of remediation works carried out.

West Yorkshire Archaeology Service: - Records show that there are significant undesignated archaeological remains adjacent to the proposed development site. It is recommended that determination of the application is deferred until a further evaluation report is carried out. If the application is determined, it is recommended that a condition is imposed to require a programme of archaeological recording to be approved.

Public Health: - It is not considered that existing primary healthcare services would be placed under any significant additional pressure as a result of the development and so it is not necessary to procure additional provision at the current time. It is suggested that clarity is sought on how the development provides for a positive impact on public health, through the use of greenspaces and accessibility etc. Suggestions have also been made in respect of the accessibility of greenspaces, i.e. a variety of environments and equipment that suit a wide range of abilities.

## **12.0 PLANNING POLICIES:**

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

### Local Planning Policy

- 12.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

Spatial policy 1	Location of development
Spatial policy 6	Housing requirement and allocation of housing land
Spatial policy 7	Distribution of housing land and allocations
Spatial policy 10	Green Belt
Spatial policy 11	Transport infrastructure investment priorities
Policy H1	Managed release of sites
Policy H3	Density of residential development
Policy H4	Housing mix



Policy H5	Affordable housing
Policy P8	Sequential and impact assessments for town centre uses
Policy P9	Community facilities and other services
Policy P10	Design
Policy P12	Landscape
Policy T1	Transport Management
Policy T2	Accessibility requirements and new development
Policy G4	New Greenspace provision
Policy G8	Protection of species and habitats
Policy G9	Biodiversity improvements
Policy EN2	Sustainable design and construction
Policy EN5	Managing flood risk
Policy ID2	Planning obligations and developer contributions

- 12.3 The Core Strategy sets out a need for 70,000 new homes up to 2028 and identifies the main urban area as the prime focus for these homes alongside sustainable urban extensions and delivery in major and smaller settlements. It also advises that the provision will include existing undelivered allocations (para. 4.6.13). It is noted that the application site falls mainly within the East and partly within the Outer North East Housing Market Characteristic Areas identified in the Core Strategy. In terms of distribution, 11,400 houses are anticipated in the East area and 5,000 in the Outer North East Area.
- 12.4 The Northern Quadrant is part of a wider housing allocation for the East Leeds Extension (ELE) in the adopted Leeds Unitary Development Plan (UDP) Review (2006).
- 12.5 The UDP establishes the land use allocation and planning policy for the East Leeds Extension (ELE). Under Policy H3-3A.33 the whole of the ELE is identified for housing under Phase 3 of the Review, together with employment uses, greenspace and other ancillary facilities subject to:
1. Preparation of a **development framework** which will determine the phasing, mix and location of uses, density of development and location of access points;
  2. Assessment of the need for an **orbital relief road** and if required, funding by the development;
  3. The provision of appropriate **highway infrastructure** incorporating the facility for public transport to serve the development;
  4. An assessment of the appropriateness of an extension of the proposed supertram line;
  5. Financial support for **enhanced public transport** routes, provision and services;
  6. Provision of local, **community and education** facilities;
  7. Provision of an appropriate level of **affordable housing**;
  8. Establishment of a significant overall **landscape structure** including substantial planting to site boundaries and main highway and footpath corridors;
  9. Retention of existing **footpaths** and creation of additional links to existing communities, local facilities and the countryside;

10. Submission of a **sustainability appraisal**;

11. Submission of a satisfactory **flood risk assessment** incorporating an appropriate drainage strategy.

12.6 The ELE allocation will be brought forward for development only if:

- i. Monitoring indicates the need for further land to be released to meet the RSS annual average housing requirement;
- ii. The assessment of the need for an orbital road demonstrates that such a road would both serve the proposed development satisfactorily and produce clear public benefits to users of the highway system; and
- iii. Sustainability appraisal demonstrates that there are no preferable, more sustainable sites; and that the detailed proposals for the extension are intrinsically sustainable.

12.7 The UDP Review goes on to say that development will need to be planned in an integrated way, which links to adjacent residential communities and employment areas. New highway infrastructure will be required at an appropriate level based upon an assessment of the need for a new orbital relief road which would not only serve the development but offer an alternative to the existing A6120 Ring Road and could relieve the main built up area from congestion.

12.8 Other UDP Policies of relevance are listed, as follows:

GP5: General planning considerations.  
N23/N25: Landscape design and boundary treatment.  
N24: Development proposals abutting the Green Belt.  
N29: Archaeology.  
N37: Special Landscape Area (to the north east of the site)  
BD5: Design considerations for new build.  
T7A: Cycle parking.  
T24: Parking guidelines.  
H3: Delivery of housing on allocated sites.  
LD1: Landscape schemes.

12.9 Supplementary Planning Guidance / Documents:

SPG4 Greenspace relating to new housing development (adopted).  
Interim Affordable Housing Policy.  
SPG10 Sustainable Development Design Guide (adopted).  
SPG11 Section 106 Contributions for School Provision (adopted).  
SPG13 Neighbourhoods for Living (adopted).  
SPG22 Sustainable Urban Drainage (adopted).  
SPD Street Design Guide (adopted).  
SPD Public Transport Improvements and Developer Contributions (adopted).  
SPD Designing for Community Safety (adopted).  
SPD Travel Plans (draft).  
SPD Sustainable Design and Construction (adopted).

Natural Resources and Waste Local Plan (adopted).

12.10 National Planning Guidance:

National Planning Policy Framework (NPPF): Paragraph 49 requires that housing

applications be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

#### 12.11 Other relevant documents

East Leeds Orbital Road Feasibility Study – July 2013.

### 13.0 **MAIN ISSUES**

1. Principle of development
2. Urban Design and liveability
3. Landscape and Greenspace issues
4. Drainage issues
5. Highway issues
6. Housing issues
7. Education and provision for children
8. Neighbourhood facilities
9. Health
10. Employment and training
11. Equality issues
12. Programme for development
13. S106 package
14. Other matters

### 14.0 **APPRAISAL**

#### Principle of development

- 14.1 Residential developments and the creation of new liveable neighbourhoods on the outer edge of East Leeds will play a major role in helping the city meet its housing growth needs. Paragraph 47 of the NPPF sets out what Local Planning Authorities must do to ensure that they are able to significantly boost the supply of housing. In particular, the NPPF sets out the requirement for a 5 year supply of housing land. This translates into the need for new homes identified in the Core Strategy. The proposed development of 2,000 houses would therefore make a significant contribution to achieving this.
- 14.2 The site is a phase 3 housing site which was released for development in 2011 following a series of appeals which confirmed that the release of such sites at that time was appropriate.
- 14.3 UDPR Policy H3-3A.33 does not preclude applications for separate parcels of the East Leeds Extension being submitted, approved and implemented in their own right. However, this is subject to any proposals having due regard to the deliverability of the remainder of the East Leeds Extension, including the provision of an orbital relief road and its relationship to Thorpe Park. Officers have received legal advice that, in itself, the policy does not require the whole orbital relief road to be in situ or have planning permission before any development takes place, but proposals will need to give certainty that the whole route will be delivered. However, consideration of the need for an orbital relief road and funding by development is a fundamental component of policy, together with an evaluation of the impact of developments on the capacity of the local networks, nearby junctions and rat-running. It is important that proposals demonstrate not merely that development does not prejudice delivery, but that it positively contributes to the ultimate solution and does not exacerbate existing traffic

problems.

- 14.4 As a consequence of the above, the principle of residential development of the site at this time is considered to be acceptable.

Urban Design and liveability

- 14.5 The aim of the proposals are to create a new liveable and sustainable neighbourhood in the east of Leeds, and consequently a great deal of time has been taken to work up a number of key urban design principles. Policy P10 of the Core Strategy states that new development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all. The submitted Design and Access Statement contains a thorough analysis of the landforms and views, the urban grain of existing developed areas and existing assets in the form of trees, hedgerows and spaces.

- 14.6 The character analysis notes that the site straddles the boundary between the city and surrounding countryside. It is also noted that the area adjoining the north-eastern edge of the site is designated as a Special Landscape Area in the UDP. The local building typologies and block structure of the existing adjacent housing areas in Whinmoor and the nearby villages of Scholes, Shadwell and Thorner are considered. The landscape character analysis identifies the site as falling within an area of arable fringe farmland which wraps itself around the east of Leeds and falling within the Nottinghamshire, Derbyshire and Yorkshire Coalfield national character area, as classified by Natural England. The area broadly to the north and, in parts, touching the northern boundaries of the site is identified as small scale farmed ridges and valleys, falling within the Pennine Dales fringe national character area. In order to mitigate the potential effects of the proposed development on the landscape character, the Design and Access Statement recommends the following measures to be considered in the design approach:

- Creation of an appropriate interface between the proposed development and the existing townscape;
- Retention and enhancement of existing vegetation along Cock Beck (Grimes Dyke) to provide a landscape buffer between the development to the south west;
- Creation of open space both within the development and at the edge of the development to break up the mass of built form and create an appropriate edge to the development;
- Retention and enhancement of existing vegetation adjacent to the northern site boundary, through native tree and shrub planting;
- Taller elements of built development will be located at key nodes and within local centres, away from the rural edge of the development site to minimise visual prominence in more sensitive locations.

- 14.7 The evolution of the masterplan has been borne out of the understanding of the site and its surroundings and influenced by feedback from the developers consultation events, meetings with Parish Councils, Members, Officers and also discussion at the Consultative Forum.

- 14.8 The principle was established that the ELOR would have to define the outer edge of the housing allocation. From a highways perspective, the location of ELOR was due

to the desire for a high capacity and relatively high speed road with no direct access, required to relieve congestion on the existing Ring Road. Other aspects of the masterplan include the location of the local centre at the intersection of the internal spine road, with a connection through to the approved Grimes Dyke development. This is intended to provide a focus for the residential area south of Skeltons Lane. To the north of Skeltons Lane, the proposals are intended to provide for improved linkages to the existing built up area and local facilities. Following discussion with Children's Services and the Consultative Forum, the location of the new 2 form entry primary school has shifted to the north-western part of the site, adjacent to Skeltons Lane. This has been revised to better relate to the proposed development, existing primary school provision and the potential for any residential development at the Red Hall site. In terms of the indicative detail of the street layout, the designers have tried to develop a block structure that responds to the topography of the site and the existing built up area, working with the steeper gradient adjacent to Grimes Dyke and reinforcing existing connections in order to try and stitch old with new.

14.9 Following the developers public consultation events, the masterplan has evolved to take account of the following issues.

- The relationship of new dwellings to existing houses has been carefully considered to ensure the security and privacy of existing residents is maintained.
- Cross sections have been submitted showing the relationship of the proposed development to Red Hall Lane and Hornbeam Way to demonstrate the arrangement of blocks of two-storey houses fronting onto Red Hall Lane, facing the existing at appropriate distances.
- The stopping up of Red Hall Lane at the eastern side of the junction with Wetherby Road is intended for safety reasons and to assist in reducing rat-running through neighbouring streets, which would only happen when alternative routes are available. However, as discussed elsewhere in this report, representatives at the Consultative Forum have expressed concern that this may have unforeseen consequences and create rat-running issues elsewhere.
- It is also intended to create a new public right of way network that will link into the existing network to provide greater public access to the surrounding countryside.
- New copses and a network of open spaces are proposed to provide an extension of the existing landscape character and provide for wildlife connectivity through and around the site. The developers have undertaken some initial discussion with the local Skelton Woods Environment Group, regarding the potential management and maintenance of the existing woodland in the southern part of the site, for the benefit of the natural environment and the wider community.

14.10 The Design and Access Statement notes that the development will provide a mix of dwellings in terms of size and tenure, ranging from 2 bed apartments to 5 bedroom houses. Given the period over which development is likely to occur, the mix will inevitably respond to factors such as market demand and location within the site. It is anticipated that the breakdown will be as follows:

- 2 bed dwellings (including apartments) – 25%
- 3 bed houses – 35%
- 4 bed houses – 35%
- 5 bed houses – 5%

14.11 The density of development has been divided into two bands, responding to the alignment of the internal spine road through the site and the transition to the Green Belt to the north and east and the existing development to the south and west. The

density strategy is therefore intended to provide legibility within the site and provide a sensitive response to both the existing suburban area and rural landscape beyond the site. Densities along the spine road, including around the local centre, are suggested as being up to 35 dwellings per hectare, whereas the remaining lower density areas are suggested as being up to 30 dwellings per hectare.

- 14.12 The proposed scale and massing is to follow a similar pattern to the densities described above. The rural landscape beyond the allocation lies within the Green Belt and part lies within a Special Landscape Area, therefore demanding a sensitive design response, predominantly two storey, to help assimilate the development into the wider landscape. Building heights within the development are planned to take into account views into the site and the potential impact on the wider landscape. Landmark buildings are intended to act as focal points and may be of a larger scale than the surrounding development to aid legibility and way-finding, i.e. in the local centre. The development edge adjacent to Red Hall Lane, Skeltons Lane and Hornbeam Way are intended to be respectful of the prevailing two storey building heights.
- 14.13 Whilst the application is in outline and there are no detailed plans or elevations of the buildings and places proposed, the Design and Access Statement goes into great detail in terms of establishing urban design principles for particular areas within the site, according to location, types of space, orientation, building types, densities, materials, roof forms and boundary treatments, as well as the approach to street hierarchies and car parking. It is suggested that, if approved, conditions are imposed requiring any subsequent reserved matters applications to accord with the urban design principles established at this early stage. It is anticipated that the residential streets within the development will be designed for 20mph vehicle speeds, which will assist in ensuring the development is 'child friendly' and is as accessible as possible to a wide range of users. The local character study referred to earlier is intended to assist in informing the building form, architectural details and external materials to be used in the development.

#### Landscape and Greenspace issues

- 14.14 Landscaping and vegetation should play a major role in ensuring the development does not have a negative visual impact on the retained Green Belt to the north and east and in offering soft buffering and separation where necessary to protect the character and identity of existing and new neighbourhoods.
- 14.15 The developers will be required to provide greenspace on-site to meet the local amenity and recreational needs of the new neighbourhoods. However there will be more strategic leisure needs that are affected by the growth in population.
- 14.16 At pre-application stage, it was noted that there are existing playing pitch facilities at Red Hall, Skeltons Lane and Naburn Approach, all in Council ownership. Red Hall is allocated for development in the UDP, though its release from current uses has yet to be formally determined by the Council. A report was presented to the Executive Board meeting of 4<sup>th</sup> September 2013, where it was agreed that feasibility work be undertaken to inform the development of the Red Hall site, including the key development principles, involving the retention of two pitches on site and that approval be given to the process and timetable for the production of a draft Informal Planning Statement to guide future planning applications, disposal and development of the site for housing and related infrastructure, to include requirements for greenspace, scale and type of development, highways, pedestrian and cycle movement, as well as more detailed design guidance. Both Red Hall and Skeltons Lane have issues with drainage that prevent the playing pitches being used to their

full capacity and could otherwise be upgraded through financial contributions from new development.

- 14.17 In addition to on-site greenspace, there is an opportunity to provide a new East Leeds Country Park along the outer edge of the ELE (both inside and outside ELOR as a strategic network of greenspaces) and connecting to the proposed 108 acre Green Park (at Thorpe Park), approved at City Plans Panel in September 2013. This country park could also act as a strategic buffer between the ELE and the nearby communities (especially Scholes) and in the case of this application, would fall within the Green Belt. Whilst the proposed housing development falls within the housing allocation, the creation of a Country Park within the Green Belt is appropriate and acceptable in planning policy terms. The developers have indicated an area that could form part of the country park at the eastern end of the Northern Quadrant, outside of ELOR, between Skeltons Lane and York Road. One of the key issues is how the country park could be accessed where it falls outside of ELOR. Following negotiations, the developers have now provided a bridge between the development area and the country park. The latest drawings show how a bridge could be incorporated into a landscaping solution, rather than a purely engineering solution. Crossing points for pedestrians and cyclists at the roundabout junctions of ELOR, will also help to facilitate access. The Country Park now proposed is larger than that submitted with the application and so part of it falls outside the red line boundary of the planning application. The S106 will require the submission of a planning application for the enlarged Country Park, as shown on the current masterplans.
- 14.18 Whilst there are no public rights of way crossing the site, such routes do exist further north, crossing and accessible from Coal Road. Clearly, the current proposals are to sever Coal Road in order to construct ELOR. However, pedestrians and cyclists will be able to use crossing points at the A58 junction with ELOR in order to access the leisure routes outside the development area. More widely, linear routes are proposed along the inside edge of ELOR and outside of ELOR between the A58 and Coal Road. The networks of routes will assist in facilitating access to the public rights of way networks to the north, as well as to local playing fields, which have benefits in terms of leisure, recreation and health.
- 14.19 In addition to the above, the developers are offering the transfer of the woodland to the south of the site to the Friends of Skeltons Wood at nil cost. This is an area where the developers had pursued discussions with the group at pre-application stage, following public consultation events. However, if agreement cannot be reached, the woodland can be included in the management of the overall public open space.

#### Drainage issues

- 14.20 Green infrastructure will also be required to play a significant role in the development. It is important that developments consider sustainable drainage methods in the first instance, i.e. infiltration drainage / attenuation basins. However, these will not always be suitable due to ground conditions in which case other methods may need to be used to manage surface water run-off and increased domestic water usage ensuring that the off-site impacts of drainage are understood and fully mitigated in the design of the developments. Concerns were initially raised by the East Leeds Regeneration Board about permeability of soil in the area around the site and the implications for sustainable drainage solutions.
- 14.21 The approach to drainage and mitigation of its impact on surrounding areas needs to be considered as a whole so that the cumulative impact across all of the development is considered. Concerns around ground conditions and drainage have been noted by the Consultative Forum and residents who attended the public exhibitions led by the Council. The developer's proposal is to utilise the topography of the land to drain the

site to attenuation areas, where surface water can then be released at greenfield rates of run-off. In summary, the proposal is that the northern half of the site drains to attenuation areas within greenspaces to the north of Skeltons Lane. The southern half of the Northern Quadrant is located over a ridge of land and so the eastern half will drain to attenuation areas within the country park, whereas the western half will drain to attenuation areas within greenspaces adjacent to the western boundary with Cock Beck and the Grimes Dyke site. One of the aims of the strategy is to put in place a surface water management system which will have a positive impact on the surrounding habitats and ecosystems.

- 14.22 With regard to the inclusion of attenuation areas within four areas of greenspace within the residential development, the strategy is that 40% of the space is public open space only, 30% of the space acts as public open space plus potential flood attenuation and a further 30% of the space if flood attenuation only (therefore unusable and not counting as greenspace provision). Accordingly, 70% of the area available within these four areas of public open space is usable and is counted by the developers as greenspace. Other attenuation areas exist in other parts of the site which are not counted as greenspace, such as the landscaped areas outside of ELOR. However, consideration will need to be given to how such features may be included within the detailed design of the country park proposal.

#### Sustainability

- 14.23 The proposals for the site must fully address sustainability issues including quality design, public transport penetration and sustainable drainage. The submitted Design and Access Statement contains a chapter on climate change mitigation and assesses the proposals in detail against the Council's Sustainable Construction and Design SPD – Building for Tomorrow Today. It is asserted that one of the best ways to build homes that are sustainable is to ensure that the building fabric is as efficient as possible. It is also noted that sustainable methods of recycling rainwater, such as the provision of water butts will be considered where appropriate. Given the significant span of the build out period, it is likely that the proposals must meet at least Code Level 4 or above of the Code for Sustainable Homes. However, recent government announcements have inferred that the Code may be set aside in favour of a more holistic approach to sustainable design and construction.

#### Highway issues

- 14.24 The cumulative impact of all development on the outer Leeds urban edge will require investment in transport infrastructure to mitigate the effect of increased vehicular traffic on the existing strategic and local road network. The starting point for this discussion is the requirement that this would be provided through a new ELOR as a dual carriageway to accommodate the scale of development, connecting all phases of the ELE with developments at Manston Lane, through to Thorpe Park and the M1 at junction 46, and to the A6120 outer ring road to the north. Ultimately, this will help reduce traffic on the existing outer ring road between the A58 and M1 motorway.

#### *East Leeds Orbital Road (ELOR)*

- 14.25 The requirement, phasing, scale, funding and timing of the ELOR has been subject to significant discussion with the development team, as well as other landowners in the ELE and at the Council's Executive Board.
- 14.26 These discussions have included whether the ELOR could be provided as a standalone first phase in the Northern Quadrant, connecting the A58 Wetherby Road with the A64 York Road, to support this first phase of development and mitigate the impacts on traffic flows along the existing Outer Ring Road (ORR) on the capacity of



key junctions and impacts on nearby settlements (e.g. Scholes) as well as the issue of potential rat-running through the Whinmoor area.

- 14.27 The point has been made on behalf of the wider developer/landowning interests that there must be an equitable distribution of cost for infrastructure. In this context it is agreed that the development of each quadrant of the ELE should make an appropriate contribution to its section of ELOR taking into account the costs of other infrastructure.
- 14.28 The construction and completion of the ELOR in its entirety is closely related to the provision of the Manston Lane Link Road (MLLR) at Thorpe Park. It is noted that an outline mixed use scheme at Thorpe Park has been approved, together with detailed full planning applications for the east-west and north-south sections of the MLLR and an application for a new public park were approved at the City Plans Panel meeting of 19<sup>th</sup> September 2013. It is envisaged that the MLLR would provide the southernmost 'leg' of ELOR between Manston Lane and the M1.
- 14.29 Consultation to date has raised concerns that the ELOR should be delivered at as early as a stage as is feasible and preferably before any housing is developed, with concerns about the possible impact of additional traffic arising from new housing development on existing local and arterial highways, without it being in place.
- 14.30 In view of these concerns, the Council's Executive Board has agreed that the Council should take a leading role in delivering ELOR, to co-ordinate with diverse land interests and achieve a consistent approach to how developers engage in its delivery. The Feasibility Study commissioned by the Council (carried out by Mouchel) was intended to offer some clarity on the scope, route and programme to provide a basis for consideration of further detailed design, funding and delivery and to assist in facilitating the delivery of the whole of ELOR in a comprehensive manner.
- 14.31 The ELOR Feasibility Study confirmed the base principles of the road as being an urban dual carriageway of a 50mph design speed with roundabout junctions where the route would cross the existing main roads and should be 'future-proofed' in its design to accommodate an increase in traffic over and above that which is forecast from the level of both housing and economic growth in Leeds and the wider city region. It set out an indicative overall route of 7.33 km (4.6 miles) connecting the A6120 Outer Ring Road west of Red Hall to J46 of the M1 at Thorpe Park. The Feasibility Study was presented to the East Leeds Regeneration Board, together with the emerging East Leeds Transport Strategy. The Executive Board has noted the outcome of the Feasibility Study and supported the work to establish an East Leeds Transport Strategy, considering the wider needs of pedestrians, public transport and cars.
- 14.32 The Council's position is clear in that it wishes ELOR to be constructed as early as possible and recognises the benefits the strategic highway will bring, not only to residents and businesses in East Leeds but also to the wider City. The Council's emerging approach in order to deliver ELOR at the earliest date possible is for it to take a leading role in its provision, including investigating and seeking to obtain funding from both the public and private sectors. The mechanism adopted to obtain private funding and assemble the necessary land therefore needs to be capable of implementation across the whole of the East Leeds Extension.
- 14.33 In regard to public sector funding, the Council has made considerable progress on the ELOR project and is now in a position to work with the West Yorkshire Combined Authority (WYCA) to develop a business case for funding the scheme. Through the Growth Deal agreed with government for the Leeds City Region, a West Yorkshire

Transport Fund has been established, in which a number of high priority transport infrastructure schemes, including ELOR, have been given priority funding allocations. WYCA has already allocated £1.3m of project development funds to the Council to enable it to develop the business case for ELOR. The formal Stage 1 Outline Business Case for the full ELOR project, linking to the MLLR works, was submitted to WYCA at the end of January 2015 and following peer review and technical assessment is expected to be formally considered for progression to the next stage of detailed development at the Combined Authority's meeting on the 12<sup>th</sup> March.

- 14.34 Within the business case a programme for delivery of the scheme has been included, which indicates the submission of a detailed planning application in 2016 and subject to this being determined, a start on site for the ELOR works in 2019 and completion by early 2021.
- 14.35 There is significant work to be undertaken to meet this timetable, which officers are confident is, whilst challenging, achievable. Required activities will include public consultation, detailed design, further landowner discussions, land assembly, planning, statutory procedures (including public inquiry), procurement and a contractual delivery period. The final approval of the business case will not be made until much of this work is undertaken, though as more detail is confirmed and as each stage progresses there will be greater certainty of the funding from the West Yorkshire Transport Fund allocation.
- 14.36 The ultimate approval of the case for public sector funds will also be contingent on the ability to draw in private sector/developer contributions to the cost of the scheme. On this point the Northern Quadrant Consortium and Council have held further detailed discussions.
- 14.37 When the Northern Quadrant application was first presented to Plans Panel in March 2013, the consortium's proposals were for it to construct the section of ELOR within the planning application (the section between A58 and A64) and to start this no later than the occupation of the 1,200th house, with the road to be completed within 3 years of its commencement. Through further discussions a position was reached that if by the sale of the 1000th house, the Council did not have sufficient public funding in place it could request the consortium to pay sufficient funds to the Council for the construction of this section of ELOR. Further discussion has taken place about different 'trigger points' at which the road would need to be constructed or the cost of constructing the road could be made available for the Council, though these have not proved capable of meeting the needs of either party. The developer's position is that it is not able to provide any significant funds in advance of housing development that would enable the ELOR works to be fully implemented; this is because of the need for the site to generate cash flow through house sales. The Council's position reflects the concerns raised by Members and local stakeholders, that ELOR should be in place at the earliest opportunity and preferably prior to the construction of any housing.
- 14.38 A joint position has now been reached where the basis of the developer's contribution to the ELOR scheme would be in two parts. Firstly, early works in kind to form the roundabout junction with the A58, which would provide for site access at its western end and to form an interim junction with the A64 to provide for site access at its eastern end. Subject to further engineering modifications and expansion at the A64 roundabout, both of these junctions would form part of the eventual ELOR route.
- 14.39 Secondly, the developers' contributions would come through a 'roof tax', which would form part of the S106 agreement. In simple terms, in knowing the likely full cost of this section of ELOR, a per dwelling financial contribution would be derived from the total

number developed. Any earlier works in kind relating to ELOR would be counted as an offset to the roof tax at their equivalent value. The estimate on which the overall cost of this section of ELOR is based and which will form the calculation for the roof tax is based on detailed estimates agreed between Mouchel (the Council's ELOR engineering advisors) and the engineers advising the applicant. It includes a base estimate, provision for inflation and risk pricing reflecting the detailed design and site work still required before a contract can be let. The estimate is considered robust with the likelihood that the final outturn cost of this part of ELOR may well be less than is received overall through the roof tax. Any additional roof tax received would however be retained within the package of planning obligations, as discussed earlier in the report.

- 14.40 There is therefore a sound basis on which to fix the overall amount of contribution that can be expected from the NQ development to the ELOR scheme.
- 14.41 The Consortium would also commit through the s106 to making the necessary land available for the construction and adoption of ELOR through the site and for any land not in its control or available for the construction of the Northern Quadrant section of ELOR, the consortium has confirmed it will indemnify the Council for any reasonable costs incurred in its acquisition.
- 14.42 Executive Board has agreed the principle of this roof tax and that it should be used on the same basis in further parts of the East Leeds Extension when these come forward as planning proposals.
- 14.43 There is therefore a good level of certainty in the means of securing private contributions to the ELOR scheme and with the progression of discussions between the Council and applicant and the Council's work on a public funding case now making progress, the proposals for ELOR and the Northern Quadrant have moved forward positively since the proposals originally made in the application. Through the position now reached, the Council can maintain control over the delivery of this section of ELOR as part of the wider project to deliver the road as a strategic route in a single project and on a common programme.
- 14.44 Whilst the developers' contributions would not be received 'up front', public funds would be applied in the first instance to ensure ELOR is delivered at the earliest possible time and according to the programme set out above, by early 2021. It should be noted that the applicant's anticipated development programme and the statutory planning processes still to be worked through following any grant of planning permission through this application indicate that a start to house-building on-site may not be possible until 2018. Based on a build-out rate of up to 150 units per annum, it is to be anticipated that around 250 units could be constructed before ELOR is opened – see para. 14.90.
- 14.45 The establishment of the roof tax as a means of securing the applicant's contribution to the ELOR scheme does have implications for other S106 priorities, because of the cash flows involved. The consortium re-assessed its cost spread across the development, taking into account the infrastructure requirements. At the 10<sup>th</sup> December 2013 Plans Panel, the proportional scale of the full S106 costs were noted as follows:
1. Affordable Housing – 44%
  2. ELOR – 24%
  3. Education – 14%
  4. Open space – 11%

5. Public Transport and Travel Plan – 6%
6. Highways – 1%

The four options identified related to the scenarios described below:

*Option 1*

The cost of ELOR is spread over the lifetime of the development, but with a 2 form entry primary school being delivered early and Affordable Housing spread on an even basis across the development period. 38% of the Northern Quadrant section of ELOR would be funded by the 1,100<sup>th</sup> house and the school would be open by the 800<sup>th</sup> house.

*Option 2*

The cost of ELOR is brought forward, with the school being deferred for delivery later and Affordable Housing spread on an even basis across the development period. 77% of the Northern Quadrant section of ELOR would be funded by the 1,000<sup>th</sup> house and the school would be open by the 1,600<sup>th</sup> house.

*Option 3*

The cost of ELOR is brought forward, the school is delivered in the medium term and Affordable Housing is provided on an uneven spread over time. 77% of the Northern Quadrant section of ELOR would be funded by the 1,000<sup>th</sup> house. The school would be open by the 1,000<sup>th</sup> house and Affordable Housing would be provided on a range of 5% to 20%.

*Option 4*

The cost of ELOR is brought forward and 100% funded by the 1,000<sup>th</sup> house. School provision is split between an early necessary provision of one form of entry off-site (by the 200<sup>th</sup> house) and the provision of a two form entry school on site later on (by the 1,600<sup>th</sup> house). Affordable housing is spread on a stepping up approach from 4% to 24%.

In relation to option 4, the one infrastructure element that needs to be provided to a fixed date, rather than determined by house sales, is the primary school. The process and nature of school provision means that a three year lead in time is required. Once the decision is taken to commission a school, it must be ready by a set date, regardless of the subsequent rate of house sales. Dialogue with Children's Services has indicated that an extension to an existing primary school in the locality, by one form of entry, is a preferable solution in the early years of the development, with the full two form entry primary school following later.

- 14.46 The consortium are seeking detailed consent for ELOR as part of the current planning application. The route of ELOR falls within the housing allocation and within the ownership of the consortium, save for the area of land at Bramley Grange Farm, referred to at the 10<sup>th</sup> December City Plans Panel. One issue arising from this approach is the creation of off-centre roundabouts on the A58 and A64, which have in turn raised highways issues with regard to geometry and forward visibility. Discussions on this aspect have taken place, although it is noted that the movement of roundabouts has potential implications for housing capacity and access in relation to adjacent parts of the ELE and proposed road layouts. The current position with regard to the A58 ELOR roundabout is that a four arm roundabout to serve Northern Quadrant is proposed in the planning application, all falling within land controlled by the applicant. However, from the Council's perspective, we need to ensure the best alignment of ELOR and, as a landowner, ensure that the potential for future consideration of the Red Hall site is not diminished and the best alignment of ELOR

around it is provided for as a result of the Northern Quadrant's position. Negotiations have taken place between the Council and Northern Quadrant to facilitate a better positioning of the A58 ELOR roundabout, using part of the Council's land (in accordance with the Mouchel alignment resulting from earlier feasibility work). The consortium is agreeable to a clause in the S106 agreement requiring them to submit and implement a planning application for the revised roundabout location, following the grant of outline planning permission, subject to there being no loss of developable area. It is therefore imperative that a revised scheme is agreed for inclusion in the S106 agreement. With regard to the A64 ELOR roundabout, the Northern Quadrant proposal is for a roundabout falling entirely within their own land. This would then be reconfigured to accommodate future development on the middle quadrant. Highway officers are satisfied with the roundabout designs for the ELOR junction with the A64.

#### *Highways Agency position*

- 14.47 Following continuing dialogue with the Highways Agency (HA), it is understood that the Northern Quadrant proposals are, in themselves, unlikely to have a significant impact on the A1(M)/A64 junction. The HA have re-modelled the mitigation required at Junction 46 of the M1, given the overall development of the ELE and the proposals for Thorpe Park. The measures required will be delivered through the HA's own funding programme. The HA had issued a final holding direction which will be lifted, subject to the final agreed Travel Plan being secured in the S106 agreement.

#### *East Leeds Transport Strategy*

- 14.48 In addition to the ELOR feasibility work Officers of the Council have been meeting with Officers of Metro on an emerging East Leeds Transport Strategy that would encompass the ELE area. As proposals begin to emerge for development of the East Leeds Extension, it is essential that the Council and its partners have a clear vision to ensure that the new developments are adequately served and integrated and linked to both the wider East Leeds area, adjoining areas such as the Aire Valley and Thorpe Park, and the City Centre.

The Council has worked closely with Metro to produce a draft strategy and a joint Member/Officer sub group to the East Leeds Regeneration Board has been established to oversee this. The strategy was presented to the East Leeds Regeneration Board on 8<sup>th</sup> November 2013, where Members supported the general approach. The strategy will build on the overarching strategic approach set out in the West Yorkshire Local Transport Plan 2011-26 (WYLTP 3) and the local strategy for Leeds, which is incorporated into the Core Strategy. It is intended that the East Leeds Transport Strategy will help to inform future development and assist in the determination of future planning applications.

The overarching principles of the East Leeds Transport Strategy are outlined below: -

- ELOR/MLLR forming part of the A6120 Leeds outer orbital route which will take pressure off the existing outer ring road whilst also providing adequate capacity for new housing development. This will allow measures to be implemented on the existing outer ring road to reduce severance between Seacroft, Crossgates, Whinmoor and Swarcliffe.
- Park & Ride facilities at Stourton (new facility planned as part of the NGT proposals intercepting longer distance trips into the city from the M1, M621 and M62 motorways and A61 and A639 local routes); East Leeds Parkway (potential new Railway Station and associated parking at Micklefield included in Network

Rail's Strategic Business Plan and identified in the WYTF investment package); Aire Valley Park & Ride (planned to intercept longer distance trips into the city from M1 (North) via the A63 Pontefract Lane); Grimes Dyke Park & Ride (potential site intercepting longer distance trips into the city via the A64); Thorpe Park (Longer term aspiration and assessment of the need for new rail station).

- New Generation Transport from Stourton to Holt Park via City Centre (Line One currently subject to Transport and Works Act application). Future NGT options; City Centre to Aire Valley; City centre to Seacroft and Grimes Dyke Park & Ride via St James's Hospital.
- Public Transport; Effective integration of new and extended services to access new development in the East Leeds Extension. This will emerge over time as development proposals come forward, but initial conversations are taking place between Metro and operators to start the process of scoping out possible changes.
- Extension of Bus Priority measures on the A64 East Leeds Quality Bus Corridor to Grimes Dyke Park & Ride (made possible as a result of ELOR and reduced traffic volumes on the existing outer ring road).
- Pedestrian and Cycle connectivity; Integrated transport and environmental measures for the existing outer ring road to reduce segregation and improve pedestrian and cycle movement between Crossgates, Whinmoor and Seacroft.
- Development and Expansion of Leeds Core Cycle Network including the Cross City Cycle Superhighway/ Highway for Health and local feeder routes.
- Transport Hubs; Creation of Integrated Transport Hubs to allow changes between modes of travel (bus, foot, car etc) at Seacroft district Centre, Grimes Dyke, Cross Gates town centre, Thorpe Park and Aire Valley Park & Ride.

14.49 Therefore the Northern Quadrant transport proposals should not only be compatible with the wider ELE requirements, but also be consistent with and help to deliver the wider East Leeds Transport Strategy. To that end, the consortium has produced an Integrated Public Transport Strategy for the ELE outlining the intervention considered appropriate for the ELE and details of what the Northern Quadrant could deliver or fund. This subject is discussed below.

14.50 As stated above, due to the scale of potential development in the east Leeds wedge of the city, officers are currently developing an East Leeds Transport Strategy. The Strategy is intended to inform development proposals and assist in the determination of future planning applications. The strategy is being prepared by the Council in conjunction with Metro and will build on the overarching strategic approach set out in the West Yorkshire Local Transport Plan 2011-26 (WYLTP3) and the strategy for Leeds which is incorporated into the Leeds Core Strategy. It is considered important that the Council and its partners have such a strategy to ensure that new developments are adequately served and integrated and linked to the wider East Leeds area including employment areas at Aire Valley, Thorpe Park and the City Centre. The Northern Quadrant proposals are considered to be consistent with the

strategy, though Members will note that the proposal is to re-direct the off-site public transport strategy contribution towards Affordable Housing.

*Public transport and accessibility*

14.51 It is noted that the whole of the Northern Quadrant site does not fully meet accessibility standards within the Core Strategy and the Public Transport SPD. This is not unexpected as the area is undeveloped. The SPD states that where a development site does not meet accessibility standards that the developer must fund measures to bring it up to the appropriate standard. However, significant parts of the site are within an acceptable walking distance of bus services. A phased approach to improving public transport is therefore possible.

Existing Bus Services within an acceptable walk of the site include: -

- Service 11 / 11A – Cross Gates – Leeds (Hourly frequency Mon-Sat)
- Service 16 – Whinmoor – Pudsey (12 min frequency Mon – Sat)
- Service 56 – Moor Grange-Whinmoor (8-10min frequency Mon-Sat)
- Service 770 – Leeds-Harrogate (60min frequency Mon-Sat)
- Service 771 – Leeds-Harrogate (60min frequency Mon-Sat)
- Service X98 – Leeds-Deighton Bar (60min frequency Mon-Sat)
- Service X99 – Leeds – Wetherby (60min frequency Mon-Sat)
- Services 840/843/845 – Coastliner Services Leeds – Malton (and Coast) (30min frequency Mon-Sat)

14.52 The consortium proposes that a phased approach to extending existing bus routes is adopted, to ensure that all future residents at all times of the build-out will be within a 400m of a bus stop providing services to the city centre.

14.53 During the early phases of the development, it is proposed to utilise existing bus services operating along the A64 and the A58 and through access to those buses currently serving the Wellington Hill / Whinmoor residential estate to the south and west of the site. In all cases, residents will be within around 400 metres of a bus stop providing services to/from the city centre. As the development progresses, extensions to existing routes are proposed. Services would be extended as build-out of the development takes place, with temporary turning areas being provided, as required. The proposal (following discussions with officers, Metro and bus operator First) is as follows: -

1. The Initial stages of housing to be served from existing bus services on the A58, A64 and Skeltons Lane.
2. Once housing extends beyond a 400m walk of bus stops on the A58 and A64, the No 16 service (which currently terminates on Naburn Approach just south of the site) would be extended up Coal Road to a new terminus a short distance along the proposed Spine Road. This could be achieved with one bus to maintain the 10min frequency of the No 16 service.
3. Once the scheme has developed to a point where the 16 is unable to extend any further with 1 extra bus, this would be replaced by an extended service No 4 and new service 4A creating a clockwise and anti-clockwise loop from Seacroft bus station through the site. The No. 4A would travel Seacroft - Coal

Road – North Quadrant Spine Road - A64 and the No. 4 would travel Seacroft-A64-Spine Road-Coal Road. The frequency on each loop would be 20 minutes on each making a combined 10 minute service.

- 14.54 In addition to the above, the consortium's highway consultant has carried out surveys which have been agreed and accepted by Metro that demonstrate that there is sufficient capacity on these existing bus services (both at the site and at the city centre) to accommodate predicted passengers from the Northern Quadrant.
- 14.55 The proposed extension to bus services is considered acceptable and will ensure that future residents will have a realistic public transport option at all stages of the build-out. However, consideration needs to be given to the accessibility requirements of the wider ELE allocation, which is considered below. In terms of public transport infrastructure the development should fund shelters and a suitable bus facility within the site at regular distances which will need to be secured by condition or obligation.

### *Cycling and Walking*

- 14.56 The area currently encompassed by the Northern Quadrant site boundary has quite limited pedestrian, cycle and leisure infrastructure. The eastern flank of the A58 has no footway provision within the site, Coal Road has no footway provision on either flank, and Red Hall Lane and Skeltons Lane have limited provision and along some lengths no provision. Details of the consortium's pedestrian, cycle and leisure proposals are shown on several drawings although some inconsistencies will have to be clarified. Nevertheless, the proposals will include the following, to be controlled by conditions:

- A segregated orbital pedestrian/cycle route for the full length of ELOR
- Orbital leisure routes between the A58 and Coal Road and between Skeltons Lane and A64 facilitating access to wider leisure routes
- Footway and Cycleway connectivity into the Grimes Dyke site
- New footways to the eastern flank of the A58 connecting with existing provision further north of the site
- New footway/cycleway to the southern flank of Skeltons Lane between ELOR and Thorner Lane
- New footway/cycleway to the northern flank of the A64 between ELOR and the Grimes Dyke site access and the Grimes Dyke Park and Ride site
- New footway/cycleway provision along Skeltons Lane to tie in with ELOR junction and continuous routes within the site
- An internal network of pedestrian and cycle routes including pedestrian and cycle access points onto Red Hall Lane and Skeltons Lane to provide connection into existing networks and ensure permeability between neighbourhoods
- Footpath connections linking into the existing network adjacent to Skelton Woods and Hornbeam Way to maintain and provide an extension to existing amenity routes
- At-grade crossing points of the ELOR provided at all new roundabout junctions
- A pedestrian/cyclebridge connection over the ELOR into a proposed country park



- Coal Road to become a more leisure friendly route (to to its closure) giving access to wider leisure routes to the north
- Potential for Thorner Lane to become a more leisure friendly route through potential point closure at the A64 with traffic diverted to ELOR.

14.57 Many of these measures are identified in the East Leeds Transport Strategy. These measures will need to be secured through planning conditions and the S106 agreement as appropriate, but will provide a well connected development with good infrastructure for pedestrians and cyclists and help to integrate the development into the existing environment. These routes / infrastructure will also help to encourage movement by sustainable modes of transport. Notwithstanding the above, clarification is still sought on the crossing points to bus stops on the A58 and A64 (some of which are to be relocated). These crossing points would most likely be closely related or part of the new A58 and A64 roundabouts, which themselves need to be considered by a Stage 1 Road Safety Audit prior to any planning decision.

14.58 In addition to the above, both the residential development and the primary school development will be subject to Travel Plans. The package of transport measures for the Northern Quadrant proposals has been discussed and could have included a contribution towards the delivery of a Park and Ride facility on land south of Grimes Dyke. Whilst this might arguably better serve visitors from further afield, such a facility would free up space on the arterial routes and lessen the impact of the proposed development on the highway network. However, Members should be mindful that the proposal is to re-direct the off-site public transport strategy contribution towards Affordable Housing. Members previously indicated a willingness to re-direct the MetroCard contribution such that it is also used to enable more Affordable Housing. Accordingly, the Travel Plans have been updated to take account of this, but still endeavour to promote MetroCards as a potential Travel Plan measure.

*The Wider ELE Integrated Public Transport Strategy*

14.59 At the requirement of officers the consortium has produced an Integrated Public Transport Strategy for the wider ELE allocation. This work was requested to ensure that the Northern Quadrant proposals were considered in the context of the needs of the wider ELE allocation, and that this strategy itself would be consistent with the developing East Leeds Transport Strategy. The ELE strategy was also required to help identify the appropriate contribution or intervention required by the Northern Quadrant to the eventual requirement for the whole ELE allocation.

14.60 The ELE strategy assumes full build out of the housing allocation including the implementation of the full ELOR between the existing Outer Ring Road (ORR) west of Red Hall and Junction 46 of the M1 at Thorpe Park. The proposals are based on a number of transport hubs, combined with local bus feeder services. The approach will allow for phased implementation to take place and not preclude the future introduction of NGT. The strategy provides an agreed basis for a holistic strategy for the wider ELE area, thus providing a framework for the future development of the wider allocation.

14.61 The main aspects of the strategy are highlighted below:-

1. Bus Feeder Loops - The connectivity of the residents of the ELE, and adjacent residential areas, to existing bus and rail services can be achieved by the provision of a bus loop serving the sites as they are delivered. The route of the loop service can be extended and amended as and when the different phases of the ELE are constructed. The completed loop should connect to Cross Gates bus and rail interchange and Seacroft bus station, thus providing access to local bus services and the wider rail/bus networks. An indicative route has

been developed which would result in a maximum journey time of between approximately 9 minutes and 13 minutes from the farthest extents of the ELE, to interchange points where residents can connect to rail or city-bound bus services. The indicative loop service is included in the Integrated Public Transport Strategy appendix. Operating services in opposite directions round each loop is proposed as this provides a more consistent journey time and therefore better level of service for all residents along the route. The target standard of the services would be as follows:

- High service frequency
  - Hail and ride
  - Target Maximum journey time to interchange points of 15 minutes
  - Through-ticketing facilities
  - Route to pass within about 400 metres of all ELE residents
2. Public Transport Hub – The UDP identifies the provision of a Park and Ride site on the A64, in the vicinity of Grimes Dyke. The principal objective of such a facility is to intercept car trips from outside the city, essentially city bound cars from outside Leeds, and it would also offer a direct and dedicated public transport link to the city centre. In advance of the provision of such a strategic facility, it is proposed that a public transport hub is provided to serve as a terminus point within the ELE land (potentially on the allocated Park and Ride site). This would provide an interchange point between the loop service and existing high frequency bus services on the A64 (including Coastliner). It is anticipated that the public transport hub would include a limited number of bus stops, passenger waiting facilities and timetable information.
3. Infrastructure Improvements - To maximise the reliability and quality of service for bus services in to the city centre, some infrastructure improvements are proposed along the route. The following measures are considered beneficial to facilitate the efficient movement of the city bound bus services.
- A64 Park and Ride Access - Bus priority measures to facilitate the passage of buses in to and out of the P&R site (or public transport hub in the shorter term).
  - A6120/A64/York Rd Roundabout - Bus priority on all relevant approaches, possible introduction of signal control, possible bus link through the roundabout, for outbound bus services. Note, Reduced flows through the roundabout due to the provision of the ELOR.
  - A6120/A64/Barwick Road Roundabout - Bus priority on all relevant approaches, possible introduction of signal control. Note: Reduced flows through the roundabout due to the provision of the ELOR.
  - A64 West of ORR - Use of near side carriageway for priority vehicles only (bus and possible carshare). Tie in with existing bus priority measures along the A64.
4. Cycle and pedestrian networks consistent with the East Leeds Transport Strategy.

14.62 The provision of the Full ELOR provides the opportunity to significantly reduce flows and delays along the existing Outer Ring Road, and would enable road space to be

reallocated for bus priority at the key junctions along the route. During the course of the application discussions have taken place on the level of contribution required towards this ELE strategy, or whether delivery of a specific element or elements (equal to that contribution) would be more appropriate. The developer's highway consultant has costed the strategy and as a comparison calculated the Public Transport SPD contribution for the wider ELE allocation (assumed to be 5,400 houses), though this would be subject to CIL, post 6<sup>th</sup> April 2015. Together with the Grimes Dyke Public Transport SPD contribution the consultant has estimated that the strategy could be funded. Therefore, it has been suggested by the consultant that the SPD formula be applied to each phase of the ELE that comes forward to be used towards the wider ELE strategy. Again, the Northern Quadrant proposals are considered to accord with the overall strategy, though the current proposal is that the off-site public transport strategy contribution is re-directed towards more Affordable Housing.

#### *Traffic impact*

- 14.63 In the longer term the completion of the ELOR and MLLR is expected to provide significant improvement to traffic conditions on the existing outer ring road in east Leeds. However, the introduction of the Partial ELOR and phased construction of the Northern Quadrant in isolation needs to be understood in the interim.
- 14.64 The UDP identified the ELE as a Phase 3 housing allocation but states that the land will only be released if any orbital road produces clear public benefits. The policy for the allocation requires an assessment of the need for an Orbital Relief Road (i.e. ELOR) and, if required, funding by the development. The Northern Quadrant consortium has therefore been required to undertake analysis to demonstrate that the Full ELOR route brings about public benefits and that their section also contributes and is acceptable as a first phase of the ELE/ELOR.
- 14.65 The Leeds Outer Ring Road A6120 (ORR) runs from Junction 46 of the M1 in the east, serving much of the residential areas of Leeds and terminating at Junction 1 of the M621 in the west. Along the length of the Outer Ring Road the route varies in standard and character. As a consequence of a number of key radial routes emanating from the city centre to destinations across the Leeds City region there are many major junctions along the route. There are a number of different trip types currently accommodated on the ORR ranging from local commuter trips to more strategic long distance movements and, as a result, the ORR is characterised by congestion in the peak periods and severance caused to the residential populations on either side of the route.
- 14.66 Given that the high traffic flows on the ORR constitutes one of the main concerns for the public, it is considered that the level of traffic relief is a suitable measure of clear public benefit of the ELOR, i.e. the extent to which traffic flows would be reduced on the ORR.
- 14.67 Within the length of the Northern Quadrant site the main road junctions with ELOR would be at a A58 roundabout (proposed change in speed limit from 50mph to 40mph); a new roundabout on Skeltons Lane (50mph on roundabout, reduced from 60mph on Skeltons Lane); a new roundabout at A64 (proposed change in speed limit from 50mph to 40mph as part of the committed Grimes Dyke Highway improvements currently under construction).
- 14.68 The consortium's highway consultant (and Mouchel in undertaking the Feasibility Study) has utilised the Leeds Transport Model (LTM) of the Council supported by the Transport Policy Section of Highways and Transportation. The consortium's work is consistent with Mouchel's in that a 50mph Design Speed dual carriageway is justified

to bring about the public benefits, and that junctions should be limited to the key routes intersected by ELOR. To accord with policy requirements the developer has been asked to demonstrate that ELOR would produce clear public benefits to users of the highway network. Again the LTM has been used at a strategic level to assess the implications of constructing the ELOR between the A6120 west of the site, via the Northern Quadrant and south towards Junction 46 of the M1 with junctions located at Leeds Road, Manston Lane and Thorpe Park, in addition to where ELOR crosses existing radial roads into Leeds.

14.69 Having considered the traffic modelling work, conditions as a result of the NQ build out have impacts at various stages of ELOR. It is assumed that the development build-out and phasing that has been provided by the consortium (150 dwellings per annum, assuming 60 dwellings per annum at the A58 end and 90 dwellings per annum at the A64 end, where sales at the A58 will start up to a year in advance of the A64 end). Until the development spine road connects with existing routes, and prior to ELOR, there will effectively be two separate development sites (one from the proposed A58 roundabout and one from the A64).

14.70 Consideration has been given to the impacts at various stages of development at a number of junctions. Junction performance has been considered in a number of ways, such as queue length, capacity, delay for the whole junction and on individual arms. Regard has also been paid to the number of development trips on a given junction/arm and whether the junction/arm is already over capacity or would be taken over capacity in the with development scenarios. The Consortium's highway consultants have submitted details on 15 junctions in the locality. While all these junctions are relevant and important, of these 4 are considered strategically crucial: -

1. A58/ORR
2. Coal Road/ORR
3. A64/ORR
4. Barwick Road/ORR

1. A58/ORR

14.71 Mitigation measures are proposed here prior to first occupation. The critical arms of this junction are the Northern and Southern Arms (i.e. the radial arms) with both the AM and PM results suggesting much less than 500 units would have an impact. Having regard to the overall junction, performance is better as the NQ mitigation improves delay on both A6120 arms, however, this is to the dis-benefit of the critical northern and southern arms.

14.72 With Partial ELOR (A58 to A64) in place there would be a redistribution/reassignment of traffic at the junction. The strategic modelling previously undertaken indicates the effect on 2 way flow on the western arm is about neutral in both peaks. The eastern arm will see a more notable reduction of traffic but this traffic effectively could transfer to the critical northern and southern arms. The scenario results for ELOR A58 to A64 (for 2000 units) indicate very significant results on the northern arm in both peaks (relative to all other scenarios), improved results on the ORR arms, and improvements on the southern arm (relative to the interim scenarios).

14.73 ELOR across the Red Hall land would reduce traffic on the western arm considerably. The general reduction in ring road traffic (both arms) will help the junction manage the radial increases resulting from the development. Full ELOR would provide a very significant further benefit to both arms of the ORR.

## 2. Coal Road/ORR

- 14.74 No mitigation measures are proposed here. The critical arms of this junction are the northern arm and southern arms (the ORR). The southern arm can be observed queuing back through the A64/ORR junction now before any development. The AM results are the most onerous suggesting a limited number of units will have an impact. ELOR between A58 and A64 would help the critical ORR arms considerably if traffic were to divert, i.e. bypass the junction. Full ELOR would provide a very significant benefit to both arms of the ORR.

## 3. A64/ORR

- 14.75 Works associated with the Grimes Dyke development have recently been implemented. Further mitigation measures are proposed here prior to first occupation. As stated above, the poor performance of the Coal Road junction already interferes with this junction. The critical arms of this junction are the northern, southern ORR and A64 Arms. The mitigation works on the junction give extra capacity to the A64 arm of the junction (which is over absolute capacity in the AM base). The arm goes over practical capacity in the AM somewhere between 500 and 1000 units (which is still better than the base scenario). However, this appears to be to the disadvantage of both A6120 arms in both peak periods straight away (without NQ development), the overall junction performance indicates the scale of the problems on the A6120 arms. As detailed above, the NQ mitigation works may have a negative impact on the performance of ORR arms irrespective of the development traffic. As with the A58, this raises the question of whether the extent of mitigation should be reviewed, or further testing carried out assuming that no NQ mitigation is provided.
- 14.76 ELOR between A58 and A64 would help the northern ORR arm considerably if traffic were to divert, i.e. bypass the arm. The eastern arm would also benefit somewhat, as does the Tesco arm in the PM peak. The scenario results for ELOR A58 to A64 (for 2000 units) indicates significant results on the ORR arms in both peaks (relative to 2020 base) but improvements when compared to the interim scenarios. The A64 arm results would improve somewhat with partial ELOR (A58 to A64) relative to the base and interim scenarios. Full ELOR would provide a very significant benefit to both arms of the ORR.

## 4. Barwick Road/ORR

- 14.77 Works associated with the Grimes Dyke development have recently been implemented. Further mitigation measures are proposed here prior to first occupation. The mitigation at this junction is generally working with the exception of the southern Arm where no mitigation is proposed. Given the overall junction performance is reasonable, it is suggested that, on balance, the impacts here are acceptable given the longer term aspiration to downgrade and reduce severance here. However, these aspirations would be delivered with Full ELOR in place. Should Full ELOR be delayed interim impacts on the southern arm can be expected.
- 14.78 With Partial ELOR (A58 to A64) in place, the strategic modelling indicates the effect on 2 way flow on the ORR is about neutral in both peaks. Full ELOR would provide a very significant benefit to both arms of the ORR.

## Overall Summary on Key Junctions

14.79 The above results are very variable from junction to junction. On the basis of the information submitted, it is considered that the number of units allowed (prior to ELOR between A58 and A64) should be around 500 assuming the suggested build out / phasing which would roughly split the development 50/50 from either end (i.e. not 500 units built at just one end). It is clear that this level of development would introduce some problems on the network, but the number has been arrived at having regard to the significant cost of delivering ELOR, the relative development and ELOR programme and the temporary nature of the impacts and the wider public benefits that would arise on completion of Full ELOR.

#### Impacts Following Partial ELOR (A58 to A64) including Wider Junctions

14.80 In addition to the above key junctions others could experience impacts should Full ELOR be delayed beyond the suggested 2020 opening year and the NQ development continues to progress. Should Full ELOR be delayed, interim impacts at these junction can be expected as general growth and NQ traffic increases.

14.81 At the A6120 / Austhorpe Road / Farm Road junction the modelling is showing mixed results. This junction will also operate differently as result of MLLR being opened independently of ELOR and the worst case scenarios may not have actually been considered by the Consortium's highway consultants. The aspiration on this section of the A6120 is to reduce orbital traffic and potentially downgrade and reduce severance through Crossgates. Only Full ELOR could deliver these environmental benefits. Until Full ELOR it is likely that junction performance will deteriorate although the precise effect of MLLR is difficult to predict.

14.82 At the Melbourne Roundabout delay increases slightly in the with development scenarios. It is not clear on the information submitted to what extent that the increases in delays are a result of general growth or development traffic.

14.83 At the Boggart Hill / A58 / Wetherby Road junction the modelling is showing mixed results. In the AM peak the northern A58 arm of the junction experiences significant increase in delay in the full NQ scenario. In the PM peak both A58 arms of the junction experience increases in delay in the full NQ scenario. The overall junction delay is broadly similar in the 2025 with and without development scenarios. It is not clear on the information submitted to what extent that the increases in delays identified are a result of general growth or development traffic.

14.84 At the Easterly Road/Oakwood Lane Roundabout in the AM peak the northeast arm of the roundabout experiences an increase in delay in the full NQ scenario. The overall junction delay is similar in the 2025 with and without development scenarios. So again it is not clear on the information submitted to what extent that the increases in delays identified are a result of general growth or development traffic.

14.85 At the A64/Scholes Lane Junction the modelling results indicate that delay will increase on the Scholes Lane arm in both peak periods with capacity issues already evident. In the PM capacity issues are also evident on the right turn from the A64. The potential difficulty for traffic leaving Scholes Lane may be improved by the introduction of the A64/ELOR junction to the west and the associated reduction in speed limit but overall capacity will reduce. The modelling suggests that mitigation at this junction should be provided to assist turning traffic but none has been developed or proposed and third party land maybe required. Full ELOR would change the operation of this junction with the continuation of ELOR south of the A64 by reducing traffic turning

from Scholes Lane (currently using Scholes Lane as part of a longer journey, for example from Garforth).

- 14.86 Partial ELOR would allow the Thorner Lane/A64 junction to be closed, thereby removing a junction that could be problematic in both traffic and safety terms. Closing Thorner Lane to vehicles at its junction with the A64 once ELOR is provided between Skeltons Lane and the A64 would remove through traffic and give local traffic to/from Thorner an alternative and improved route to the A64 via Skeltons Lane and ELOR. The potential difficulty that vehicles might experience here in the interim could be improved by the introduction of the A64/ELOR junction to the west and the associated changes to traffic flow.
- 14.87 At the A58/Coal Road Junction no physical alterations are proposed. However, the severance of Coal Road to the south by ELOR effectively downgrades the junction from a 4 arm cross roads to a 3 arm junction which is considered a safety benefit. The modelling results indicate that delay will increase on the northern Coal Road arm. The potential difficulty that vehicles might experience here should be improved by the introduction of the A58/ELOR junction to the south and the associated reduction in speed limit.
- 14.88 The potential closure of the Red Hall Lane eastern arm of the A58 junction would be a welcome safety benefit. ELOR across land at Red Hall could provide further improvement to the remaining western arm of the junction (which serves the recent housing at the former Strikes Garden Centre and the Red Hall complex).
- 14.89 Partial ELOR (A58 to A64) would facilitate improved conditions and possible changes at the Red Hall Lane / Coal Road / Skeltons Lane mini roundabout. The northern arm could become a bus gate or removed altogether.

#### Overall Summary of traffic

- 14.90 As stated above, on the basis of the information submitted, the highway advice is that the number of units can be accommodated (prior to ELOR between A58 and A64) should be around 500. It is clear that even this level of development would impact on the network, but the number has been arrived at having regard to the significant cost of delivering ELOR, the relative development and ELOR programme and the temporary nature of the impacts and the wider public benefits that will arise and be facilitated on completion of Full ELOR. Regarding the speed of house building in the Northern Quadrant, it is noted that using the Consortium's figures and optimistic build-rate that around 250 units would be complete by the planned opening of ELOR. It is also recognised that the given the planned phasing of development, including in the early phases splitting the house building between the A58 and A64, that the impacts occur in a phased manner.
- 14.91 The current proposals for off-site highway works to mitigate the short to medium term effects of the development in the early years (prior to the completion of ELOR) involve works to the existing outer ring road at the following junctions:
- A6120/A58 roundabout
  - A6120/A64 roundabout
  - A6120/Barwick Road roundabout

These proposals essentially involve enhancements to some of the lane approaches at these roundabouts. The wider impacts on the outer ring road (including through Cross Gates) and radial routes into the city have also been considered by Officers. A

successful integrated transport solution including the construction of ELOR will facilitate environmental measures/improvements along the existing ORR and provide the public benefits required by the RUDP. The feasibility study commissioned by the Council has identified a number of measures including a signage strategy to encourage the use of ELOR, measures to improve cycle and pedestrian accessibility and parking provision, reduction in speed limits from 40mph to 30mph, public transport priority measures including the possibility of bus and cycle lanes. However, the Northern Quadrant, as the first phase of ELE, has proposed mitigation measures along the existing ORR to improve capacity along the route. In the longer term these improvements may need to be removed to help to ensure that traffic on the ORR transfers to the new ELOR.

### *Local Traffic Impacts and Phasing*

14.92 It is important to ensure that with a proposal of the scale of the NQ that local traffic issues and impacts are integral to the resolution of the wider strategic issues and are of particular concern to members of the Consultative Forum. The Partial ELOR is a major piece of infrastructure that on its own would likely relieve congestion. However, the associated development infrastructure and proposal to close existing roads potentially introduces local issues as it restricts movement and provides alternative journey options, i.e. existing traffic will re-assign to a new highway network. Clearly development traffic will impact locally also. It is expected that the opening of the Partial ELOR will relieve congestion / rat-running in some locations, but care is needed to avoid new or increased rat-running on some other parts of the network. This is equally important during the various phases of the Northern Quadrant build out where the highway network will present different options to drivers. The effects of Partial ELOR, phasing of development and associated infrastructure are considered below. It should also be noted that parts / findings of the draft Transport Assessment are necessarily agreed including the conclusions.

The developers phasing proposals are intended to:

- Limit impact on existing residents
- Limiting rat running through existing streets
- Consider the best options for road closures to maximise road safety and limit traffic impact
- Identify aspects of the development layout that will minimise the permanent traffic impacts on existing residents
- Develop complimentary local measures / mitigation at each phase of development
- Establish possible further measures / mitigation, subject to consultation with the Consultative Forum.

14.93 As a result of the proposed development and the future construction of ELOR, it is proposed to stop-up or prohibit traffic at the appropriate time from several existing routes in the local area, as follows:

- Coal Road, at the point where it is severed by the East Leeds Orbital Route
- Red Hall Lane, at its junction with the A58
- Skeltons Lane, closed to general traffic west of the proposed spine road but with alternative routes created
- Thorner Lane, at its junction with the A64
- Possible additional closure to Red Hall Lane between Whinmoor Gardens and Red Hall Way
- Possible additional closure (or Bus Gate) of Coal Road north of Skeltons Lane



14.94 It is important that the above road closures are fully assessed to ensure that alternative routes are available for those currently using these roads, that no road safety or other adverse impacts result from the proposals and that the timing and delivery of the closures are appropriate.

#### 1. Coal Road Closure at ELOR

Regarding Coal Road, it will be necessary to close Coal Road at the point where it would be severed by ELOR. Coal Road is currently used as a through route by drivers accessing the City Centre from the A58, avoiding the currently congested A58/Ring Road roundabout. The result of this closure would be to relocate traffic from the Coal Road onto the A58. Surveys indicate that significant movements in the peak periods would be relocated from Coal Road on to the A58. There will be an element of additional traffic, attributable to the new development, which will utilise Coal Road (south of Skeltons Lane) and this will be in the order of 210 trips for AM peak hour and 69 trips in the PM peak hour. The traffic currently using Coal Road north of Skeltons Lane is partly made up of some 512 trips in the AM peak and 471 trips in the PM peak (2011 surveys). This existing traffic would be removed once Coal Road is closed.

The vehicles currently crossing the A58 from Shadwell would, once Coal Road is closed, turn right onto the A58 southbound. This right turn manoeuvre will be easier to perform than at present as southbound traffic on the A58 will be slowing down on approach to the ELOR roundabout, some 600m from the Coal Road/A58 junction, particularly taking into account the proposed extension to the 40mph area on Wetherby Road. In addition, the travel distance from Shadwell to the Ring Road at Seacroft is only made about 300m longer with the closure of Coal Road. Traffic returning to Shadwell will turn left off the A58, an easier and safer manoeuvre than crossing the A58 as at present.

In summary the potential benefits of the closure of Coal Road are:

- Reduction in traffic levels along Coal Road, south of the Red Hall Lane, with resulting benefits to the existing residents.
- Promotes use of higher standard roads (A58, ORR, ELOR)
- No requirement for an additional junction on ELOR reducing its attractiveness as an ORR alternative
- Effectively downgrading of the A58/Coal Road junction from a 4 arm cross roads to a 3 arm junction as a safety benefit
- Coal Road north of ELOR would be a quiet road giving better access to leisure routes to the north

The potential dis-benefits of the closure of Coal Road are that Coal Road north would become a cul-de-sac for traffic, and alternative routes would be slightly longer for some traffic movements. On balance, it is considered that the closure of Coal Road is appropriate, with the following requirements:

- A dedicated cycle/pedestrian link is maintained along the route, linking Coal Road north and south of ELOR. This will provide the appropriate connectivity and activity to help reduce the potential for fly-tipping
- The operation of the A58/Coal Road junction be monitored and, if required, mitigation provided
- The closure is implemented when the development Spine Road connects with Coal Road

## 2. Red Hall Lane Closure at the A58

It is proposed to close the eastern arm of the Red Hall Lane/A58 junction, when the development Spine Road connects with Coal Road.

This principal justification for this closure is to minimise the flow of traffic along Red Hall Lane and encourage drivers to use the new ELOR roundabout on the A58. The upgrading of the A58/ORR roundabout (details and benefits still to be determined), prior to the occupation of any dwellings, is intended to be an incentive for drivers to remain on the more strategic routes in the area rather than utilising residential roads. The existing junction is also a cross-road junction and reducing the junction to a 3 arm junction would be a benefit to highway safety and reduce delay caused by turning traffic that would be exacerbated by development traffic.

In summary the potential benefits of the closure of Red Hall Lane are:

- Reduction in traffic levels along Red Hall Lane, and resulting benefits to the existing residents along this route.
- Promotes use of higher standard roads (Spine Road, A58, ORR, and ELOR).
- Downgrading of the A58/Red Hall Lane junction from a 4 arm cross roads to a 3 arm junction.

The potential dis-benefits of the closure of Red Hall Lane are that alternative routes would be slightly longer for some traffic movements and the potential for some rat-running traffic to divert to Whinmoor Gardens. On balance, it is considered that the closure of Coal Road is appropriate, with the following requirements:

- The flow of traffic through the Whinmoor Gardens area be monitored and, if required, mitigation provided
- No direct vehicular access is permitted from the proposed development on to Red Hall Lane, west of Coal Road
- The closure is implemented when the development Spine Road connects with Coal Road

One further closure that could be considered (when the spine road connects with Coal Road or following monitoring) would be a point closure on Red Hall Lane between Whinmoor Gardens and Red Hall Way. However, the dis-benefit of this measure would be to further inconvenience existing residents of Whinmoor Gardens wishing to travel east on Red Hall Lane and Skeltons Lane.

## 3. Thorner Lane Closure at the A64

It is proposed to close Thorner Lane at its junction with the A64, following construction of the proposed ELOR/Skeltons lane roundabout and the section of ELOR between the A64 and Skeltons Lane. This would provide a safer alternative route for those vehicles currently using the A64/Thorner Lane priority junction. Any increase in journey length would be minimal and offset by the level of delay experienced by traffic exiting and accessing the existing Thorner Lane junction. Furthermore, the removal of the existing 3-arm priority junction will enhance road safety on the A64.

#### 4. Skeltons Lane Closure and Alternative Route

It is proposed as part of the development of the NQ site that Skeltons Lane is closed to general traffic west of the proposed spine road. Pedestrian / cycle access would be created / maintained with the possibility of a bus gate. East – West vehicular continuity would be maintained at all times of the build via alternative routes, and in the final layout through East/West movement would be accommodated on a suitably designed spine road. This spine road would provide a safer alternative route for those vehicles currently using Skeltons Lane (and Red Hall Lane) which currently experience excessive vehicle speeds as a result of its straight alignment and lack of general activity, where drivers appear to drive at speed given these characteristics / conditions. The change in character that would be brought about by the Skelton Lane closure / alteration would also result in a more favourable traffic environment for the proposed primary school which is understood to be proposed on a block with a boundary to Skeltons Lane.

#### 5. Development Layout and Possible closure (or Bus Gate) of Coal Road north of Skeltons Lane

The existing mini roundabout at the junction of Coal Road and Skeltons Lane has consistently been raised by local residents at consultation events and the Consultative Forum as a site of concern. The NQ development and above mentioned alterations to Skeltons Lane would change the character of this junction. However, the junction could be improved physically by closing the northern arm (or introducing a Bus Gate) and thereby reducing the potential conflicts and improving road safety. With careful design of the NQ housing layout, the added benefit of such an alteration would be to make the route from the proposed A58 roundabout to Coal Road south of Skelton Lane less convenient thereby reducing further its attractiveness as a rat-run.

#### 6. Rat-Running in Scholes and Shadwell

When the North Quadrant development is in place, in advance of the construction of the whole of ELOR, it is accepted by the developer that more vehicles may travel through Scholes than at present. With ELOR fully constructed this would provide substantial traffic relief to Scholes by providing a faster and safer route to the M1 motorway from north and east Leeds. As such, in the longer term there would be little incentive for vehicles to travel through Scholes.

It is proposed by the developer that traffic flows through Scholes should be monitored and, if any issues are identified, this would trigger the implementation of traffic calming measures to discourage the use of this route and to minimise the impact. However, officers remain concerned that the traffic impact at the A64 / Scholes Lane junction could be severe and the junction may need mitigation in the form of signalisation (which is highlighted by the developer as a possible mitigation measure).

The traffic impact through Shadwell is not anticipated to be of the same level as in Scholes and the village already benefits from traffic calming measures. The developer again proposes that the Coal Road / A58 junction is monitored with possible mitigation being the signalisation of the junction if necessary.

### *Local Mitigation Measures*

- 14.95 The developer's highway consultant states that there remains a degree of uncertainty and difficulty in accurately predicting and assessing the implications of the Northern Quadrant on the local area. It is proposed that the most appropriate way forward is to monitor the changing traffic situation, at each of the identified locations, during the development of the housing development and, where considered appropriate and necessary, implement local measures to mitigate any identified adverse impact. This will need further dialogue with the developer.
- 14.96 The developer has identified potential mitigation measures that could be implemented as part of managing the local effects of the development traffic associated with the Northern Quadrant. It is proposed that each identified location would be monitored on a regular basis, as development progresses, with any required mitigation agreed through consultation with the applicant, the Council and the local community.
- 14.97 It is accepted by the developer that the final form of mitigation, if required, may vary depending on the specific issues identified at the time. As stated above further dialogue is needed with the developer on the details, funding and timing of these measures. The level of financial contribution would be formally agreed through the Section 106 Agreement.

The developer has identified the following potential local mitigation measures following monitoring:

1. Scholes Rat-Running - Traffic flows to be monitored and, if thresholds are breached implementation of traffic management measures. The Developer has identified potential to introduce speed humps over approximate length of 500m and an area wide 20mph zone or speed
  2. Coal Road (south of Skeltons Lane) –Potential for additional pedestrian crossing facilities
  3. Whinmoor Gardens - Traffic flows to be monitored and, if thresholds are breached implementation of traffic management measures. The Developer has identified potential to introduce speed humps over approximate length of 500m and an area wide 20mph zone or speed
  4. Thorner Lane/A64 Junction - Following completion of Skelton Lane to A64 section of ELOR, closure of Thorner Lane at its junction with the A64
  5. Scholes Lane/A64 Junction - Traffic signal controlled junction.
  6. Coal Road/A58 Junction - Traffic signal controlled junction.
- 14.98 In addition to the above it is considered that a HGV ban for the area south of Partial ELOR is included in the potential mitigation. This could ensure commercial uses at the southern end of Coal Road are accessed via the ORR rather than the more sensitive routes to the north.
- 14.99 The level of financial contribution and scheme for monitoring will need to be formally agreed through the Section 106 Agreement.

### Housing issues

- 14.100 The revised Affordable Housing Policy was adopted by Executive Board on 18<sup>th</sup> May 2011, to be implemented with effect from 1st June 2011. The relevant minute states that the policy would therefore apply to all relevant decisions made on or after 1st June 2011.
- 14.101 That policy has now been replaced by affordable housing policies contained within the Core Strategy, though the amount of affordable housing required and the tenure split remains the same.
- 14.102 Planning permissions granted on the basis of this policy will normally be time limited to 2 years for implementation to ensure that permissions are implemented reasonably swiftly. However, the current application will need to be subject to longer time periods to allow for its size and phasing.
- 14.103 In relation to the application site, it is located within Zone 2 which applies a requirement of 15% Affordable Housing. The split between social rent and shared equity, is 40/60 for this zone. However, the size of the site is such that there will be a significant build out period over a number of years, within which the Affordable Housing policy requirement may vary. Officers have discussed the potential to require a scheme of phasing to be submitted, for which the Affordable Housing requirement will reflect the policy requirement at the time that a particular phase is commenced or whether a higher Affordable Housing requirement could be sought. The developer position is that Affordable Housing is one of the most costly elements of the S106 and that the policy acknowledges that there are circumstances where site specific negotiations are appropriate. In this regard, there is concern that a variable rate will result in uncertainty and make it difficult to recoup costs across the site and, at worst, may mean that the development could become unviable at some point in time. The issue of fixing the level of Affordable Housing is important to the Consortium, which comprises a number of land owners who will need to sell their land to housebuilders, without risk of changes to the requirement in future. The Consortium has been discussing viability, including cash flow, with the Council for some time. The Consortium offer proposes that the provision of Affordable Housing should be established as part of the S106 agreement discussions taking into account the interim policy.
- 14.104 In accordance with the latest policy for supporting housing growth, an independent Housing Market and Needs Assessment (HMNA) was undertaken by Re'new on behalf of Persimmon, the lead developer of the Northern Quadrant of the ELE, to better inform housing provision and in particular which different sectors should be catered for. The main findings of the HMNA can be summarised as follows:

#### *Housing for Older People*

- 14.105 There is a relatively high proportion of older people in the areas surrounding the site, indicating that some provision for older people could be appropriate, though this would need to be driven by market considerations. This could be in the form of smaller housing units for sale aimed at older households seeking to downsize in surrounding areas, or could involve a mix of market/intermediate rented options linked to initiatives to free up family housing elsewhere, for sale or rent. It is proposed to attach a condition requiring that the development makes some future provision for housing for older people.

#### *Housing for Rent*

- 14.106 Given the substantial stock of social rented housing in areas surrounding the site,

consideration may need to be given to the need for further housing of this tenure and whether other affordable provision such as intermediate rents or rent to mortgage provision whereby households take up a fixed term tenancy at intermediate levels before taking up an option to buy having had time to accumulate a deposit.

#### *First Time Buyers*

14.107 Attracting first time buyers would help free up parts of the local housing market and along with mid-market trading up opportunities, support an active 'housing ladder' in the area. Initiatives to help first time buyers such as developers' own incentives, government sponsored products and equity stake housing could be considered to help prospective buyers. The Leeds Strategic Housing market Assessment (SHMA) also refers to the need for consideration of intermediate housing options.

14.108 One and two bed housing would be attractive to first time buyers, although 2 bed provision may create a better option for households to accommodate changing needs over time (such as prospective family building).

#### *Higher Market Housing*

14.109 The strategic importance of the East Leeds Extension in relation to the 'Golden Triangle', offers opportunities to attract households from across Leeds, commuters from York, Harrogate and Selby and new households coming to the city to work. This indicates that higher market housing would contribute significantly to meeting that demand.

#### *Mid Market Housing*

14.110 Provision of some housing for sale at mid market prices would help bridge the affordability gap for households on moderate incomes that currently have difficulties in affording owner occupied properties on the market.

14.111 Overall, the HMNA indicates that there is a need for a mix of housing as part of the development to meet a range of housing needs and aspirations and that there would be a high demand for new homes in this location, some of which is latent demand from adjoining areas. The assessment also shows the need to address affordability and access to finance to meet some local needs.

14.112 The HMNA indicates housing should be aimed at higher income groups, first time buyers, households with moderate incomes, and potentially older people (either to rent or buy). A wide mix of 2, 3 and 4 bed housing will be required to cater for aspirational demand within Leeds and from incoming households, families seeking to trade up, and young 'family builders', as highlighted in the Leeds Strategic Housing Market Assessment (SHMA).

14.113 Between 30 and 50% of housing provided should be larger homes. Between 15 – 30% of homes provided should be up to 2 bedroom, possibly with offers to assist first time buyers. Ultimately, housing mix will be controlled through the use of conditions to ensure that it complies with Core Strategy policy.

14.114 Consultation with Housing Services has advised that a mix of smaller accommodation would be desirable. Issues around changes to housing benefit and under occupation mean there is potentially a need for smaller accommodation. Where possible, provision of specialist adapted properties for disabled people would assist in meeting the demand for this type of accommodation across the city. Demand analysis undertaken as part of the Older People's Housing and Care Project highlights the need for additional accommodation to meet the needs of older people, as follows:

#### City wide picture:

- Residential care: there is both a significant current and predicted (future) oversupply of residential care accommodation.
- Extra care facilities: there is a significant current and predicted (future) undersupply of extra care accommodation.
- Sheltered accommodation: there is a significant current and predicted (future) oversupply of sheltered accommodation.

#### Local picture:

- There is an undersupply of all types of accommodation for older people in Cross Gates and Whinmoor and Harewood although preference would be to see replacement supply as Extra Care.
- Extra care facilities: there is both a current and predicted under supply of this type of accommodation in the Roundhay and Harewood ward.
- Sheltered accommodation: there is current under supply of this type of accommodation in Roundhay.

#### Education and provision for children

14.115 The development of the Northern Quadrant together with the planning permission for the Grimes Dyke site, will give rise to a need for at least 2 forms of entry of primary expansion as part of the Northern Quadrant. The location of the school and potential for future expansion is to take account of basic needs, future housing growth (including the future development of Red Hall). Advice from Children's Services is that a land area of 2 hectares is required for this purpose and this is what has been allowed for in the masterplan. It was initially proposed to locate the primary school adjacent to the local centre. However, further feedback from the Consultative Forum and from Children's Services has indicated a preference for a site towards the north-western end of the Northern Quadrant. As discussed earlier in the report, the proposals also include provision for one form of entry of primary expansion off-site.

14.116 The scale of the ELE development will require that further primary school provision will be required in the later phases of the ELE, further south.

14.117 Secondary school provision is more complex though the scale of development is likely to require a new school or its equivalent to meet the population growth needs of the East Leeds Extension and adjacent areas. Advice on the scale, timing and location of provision is awaited from the Director of Children's Services, including whether such provision will be required on site within the southern quadrant of the ELE or whether other mechanisms for delivery are to be explored off site, i.e. expansion of or alternative provision in relation to existing schools. It is anticipated that the new schools will receive a contribution from the new developments.

#### Neighbourhood facilities

14.118 At the centre of this new liveable neighbourhood, it is proposed that the development will be expected to provide the range of neighbourhood facilities (shopping, health, community facilities) necessary to support the scale of development and to mitigate the cumulative impact of an increased local population on existing services and facilities.

14.119 As discussed earlier, 0.86ha of space for a new local centre will be provided in the development of the 'northern quadrant'. Other new local centres will be required in the central and southern parts of the ELE. The scale of these centres will need to be driven by market analysis of retail demand and capacity so that there is viable provision, avoiding unused/empty units for prolonged periods of time. This is also an issue that has been highlighted by the consultative forum and discussed previously by

the City Plans Panel in relation to the Grimes Dyke development, where planning permission was granted for 372 dwellings. Whilst the Grimes Dyke development initially provided local retail and community use facilities, Members have provided a clear steer that it would be better to consolidate a local centre in the Northern Quadrant and explore the needs of community uses further. It is worth noting that the Grimes Dyke site also contains a spine road of its own which will intersect with the spine road of the Northern Quadrant. This is therefore considered to be a sensible location for the provision of a new local centre.

#### Health

- 14.120 There are no detailed proposals for new health facilities as part of the local centre, rather that space is provided for the market to deliver a health centre if demand exists. Following consultation with the NHS, who are engaging with the relevant Clinical Commissioning Groups to determine any shortfall in medical capacity, it is understood that there is unlikely to be any lack of capacity. Nevertheless, it is an area of concern and provision has been made within the local centre so that facilities can be provided if required.
- 14.121 Furthermore, it is anticipated that the new development should be designed to promote healthy living and be child friendly. A positive approach to the reduction in traffic speeds through the development and the provision of local footpaths and cycleways and informal recreation areas, in addition to the Country Park will help create the physical infrastructure to facilitate this. Consideration will also need to be given to meeting the needs of future residents and promoting healthy living, i.e. providing suitably sized garden areas etc.

#### Employment and training

- 14.122 Development of the scale that is anticipated throughout the ELE area will create a significant number of jobs, training and apprenticeship opportunities in construction and related trades.
- 14.123 Planning approvals will be subject to S106 agreements that will require the developers to work closely with the city's employment and training partners to agree and implement a model approach to the appropriate engagement, preparation and support for local people to access these opportunities. The Council's Employment Leeds team will take a lead role in working with the developers to monitor the Employment and Skills Plan prepared by the consortium, to ensure this is followed through.
- 14.124 This approach would also seek to ensure that employment is sustained beyond the immediate development such that opportunities in the supply chain and on future schemes form part of the offer to local people.
- 14.125 The range of jobs and training on offer could make a significant contribution to the city's efforts to reduce worklessness and the number of 'NEETs' in some of the worst areas of deprivation in East Leeds as a whole. There should be opportunities to make links with the College of Building 'Rise' training facility at Seacroft as part of this and ensure engagement activities are designed and tailored specifically to these neighbourhoods. Early discussion with the Employment and Skills Team has indicated that a Local Employment Agreement would be sought, given the size and significance of the development. It is anticipated that the benefits would be wide ranging, including involvement with local schools, work experience placements, qualifications (including NVQs and Health and Safety requirements), apprenticeships, employment and engagement with local business and at appropriate events. Consideration will also need to be given to the area of focus, which is anticipated to concentrate on the wider east Leeds area.



### Equality issues

14.126 The development of circa 2,000 dwellings, retail, health centre, community centre and primary school development, with associated drainage and landscaping is significant in terms of the opportunity it creates. The amount of dwellings will play a significant role in addressing the housing needs of the city, including Affordable Housing, which will help enable those who are otherwise unable, to obtain housing and improve their life chances. The layout in the illustrative masterplan indicates a series of perimeter blocks of development across the site, linked by a central spine road. It is considered that the design approach is sound and will enable the development of housing areas which are safe and secure (not have exposed rear gardens or vulnerable routes). The streets within the development will be subject to a 20mph speed limit, which will also help to ensure that streets are usable for all age groups and abilities. The retail element of the scheme, together with health and community centre space will also provide important facilities to future occupants, as well as being of potential benefit to existing residents. It is important that, at detailed design stage, public buildings are designed such that they are fully accessible. The landscaping element of the scheme knits together the hierarchy of greenspaces (including formal equipped playgrounds), country park and, wider landscape setting and the cycle and pedestrian routes that connect these spaces and link the development to the existing urban area and the wider countryside. It is important that the cycle and pedestrian routes are safe, as well as accessible, to ensure maximum use and participation. At a very local level, greenspaces within the development will provide opportunities for local recreation and the appropriate siting of equipped play areas will help to improve the health and wellbeing of children. Consultation with Public Health has suggested that careful thought should be given to the nature of play equipment, to ensure that it is usable by as wider an audience of children as possible, irrespective of ability. These measures will help to ensure that the development is as 'child friendly' as possible. Wider pedestrian and cycle connections will help to promote walking and cycling amongst future occupants, both for leisure, as well as commuting, again increasing opportunities for improved health. Whilst the country park element of the scheme is outside of ELOR, it will be accessible by an at grade bridge, as well as via crossings at the nearest roundabout junctions with ELOR. The country park will provide a significant area of informal greenspace and sit adjacent to the Whinmoor Grange site, providing access to sports facilities and other facilities such as the visitor centre and nursery. These elements provide further opportunities for sport and recreation. Ultimately, the goal is to create a development which is 'liveable' and an attractive place to live for people of all ages and abilities and backgrounds.

14.127 In addition to the above, the construction process involved in the overall development is significant and presents an opportunity for training and employment initiatives, which will be secured through the S106 agreement. It is considered important that these initiatives also involve children in local schools. This will help to obtain a positive education experience for children, as well as encourage civic pride. The training and employment opportunities have the potential to create a significant amount of jobs, which will be of benefit to improving the socio-economic profile of the area and providing people with skills which can be transferred to make them more employable in the future.

### Programme for development

14.128 In considering the proposals as a whole, there are a complex series of milestones occurring at different times. The following section sets out the consortium's current position on the various aspects of delivery for the various components of the scheme.

14.129 Prior to the commencement of house building, the following works shall take place:

1. Improvement works will be carried out to the following roundabouts:

- A58/A6120 Outer Ring Road
- A64/A6120 Outer Ring Road/York Road
- A64/A6120 Outer Ring Road/Barwick Road

The works will improve the flow of traffic using these junctions resulting in shorter queue lengths and taking pressure off drivers who at present choose to use residential roads in the area in an attempt to reduce their journey time.

2. Two new site access roundabouts will be constructed by the North Quadrant Consortium:

- A58 Wetherby Road – to access development land east of A58
- A64 York Road – to access development land north of A64

Both roundabouts are independent of each other. Thus the A64 roundabout could be constructed and development commence north of A64 before the A58 roundabout is constructed.

The design of both roundabouts takes into account their role as elements of ELORNQ and allows for their amendment / extension once third party land become available. These will be the access points for traffic associated with house construction.

A traffic management plan will be agreed between the Council and North Quadrant Consortium that ensures construction traffic will not use residential roads in the area. Contractors understand from other sites that if they do not use the approved routes and access points then their contracts will be terminated.

The roundabouts are designed to be part of the ELOR, though this is subject to the arrangements for re-alignment discussed earlier in the report.

14.130 Post commencement of house building, the following works shall take place:

1. The new A58 and A64 ELOR roundabouts will be the access points for the development.
2. The development will monitor Travel Planning on an annual basis.
3. After the sale of the 300th house, bus service 16 will be extended into the site.
4. While the improvements to the Outer Ring Road junctions and construction of the new A58 and A64 roundabouts will reduce the number of drivers diverting along residential roads, monitoring of local traffic conditions will be carried out at not less than a 12 monthly basis to assess exactly what is the impact of the highway changes. A schedule of possible improvements to the local highway network has been agreed. If there are local problems the Council will be able to implement an appropriate improvement to address a specific issue.
5. A Local Equipped Area of Play and its associated greenspace will be constructed within 12 months of sale of the 360th house accessed from the A58 roundabout.

6. The local centre site will be marketed not later than the sale of the 400th house accessed by the A64 roundabout.

The local centre will make provision for the following uses:

- Retail unit(s)
- Health
- Leisure
- Community
- Residential in association with the other uses

At any time prior to the sale of the 400th house accessed by the A64 roundabout the Council can require funds that would have been spent on a community facility in the Local Centre to be directed towards investment in improving other community facilities within a radius of two kilometres from any point of the North Quadrant development excluding that area lying to the north and west of ELORNQ.

7. Coal Road will be closed at the earlier of the construction of the section of ELORNQ between A58 and Skeltons Lane, or, the construction of the spine road between A58 and Skeltons Lane to an adoptable standard (at the latest, likely to be by the sale of 360 houses accessed from the A58 roundabout).

In designing the development layout east of Coal Road the North Quadrant Consortium will make provision for the possibility of the section of Coal Road between the ELORNQ and the Red Hall Lane/Skeltons Lane junction to be closed and traffic travel on a north south route west of Coal Road and east of the primary school site.

8. A local primary school will be extended to increase its capacity by a one form entry by the sale of the 400th house.
9. A Local Equipped Area of Play and its associated greenspace will be constructed within 12 months of the sale of the 560th house accessed from the A64.
10. After sale of the 600th house bus services 4 and 4A will be extended into the site.
11. A contribution to the provision of off-site public transport will be made no later than the sale of the 1,200th house.
12. The date on which a two form entry Primary School will be opened will be agreed three years from when it is expected the 1,400th house will be sold taking into account the annual rate of development at North Quadrant (approximately, when 800 houses have been sold).
13. Contributions to Secondary School provision will commence after completion of the 1,400th house.
14. A Neighbourhood Equipped Area of Play and its associated greenspace will be constructed within 12 months of sale of the 1,600th house.
15. Red Hall Lane will be closed at its junction with Wetherby Road within three months of the spine road between the A58 site roundabout and Coal Road being completed to adoption standard.

16. A section of Skeltons Lane east of its junction with Coal Road, as shown on the illustrative masterplan, will be downgraded to prevent through vehicle use within 3 months of the spine road between Coal Road and Skeltons Lane being completed to adoption standard.

14.131 The masterplan identifies four different types of greenspace. Each type is dealt with below:

1. Country Park

The Country Park between ELORNQ and Thorner Lane will be laid out not later than 12 months after the sale of the 1,600th house or construction of the section of ELORNQ between Skeltons Lane and A64, whichever is the later.

2. Strategic Landscaping

A landscaping scheme for the ELOR Buffer (EB) including the creation of woodlands will be approved by the Council and its cost of implementation approved by the North Quadrant Consortium. The EB landscaping scheme will be included in the contract for ELORNQ and implemented by the appointed contractor.

3. Skeltons Wood

The Consortium will pay a sum towards tidying the wood and its future maintenance to the Council no later than the sale of the 600th house accessed from the A64 new roundabout.

The Council will choose whether to maintain the wood itself in the future or make an arrangement with Friends of Skeltons Wood or any other suitable organisation. The Consortium will not be involved in future management decisions for the wood.

4. Open Space

Section 3 above deals with provision of LEAPs (Local Equipped Areas of Play) and the NEAP (Neighbourhood Equipped Area of Play). Below are the details for when the individual open space areas will be laid out within 12 months of the sale of the number of houses unless stated otherwise.

- G1 90th house accessed from the A58 site roundabout north of spine road.
- G2 250th house accessed from the A58 site roundabout south of spine road.
- G3 100th house accessed east of Coal Road and north of spine road.
- G4 The earlier of, within 12 months of the downgrading of the adjacent section of Skeltons Lane or within sale of 110th house east of primary school site and south of spine road.
- G5 160th house east of primary school and south of spine road.
- G6 280th house east of Coal Road and north of spine road.
- G7 70th house east of spine road and north of Skeltons Lane.
- G8 150th house south of Skeltons Lane east of Bramham Grange.
- G9 Within 12 months of the sale of the 600th house accessed from the new A64 site roundabout.
- G10 The earlier of G9 condition or sale of 55th house west of spine road south of Skeltons Wood
- G11 110th house south west of Skeltons Wood and north of spine road
- G12 170th house south of spine road west of G13.

- G13 The earlier of 90th house west of spine road accessed from A64 roundabout or construction of the attenuation area.
- G14 200th house north of A64 roundabout and east of spine road.
- G15 60th house north of A64 roundabout and east of spine road

14.132 Affordable housing will be provided as an agreed percentage of the total number of houses in any phase of the development. A proposal has been put forward by the Consortium for 12% provision on site, with any potential surplus in roof tax being used to fund additional Affordable Housing.

### S106 Package

14.133 The S106 package has been the subject of discussion and negotiation throughout the application process. Notwithstanding the strategies to facilitate the early delivery of ELOR, discussed above, the cost of this piece of infrastructure is substantial, likely to be approximately 25% of the total S106 costs. Members' views on the proposed strategy at the previous City Plans Panels have provided some certainty to move forward. In the interests of determining the application before CIL comes in, officers have already had one detailed S106 meeting with the Consortium and a number of others are scheduled.

14.134 It is noted that the NPPF places an emphasis on delivering a wide choice of high quality homes and sets out measures that Local Planning Authorities should undertake to boost significantly the supply of housing land. Amongst other things, in terms of demonstrating a 5 year supply of housing land, Local Planning Authorities must identify a supply of specific, developable sites or broad locations for growth. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. It is therefore important that the development is viable to the extent that the consortium is in a position to bring the site forward in order it to make its contribution to the city's housing requirements. The Consortium submitted a viability appraisal early in 2014, which has been the subject of significant discussion with a view to officers achieving the best S106 package possible, whilst ensuring the development is viable.

14.135 In recent times, the conclusion of the wider viability discussions is such that the S106 will essentially follow the format outlined in the table attached at **Appendix 4 – S106 tracker**. It is noted that the policy requirement for Affordable Housing is 15% provision on site. However, given the scale of the overall package, it is recognised that some concessions may be required. The Consortium is proposing to meet the policy requirements for the most part and to guarantee 12% Affordable Housing. The cost of the Northern Quadrant section of ELOR is currently a well-defined estimate which must be agreed in order to calculate what the per dwelling roof tax is to be. This estimate is to allow for contingency and inflation and could of course cost less than the anticipated amount. In this event, the Consortium is agreeable that any potential surplus roof tax is recycled into the S106 package, to be used for Affordable Housing.

14.136 The overall S106 package is provided for, as follows:

- Affordable Housing – 12% guaranteed on site (with a 60% submarket and 40% social rent split, with provision for further Affordable Housing to be paid for from surplus roof tax payments.
- Public open space on site of the size and locations set out within the Design and Access Statement Addendum (laying out costs of £2,188,816, plus 10 years maintenance costs of £1,660,642). On site play facilities in three locations at a

cost of £1,209,099, plus a fixed play maintenance cost of £28,693. Provision is also made to offer the transfer of Skeltons Woods to the Friends of Skeltons Wood at nil cost.

- Provision of land for a country park at nil cost, together with a financial contribution of £1,402,078 for laying out and maintenance. The S106 will include a requirement for a planning application to be submitted for the enlarged park, as indicated on the revised masterplan. Provision will also be made for the country park to be developed through the Parks and Countryside apprenticeship scheme.
- Provision of an area not less than 0.86 hectares for the development of a local centre in the location identified in the Design and Access Statement Addendum. The centre will make provision for retail, health and community facilities, as well as older peoples housing in close proximity.
- Education provision – Provision of 2 hectares of land at nil cost in the revised location shown in the Design and Access Statement Addendum, together with a financial contribution of £5,935,375 to deliver a new two form entry primary school and one form of entry of primary provision off-site. A secondary education contribution of £3,582,986 is also to be made.
- Roof tax payments to cover the agreed cost of delivering the Northern Quadrant section of ELOR (land for ELOR to be transferred, plus land indemnity agreement to be delivered). Payments to be made at six monthly intervals to follow the build out rate of new dwellings.
- Requirement to submit a planning application for a roundabout at the A58/ ELOR junction in the optimum position and to implement it. Requirement will also be made to safeguard land for the eventual 6 arm A64 / ELOR junction and to close the south end of Thorner Lane at the A64 on completion of the Northern Quadrant section of ELOR. Provisions are also required relating to the timing of the A58 and A64 ELOR junctions relative to the Council's ELOR programme.
- Provision of £200,000 to be used for additional local traffic management measures.
- Extension of bus services through the development. Service 16 to be extended to terminate in the Northern Quadrant (north of Skeltons Lane) to provide high frequency services to the city centre. One additional bus required for a period of up to 2 years at an indicative cost of £150,000 per year. Service 4 will then replace this extension once the spine road through the site is completed. Two additional buses will be required for a period of up to 3 years at an indicative cost of £150,000 per year per bus. The maximum bus subsidy will be £1,200,000. Provision of all related bus stop infrastructure and Real Time information.
- Travel Plans for the residential and primary school elements of the development, including a Travel Plan monitoring fee of £14,500. The Travel Plan co-ordinator to have an annual Travel Plan budget of £12,000 per year for a period of 16 years.
- Employment and training initiatives.

#### Other matters

14.137 Representation has been received from the land owners of Bramley Grange Farm, who note that they are, at this point in time, not willing sellers, given the current offer put to them by the consortium.

14.138 The Core Strategy was adopted in November 2014, which resulted in full weight being given to new policies, as well as some UDP policies being deleted. Among these were the UDP policies relating to greenspace provision. The planning application proposals were designed to meet, and actually exceed the UDP requirements. For large sites, Core Strategy policy G4 has the same effect as the old UDP policy N2, because all the categories of N2 were required on site – this resulted in a total requirement of 16ha. Core Strategy policy G4 has a requirement of 80sqm per house (0.4ha per 50

dwellings), which also equates to 16ha. In the case of the current planning application, 21.79ha of greenspace are provided.

14.139 The vast majority of the development is to take place on land allocated for housing purposes in the Development Plan, although a small amount of highway works and the country park are located in the Green Belt. For completeness, the application has been formally advertised as a Departure from the Development Plan as the works are required in relation to the wider housing development. In considering Circular 02/2009, there is no inappropriate development in the Green Belt involving buildings with a floor space of 1,000sqm or more, the development is not considered to have a significant impact on the openness of the Green Belt, the town centre uses equate to less than 5,000sqm of floor space, the development would have no adverse impact on a World Heritage Site, would not affect playing fields and there is no objection from the Environment Agency. In these circumstances, it is considered that it is not necessary to refer the application to the Secretary of State.

## **15.0 CONCLUSION**

15.1 This is a large scale development that raises significant and complex planning issues. These issues have been discussed in detail at previous Panel meetings, most recently on 29<sup>th</sup> January 2015, and Members have stated that they are generally comfortable with the principle of development, that the development represented a comprehensive and sustainable form of development, the form and layout of the development and the range of facilities provided.

15.2 The Council's position has always been that UDPR Policy H3-3A.33 does not preclude applications for separate parcels of the East Leeds Extension being submitted, approved and implemented in their own right, subject to due regard being had to the deliverability of the remainder of the East Leeds Extension, including the provision of ELOR. The delivery of ELOR has been significant in the consideration of the application and, as set out at the start of this report, there is now a mechanism in place for the Council to take a leading role in the delivery of full ELOR and to have this open to the public by 2021. The developers of the Northern Quadrant will then in turn pay for this particular section of ELOR via a roof tax back to the Council. The same approach will be taken to the developers of other sections of the East Leeds Extension, ensuring a parity in approach. The detailed design of the Northern Quadrant section of ELOR has been revised to the extent that officers are confident that the proposal aligns with the emerging proposals for full ELOR, without having any detrimental effects on adjacent landowners. More generally, the revised masterplan demonstrates how the quantum of development and necessary infrastructure, including greenspace, the new primary school, local centre, drainage infrastructure and landscaping can be accommodated. Overall, it is considered that approval of the Northern Quadrant application at this time will not prejudice the wider delivery of the East Leeds Extension or ELOR.

15.3 Members have previously indicated that the urban design principles outlined previously are acceptable and they are comfortable with the distribution of land uses, including the location of the primary school, greenspaces and local centre. The Design and Access Statement and its Addendum have set out detailed principles which will help to ensure that the detailed design of the new neighbourhoods achieve a high quality of urban design and liveability for future residents.

15.4 It has previously been stated that landscaping should play a significant role in ensuring the development does not have a negative visual impact on the Green Belt, to the north and east and in offering soft buffering and separation where necessary to

protect the character and identity of existing and new neighbourhoods. In addition to greenspaces within the development, landscaping buffers are proposed between the proposed houses and ELOR and further landscaping is proposed between ELOR and the wider countryside. To the east of ELOR, the proposed country park will provide a strategic piece of greenspace, as well as providing an opportunity for significant landscaping.

- 15.5 A flood risk assessment has been submitted with the application which seeks to utilise sustainable drainage methods in the development. The masterplans for the proposals indicate how sustainable drainage, including attenuation areas and swales will be accommodated within greenspace and landscaped areas. The Environment Agency, Yorkshire Water and the Council's Flood Risk Management Team are satisfied with the proposals.
- 15.6 A significant amount of discussion has taken place in relation to highways and the traffic impact of the development. Through the negotiations that have taken place, it is considered that there is now a clear understanding of the highway impact of the development. The timing of full ELOR will assist significantly in mitigating the impact of additional traffic, while also enabling environmental improvements to the neighbourhoods adjacent to the existing outer ring road. It is acknowledged that existing rat running issues are a problem and the proposals seek partly to improve these impacts, through the delivery of ELOR, but also to prevent new rat runs being created. The approach to phasing and the implementation of various measures seeks to address this. It is also noted that the S106 will make provision for a sum of money to deal with any unforeseen issues.
- 15.7 A significant package of works is proposed in terms of extending bus services to serve the site, as well as ensuring that the development is as pedestrian and cycle friendly as possible. Travel Plans containing a range of measures are also proposed for the residential and primary school components of the development.
- 15.8 The proposals are considered to establish the principles for creating an attractive neighbourhood which includes local facilities, including shops, health centre, community facilities, a primary school and is accessible on foot and cycle, is 'child friendly' and provides a range of greenspaces. These elements provide the base conditions for a sustainable community. Given the scale of development, the proposals will include a range of housetypes and sizes, including provision for older people, as well as Affordable Housing. This will ensure that the development provides a range of housing opportunities. The granting of planning permission for this development will therefore enable the delivery of a significant amount of housing on a strategically important allocated housing site, together with funding for the Northern Quadrant section of ELOR and other important pieces of infrastructure.
- 15.8 At the last Plans Panel meeting, Members considered the nature of the S106 package as it existed at that time. Officers have sought to address the queries raised and, in particular, have sought to increase the amount of Affordable Housing provided. The S106 package provides for 12% Affordable Housing, public open spaces, provision of a country park, a local centre comprising retail, health centre and community facilities, education provision comprising a two form entry primary school on site, a contribution towards one form of entry of primary provision off-site, a contribution to secondary education provision off-site, a roof tax mechanism to cover the cost of the Northern Quadrant section of ELOR, a requirement to submit an application for the revised A58 ELOR roundabout, a fund for additional local traffic management measures, extensions to bus services and provisions for employment and training initiatives. Overall, the scheme is policy compliant save for the level of Affordable Housing, due



to the viability of the development (covered by the separate report).

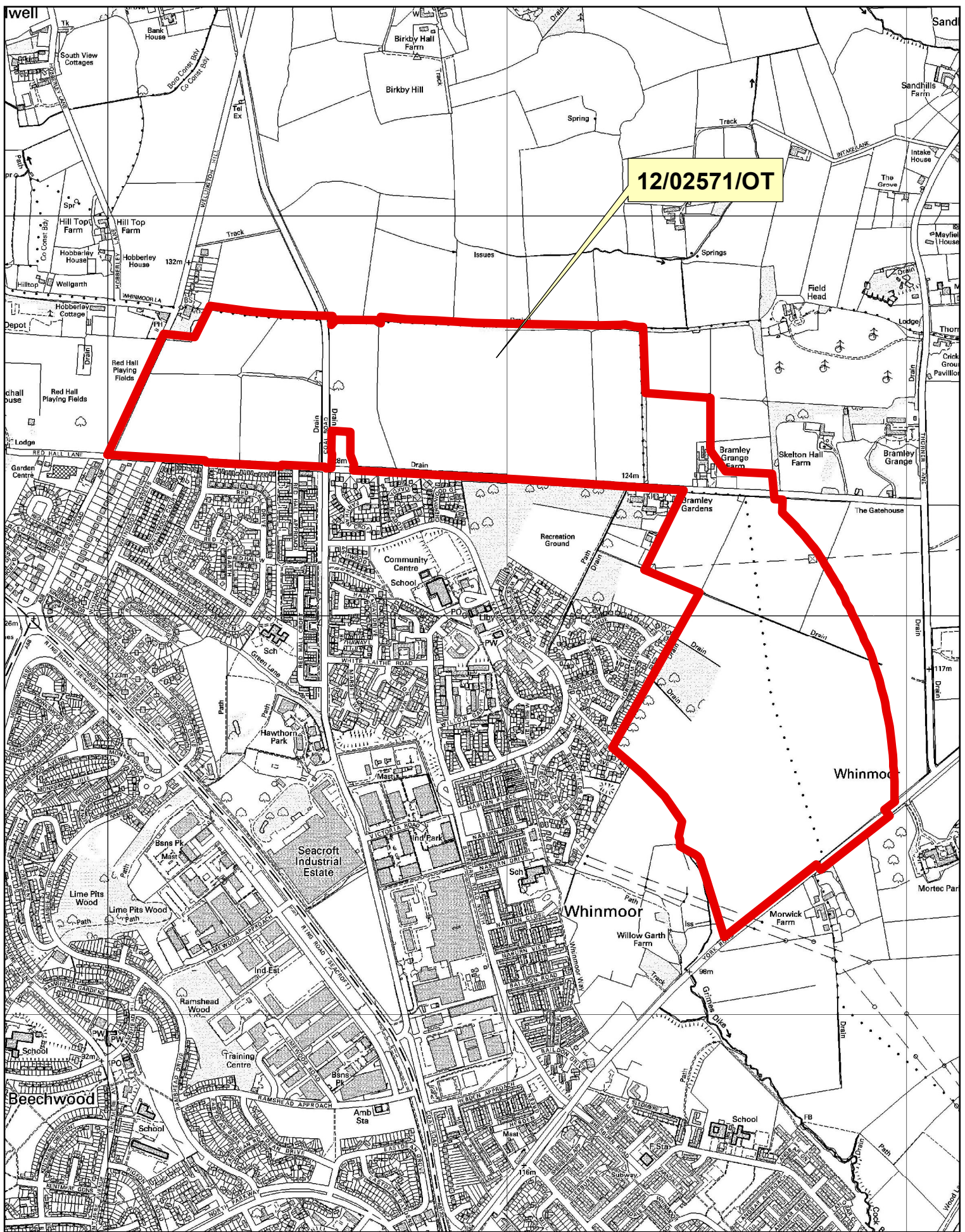
- 15.9 Overall, the development is considered to be acceptable and will contribute significantly to the Council's supply of new homes, as well as to the related infrastructure including the Northern Quadrant section of ELOR. In light of the above, it is therefore recommended that Members defer and delegate approval of the application to the Chief Planning Officer in order to finalise conditions and the S106 agreement.

## **16.0 BACKGROUND PAPERS**

16.1 Application file 12/02571/OT

16.2 Notice has been served on the following landowners:

- Eric and William Swiers, Well House, Green Hammerton, North Yorkshire.
- MJD Farming of Door 2, Ake Stables, Aske, Richmond, DL10 5HG.
- Josephine Marie Leake, Bramley Grange Farm, Skeltons Lane, Thorner, Leeds, LS14 3DW.
- Marcia Josephine Gibson, The Meadows, Bridlington Road, Skipsea, YO25 8TJ.
- Thomas Richard Leake, Bramley Grange Farm, Skeltons Lane, Thorner, Leeds, LS14 3DW.
- Robert William Hills, Manor Farm, Shadwell, Leeds, LS17 8JG.
- John Daniel Ford, Shadwell Grange farm, Moortown, Leeds, LS17 8AW.
- J R Walmsley, 6 Station Lane, Thorner, Leeds, LS14 3JF.
- Jillian Elizabeth Margaret Walmsley, Norwood House, Bramham Road, Thorner, Leeds, LS14 2ES.
- Richard William Walmsley, Isle Beck Grange, Isle Beck, Thirsk, North Yorkshire, YO7 3AW.
- Stephen Walmsley, Norwood House, Bramham Road, Thorner, Leeds, LS14 2ES.



# CITY PLANS PANEL





Originator: Daljit Singh

Tel: 2478010

## Report of the Chief Planning Officer

### CITY PLANS PANEL

9<sup>th</sup> June 2016

**PRE-APPLICATION PRESENTATION (PREAPP/16/00210) - THE PROPOSED ERECTION OF A 7 STOREY OFFICE BUILDING AT LEEDS CITY OFFICE PARK, MEADOW LANE, LEEDS 11**

**APPLICANT – CANADA LIFE LTD.**

#### Electoral Wards Affected:

City and Hunslet

No

Ward members consulted

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

## 1.0 INTRODUCTION

1.1 This presentation is intended to inform Members of proposals for a fourth office building at Leeds City Office Park (building 4). The site is located on the route of the proposed High Speed 2 (HS2) rail proposal as it comes into Leeds Station.

## 2.0 SITE AND SURROUNDINGS

2.1 The site of the proposed building provides 172 surface car parking spaces for existing Building 3 on the Leeds City Office park and measures 0.6 hectares. The office park is located to the west of Crown Point retail park and is bounded by Great Wilson Street to the north and Meadow Lane to the west. It is occupied by three office buildings, associated surface car parking and associated landscaping.

2.2 The site does not fall within a conservation area and is not located within the vicinity of listed buildings. However it is located in an area that is set to see considerable



change due to the provision of HS2 and the regeneration of the 22 acre former Tetley Brewery site which is located on the opposite side of Great Wilson Street.

- 2.3 The wider site context is predominantly commercial in character with buildings ranging in height between single storey units, the two-three storeys of the rest of Leeds City Office Park, two storey pavilion offices at New Lane, and six-seven storey offices at City Walk. The other key characteristic of the area is the significant highway network connecting the city centre and the M621 motorway network to the south.

### **3.0 PROPOSALS**

- 3.1 The proposed building 4 would be located on the car park for building 3 in the south western corner of the office park and would be 7 storeys high, with a total floorspace of 14,950 sq.m. and would incorporate ground floor car parking. Land immediately to the east of the proposed building is also likely to be used for surface car parking resulting in a total provision of 162 parking spaces for the existing building 3 (7,100 sq.m.) and the proposed building 4. The existing vehicular access arrangements would remain. 85 of the car parking spaces would be allocated to the new building in line with the Council's maximum parking guidelines for office use in this part of the city centre (1 space per 175 sq.m. of floorspace) and the remaining 77 spaces would be provided for existing building 3.
- 3.2 In addition to the main office use the new building would also provide ancillary space for a gymnasium (only to be available for the office workers within the office park) and a supporting commercial use such as a coffee shop.
- 3.3. An enhanced east-west pedestrian connection would be provided between Kidacre Street and Meadow Lane to the north of the proposed building 4.

### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 The site has an extensive planning history, including various applications for site infrastructure and signage. However the most relevant planning permissions are summarized below.
- 4.2 Outline proposal to erect four detached office blocks with car parking and landscaping – Application reference 99-20/39/95/OT. Approved 30/4/1998.
- 4.3 Three storey office building with basement car parking – Application reference 20/617/97/FU. Approved 11/5/1998.
- 4.4. Three storey detached office. Application reference 20/448/01/RM. Approved 9/4/2002.

### **5.0 CONSULTATION RESPONSES**

- 5.1 LCC Flood Risk Management - The site is in Flood Zone 3 and flood compensatory storage may be required for any loss of flood plain resulting from the extent of the proposed new office building. A Flood Risk Assessment would be required and this should include recommendations for the appropriate access level to the lower level car parking area based on flood levels for the area obtained from the EA's hydraulic modelling of the River Aire. Also suitable access/ egress arrangements should be considered for implementation when flood warning notification is given. In addition to any compensatory storage that may be required for the loss of the flood plain, appropriate attenuation storage would be required for the surface water drainage with discharges restricted to greenfield rates of runoff to the public surface water

sewer in the surrounding area.

5.2 Contaminated Land - The site and surrounding area has an extensive potentially contaminative history including a gas works. As such, a phase 1 desk study would be required in support of the application. Depending on the outcome of the phase 1, a phase 2 site investigation and remediation statement may also be required.

## **6.0 POLICY**

### **6.1 Development Plan**

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

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Any Neighbourhood Plan, once Adopted.

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

6.2.1 Relevant Core Strategy policies include:

#### Spatial and economic policies

6.2.2 Spatial 2 states that the Council supports a centres first approach directing office development to the City Centre and other designated centres.

6.2.3 Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space; enhancing streets and creating a network of open and green spaces to make the City Centre more attractive; and improving connections between the City Centre and adjoining neighbourhoods.

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

6.2.5 Spatial Policy 9 seeks to provide a minimum of 706,250 sq.m. of office floorspace within the district.

6.2.6 Policy EC2 states that the City Centre will be the focus for most of the office development.

#### City Centre policies

6.2.7 Policy CC1 outlines the planned growth within the City Centre. All other town centre uses will be supported in the City Centre providing the use does not negatively impact on the amenity of neighbouring uses.

- 6.2.8 Policy CC3 states new development will need to provide and improve walking and cycling routes connecting the City Centre with adjoining neighbourhoods, and improve connections with the City Centre.

Design, conservation, transport and other policies

- 6.2.9 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.
- 6.2.10 Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- 6.2.11 Policies EN1 and EN2 set targets for CO<sup>2</sup> reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- 6.2.12 Policy EN5 identifies requirements to manage flood risk.
- 6.2.13 Policy G5 requires larger commercial development sites of 0.5ha in area and above to provide a minimum of 20% of their site area as public open space.

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

- 6.3.1 Relevant Saved Policies include:

GP5 - All relevant planning considerations to be resolved.

BD2 - New buildings should complement and enhance existing skylines, vistas and landmarks.

LD1 - Sets out criteria for landscape schemes.

6.4 **Natural Resources & Waste DPD 2013**

- 6.4.1 The plan sets out where land is needed to enable the City to manage resources, such as minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding drainage, air quality and land contamination are relevant to this proposal.
- 6.4.2 AIR1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.

WATER 4 and 6 - All developments are required to consider the effect of the proposed development on flood risk, both on-site and off-site

- 6.5 Other material considerations

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

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

- Proactively drive and support sustainable economic development
- Seek high quality design and a good standard of amenity
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

Planning should proactively support sustainable economic development and seek to secure high quality design. It encourages the effective use of land and the reuse of land that has previously been developed.

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

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

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

SPD Parking  
SPD Travel Plans  
SPD Building for Tomorrow Today: Sustainable Design and Construction

#### **6.7 Emerging Site Allocations Plan (SAP)**

The SAP is at Publication Draft stage, having been through consultation from September to November 2015. Although it is not yet adopted, it is at a relatively advanced stage and can be afforded some weight in decision making. The site of the office building is not allocated for specific development but the draft SAP shows a dotted line running through the location of the proposed office building. This line shows the proposed alignment of the HS2 route.

### **7.0 KEY ISSUES**

Members are asked to comment on the proposals and to consider the following matters in particular:

#### **7.1 Principle of the Development**

- 7.1.1 The principle of the proposed office use and ancillary gym and coffee shop use is considered acceptable in this city centre location, in line with the Council's adopted policies.

- 7.1.2 As stated above the site is located on the proposed HS2 route. The route of HS2 is normally safeguarded in advance of any primary legislation coming into force for its provision through a series of safeguarding directions which place a statutory duty on Local Planning Authorities to consult with HS2 Ltd on pending planning applications which fall within an identified zone.
- 7.1.3 However at the present time these directions only extend as far as Crewe. At the time of writing the report Officers have contacted HS2 Ltd to seek an indication as to when this is likely to be extended and what their position is at the present time on pending planning proposals. Panel will be given a verbal update at the panel meeting on the response from HS2 Ltd.
- 7.1.4 The applicant's agent has made clear that if the route of HS2 is confirmed then the development proposal will not proceed.

**Do Members support the principle of the development?**

**7.2 Urban Design**

- 7.2.1 The immediate context of the building is the Leeds City Office Park, which is generally three storeys in height, arranged around a central landscaped space. The wider context ranges between single storey units, the two-three storeys of the rest of Leeds City Office Park, two storey pavilion offices at New Lane, and six-seven storey offices at City Walk. The nearby hotel on the opposite side of Meadow Lane is eleven storeys high. There is also the significant width of the highway infrastructure on Meadow Lane.
- 7.2.2 In this context, it is considered that a height of seven storeys above ground level with a parapet to screen rooftop plant would be appropriate to the mix of heights in the area, particularly when viewed along the main approach along Meadow Lane from the north.
- 7.2.3 The design of ground floor car parking will need careful consideration, and car parking should be well screened in all directions at ground floor level, preferably wrapped with an active use to the street frontage to Meadow Lane and any pedestrian routes. The proposed enhancement to a publically accessible route between Meadow Lane and Kidacre Street is welcomed in terms of improving pedestrian connectivity through the area and will need to be secured as publicly accessible land in the Section 106 agreement.

**Do Members consider the proposed scale of the development and emerging design proposals to be appropriate in this location?**

**7.3 Highways and transportation**

- 7.3.1 The existing car parking provision on the Leeds City Office Park is set out below:

<b>Leeds City Office Park Building No.</b>	<b>Floorspace (GEA)</b>	<b>Car Parking Provision</b>	<b>Car Parking Ratio to office floor area</b>
Building 1	6,225sqm	198	1:31sqm
Building 2	8,800sqm	254	1:35sqm
Building 3	7,100sqm	172	1:41sqm



- 7.3.2 It is clear that the current parking provision on site is considerably more generous than the Council's maximum parking guideline for office use in this area of 1 parking space per 175sqm of floorspace.
- 7.3.3 The proposal is for 162 spaces being provided for the existing Building 3 and the proposed Building 4. The combined floorspace of Buildings 3 & 4 would be 22,050 sqm (ie 7,100sqm + 14,950sqm) , which equates to a proposed parking ratio of 1:136sqm for the two buildings.
- 7.3.4 It is applicant's intention to prescribe 85 car parking spaces to the proposed Building 4 at a ratio of 1:175sqm (in line with the Council's adopted guidelines), leaving 77 spaces for Building 3 at a ratio of 1:92sqm (ie less than the current provision, but still in excess of the Council's maximum guideline).
- 7.3.5 Although the car parking for existing buildings 1, 2 and 3 would remain above the Council's maximum parking guidelines, this reflects the historic consented position for the Leeds City Office park and the proposals for building 4 would represent a reduction in overall commuter car parking ratios on site.
- 7.3.6 The reduction in existing car parking levels for building 3 is unlikely to result in further pressure for on-street car parking that will have an adverse impact on the highway network. The vicinity of the site has widespread on-street parking controls which would prevent obstructive car parking. Where there are gaps in control which could be used by the workers and visitors to the office park then officers would seek funding from the development to extend traffic regulation orders in these locations. In addition there is ready access to this city centre site by bus services, the city connect cycle network, the Park and Ride at Elland Road and from the train station as well. Officers have requested the applicant to progress and agree a travel plan for the whole of the Leeds City Office park in view of the fact that existing parking levels would be reduced.
- 7.3.7 For the above reasons the approach to car parking provision on site is considered appropriate.

**Do Members consider the proposed approach to highway and transportation is acceptable?**

#### **7.4 Landscape and open space provision**

- 7.4.1 With regard to the planning application site area, at present it measures approximately 0.6 hectares and therefore would trigger Core Strategy Policy G5's requirement for 20% of the site area to be provided as public open space.
- 7.4.2 It is noted that there are two areas of green space already on site which equate to 19% of the total site area of Leeds City Office Park. In addition the applicant is prepared to enhance the existing East-West pedestrian route through the site. It is considered that subject to provision of any necessary improvements to ensure the greenspace provides an attractive and useable outside amenity space and subject to securing public access rights to these existing spaces then the policy requirement will have been met.

**Do Members support the approach to public open space provision on site?**

## **7.5 Section 106 agreement**

A Section 106 agreement is likely to be required. This would include matters such as:

1. Provision of publicly accessible areas/routes on-site
2. Provision of site-specific Travel Plan measures
3. Travel Plan monitoring fee
4. Cooperation with local jobs and skills initiatives.

## **8.0 Conclusion**

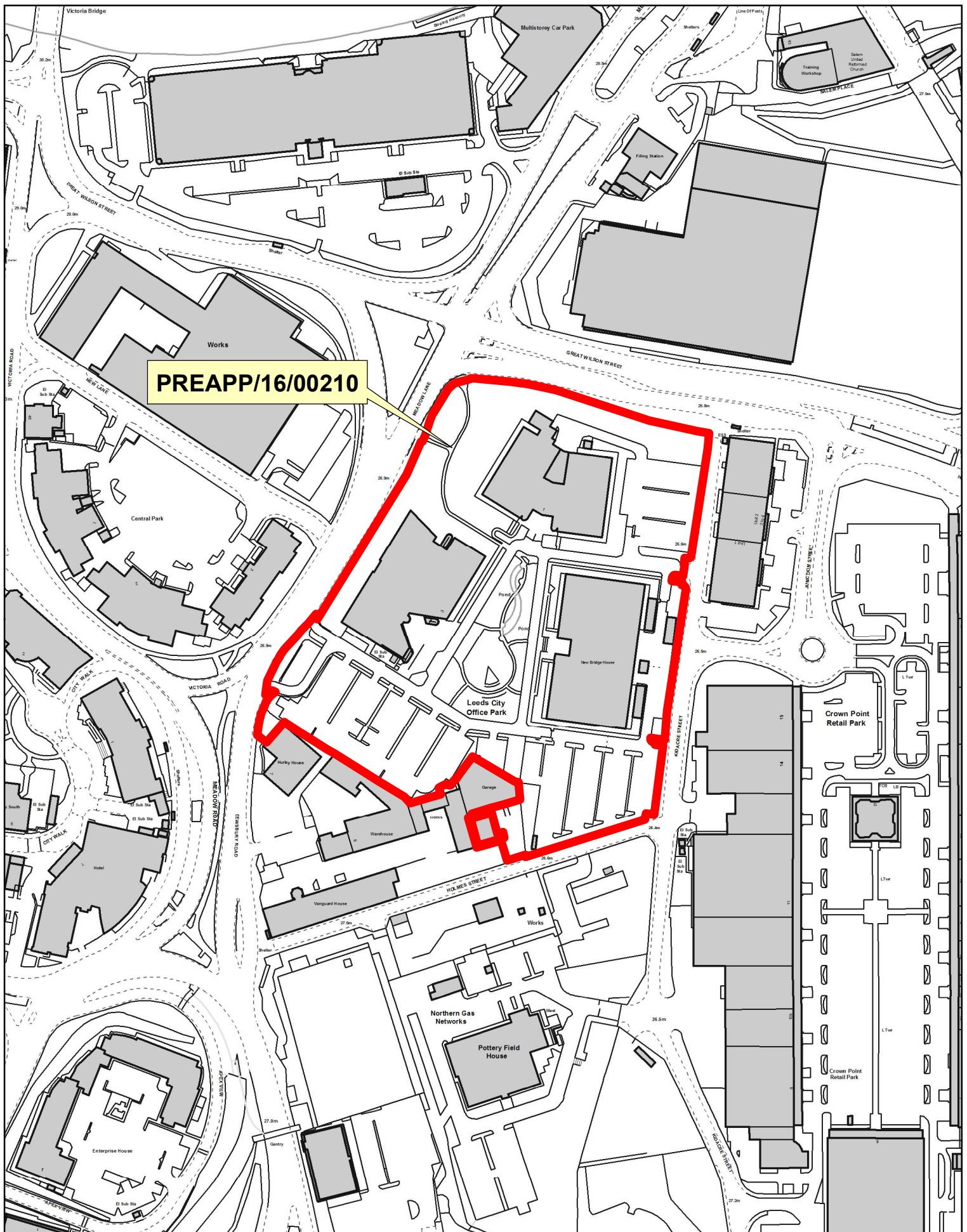
Members are requested to consider the proposals for a 4<sup>th</sup> office building at Leeds City Office Park and comment on the following matters in particular:

**8.1 Do Members support the principle of the development?**

**8.2 Do Members consider the proposed scale of the development and emerging design proposals to be appropriate in this location?**

**8.3 Do Members consider the proposed approach to highway and transportation is acceptable?**

**8.4 Do Members support the approach to public open space provision on site?**



# CITY PLANS PANEL



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Originator:	Sarah McMahon
Tel:	2478171

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 9 June 2016

**Subject: Preapplication PREAPP/16/00017- for part demolition and construction of an eleven storey residential building (with the retention of the main building of No.17 Wellington Street) 17 Wellington Street, Leeds, LS1 4DL**

**Applicant - Hallborough Properties Ltd**

<p><b>Electoral Wards Affected:</b></p> <p>City &amp; Hunslet</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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**RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.**

## 1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for a residential scheme, with lower floors to be used as an A3 restaurant. The proposal is brought to City Plans Panel as the development involves the re-use of land and major investment in a significant site within Leeds City Centre. .

## 2.0 SITE AND SURROUNDINGS:

2.1 The site is located between Wellington Street and Aire Street in Leeds City Centre and comprises two properties, 17 Wellington Street, as the principal building facing Wellington Street and to the rear an annexe building, 49 Aire Street. 17 Wellington Street is a 6 storey L shaped former warehouse converted for office use in the late 1980's and 49 Aire Street, is a small detached three storey property in the south eastern corner of the site. 17 Wellington Street is a Grade II listed building and is within the boundary of the City Centre Conservation Area. To the east is an open triangular shaped site which is currently in use as a surface car park, but on which a

14 storey building, known as City Square House, is proposed. Wellington Street is characterised by a number of red brick, stone and terracotta historic buildings of 4 to 6 storeys (with 19, 21 to 23, 34, 38 and 52 Wellington Street and the Majestic building all being Grade II Listed Buildings) with more contemporary taller buildings sited further to the west along the street. Aire Street has a mix of 4 to 6 storey historic former warehouse buildings set between the taller Princes Exchange and other taller contemporary office and hotel buildings.

### **3.0 PROPOSAL:**

- 3.1 The proposed development seeks to provide 35 apartments, of which 24 would be two bedroomed and 11 would be one bedroomed across the retained 6 floored Grade II Listed 17 Wellington Street and a new contemporary 11 storey block. This would require internal reconfiguration of the retained listed building with the demolition of an existing rear extension to the listed building, and the demolition of a stand-alone building in the rear of the site. The new block would be faced in glass and look-a like glass panels to its south façade with a rain screen cladding system to its other sides.
- 3.2 At the ground floor and lower ground floor levels of the retained Listed building it is proposed to site an A3 restaurant which would stretch back into the ground and first floor of the proposed new block to the rear. In addition, an internal bin store would be created at the ground floor level, and basement cycle storage is proposed. Also at basement level a laundry area and gymnasium for residents is proposed.
- 3.3 The restaurant uses will be accessible from both Wellington Street and Aire Street, however the residential dwellings will only be accessible from Aire Street. As such light weight glazed bridge links are proposed between the listed building and the new block.

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

- 4.1 Previous consent was granted for the demolition of 49 Aire Street and the erection of a 7 storey block of 6 two bedroom flats at the rears of the site fronting on to Aire Street on 2 April 2005, planning reference 20/459/04/FU.
- 4.2 Approval was granted on the adjacent site for City Square House a multi-level office block up to 14 storeys with basement car parking on 10 January 2008, planning reference 07/04127/FU. This scheme has its timescale extended on 2 August 2011 under planning reference 10/05681/EXT.

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

- 5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since 13 January 2016. These discussions have focused on scale massing and design, flood risk, cycle parking levels and access, heritage designation and the level of demolition, affordable housing, room size standards, and archaeological implications. The preapplication presentation is a response to these discussions.
- 5.2 Ward Members were consulted on 18 May 2016. Councillor Nash has advised, via an email dated 18 May 2016, that she has concerns regarding the height of the new block.

### **6.0 RELEVANT PLANNING POLICIES:**

- 6.1 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.
- 6.2 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.
- 6.3 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.4 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 6.5 The 10th principle listed states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- 6.6 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 6.7 Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
  - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - the harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.8 The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (Adopted November 2014)
  2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
  3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013)
  4. Any Neighbourhood Plan, once Adopted
- 6.9 **Leeds Core Strategy**
- 6.10 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Policies include:
- 6.11 Policy CC1: City Centre Development

The City Centre will be planned to accommodate at least the following:

(i) 655,000 sqm of office floorspace.

(iii) 10,200 dwellings.

(iv) Supporting services and open spaces and improvements to the public realm

This will be achieved through implementation of outstanding permissions, decision making on planning applications, master-planning, and identification of appropriate sites and mixed use allocations through LDF allocations documents, according to the following criteria:

a) Favouring locations with the best public transport accessibility for large scale offices,

b) Encouraging residential development including new buildings and changes of use of existing providing that it does not prejudice the town centre functions of the city centre and that it provides a reasonable level of amenity for occupiers

(iii) Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate.

(iv) Reducing the speed and volume of surface water run-off as part of new build developments.

(v) Making space for flood water in high flood risk areas.

6.12 Policy H2 Policy to consider the merits of windfall housing development proposals on brownfield and greenfield sites.

6.13 Policy H4: Policy to achieve an appropriate Housing Mix on residential sites, for setting targets for different dwelling sizes and types as detailed in the table below.  
Table H4: Preferred Housing Mix (2012 – 2028)

<b>Type</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
Houses	90	50	75
Flats	50	10	25
<b>Size</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

6.14 Policy H5 Policy which incorporates Targets and Thresholds for affordable housing. In this case 5% of the total units to be provided on site must be affordable housing

6.15 Policy P10: Design states that:  
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

6.16 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation



measures will be required to be submitted by developers to accompany development proposals.

#### 6.17 **Leeds Unitary Development Plan Review 2006 - Retained Policies**

6.18 Relevant Policies include:

Policy BD2 (Design and siting of new buildings)

Policy BD5 (All new buildings and amenity)

Policy GP5 (All planning considerations)

Policy N15 (Changes of use of listed buildings)

Policy N16 (Extensions to listed buildings)

Policy N17 (All listed buildings)

#### 6.19 **Leeds Natural Resources and Waste DPD 2013**

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

#### 6.20 **Supplementary Planning Guidance**

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

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

#### 6.23 **Other Material Considerations**

6.24 The site is identified in the draft site allocations plan for the provision of potentially 6 residential units (draft allocation HG2-191)

6.25 DCLG – Technical Housing Standards 2015 – Sets out internal space standards within new dwellings and is suitable for applications across all tenures. The housing standards are a material consideration in dealing with planning applications. The government's Planning Practice Guidance advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the nationally described space standard. With this in mind the city council is currently developing the Leeds Space Standard. However, as the Leeds Standard is at an early stage within the local plan process, and is in the process of moving towards adoption, only limited weight can be attached at this stage but this may change as the proposals are progressed through the planning system.

### 7.0 **KEY ISSUES**

#### 7.1 Principle of the Use

7.2 The most recent use of the former warehousing building has been as offices. The developer has advised that the spaces in the building are not of a standard and layout that modern office operators are seeking. The interior of the building is dominated by a centrally located modern stair core which splits the floor areas into

awkward spaces. In addition, there is a levels change between the main part of the host listed building and the rear extension. Therefore, the developer has explored other potential uses and the result is a proposal for a predominantly residential scheme with the two lower floors operating as A3 restaurant use. The proposed mixed use development would be compliant with the aspirations of the Core Strategy and relevant retained Leeds Unitary Development Plan policies, which encourage a mix of uses to ensure a wide range of activities in the area. The proposed range of uses would contribute to the ongoing creation of a vibrant and lively community in Leeds City Centre.

### **7.3 Do Members consider the uses to be appropriate?**

#### **7.4 The principle of the demolitions**

7.5 The developer has stated that the layout of the existing listed building has some key constraints which prevent it being easily adapted for other uses. This has led them to conclude that the rear extension, rear stand alone building (49 Aire Street) and modern internal stair core within the main listed building all need to be demolished. This would allow for the creation of a new block to the rear that could be connected into the retained main part of the listed building at 17 Wellington Street, as well as creating more useable spaces within the listed building. Such demolitions need to be justified in accordance with the considerations at paragraph 133 of the National Planning Policy Framework and would need to be informed by the statutory requirement to consult Historic England and designated National Amenity Societies and may need to be referred to the Secretary of State (SoS) for determination if required by these statutory bodies. Historic England have been consulted by the Developer (as is procedure now for preapplication enquirers) and thus far stated that they would not be able to support the demolitions without a robust justification from the developer. Officers consider that the level of demolition would be acceptable provided the scheme that comes forward is of sufficient quality to mitigate the loss of the existing structures.

### **7.6 What are Member's views on the proposed demolitions?**

#### **7.7 Design, Massing and Scale**

7.8 The proposal is at an early stage in terms of the design and massing and is brought to Plans Panel at this emerging stage to allow Members an opportunity to provide early comments. The proposal involves the erection of an 11 storey contemporary block and connected to the 6 storey Grade II listed building fronting Wellington Street. Aire Street is characterised by a variety of building types and heights with some being of similar scale to the proposal. Due to the tight urban grain in this area, and the presence of other tall buildings along Wellington Street and Aire Street, Officers consider that the new block would not be unduly dominant in the street scene.

7.9 The listed building would retain its existing facades although the east facing wall is currently a blank wall, due to the past demolition of the attached building, and is visually untidy. As a result the developer proposes to render this side wall of the listed building. At the lower two levels the new block would connect to the host building via a two storey glass roofed atrium, for use by the A3 restaurant/s, and by light weight glazed walkways at two upper levels for use by the residents.

7.10 Although at a very early design stage the façade of the new block where it faces onto Aire Street is proposed to be predominantly clear glazing with look-a-like

panels concealing floor slabs, junctions with walls and other areas which require concealment or privacy. The side walls of the block are currently being considered as Carea Ardel (or similar composite mineral material) which is a rain screen system. Officers are still in discussions with the Developer about these materials to ensure that a high quality finish is achieved, however it is not uncommon to site contemporary buildings adjacent to historic buildings within the City Centre.

**7.11 What are Members views on the emerging scale, massing and design of the proposals?**

**7.12 Residential Amenity**

7.13 The proposal provides a good mix and size of units with 35 apartments split into 24 two bedroomed flats, and 11 one bedroomed flats. No three bedroomed apartments are proposed as part of the development. The relevant Core Strategy policy H4 on Housing Mix requires a minimum provision of 20% of units be provided containing 3 bedrooms across the Local Authority area. However, the policy does allow the Local Planning Authority to take into account the nature of the scheme as well as its location. The constraints of redeveloping a listed building and creating a new block on a very size constrained site have meant the Developer has not been able to provide any three bedroomed apartments in this case. In this context the proposed mix of apartments type is considered to be acceptable by officers. The developer advises that all apartments would accord with the guidance in the DCLG – Technical Housing Standards 2015 in respect of space standards.

7.14 The opportunity for private residential amenity space at roof level is being explored.

**7.15 Do Members consider the emerging scheme to provide an acceptable mix and standard of residential accommodation proposed?**

**7.16 Transport and Access**

7.17 Due to the sustainable location of the site no car parking spaces are proposed, however an area in the basement will be laid out for cycle parking spaces, of a number to be agreed. This is supported in this location and the scheme is unlikely to cause any highways network or parking problems due to on-street parking controls in the wider area.

**8.0 CONCLUSION**

8.1 The key questions asked in the report above are as following:

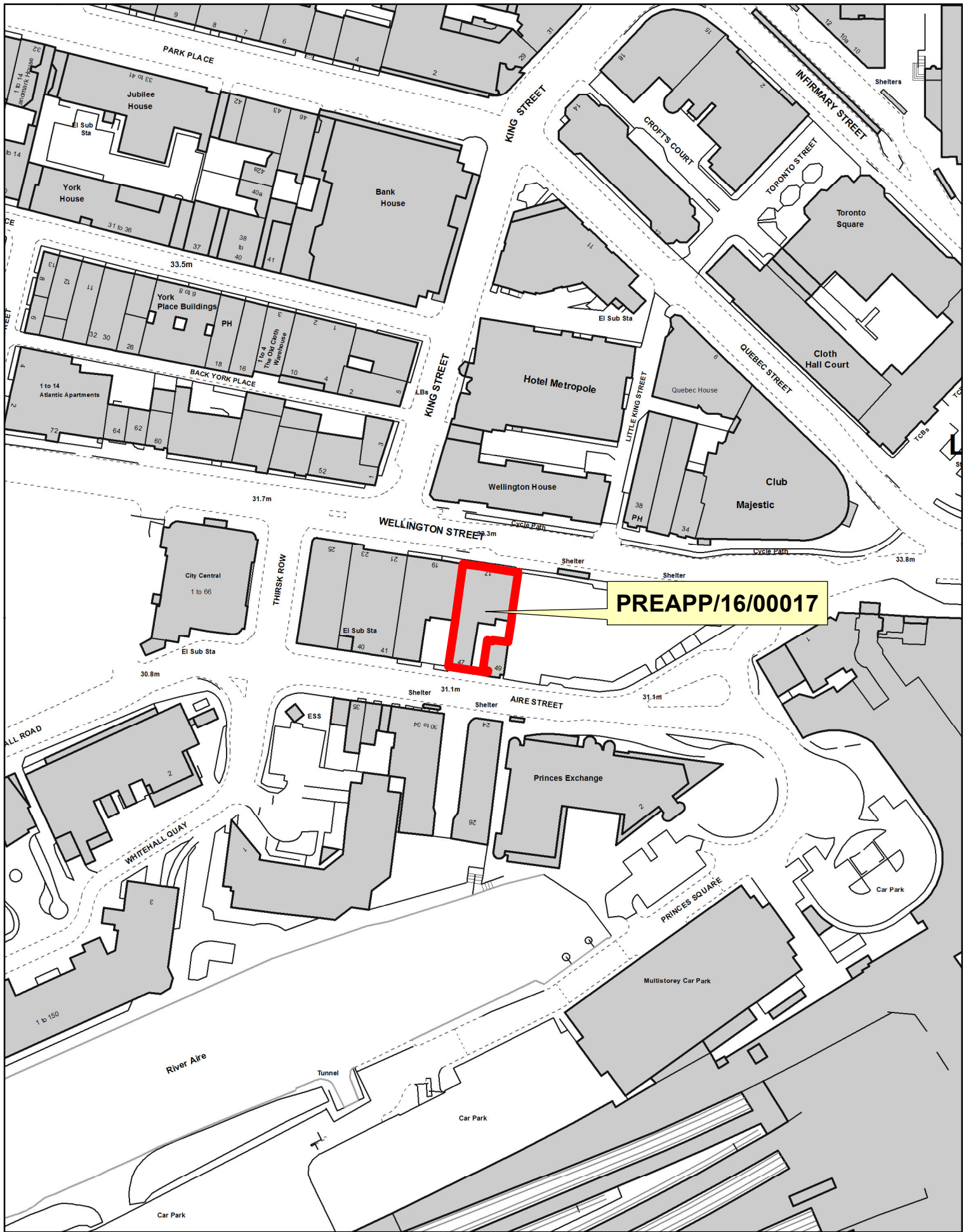
**7.3 Do Members consider the uses to be appropriate?**

**7.6 What are Member's views on the proposed demolitions?**

**7.11 What are Members views on the emerging scale, massing and design of the proposals?**

**7.15 Do Members consider the emerging scheme to provide an acceptable mix and standard of residential accommodation proposed?**

**Background Papers:**  
PREAPP/16/00017



# CITY PLANS PANEL





Originator: Paul Kendall

Tel: 2478000

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

**Date: 9th June 2016**

**Subject: PREAPP/16/00067 - Pre-application presentation for the first phase residential building pursuant to outline permission (14/05976/OT – mixed use offices and residential/hotel building) at the eastern end of the site bounded by Wellington St and Wellington Bridge St (formerly Yorkshire Post).**

**Applicant: QUOD**

**Electoral Wards Affected:**

City and Hunslet

Yes

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: This report is brought to Panel for information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.**

## 1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members of the first phase of development of the former Yorkshire Post site. Members will be aware that the site has now been vacated by Yorkshire Post and that the building has been demolished. Outline planning permission for a mixed use scheme, consisting of 3 office buildings and one residential and/or hotel building was granted after consideration of the scheme by Members at Panel in February 2015. It is this latter hotel/residential building which is now being brought forward as the first phase of development. It is proposed that the building be for residential use and operated under the Private Rented Sector (PRS) model, where all units would be rented out rather than offered for sale. It was originally estimated that the number of units in the scheme would be approximately 200, however, now that the scheme has been properly space-planned 237 units are able to be provided.

1.2 The principles of the use, the footprint and the height of the building have already been established and therefore the primary physical consideration is the architectural treatment. Given it is in a prominent location adjacent the River Aire, and is between 10 and 18 storeys in height, it was considered appropriate to bring it before Members for a pre-application presentation. Members will be asked to comment on the emerging scheme.

## **2.0 SITE AND SURROUNDINGS:**

2.1 The first phase site is approximately half of the total 1.87 hectare former Yorkshire Post site. In addition to the building an area of temporary landscaping fronting Wellington St has also been included, as well as a temporary site access road to the Inner Ring Road to the west (this link being a requirement of Highways Services and controlled by condition attached to the original outline).

2.2 The site is now cleared following the demolition of the Yorkshire Post Building and is generally flat. It is bound by Wellington Street to the north, the low-rise car park of the Crowne Plaza hotel and the Wellington Place multi-storey car park to the east, the River Aire to the south, and the remainder of the site which gives way to the Inner Ring Road slip road (Wellington Bridge St) to the west. The surrounding area has a mix of uses comprising offices, hotels, small scale retail and residential. A number of large scale developments have been built in close proximity to the site:

- City Island Development (Residential), immediately south of the site on the opposite side of the River Aire. The development consists of two 15 storey curved stepped blocks and a 20 storey tower.
- Wellington Place (Mixed Use), to the east of the Yorkshire Post site. The proposal consists of up to 2 million sq ft of commercial, retail, leisure and residential space in buildings of up to 19 storeys. The third building is now nearing completion, although this is at the eastern end of the site well away from the current proposal.

The site to the north, on the opposite side of Wellington St, was a row of disused office buildings fronting Westgate (Ring Road off-slip). However, these are in the process of being demolished at the time of writing this report and the site benefits from planning permission for a 28 storey tower comprising 272 flats, offices, A3 use and basement parking.

## **3.0 PROPOSAL**

3.1 The proposal is to be submitted as a Reserved Matters application pursuant to the outline approval and is for a PRS residential building in the south-eastern quarter of the site. As part of the outline it was considered appropriate to locate the residential use here as it is some distance from the primary road frontages where the impact on amenity from road traffic noise and air quality could be minimised.

### **3.2 Relationship to Outline Scheme**

The outline approval set out a series of plans indicating the footprints of the buildings, routes through the scheme, linkages to surrounding routes and public open space areas as well as heights of each building. The footprint of the proposed building is very similar to that approved as part of the parameters plan at outline stage. The building runs parallel to the eastern boundary of the site and steps down towards the river from a height of approximately 18 residential storeys to 11 storeys fronting the river. The pedestrian route beneath the building, proposed as part of the

outline approval, has been removed and the rationale for this is set out in para 3.12 below

### 3.3 Elevational Treatment

The elevations consist of 3 elements.

- A vertical tower at the northern end of the building, to be of brick with bronze coloured aluminium panel window-frame detailing. This would have recessed corner balconies to provide interest and accentuate the slenderness of the brick element of the tower.
- A horizontally oriented brick section fronting the river, again with bronze detailing and 11 storeys tall, also with a feature bronze clad and glazed residents lounge on the roof top overlooking the river.
- Located between these two brick elements would be a linking element of bronze cladding which would be slightly recessed from the plane of the two brick elements and then rise up between them before turning horizontally, towards the river, presenting a 3 storey element over the block below.

It is this linking element which ties the building together and creates its stepped profile which is required by the outline parameters plans. The building meets the height parameter at the river end but exceeds the limit by 1.2m at the tower end.

3.4 The lower 2 floors have been treated to give the appearance of a double height colonnade with the use of glazing and a dark ceramic panel beneath the brick sections of the building. This is intended to provide a visual base to the composition.

### 3.5 Uses

The ground floor contains the entrance area to the PRS units and would be located at the base of the tower at the northern end of the building. The central section of the ground floor would contain the servicing areas including refuse storage. To the south of this would be the restaurant/bar element designed to take advantage of its location fronting the river. There would also be a cut back in the ground floor at this end of the building. The presentation will show how this now aligns with the proposed route through the existing brick boundary wall to the east, which provides a link to the adjacent Wellington Place scheme.

### 3.6 Housing Mix

The proposal contains 121no. 2 bedroom apartments and 116no. 1 bedroom apartments. The PRS operator considers that these units cater for the needs of the private rented sector which attracts largely young professional single people and couples, rather than families. Hence there are no 3no. bedroom units proposed. Members should note that, as part of the original outline application panel report, they were informed that 'there would be a provision of 3 bed units within the building, along with a mix of 1 and 2 bed units, which might appeal to couples and young families who would then have a longer term stake in the evolution of this part of Leeds'.

### 3.7 Unit Size

The layouts of the 1 and 2 bedroom units have been provided and this indicates that the 1 bedroom units would be 45 sqm in area with the 2 bedroom units being between 63 sqm and 66 sqm (excluding the balcony areas of 4-5sqm). The Government's Nationally Described Space Standard sets out that a 2 person 1 bedroom flat would be expected to provide a minimum gross internal floor area of 50

sqm of space and the standard for a 4 person 2 bedroom flat would be 70 sqm. The applicant will be asked to provide details of the layouts as part of their Panel presentation.

### 3.8 Affordable Housing

The S106 agreement attached to the outline permission requires that 5% of the units would be provided as affordable with 40% being sub-market/intermediate affordable units and 60% being social rented affordable units, in line with the Council's adopted policies. Members should note that, as part of the original outline application panel report, they were informed that 'the applicants have stated their intention to conform with affordable housing provision on site, as set out in the Core Strategy and the relevant Supplementary Planning Guidance. This is independent of whether the proposal is developed as open market housing or under the Private Rented Sector (PRS) model'.

3.9 As this proposal is now for a PRS operator the involvement of a Registered Provider (RP) is not possible, due to the funding model used to finance the scheme. This scenario will be familiar to Members as part of the City Reach scheme (former Yorkshire Chemicals site on Kirkstall Rd) which was approved at Panel in March this year. As in the case of City Reach officers have advocated to the applicant that the PRS operator should provide the required affordable units in accordance with the Council's adopted policies. The key elements of this would require the PRS operator to provide the required number of units at a price that reflects the Council's affordable housing policy; ensure that they are available to tenants nominated from the Council's Housing Register and ensure that the units are available in perpetuity. In discussions the applicant has indicated that they also wish the option of providing a commuted sum to be considered and this is the subject of ongoing negotiations with officers. Any amendment to the provisions of the original S106 agreement would require a Deed of Variation to that agreement.

### 3.10 Highways Access and Pedestrian Linkage

To the east of the building is the basement access ramp, vehicle turn around and disabled parking area with one car club space. The basement car park would contain 72 spaces as well as approximately 140 cycle parking spaces.

3.11 The vehicular route along the eastern boundary sits above a culvert which cannot be built over. It will also provide a direct route for cyclists to get from Wellington St to the riverside. The space which it creates along this side of the site also provides physical separation between the residential/hotel building and the neighbouring multi-storey car park (minimum distance 24m).

3.12 The original brick wall of the former Been Ing Mills, which used to occupy this site, is to be retained along this boundary but will be removed at the points where pedestrian through-routes are required and this was agreed as part of the outline permission. This indicated an east/west cut through the ground floor of the building. However, in working up the detailed design it has been considered that it would be better to divert this to the south of the building and, as an alternative, introduce a cut-back in the building line at ground floor level. It was considered that the originally approved route through the building:

- could have resulted in an unattractive passageway with poor natural surveillance
- directed pedestrians through the disabled parking and vehicle turning area
- separated the bar/restaurant unit from the servicing area and refuse storage facilities which compromises the functionality of the unit



This will be explained to Members as part of the presentation by the developer team.

3.13 The scheme includes a section of the riverside open space which is triangular in shape with an area of approximately 800 sqm, containing a 50m long section of the river frontage. This would include the provision of hard and soft landscaping, terracing, steps and a 1:21 slope (too shallow to be described as a ramp) between the level around the base of the building down to the riverside space. This area, and the quality of the treatment proposed, will be described in more detail as part of the presentation.

3.14 Wind

The issue of wind conditions and safety were assessed as part of the outline application and it was established, after an independent peer review of the submitted wind report, that the wind environment would be suitable for the desired uses on the site and that there will be no areas where the wind would cause distress. A condition is attached to the outline permission which requires details of the proposed external seating and entrance locations to be submitted for approval.

#### **4.0 HISTORY OF NEGOTIATIONS**

4.1 Officers have had a number of meetings with the project architects which commenced in March this year. These have dealt principally with the architecture of the building and the highways links required for this first phase.

#### **5.0 RELEVANT PLANNING POLICIES**

##### **5.1 The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Now that the Core Strategy has been adopted, this can now be given full weight as part of the statutory Development Plan for Leeds. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

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

These development plan policies are supplemented by supplementary planning guidance and documents.

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 they may be given.

## 5.2 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Conserve and enhance the natural environment
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Promote mixed use developments and encourage multiple benefits from the use of land in urban areas.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be, made sustainable.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

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

The Government attaches great importance to the design of the built environment. Section 7 (paras 56-66) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

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

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 66 states that applicants will be expected to work closely with those directly affected by development to evolve designs that take account of the views of the community.

## 5.3 Leeds Core Strategy

The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. The most relevant policies are set out in the paragraphs below:

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings.

G5 sets out the requirement for open space provision in commercial and mixed use developments.

Policy H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long-term taking into account the nature of the development and character of the location. A minimum of 30% of the units should have 2 bedrooms and 20% should have 3 bedrooms.

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

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

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

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case, Code for Sustainable Homes Level 4 is required.

Other relevant draft Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G5 Open space provision in the City Centre

Policy G9 Biodiversity improvements

## **5.5 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

GP5 all relevant planning considerations

BD2 new buildings

N25 boundary treatments

N29 archaeology

BD4 all mechanical plant

## **5.6 Leeds Natural Resources and Waste DPD 2013**

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets

out where land is needed to enable the City to manage resources, e.g. minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. The policy requirements of this plan were taken in to account when determining the outline proposal.

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

SPD Tall Buildings Design Guide – States that the western end of Wellington Street is a location for tall buildings as it is a gateway location, on one of the main approaches to the city as well as adjacent the Inner Ring Road where a ‘string’ of tall buildings is considered to be appropriate (evidenced by the City Island and Hotel/Student development already constructed).

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

Leeds Waterfront Strategy

#### **5.8 Residential Amenity Standards:**

The Council’s aspirations for good standards of amenity and living conditions responds to guidance within the National Planning Policy Framework which states that a good standard of amenity for future occupants is one of the core planning principles. More recently the Council’s Executive Board (September 2014) agreed to bring forward the Leeds Standard for Council schemes which sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. This standard closely reflects the Government’s Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has yet been adopted as formal planning policy in Leeds, given their evidence base in determining the minimum space requirements, they are a material consideration in the determination of development proposals.

### **6.0 ISSUES**

#### **6.1 Design**

The architectural composition consists of 3 interlocking elements which make the transition between a taller vertical element and a lower horizontal element, whilst also accommodating the requirement for a building which steps down towards the river. It also exhibits a clear base, middle and top which gives the elevations a simple but clearly defined order. The use of a restricted palette of materials – brick, bronze coloured metal cladding, dark ceramic and glass - is supported. The materials are to be agreed by the Local Planning Authority through the condition discharge process set out at outline stage and therefore officers have control over this important aspect of the scheme.

The building exceeds the parameter height by 1.2 m at the northern end, however officers consider that, in this context, this is a very minor breach of the original principle. The office tower at the north western corner of the site is intended to be the focal point of the development and this remains 6m higher than the tallest part of the residential building as proposed. It is also noted that the 1.2m increase is taken up by a parapet wall which is designed to create an architectural ‘top’ to the building. Therefore, in these circumstances, officers consider that the proposed increase in height of the tallest element is acceptable.

The proposal removes the route beneath the building, agreed as part of the original outline permission, which is proposed to be replaced by a set-back at ground floor

level fronting the river. This aligns with the proposed break through the eastern boundary wall and also serves to divert pedestrians around the parking and drop off space located on the eastern side of the building. The Police Architectural Liaison Officer has been asked to comment on this aspect of the proposal and is supportive of this move for reasons of safety and security given the potentially uninviting nature of the route through the building.

### **1. Do Members support the emerging design for the residential block?**

#### 6.2 Housing Mix

The proposal is for 1 and 2 bedroom units only, with no provision of 3 bedroom units. The rationale given is the type of tenant that is attracted to a PRS scheme in this city centre location. Core Strategy Policy H4 allows developments of over 250 units to be able to submit a Housing Needs Assessment to justify their mix of unit sizes. The proposal is just under that threshold, however, it is still significant in size and it is considered appropriate to accept that such an assessment could be undertaken in this case, especially given the PRS nature of the proposal. Officers note that the number of 2 bedroom units is just over half of the total number which is well in excess of the 30% minimum set out in the policy. Also, from previous work undertaken in support of the City Reach scheme, it was established that, across the total stock of city centre apartments (11,000), the current provision of 3 bedroom units is approximately 1%, or 110 units. Notwithstanding this, it is considered that a Housing Needs Assessment should be submitted in this case to justify the lack of any 3 bedroom units within the scheme.

### **2. What are Members views on the provision of 1 and 2 bedroom units only?**

#### 6.3 Unit size

The sizes of the units are below those recommended in the nationally prescribed space standards, although it is recognized that the shortfall is less than 10% of the area. It can be seen from the layouts provided, that all of the proposed units contain room sizes and facilities which would be expected in a city centre apartment, including en suite bathrooms and house bathrooms with baths in most of the 2 bedroom units. Balcony space has also been provided for many of the 2 bedroom units which is excluded from the size calculations. There is space for the carrying out of day to day activities, such as watching television in a lounge area and sitting to eat at a permanently erected dining table, as well as the ability to accommodate a number of visitors. Therefore, officers consider that there is sufficient space within the units to provide an acceptable standard of accommodation. It should also be noted that space standards have not formally been adopted in Leeds although they are a material consideration.

### **3. Do Members consider the size of the units to be acceptable?**

#### 6.4 Affordable Housing

It has been accepted in other schemes that PRS housing has specific characteristics, brought about through its funding model, which makes it unsuitable for the delivery of Affordable Housing provision through a Registered Provider (RP). However, this has not prevented the ability to agree the provision of Affordable Housing on site by PRS operators on other sites, with rental levels and a local lettings plan being agreed through the S106 agreement. This has also provided the added benefit of the units being secured in perpetuity. The lack of involvement of an RP also means that the usual fall-back position of a commuted sum, (required if it is not possible to sell the affordable units to an RP), has been negated. This is the approach which has been advocated to the applicant. In discussions the applicant

has indicated that they also wish the option of providing a commuted sum to be considered and this is the subject of ongoing negotiations with officers. Members will be updated verbally at Panel if any further progress has been made on this matter.

4. **Do Members consider that the provision of Affordable Housing through the PRS operator, as advocated in the report, is an acceptable approach here or;  
do Members support further discussions with the applicant to secure an off-site contribution in this case?**

## **7.0 CONCLUSION**

Members will be advised of the details of this scheme as they are emerging from the ongoing discussions between officers and the applicant and are asked to provide responses to the following:

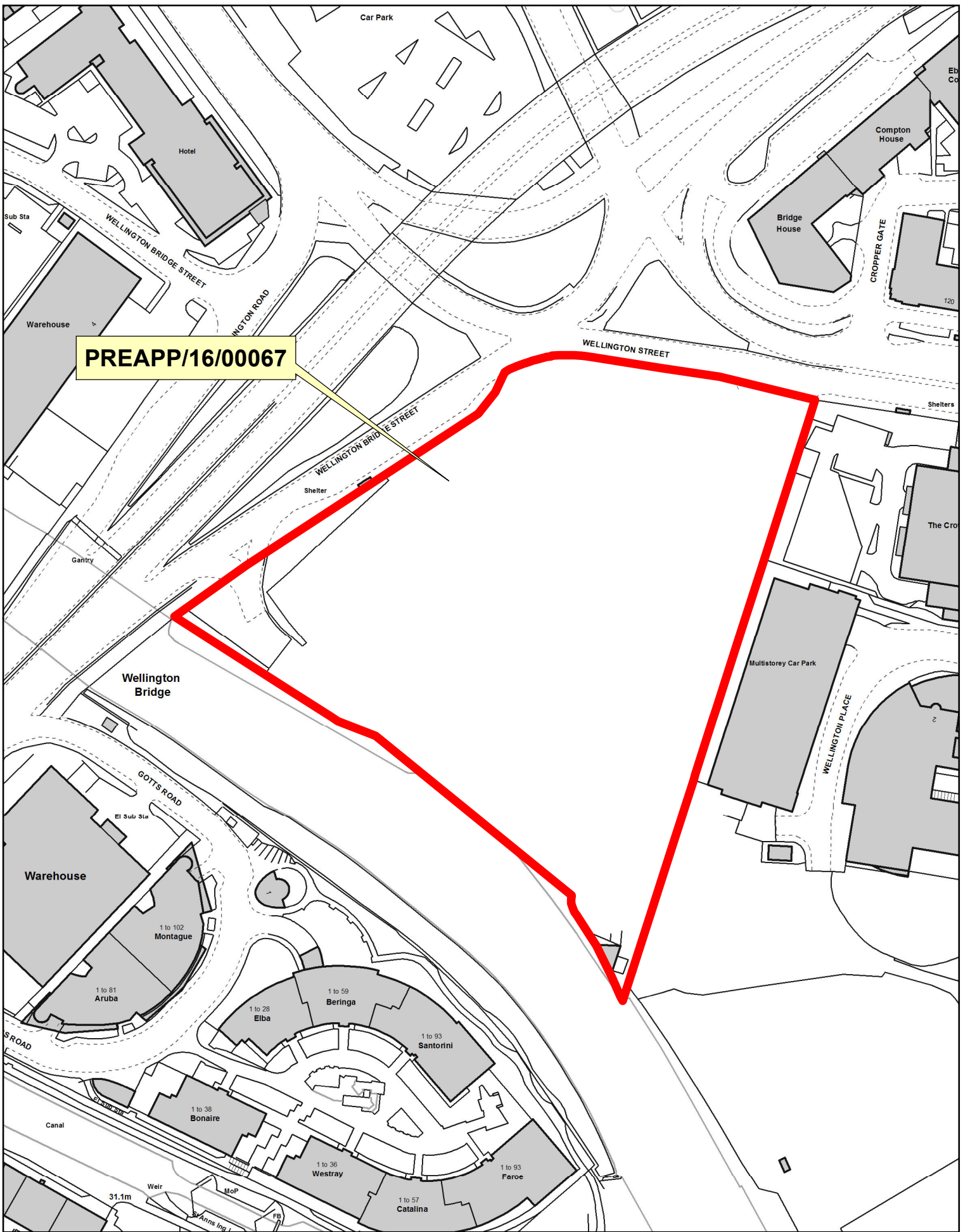
1. **Do Members support the emerging design for the residential block?**
2. **What are Members views on the provision of 1 and 2 bedroom units only?**
3. **Do Members consider the size of the units to be acceptable?**
4. **Do Members consider that the provision of Affordable Housing through the PRS operator, as advocated in the report, is an acceptable approach here or;  
do Members support further discussions with the applicant to secure an off-site contribution in this case?**

### **BACKGROUND PAPERS:**

Pre-application file: PREAPP/14/00564

Application file: Wellington Place 06/06824/OT

Application file: Cropper Gate/Westgate 10/03459/EXT



**PREAPP/16/00067**

# CITY PLANS PANEL



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